



**REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL
ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS
12 JULY 1985-30 JUNE 1986**

SECURITY COUNCIL OFFICIAL RECORDS

**FORTY-FIRST YEAR
SPECIAL SUPPLEMENT No. 1**

**UNITED NATIONS
New York, 1986**

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S/18238

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PART I. ORGANIZATION AND ACTIVITIES OF THE TRUSTEESHIP COUNCIL

A. Introduction

1. The Trusteeship Council carries out, on behalf of the Security Council, those functions of the United Nations under the International Trusteeship System relating to the political, economic, social and educational advancement of the inhabitants of the Trust Territory of the Pacific Islands. In accordance with Article 86 of the Charter of the United Nations, the composition of the Trusteeship Council in 1986 was as follows:

United States of America (member administering a Trust Territory)

China

France

Union of Soviet Socialist Republics

United Kingdom of Great Britain and Northern Ireland.

2. At its 1599th meeting, on 4 February 1986, the Trusteeship Council adopted the agenda of its sixteenth special session contained in document T/1881 (see annex I to the present report).

3. At its 1601st meeting, on 12 May 1986, which marked the opening of its fifty-third session, the Council adopted its agenda contained in document T/1887 (see annex II to the present report).

4. Mr. Peter M. Maxey, C.M.G. (United Kingdom) and Mr. Laurent Rapin (France), who served as President and Vice-President, respectively, during the fifty-second session of the Council, continued to act in the same capacity during the sixteenth special session.

5. Mr. Rapin (France) and Mr. Maxey (United Kingdom) were elected President and Vice-President, respectively, at the beginning of the fifty-third session on 12 May 1986.

6. At a series of 20 meetings, held between 12 May and 4 June 1986, the Council heard statements by representatives of the Administering Authority and its Special representatives and advisers representing the Governments of the Trust Territory, as well as by other members of the Council. It also heard statements by the representatives of seven non-members of the Trusteeship Council: Australia, Fiji, New Zealand, Papua New Guinea, Samoa, the Solomon Islands and Vanuatu. Those representatives had been invited to participate, without a vote, in the deliberations of the Council. The Council also heard statements by petitioners and considered written petitions and communications. Further, questions were put to representatives of the Administering Authority, including Micronesian representatives, by members of the Council.

7. At its 1620th meeting, on 4 June 1986, the Trusteeship Council adopted the report of its Drafting Committee containing the Council's conclusions and recommendations. At the 1621st and concluding meeting of its fifty-third session, on 30 June 1986, the Council adopted the present report to the Security Council.

B. Annual report of the Administering Authority and the
future of the Trust Territory of the Pacific Islands

8. The representative of the United States of America said that Micronesia had been under United Nations trusteeship for 39 years. Despite the difficulties engendered by a small, scattered population, a mélange of cultures and languages and a Territory linked by the most rudimentary of transportation and communication networks and whose economy was based principally on the needs of the preceding colonial Powers without concern for the indigenous inhabitants, the essential purposes of the trusteeship set out in the Charter had been fulfilled.

9. The first was furtherance of international peace and security. Since 1945, there had not been one battle fought in the islands of Micronesia. Also, since the end of the Second World War, the United States had dismantled the military bases scattered throughout the Territory. The only remaining military facility was the missile testing range at Kwajalein in the Marshall Islands operated by a civilian contractor.

10. The second objective was the promotion of the political, economic, social and educational advancement of the inhabitants and their progress towards self-government. From 1978 to 1981 the peoples of Micronesia had created constitutional Governments based on principles of democracy, representative government, respect for fundamental freedoms of speech, press, religion and assembly and pluralism. United Nations-observed plebiscites had confirmed the desire of the Micronesians to create four distinct constitutional Governments in the Marshall Islands, the Federated States of Micronesia, Palau and the Northern Mariana Islands.

11. The representative of the United States said that in the realm of economic, social and educational advancement, foundations had been laid for future growth. There were numerous airstrips and international airports throughout the Territory; modern hospitals and power plants had been built on the major islands; educational institutions had been developed from the primary through the post-secondary levels; life expectancy had risen to over 60 years; infant mortality rates were among the lowest in the Pacific; and a road system had been installed.

12. Much still remained to be done to develop the Micronesian economy, the United States representative said. For that purpose, the United States had provided considerable financial assistance and had obligated itself to continue to do so in the future. Recently, Micronesians had taken the lead in designating the sectors to which they wished to channel United States assistance funds. While absolute economic self-sufficiency for Micronesians was probably an unrealistic goal in the modern world, self-management leading towards greater self-sufficiency and to less reliance on the public sector for economic advancement, was not. There was already a substantial increase in private sector foreign investment in many areas of the islands.

13. The United States representative said that the freedom of Micronesians to criticize the Administering Authority or the constitutional Governments on a variety of issues and their willingness to organize for political goals had been demonstrated time and again to visiting missions and to the Trusteeship Council as a whole. Those criticisms, whether valid or not in each instance, collectively testified to the respect for freedom of speech in Micronesia and the protections built into its system of government.

14. The representative of the United States observed that each of the Micronesian States had chosen its future status in acts of self-determination observed by missions of the Trusteeship Council. The Northern Mariana Islands had chosen commonwealth status within the United States in 1975 by a 78.8 per cent affirmative majority. The Federated States of Micronesia had chosen free association with the United States in 1983 by a vote of 79 per cent to 21 per cent. The Marshall Islands had similarly chosen free association with the United States in 1983 by a vote of 58 per cent to 42 per cent. Each of those plebiscites had offered the peoples of the Territory the choice of a range of status options, including independence. Each plebiscite had been judged to be a free and fair act of self-determination by the Trusteeship Council.

15. As regards Palau, in 1983 its voters had approved the Compact by a vote of 62 per cent to 38 per cent in a United Nations-observed plebiscite. Subsequently, in 1984, the voters had approved a slightly revised Compact by a vote of 66 per cent to 34 per cent. However, the Compact could not be implemented because of perceived inconsistencies between its terms and the Palau Constitution. On 21 February 1986, the Government of Palau had conducted another plebiscite on the Compact of Free Association. The terms of the Compact were essentially the same as those of the Compact approved in 1983 except for revisions to make it conform to changes made by the United States Congress in the Compacts for the Federated States of Micronesia and the Marshall Islands and a change in the defence section of the Compact to make it conform to Palau's Constitution. Palau's voters had approved the revised Compact overwhelmingly by a vote of 72 per cent to 28 per cent in a plebiscite observed by a mission sent by the Trusteeship Council.

16. The United States representative said that early in 1985 the Compact of Free Association for the Federated States of Micronesia and the Marshall Islands had been approved both by the United States Congress and by the Governments of the Federated States of Micronesia and the Marshall Islands and had been signed by the President of the United States on 14 January 1986. The Marshall Islands Government had approved the Compact on 20 February 1986 and the legislature of the Federated States had done so on 26 March 1986.

17. Also in 1986, the Economic and Social Commission for Asia and the Pacific (ESCAP) had unanimously decided to admit the Marshall Islands, the Federated States of Micronesia, Palau and the Northern Mariana Islands as associate members, a sign that the international community recognized that the Micronesian States were ready to emerge from trusteeship status and assume their rightful places in the world.

18. At a later stage of the Council's proceedings, the representative of the United States, referring to the statements made by the Micronesian representatives from the four constitutional Governments, said that their message was loud and clear for termination of the Trusteeship Agreement without delay. He recalled that the Trusteeship Agreement had been in existence for almost four decades and, understandably, the Micronesians had felt for some time that they were ready to end that tutelage. While it had served them well, it was no longer necessary. The peoples of Micronesia had achieved self-government, which was the meaning of the constitutional Governments they had created and the status arrangements they had negotiated with the United States.

19. The representative noted that international practice and United Nations resolutions had recognized independence, free association with another State or integration into an existing State as acceptable outcomes to the process of self-determination. Plebiscites observed by the Trusteeship Council had offered

the Micronesians the choice of the full range of status options, including independence. The plebiscites had been judged free and fair acts of self-determination by the Trusteeship Council without any attempt by the Administering Authority to dictate or influence the outcome. In free, fair elections the results were never unanimous and, as the Micronesian leaders had pointed out in their statements, some within Micronesia might have preferred a different outcome such as a closer relationship with the United States or complete independence. While the United States respected those voices, it had an obligation to heed the voice of the overwhelming majority and the elected leaders of that majority. Respect for the principle of self-determination meant that there was no single path to be imposed from the outside. It meant that the free choice of the peoples concerned must be honoured. The Trusteeship System and its Council had served the peoples of the Trust Territories well and achieved their purposes thoroughly.

20. The representative of the United States requested the Trusteeship Council to recognize that the time had come to terminate the Trusteeship Agreement. The United States had fulfilled its obligations and responsibilities under the Charter and the Trusteeship Agreement to the peoples of Micronesia and to the United Nations. The peoples of Micronesia had made crystal clear their hope that the Trusteeship Agreement would be terminated. It remained for the members of the Trusteeship Council to respond to the Administering Authority's request and to the hope of the Micronesian people.

21. Mr. Fred M. Zeder, Personal Representative of the President of the United States for Micronesian Status Negotiations and Senior Adviser to the Administering Authority, said that the results of the negotiations between the United States and the elected Governments of the four entities had been approved in most cases by truly overwhelming majorities in sovereign acts of self-determination. The work of the United States Congress in accepting and ratifying the results of the negotiations was in the final stage with respect to Palau, and had been fully and formally completed with regard to the Northern Mariana Islands, the Marshall Islands and the Federated States of Micronesia.

22. The United States Adviser said that 1986 was also when the Trusteeship Council would hear a call from the peoples of the Trust Territory to terminate the Trusteeship Agreement. The peoples of the four entities had forged democratic institutions that had already proved their durability and had shown their promise under very difficult circumstances. Also, on islands comparatively poor in resources, they were now fashioning free-market economies in order to provide opportunities to the islanders, as well as to entrepreneurs, with the vision of sharing in venture capital opportunities in the fastest-growing part of the world, the Pacific basin. The United States Government was committed to doing its part to assist in that process of sound growth and strong economic independence.

23. The United States Government joined the peoples of Palau, the Marshall Islands, the Federated States of Micronesia and the Northern Mariana Islands in recognizing that 1986 was the year for all to support the desire of thousands of Micronesians scattered across millions of square miles of the vast Pacific Ocean for sovereignty, national identity and political freedom.

24. Mrs. Janet McCoy, High Commissioner of the Trust Territory of the Pacific Islands and Special Representative of the Administering Authority, said that the current session of the Trusteeship Council had a historic objective, that of certifying to the Security Council that, in compliance with the Charter of the

United Nations and the Trusteeship Agreement, the Trust Territory met all the conditions for terminating the Agreement, and that its peoples were posed to assume self-government.

25. The Special Representative recalled that the Trusteeship Council had observed the peoples of the Territory undertake a series of acts of self-determination, beginning with the 17 June 1975 plebiscite in the Northern Mariana Islands and followed by the constitutional referendum of 1978 for the rest of the Territory, which had resulted in the formation of the present Governments. Then, in 1983, plebiscites on the Compact of Free Association had been held in the Marshall Islands, the Federated States of Micronesia and Palau. All those votes had taken place under the observation of the Council, and in no case was anything observed to suggest that the people were doing anything but exercising their own informed free will. All of the elections had been carried out peacefully and without incident. Epitomizing that political maturity had been the smooth transfer of responsibility and authority that took place in Palau following the death of President Remeliik.

26. The Special Representative said that self-government without the basic economic infrastructure in place was inadequate. In the past several years, modern airports had been constructed; a programme to build terminal facilities had been launched; water and sewer systems had been upgraded in populous islands; new hospitals had been built or were in the process of construction; and communications had been brought up to the state of the art with direct satellite links to the outside world. Roads had been paved in all the capitals and new roads had been constructed in order to open previously inaccessible areas. The biggest weakness in the system remained the maintenance and repair of the power-generation systems. New generators would soon be installed in the places with the most problems, namely, Pohnpei and Truk.

27. After years of economic stagnation, the Special Representative said, there was a substantial increase in private commercial activity throughout the Territory. Tourism was expanding, small industry was being established and, for the first time, employment in the private sector was exceeding that in the public sector in some areas. The Special Representative added that 40 per cent of the funds allocated under the Compact of Free Association had been earmarked for economic development.

28. Cholera remained under control, with no new cases reported, and a programme of leprosy control had been instituted with the assistance of the World Health Organization (WHO) and United States health agencies. The distribution of health care professionals remained uneven throughout the islands; the University of Hawaii MEDEX programme was, however, expected to alleviate the shortage of practitioners in the future. In the meantime, the islands received help from the United States Public Health Service, United Nations Volunteers and contract hire personnel.

29. All of the constitutional Governments had joined a variety of international and regional organizations in bilateral talks on subjects of common interest, and had begun to establish their international personality. Most recently, the Administering Authority had sponsored and supported separate membership for each of the Governments in ESCAP, with the overwhelming support of the membership.

30. The Special Representative was convinced that more than the minimum conditions existed for a satisfactory termination of the trusteeship. Continued close and mutually beneficial relations between the Micronesian Governments and peoples and the United States were also guaranteed in the Compact and related agreements. The

Compact provided for continued budgetary aid, the continuation of certain federal programmes, the availability of some United States agencies to provide needed services and assistance, and the establishment of representative offices in Washington, D.C., and the Micronesian capitals.

31. The Special Representative hoped that the current session of the Trusteeship Council would take historic steps towards termination of the Trusteeship Agreement.

32. Mr. Tosiwo Nakayama, President of the Federated States of Micronesia and Special Representative of the Administering Authority, stated that the Federated States of Micronesia, as a fully functioning self-government under its own national Constitution, had finalized the details of its future relationship with the United States. It asked the Trusteeship Council to recognize that the trusteeship had served its purpose and that no further basis existed for the maintenance of the trusteeship status for the Federated States of Micronesia.

33. The Special Representative noted that the Constitution of the Federated States of Micronesia had become effective on 10 May 1979 and that, thereupon, its own governmental institutions had promptly come into being. The United States had steadily relinquished to the Federated States the former functions of the Trust Territory Government and currently maintained only minimal oversight, pursuant to its obligations to the Trusteeship Council. While the people of the Federated States were still far from a condition of economic self-sufficiency, they believed that free association with the United States would be the best approach to pursuing that goal.

34. The Federated States of Micronesia had earned a strong measure of respect and recognition within the Pacific region. It was taking part in a number of regional discussions and negotiations as an active participant and, in a few cases, as a leading one.

35. The Special Representative noted that the idea of pursuing a unique form of free association as a post-trusteeship status had originated with the Micronesian people. The Congress of Micronesia had created a representative commission, which for several years had carefully evaluated every conceivable future status option before concluding that no precise parallel could be found that would meet the needs of the Micronesian people. Based on the Commission's report, the Congress of Micronesia had appointed a successor body, called the Joint Committee on Future Political Status, to pursue negotiations on free association to meet four fundamental principles: that sovereignty in Micronesia resided in the people and their duly constituted Government; that the people of Micronesia possessed the right to self-determination and might choose independence or self-government in free association with any nation or organization of nations; that the people of Micronesia had the right to adopt their own Constitution and to amend, change or revoke any constitution or government plan at any time; and that free association should be in the form of a revocable compact terminable unilaterally by either party.

36. The negotiations with the United States had begun in 1969 and, in 1975, a referendum in the Trust Territory had reaffirmed strong popular support for free association in conformity with the four basic principles. The negotiations between the Governments of the Federated States of Micronesia and the United States had been completed finally in 1982, when the two Governments had signed the Compact of Free Association.

37. The Compact had been subjected to exhaustive scrutiny within the Federated States of Micronesia. An extensive education programme had been conducted and ultimately the Compact had been approved overwhelmingly by the Congress of the Federated States of Micronesia and State legislatures as required by the Constitution, and also in a nation-wide plebiscite observed by the Trusteeship Council.

38. The United States Government had approved the Compact in January 1986. Subsequently, the Congress of the Federated States of Micronesia and State legislatures had reaffirmed the desire of the people of the Federated States of Micronesia to terminate the Trusteeship Agreement and enter into free association with the United States.

39. Mr. Epel Ilon, Representative of the Federated States of Micronesia in Washington, D.C., and Adviser to the Administering Authority, said that the remaining task of the Trusteeship Council was to engage the mechanisms of the United Nations to take official notice that the trusteeship had been rendered obsolete through valid exercises of self-determination by the people of the Trust Territory of the Pacific Islands. The Federated States of Micronesia had chosen a political status based on a concept broadly termed "free association". In the case of the Federated States, it would be more accurate to speak of "independence in free association", for what they had achieved demonstrated that the concepts of independence and free association were not mutually exclusive.

40. The Adviser stated that, at times, it had seemed that some petitioners and perhaps some members had thought that the appropriateness of the Compact and its terms were subjects to be examined in the Trusteeship Council. The Federated States of Micronesia believed very strongly that nothing that was extraneous to the task before the Council must be allowed to delay the Council's action. He concluded that, after so many years, the peoples of Micronesia stood at last at the very threshold of their future as a member of the world community. The Council also stood at the threshold of bringing to final completion a historic task that had brought freedom and fulfilment to the peoples of all former Trust Territories.

41. Mr. Lazarus Salii, President of Palau and Special Representative of the Administering Authority, said that 17 years had passed since leaders of the Congress of Micronesia had declared their intention to negotiate a relationship of free association with the United States in order to satisfy their wish for self-government and also to enable Micronesia to enjoy the continued protection, support and friendship of the United States. Such an agreement had not been easily reached because there had been difficult matters to resolve with the United States. Among island groups, there had been a painful time of testing that had resulted in the division of the Trust Territory into four entities; and within Palau, there had been hard choices. The Palauan Constitution and the Compact of Free Association had both been voted upon three times, but Palau had finally succeeded in negotiating an equitable partnership with a world Power.

42. The Special Representative said that, on 25 April 1986, in his capacity as President of Palau, he had certified the Compact to the President of the United States, officially advising him that it had been approved by the people of Palau in the manner prescribed by Palau's national congress and in conformity with its national Constitution. At the current session, he was bringing the same message to the members of the Trusteeship Council.

43. The Compact of Free Association was being reviewed by the United States Congress and would soon be submitted to the Council. On behalf of Palau, 72 per cent of whose voters had favoured the Compact in the plebiscite in February 1986, he urged that the Administering Authority approve the Compact without amendment without the prior consent of Palau and that it then be approved by the Trusteeship Council and the United Nations at large.

44. The Special Representative said that he recognized that there might be those in Palau, in the United States and in the Trusteeship Council who would have preferred that the Palauan people had made another choice, be it a closer, permanent tie with the United States, such as commonwealth status, an indefinite continuation of the trusteeship, or independence. Palau had taken their views into account in reaching its decision. That was why the Compact was open-ended, unilaterally terminable, allowed for movement and permitted change. The Special Representative was asking the Council to approve the Compact and terminate the Trusteeship Agreement.

45. To those who had reservations concerning the delegation of defence powers to the United States, the Special Representative said that few had lived with the consequences of war longer than the Palauan people, who supported the Compact in the hope that it would subtract from, not add to, the troubles in the world.

46. Mr. John O. Ngiraked, Minister of the State of Palau and Special Adviser of the Administering Authority, said that, for the first time, Micronesians had had the opportunity to express their wishes and they had chosen the course for their own destiny and the generations to come. It had been agonizing to listen to condescending and often insensitive allegations, accusations and criticisms made by non-Palauan petitioners and observers. Although the views they had expressed and the ideologies they had espoused differed from theirs, Palauans respected their right to speak in the Council. The Special Adviser asked the members of the Council also to respect the wishes of his people as expressed by their elected representatives.

47. The Special Adviser stated that the people of Palau were quite ready to assume the responsibilities of self-government. They had instituted a democratic form of government pursuant to a Constitution of their making and had clearly demonstrated, on three occasions, in the polls their preference for self-government in free association with the United States. They had exercised their inalienable right to self-determination in accordance with the Charter of the United Nations and the Trusteeship Agreement. The time had come for the Council to do its part and not deny their wishes.

48. Mr. Pedro A. Tenorio, Special Representative of the Administering Authority, informed the Council that when the seven-year funding agreement guaranteed under the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America ¹/ had expired, the Northern Mariana Islands had negotiated with the United States a second seven-year agreement, which included a substantial increase in capital improvement funds. Under the newly-negotiated agreement, the size of the commonwealth Government would be reduced relative to the size of the economy by transferring certain functions to the private sector. Another milestone would be the completion and opening of the Commonwealth Health Center.

49. The Northern Mariana Islands Commission on Federal Laws, established under the Covenant to recommend to the United States Congress which Federal laws should apply

to the Islands, had completed its task in August 1985 and had submitted a second report to Congress. Most of the recommendations in its first report had already been enacted into law.

50. Tourism continued to be the mainstay of the economy, and the garment industry was growing, although its expansion had been hampered by import quotas imposed by the United States.

51. After referring to Articles 73, 76 and 79 of the Charter of the United Nations, the Special Representative said that the people of the Northern Mariana Islands had decided that self-government, rather than independence, was appropriate to their particular circumstances and had freely chosen to govern themselves as a commonwealth of the United States. The essentials of their relationship with the United States were embodied in the Covenant, which had been approved in 1975 by the unanimous vote of the Northern Mariana Islands legislature. On 17 June 1975, 95 per cent of the voters in the Northern Mariana Islands had cast ballots in a plebiscite observed by a visiting mission of the Trusteeship Council in which the only issue had been whether or not to approve the Covenant. More than 78 per cent of those voting had approved the Covenant. The following year, the Covenant had been approved by a public law enacted by the United States.

52. Under the Covenant, the people of the Northern Mariana Islands had adopted a Constitution establishing a Government consisting of separate executive, legislative and judicial branches. The people would have the power to control their own borders. Also, they would receive financial assistance from the United States for the development of both governmental and capital infrastructure, which would encourage economic self-sufficiency. The Northern Mariana Islands was entitled to receive a rebate of all federal revenues raised locally, including income taxes, and would benefit from a wide variety of federal programmes. The Northern Mariana Islands had given the United States the responsibility and authority to manage its foreign affairs and defence. Upon termination of the trusteeship, permanent title to all property of the Trust Territory located within the Northern Mariana Islands would be vested in the commonwealth; the people had agreed to lease certain lands to the United States for a limited term to contribute to international peace and security.

53. The people of the Northern Mariana Islands disagreed with those who argued that commonwealth status was not a form of self-government and that consequently the goals of the Trusteeship System had not been met. As United States citizens, they could vote in presidential and congressional elections if they took up residency in any State, which they were freely entitled to do.

54. The people of the Northern Mariana Islands believed that their interests would be adequately protected by the Covenant. First, the Northern Mariana Islands would continue to be the beneficiary of a trust relationship with the United States because its laws respected the principle that whenever a "discrete and insular minority" did not have full access to political processes, the Government owed an especial standard of care to that minority. Secondly, the Covenant itself was protection against any arbitrary exercise of power by the United States. Thirdly, section 902 of the Covenant provided for joint consultations and the formulation of recommendations with respect to controversial issues. Consultations had already taken place on such issues as the right of the Northern Mariana Islands to control marine and sea-bed resources within its 200-mile exclusive economic zone and its rights to utilize foreign labour in developing the local economy, to export products into the customs territory of the United States without paying duty, and

to be paid for already adjudicated claims for loss of life, personal injury and loss of, or damage to, property sustained during the Second World War.

55. Despite disagreements with the United States, the people of the Northern Mariana Islands remained resolved that the form of self-government under which they wished to live was as a commonwealth in political union with the United States of America. Accordingly, the Special Representative asked the Trusteeship Council to terminate the Trusteeship Agreement with respect to the Northern Mariana Islands without conditions.

56. Mr. Herman T. Guerrero, Special Assistant to the Washington, D.C. Representative of the Northern Mariana Islands and Adviser to the Administering Authority, said that for the Northern Mariana Islands a valid act of self-determination had taken place. In 1975, more than 78 per cent of the ballots cast had favoured adoption of the mutually binding agreement that had been negotiated with the United States. The United Nations Visiting Mission that had observed the plebiscite had concluded that the people of the Northern Mariana Islands had, in a well-organized and well-attended poll, voted by a majority of almost 80 per cent to become a commonwealth of the United States.

57. The Adviser stated that once the United Nations had satisfied itself as to the validity of an act of self-determination, he was not sure how much further it should properly inquire into the characteristics of the chosen political status. None the less, he believed that the commonwealth status the people of the Northern Mariana Islands had chosen would bear whatever level of scrutiny the Council cared to give it. The Special Adviser reiterated the request of his Government for action by the Trusteeship Council to terminate the Trusteeship Agreement, which he believed was overdue.

58. Mr. Oscar de Brum, Chief Secretary of the Marshall Islands and Special Representative of the Administering Authority, said that the Administering Authority had helped the Marshallese people to achieve the goals defined in the Charter of the United Nations and that the Marshall Islands now stood ready for the Trusteeship Council to terminate the relationship defined in the Trusteeship Agreement for it and the other associated States.

59. Reviewing the steps taken since 1944 towards self-government and political maturity, the Special Representative noted that the 24 municipal governments in the entity operated within the framework of their local government constitutions. There was widespread participation in the political process, with high rates of voter turn-out in local and national elections. Political issues were aired in the local press, and citizens were permitted to explain their views on radio. Visiting missions from the United Nations had observed that the major referendums had been preceded by extensive debate and thorough and impartial programmes of voter education. Deliberations in the Nitijela (Parliament) were broadcast live nation-wide by radio.

60. The Special Representative said that in 1978 the citizens of the Marshall Islands had convened a constitutional convention and approved a constitution in a referendum. Since the Constitution had come into effect, the Government had been autonomous in regard to both internal matters and its relations with other nations. As a result, governmental institutions were fully developed. The Government had also begun to establish diplomatic and economic relations in the Pacific region and elsewhere; it had negotiated fishing-rights agreements, on mutually beneficial terms, with other nations and had participated in the activities of multinational organizations, such as the South Pacific

Commission (SPC), the Asia Pacific Parliamentarians Union, the United Nations Development Programme (UNDP) and the South Pacific Forum Fisheries Agency. In 1986, it had been admitted as an associate member of ESCAP. The Government had proved its ability to uphold law and order and guarantee civil liberties; the judiciary was independent; and the right to be represented by an attorney was guaranteed by the Constitution.

61. The Special Representative said that the commitment to both order and liberty had been tested recently when several landowners at Kwajalein Atoll had staged an illegal sit-in demonstration at the Kwajalein Missile Range in an attempt to extort higher rental fees. The Government of the Marshall Islands had taken legal action against the protesters, while preserving their legal rights.

62. Regarding economic development, the Special Representative said that the current economic situation was mixed but that future prospects were promising. In recent years, the role of the Government in the economy had gradually declined and there had been a corresponding strengthening of the private sector and an increase in local revenue; locally generated tax revenues now exceeded the basic grant provided by the Administering Authority for governmental operations.

63. The primary goal of the 15 years of the Compact of Free Association was to promote economic self-sufficiency, largely through development of the private sector. For the period of the Compact, 40 per cent of the aid provided to the Marshall Islands by the United States would be used for economic development projects for which a five-year development plan had been prepared. There had been considerable progress in the development of fisheries. A UNDP project to promote marine resources was in progress; a freezer/cold storage facility funded by Japan was opening; and several private companies had begun joint-venture projects, including ones for pearl mariculture and the culture of giant clams. Mineral surveys had identified cobalt crusts within the exclusive economic zone.

64. With regard to agricultural development, the Special Representative said that the Marshall Islands had traditionally given the greatest attention to the production of copra and, since 1977, had had its own factory for converting copra into coconut oil. Other crops had fared less well in the sandy soil although the Government continued to promote family gardening. Copra production had been depressed because of low prices on the world market and a severe drought in 1983.

65. There had been modest development of light industry: a factory that reconstituted milk and ice-cream had opened with help from the Danish Government; the tourist industry was expanding; and retail and wholesale commercial activities were strong and competitive, with extensive private-sector capital investment from domestic and foreign sources. The President of the Marshall Islands had declared 1986 "Outer Island Development Year"; special emphasis would be given to developing the potential for commercial fisheries through infrastructural development.

66. The Special Representative said that there were elementary schools and dispensaries in 69 villages, as well as hospitals at Majuro and Ebeye and high schools at Majuro and Jaluit. Also, the new 81-bed hospital in Majuro, constructed with a grant from the Administering Authority, was being readied for operation. It was anticipated that the Nursing School of the College of Micronesia would relocate to Majuro in September 1986. The outer islands dispensary programme had been expanded, and in 1986 medical teams would visit each of the dispensary sites at least three times.

67. There was free education for eight years of elementary school and approximately three fourths of the eighth-grade graduates proceeded to four-year high schools. For post-secondary training, Marshallese students attended the Community College of Micronesia in Pohnpei and the Micronesian Occupational College in Palau. Continuing education programmes were offered by the College of Micronesia in Majuro or colleges overseas. Under the Compact of Free Association, there would be sufficient scholarship funding for post-secondary studies.

68. Also, under the Compact, United States aid in the form of block grants would allow the Marshallese Government maximum flexibility in determining which government services and developmental projects would be funded.

69. The Special Representative noted that an additional feature of the Compact was the settlement of the claim arising from the United States nuclear testing programme conducted in the Marshall Islands from 1947 to 1958. When the Compact came into effect, the United States would pay the Marshall Islands \$150 million, which would be invested in a perpetual fund for the benefit of the inhabitants of the atolls affected by the testing programme and their descendants.

70. The Special Representative said that the Compact of Free Association had been approved by the citizens of the Marshall Islands by a 58 per cent majority in a plebiscite held on 7 September 1983 and the Government had 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 United States had signed the Compact legislation into law and, on 20 February 1986, the Compact had been ratified by the Nitijela. The Marshall Islands was now asking the Trusteeship Council to recognize its political advancement and self-determination and to terminate the Trusteeship Agreement.

71. The Special Representative said in a concluding statement that the free association relationship set forth in the Compact embodied four fundamental principles that recognized that sovereignty of the Marshall Islands resided with the people and their democratically created constitutional Government; the people of the Marshall Islands possessed the right to self-determination and might choose independence or self-government in a free association relationship; the people had the right to adopt and amend their own constitution; and the free association relationship could unilaterally be terminated by either party.

72. The Special Representative further stated that the people of the Marshall Islands had spoken clearly and democratically in the exercise of their inherent right to self-determination. They had chosen self-government in free association with the United States. The United Nations recognized the right of the Marshallese people to make that choice in its Charter, General Assembly resolutions 1541 (XV) of 15 December 1960 and 2625 (XXV) of 24 October 1970. It was on that basis that the 1985 United Nations Visiting Mission, in its report, 2/ had recommended termination as soon as possible. The Special Representative asked that the Trusteeship Council respect the freely expressed wishes of the Marshallese people and terminate the Trusteeship Agreement without delay or condition.

73. The representative of Vanuatu, speaking on behalf of the South Pacific Forum Members of the United Nations, expressed support for the call made to the Trusteeship Council by the representatives of the Federated States of Micronesia, the Marshall Islands, the Northern Mariana Islands and Palau for termination of the Trusteeship Agreement over their four States. In separate acts of self-determination observed by the Trusteeship Council, the peoples of the four

entities of Micronesia had chosen forms of government most suitable, in their view, to their own particular circumstances and had clearly and overwhelmingly demonstrated their wish to terminate their trusteeship status. That had been confirmed also in the communiqué issued by the heads of Government of all the independent and self-governing States of the South Pacific at the conclusion of the last meeting of the South Pacific Forum in August 1985.

74. He said that the South Pacific States recognized the role already being played within the region by the four Micronesian States. The Federated States of Micronesia had already been welcomed by the Forum as an observer and was a member of the South Pacific Bureau for Economic Co-operation. Together with Palau and the Marshall Islands, it had joined the Forum Fisheries Agency. Also, all four entities were members in their own right of SPC and had recently become associate members of ESCAP.

75. The member countries of the South Pacific Forum supported the Micronesian States in their call for termination of the Trusteeship Agreement to enable them to join even more fully in matters of concern to the region. They urged the Trusteeship Council to respond positively to the collective appeal of the people of the Trust Territory. The relevant principles in the Charter and the guidelines laid down in General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 had been fulfilled. There should be no impediments to the early termination of the Trusteeship Agreement, which would permit the Micronesian States to take their rightful place in their region.

76. The representative of Australia associated his country with the remarks made on its behalf by Vanuatu and stated that all four acts of self-determination in the Trust Territory had been properly conducted. The peoples of the four entities had clearly and convincingly shown their desire for the termination, as soon as possible, of their trusteeship status. Australia supported early approval of the termination of the Trusteeship Agreement by the United Nations in accordance with the wishes of the Micronesian peoples; it believed that the present session of the Trusteeship Council was the time to begin the task of meeting the wishes of the Micronesians themselves. The duty of the Trusteeship Council was to assist them by recommending to the Security Council that the Trusteeship Agreement be terminated, and Australia asked the Trusteeship Council to heed their wishes.

77. The representative of Fiji associated his delegation with the statement made by the representative of Vanuatu for the South Pacific Forum Members of the United Nations. His delegation saw the expressed wishes of the people of the Trust Territory of the Pacific Islands to terminate their dependent status as clear and unambiguous. That clear message must be respected and answered. None of the submissions by petitioners to the Council had provided grounds for delaying the termination of the Trusteeship Agreement. It would be a travesty of justice if the influence of a few vocal, interfering outsiders were to frustrate the will of the people, so consistently and so overwhelmingly expressed. Fiji firmly believed that the arrangements negotiated by the States of Micronesia with the United States represented a fair and viable basis for their future growth, development and prosperity. The overriding factor should be respect for the Micronesians' wishes, which had been repeatedly manifested by the overwhelming majority of the people in free plebiscites. It should not be frustrated by tenuous technicalities. With the concurrence of the Trusteeship Council and the approval of the Security Council, Fiji looked forward to the early termination of the Trusteeship Agreement.

78. The representative of New Zealand spoke in support of the collective regional statement made by the representative of Vanuatu. He recalled numerous resolutions on decolonization, including General Assembly resolution 1514 (XV), which contained the universal theme that the wishes of the people were paramount. The qualifications contained in those resolutions had been met and the Micronesian people had chosen their separate paths to nationhood, which was good enough for New Zealand. It was not for outsiders to question patronizingly their choices.

79. The representative of Papua New Guinea reaffirmed support for the position of the South Pacific Forum countries calling for the termination of the Trusteeship Agreement. He firmly appealed to those with interests in Micronesian affairs to respect the freely expressed wishes and desires of the people of Micronesia. Papua New Guinea was convinced that the Compact of Free Association would enable the people of Micronesia to be emancipated from colonial bondage and to become self-governing entities. His delegation had served as a member of United Nations visiting missions to observe the different plebiscites in Micronesia, and successive governments of Papua New Guinea had always maintained that economic self-reliance must be encouraged under the Compact of Free Association. Papua New Guinea appealed to the Administering Authority to introduce economic and resource development and to encourage a climate conducive to attracting outside investment to enable the Micronesians to participate fully in the economic development of their respective States.

80. The representative of Samoa endorsed the statement by the representative of Vanuatu. As a former Trust Territory, Samoa welcomed the four Micronesian States as they moved to join those whose aspirations had been accepted by the Trusteeship Council. The Micronesians had chosen the way most suited to their individual needs and circumstances and they were ready to move from their colonial status to a new role as full members of the Pacific community of nations, which was their wish and their right. Samoa welcomed and supported the request of the representatives of the Federated States of Micronesia, the Marshall Islands, Palau and the Northern Mariana Islands to the Trusteeship Council to terminate the Trusteeship Agreement. The request for termination of the Trusteeship Agreement should be received with enthusiasm by all as a firm, practical expression of commitment to the principles of the Charter of the United Nations.

81. The representative of the Solomon Islands considered that the most outstanding feature of recent political and constitutional developments in Micronesia was advancement towards self-determination by the peoples of the four political entities of the Trust Territory as expressed in no uncertain terms by their respective leaders and representatives. Their request to terminate their trusteeship status was the freely expressed wish of the peoples of Micronesia and, in keeping with Article 76 of the Charter, the Solomon Islands, which shared unique traditional and cultural affinities with the Micronesians, considered that that call should be considered positively by the Trusteeship Council and, subsequently, by the Security Council. Respecting the choice of the four Micronesian Governments to pursue a new relationship with the Administering Authority, the Solomon Islands Government regarded any attempts, by any State or organization, to hinder its realization and fulfilment as interference in the internal political affairs of the individual States of Micronesia. The Solomon Islands Government supported the Micronesians' call for the termination of their trusteeship status.

82. The representative of Vanuatu, in his capacity as representative of Vanuatu, emphasized his earlier statement on behalf of the countries of the region (see paras. 73-75). The essential purposes of the Trusteeship Agreement had been

achieved and it should therefore be terminated. Whether individual Members of the United Nations agreed with the particular form of government chosen by each of the peoples of Micronesia was irrelevant. The controlling factor was that the people of Micronesia were free to choose for themselves. Vanuatu, as a neighbour and friend of the Micronesian States, respected their right to make their own decisions and to live in peace and harmony. Vanuatu commended the Administering Authority for its openness, its integrity and its adherence to the principles of the Trusteeship System.

83. The representative of France stated that, since 1947, Micronesia had seen many changes in the political, economic and social spheres. France knew that true economic and social changes took place relatively slowly and that preserving the harmony of a traditional society without slowing economic development, or even prompting it, was a difficult but inevitable exercise.

84. It was in the political area that the main developments had taken place. In 1975, the population of the Northern Mariana Islands had freely chosen to establish a Commonwealth in Political Union with the United States rather than any other political status. In 1983, Palau, the Federated States of Micronesia and the Marshall Islands had freely chosen the status of free association with the United States in referendums, which had included the option of independence. Having exercised that choice, in February 1986 the Palauans had decided on the form of free association that best suited them. Each of those five ballots had taken place in the presence of a United Nations visiting mission.

85. In view of the comments and conclusions of the visiting missions, it was clear to France that the populations of Micronesia had exercised their right to self-determination under United Nations observation. They had freely chosen from among the various means of exercising the right to self-determination set out in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV) of 24 October 1970, annex). At the opening of the fifty-third session of the Trusteeship Council, the constitutional authorities of the Territory had made known their desire to end the Trusteeship Agreement. In its report, the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1985, had expressed the concern of the populations of Micronesia in that regard, and a large number of States of the region had expressed the wish to be able to accelerate the development of their relations with the four entities of the Territory, once they had taken their future into their own hands under conditions they themselves had chosen.

86. The representative of France also stated that his Government, taking all those elements into account, considered it time to implement the provisions of Article 83 of the Charter and terminate the Trusteeship Agreement for the Trust Territory of the Pacific Islands.

87. The representative of the Union of Soviet Socialist Republics stated that the United States had not been guided in Micronesia by the ideals of the Charter or the Trusteeship Agreement but by its own strategic interests. It had taken steps to bind Micronesians to it and to frustrate positive developments towards self-sufficiency. Its actions had tended to deprive the Micronesian people of their right to choose genuine freedom, to maintain their unity and to embark upon an independent, self-sufficient road to development. As a result, the fundamental purposes and tasks of the International Trusteeship System, set up by the United Nations over Micronesia, had not been fulfilled.

88. As the Administering Authority, the United States had not met its obligations under Articles 76 a and 84 of the Charter to ensure that the Trust Territory should play its part in the maintenance of international peace and security. Its main policy towards Micronesia had been to turn that strategic Trust Territory into a military-strategic springboard in the western Pacific for the Pentagon, by ensuring control over a large region of the globe, and to dominate States there.

89. The representative of the Soviet Union stated that compacts and long-term military agreements had been imposed on the Trust Territory, under which the Pentagon had acquired the right to build, expand and maintain military and naval bases and other military facilities on the islands. Against the will of the Palauans, the United States had forced the local authorities that it had established in their Territory to adopt agreements permitting the transit of nuclear weapons, port calls and landings by United States vessels and aircraft carrying nuclear weapons. Kwajalein Atoll had been transformed by the Pentagon into a huge testing range for intercontinental ballistic missiles. Also, the United States had used the Trust Territory as a testing ground for atomic and nuclear weapons. Weapons had been exploded on Bikini and Enewetak atolls, resulting in serious damage to the well-being and health of the Territory's native population and to the environment of Micronesia, as well as a broad region of the Pacific Ocean. United States authorities had not taken effective measures to eliminate the consequences of those tests or to ensure the necessary medical help for the Micronesians affected by them.

90. Militarization and plans to deploy nuclear and other weapons in the Trust Territory not only seriously threatened the Micronesians and other countries of the entire region, but also contradicted the decision of the South Pacific Forum to make the region a nuclear-free zone. As pointed out in the statement of the Government of the Soviet Union issued on 23 April 1986 3/ all those actions could lead to a serious increase of tension in the region.

91. The representative of the Soviet Union stated that the United States had taken the strategic Trust Territory as a single entity and had deliberately established a policy of dismembering the Trust Territory, in violation of paragraph 6 of General Assembly resolution 1514 (XV). As a result of the policy and actions of the Administering Authority, the Territory had been divided into four entities. That division had been effected in order to weaken the resistance of the population to the neo-colonialist, annexationist policy of the Administering Authority.

92. The Soviet representative stated that negotiations on the future status of the Territory had taken place under conditions of inequality and undisguised pressure by the Administering Authority, which had completely ignored the vital interests of the native population. There had been no participation whatsoever by the United Nations, the Trusteeship Council, the Security Council or the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

93. The Soviet representative noted that if the Administering Authority had not divided the Trust Territory but had granted it full independence, Micronesia would have been larger than dozens of States Members of the United Nations in terms of population.

94. The Administering Authority had violated Article 76 of the Charter 4/ by failing to promote a viable, independent economy to meet the needs of the population. Micronesia had been an exporter of food but today, as a result of the

collapse of its agriculture, its food needs had to be satisfied mainly through imports. The Administering Authority had thereby made it a true ward and had deprived the Micronesians of making an independent political choice. Another problem was the almost universal unemployment, which had reached nearly 82 per cent on the island of Ebeye.

95. The Soviet representative considered that the United States had not discharged its obligations under Article 76 of the Charter, which would have encouraged the progressive development of the population of the Trust Territory towards self-government and independence. Misusing the mandate entrusted to it by the Security Council for temporary administration of the Trust Territory, the Administering Authority had imposed upon the Micronesians the so-called talks on the future political status of separate parts of the Territory. The agreements, the so-called Covenant and Compact of Free Association, drafted in those talks and imposed on individual parts of Micronesia, had the goal of ensuring that the population of the Trust Territory would not even dream of a future as a united and independent State.

96. The next step in the United States anti-Charter activities had been the so-called plebiscites and referendums, whose only goal was to cover up the true nature and orientation of those agreements and to rubber-stamp decisions advantageous to the Administering Authority. The plebiscites and referendums in Micronesia had been preceded by so-called political education campaigns, whose main objective was to inculcate the idea that if the Micronesians did not favour free association, economic and financial aid would be cut off. The right of the people of Micronesia to genuine independence had never been explained in those campaigns. An indication of that had been the plebiscite of February 1986 in Palau, in which the only option presented had been to approve the Compact of Free Association with the United States. The extremely short political education campaign had been to convince the people that the new Compact was in accordance with the Constitution of Palau and, therefore, did not require 75 per cent of the vote. That had been a major deception of the indigenous population.

97. The representative of the Soviet Union drew the Council's attention to a case that had been brought to the Supreme Court of Palau, on 19 May 1986, against Mr. Lazarus Salii as the representative of the Administering Authority in Palau. The plaintiffs had charged that the Compact of Free Association, particularly sections 312, 324 and 331, and the accompanying military agreements were a violation of the Constitution and that the political education campaign and the plebiscite of 21 February 1986 had not been carried out fairly and impartially. The results of the plebiscite could not be regarded as a genuinely free expression of the will of the population in accordance with the Charter and the Declaration on decolonization.

98. The United States had not complied with its obligations under Article 73 of the Charter, which recognized the principle that the interests of the inhabitants were of paramount importance and accepted as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants. Instead, the United States was seeking not independence for Micronesia but neo-colonialist control of that Territory to secure the long-term military and strategic interests of the United States. Development in the Trust Territory had been designed to make the Territory's political, economic and social standards conform to its status of so-called free association. To achieve its ends, the United States had encouraged internal tension and divisions among various groups of the population and, when such tension reached the boiling point, it had introduced the question of self-determination.

99. The representative of the Soviet Union stated that the Administering Authority was acting in violation of Article 83 of the Charter. In the course of drafting the compacts for the four separate parts of the Trust Territory, the United States had neither gone to the Security Council nor submitted the drafts to the Trusteeship Council for consideration.

100. The United States had unilaterally violated article 6, paragraph 2, of the Trusteeship Agreement, which required it, under Article 76 of the Charter, to protect the people from any loss of their lands or natural resources. Under article II, section 322, of the Compact, Palau was to transfer to the United States within 60 days any site required for important purposes unless an alternate site acceptable to the United States could be found. That amounted to confiscation of land by the Administering Authority, which was unambiguously prohibited by the Palau Constitution.

101. The Soviet Union had drawn the attention of the Secretary-General to the unlawful actions of the Administering Authority in the Trust Territory and it had urged an immediate halt to such unlawful actions. It was the duty of the United Nations and all of its Members not to permit any attempt to present the world with the fait accompli of the United States having devoured the Territory.

102. The representative of the Soviet Union stated that the position of principle of his country on Micronesia was well known. The Soviet Union continued to advocate full compliance with the conditions of the Trusteeship Agreement and implementation of its objectives under the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples. It maintained that the Administering Authority must act along lines that would be consonant with the aspirations of the Micronesians. Micronesia must become a stable region of peace and security, not a bridgehead from which to threaten peace and security. The Micronesians were entitled to establish their own independent, sovereign State without outside interference. Its future was an inalienable part of the decolonization problem. The United Nations must maintain its responsibility for the Territory until it attained true independence.

103. The representative of the Soviet Union pointed out that, under the Charter, any change in the status of a strategic Trust Territory was to be carried out only by decision of the Security Council. Therefore, unilateral action by the United States Administration in the Trust Territory could not be recognized as legitimate or as having legal force under international law. The Trusteeship Council must not approve any measures that could be used by the Administering Authority to legalize its unlawful actions in the Territory. Micronesia, he concluded, should exercise its right to genuine self-determination and independence.

104. The representative of the United Kingdom of Great Britain and Northern Ireland stated that the serious charges by the Soviet Union that the United States had fragmented the Territory in order to annex it, that it had exploited and neglected the people and that it had militarized the area were baseless and were motivated not by the reality of the situation and the interests of the Micronesians but by the identity of the Administering Authority.

105. With regard to the argument presented by the Soviet Union that, contrary to the wishes of the Micronesians, the Administering Authority had fragmented the Territory, the representative of the United Kingdom stated that his Government had long made it clear that it would have preferred if the Micronesians had decided to remain united. The question was, however, whether the so-called fragmentation of

Micronesia had been carried out for the selfish ends of the United States or whether it had reflected the wishes of the inhabitants. By opening the political-status negotiations in 1969 to encourage a greater measure of self-government by the Micronesians, the United States had been fulfilling its obligation under Article 76 b of the Charter. Different parts of the Territory had separate identities, however, and each had its own ideas about constitutional advancement and linguistic and cultural variants. It was easy to understand, therefore, why a single unified entity was unlikely to endure.

106. The representative of the United Kingdom further stated that it was clear that the people themselves, in freely conducted plebiscites observed by the United Nations, had chosen to divide the Territory into four political entities. That was in accordance with the purposes and principles of the Charter. In fact, the so-called fragmentation of the Territory, far from advancing some selfish objective of the Administering Authority, had caused the United States only administrative inconvenience and had complicated the termination of the Trusteeship Agreement.

107. Regarding allegations of "militarization", the representative of the United Kingdom recalled that the United States had pointed out that there were only 65 United States officers and men and a Coast Guard detachment in the whole of the Territory, mostly members of Civic Action Teams engaged in civil-engineering projects for the local economy. Claims that the United States planned to create "military bases" in the Territory, especially in Palau, and to base Trident submarines there were laughable. The shallow, reef-strewn waters of the Territory made it unsuitable for large-scale naval deployment and the islands themselves were much too small to accommodate the strategic bases of which the Soviet Union had spoken. The United States had informed the Council that it had no current plans for military activity but that it did have defence and security responsibilities under the Compact. It was not unreasonable that the Compact should embody an element of military contingency planning, since Micronesia had often been the scene of international conflicts and the Micronesian Governments themselves, concerned as they rightly must be about their post-trusteeship security, would surely require nothing less. United States policy embodied in the term "strategic denial" was designed to keep the area free from war and protected from conflicts that occurred elsewhere in the world. That was in the interest of the international community and it was the duty of the members of the Trusteeship Council to ensure that those islands were not allowed to become a battlefield again.

108. Responding to the allegation that the United States had exploited the islands and had failed to fulfil its obligations concerning economic and social development under the Trusteeship Agreement, the representative of the United Kingdom agreed that the economic situation in the Territory left much to be desired. Criticizing economic underdevelopment was not the same, however, as accusing the United States of pursuing a policy of exploitation. In fact, Micronesia, with its tiny population spread over a vast area, contained little that could be exploited, in terms of natural resources, much less that could be depleted. While the Territory faced all the traditional difficulties of island economies, the gradual decentralization of administration in the Territory had encouraged unco-ordinated economic development planning. The United Kingdom viewed proper co-ordination as the sine qua non of successful economic growth. A distinction must be made between economic underdevelopment and economic deprivation. The Territory's economic underdevelopment was not the result of lack of financial assistance from the Administering Authority since vast sums had been infused into the Territory over the years in order to compensate for its many inherent disadvantages. The Territory was not unprosperous in comparison with many other parts of the world.

Unfortunately, however, that prosperity was artificial and could not be maintained without a substantial subsidy from the United States, which could be faulted for displaying generosity that created material dependence and even a dependent mentality.

109. In the case of the Bikini islanders and the Kwajalein landowners, that "dependency" was well illustrated. Amounts paid to the Bikinians totalled some \$150 million, which, in addition to the sums they would be entitled to under the Compact, were very large even by Western industrialized standards for a very small group of people. It was with a certain sense of unreality that the United Kingdom had heard arguments that the Bikinians needed more. The Kwajalein landowners had received \$68 million between 1963 and 1985 with a further \$7 million per annum since then, as well as \$14.7 million in development funds since 1982. That amounted to about \$11,200 per annum for each family, which was 10 times higher than the average family income in the Territory.

110. The representative of the United Kingdom accepted as a fact of life the idea that Micronesia would never become self-sufficient. Instead, a greater sense of self-reliance was needed in the Territory in coping with problems. That could best be encouraged by ending the necessarily paternalistic relationship embodied in the Trusteeship Agreement and replacing it with a relationship akin to partnership, in which the territorial Governments exercised real control over their economic and political future.

111. The representative of the United Kingdom supported the call for termination of the Trusteeship Agreement, which had been unanimously voiced by the elected representatives of Micronesia and echoed by all the States Members of the United Nations from the Pacific region, the Pacific Islands Association and the United States representatives themselves. It was time for the Council to respond positively to that overwhelming demand and to recognize that the time had come to terminate the Trusteeship Agreement. Plebiscites observed by the United Nations in all parts of the Territory had confirmed that the vast majority of the Micronesians were of a similar mind.

C. Petitions

112. Between 13 and 14 May 1986, the Trusteeship Council heard 11 petitioners. The petitioners were concerned mainly with the future status of the Trust Territory, its political, economic and social conditions, the question of compensation to the victims of atomic tests and radiation, land issues and the scale of payments for land leased on Kwajalein Atoll by the Administering Authority for missile tests (see T/PV.1603-1606).

113. At its sixteenth special session, on 6 February 1986, the Trusteeship Council considered and took decisions on 1 written communication and 12 written petitions. During its fifty-third session, from 22 to 30 May and 2 June 1986, the Council considered and took decisions on 9 written communications and 93 written petitions. The lists of those communications and petitions with an indication of their contents appear in annexes III and IV to the present report.

D. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1985

114. At the 1601st meeting of the Trusteeship Council, on 12 May 1986, the representative of France introduced the report of the 1985 Visiting Mission to the Trust Territory. 2/ The Mission visited the Territory from 16 July 1985 to 3 August 1985. The French representative noted that wherever the Mission had gone, it had spoken with elected and designated officials and had attended public meetings. It had also visited hospitals, clinics, schools, factories and farms, often without giving advance notice. Throughout, the Mission had been guided by the concern to supplement and test against reality the statements made by delegations and petitioners at the fifty-first and fifty-second sessions of the Trusteeship Council and to make its information as complete as possible. It had always been available to any person or persons wishing to meet with it.

115. The French representative stated that, overall, the Mission had noted substantial progress in all areas since the last Visiting Mission in 1982. The Administering Authority's actions should be judged favourably, although economic development had not evolved as speedily as political and social achievements. He stressed that the Micronesians and their elected leaders were emphatic in expressing their desire for speedy termination of the Trusteeship Agreement.

116. The representative of the Soviet Union considered that the material collected by the Mission was evidence that the Administering Authority was not carrying out its duties under the Charter and the Trusteeship Agreement. Yet, the Visiting Mission had neither reported objectively on the state of affairs in Micronesia nor aimed its conclusions at bringing about changes in the interest of the Trust Territory's genuine independence. By totally omitting any mention of the illegal fragmentation of the Trust Territory by the Administering Authority, contrary to paragraph 6 of the Declaration, the report served as a cover-up for the neo-colonial actions of the Administering Authority aimed at annexing the Territory.

117. The Soviet representative also stated that although the United States maintained that the objectives of the Trusteeship Agreement had been achieved and that the people of Micronesia had exercised self-determination, that was a cover to enslave the small population of Micronesia and to impose upon it a neo-colonialist régime of full dependence on the United States. Over almost four decades, the United States had not developed a viable economy for the Trust Territory, which lacked basic infrastructure and suffered high unemployment.

118. The representative of the Soviet Union wondered if it was accidental that Micronesia's need for adequate shipping services had not been met; isolation of the different islands had facilitated their absorption by the United States. Although the report clearly illustrated the artificial restraints on economic development imposed by the Administering Authority to make Micronesia totally dependent upon it and thus preclude the possibility of an independent choice of future political status, it omitted any objective assessment of United States responsibility for the catastrophic economic situation in its conclusions and recommendations. The report of the Visiting Mission was also silent on the Administering Authority's plans for the militarization of Micronesia and the transformation of the western part of the Pacific Ocean into a military-strategic beach-head.

119. With respect to the Administering Authority's categorical refusal to allow the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to

visit the Trust Territory, the representative of the Soviet Union concluded the reason to be that the Special Committee was comprised of representatives from all regional groups, including States recently freed from the yoke of colonialism.

120. On 28 May 1986, the representative of France introduced a draft resolution (T/L.1250) concerning the report of the Visiting Mission, which was adopted the same day as resolution 2181 (LIII) by 3 votes to 1. In the operative paragraphs of the resolution, the Council took note of the report of the Visiting Mission and invited the Administering Authority to take into account the conclusions and recommendations of the Visiting Mission, as well as the comments made thereon by the members of the Trusteeship Council.

121. The representative of the Soviet Union stated that his delegation had voted against the draft resolution specifically because the Visiting Mission's report intended to cover up the arbitrary, high-handed actions of the Administering Authority against the people of the Trust Territory of the Pacific Islands under cover of the United Nations flag.

E. Letter dated 8 January 1986 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General, containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite in Palau on the Compact of Free Association

122. At its sixteenth special session, held from 4 to 6 February 1986, the Trusteeship Council had before it a letter dated 8 January 1986 from the Acting Permanent Representative of the United States of America addressed to the Secretary-General. 5/

123. In his letter, the Acting Permanent Representative requested the convening of a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite on the Compact of Free Association in Palau.

124. At the opening of the special session, on 4 February 1986, the representative of the United States recalled that the United Nations Visiting Mission to Observe the Plebiscite in Palau on 10 February 1983 had determined that the people of Palau had effectively engaged in an exercise of their right to self-determination. Because of the nature of the ballot, however, and the relationship between the approval process of the Compact and certain procedural requirements of the Palau Constitution, the Mission had concluded that although approved, the Compact could not enter into force given the insufficient majority on an ancillary question on the ballot. A subsequent decision of the Palau Supreme Court on 8 August 1983 had confirmed that the Compact could not be considered approved. The Visiting Mission had also pointed out that the impasse created by the results of that plebiscite were for Palau and the Administering Authority to resolve. The United States representative further stated that on 23 May 1984, following intense negotiations, the Personal Representative of the President of the United States and the Ambassador of Palau for Status Negotiations had signed a revised Compact, the approval provisions of which had specified that a 75 per cent majority would be required in Palau, in the light of the procedural requirements of the Constitution. In view of the conclusion of the Visiting Mission that the 1983 plebiscite had constituted a valid exercise of the right to self-determination and

because the revisions to the Compact had been technical in nature, the vote held on 4 September 1984 had been viewed as an internal referendum not requiring observation by the international community. The Compact had received an approval margin of 67 per cent in that vote and thus, by its own terms, could not be submitted to the remainder of the approval process.

125. The United States representative noted that the Council at its fifty-second session had dispatched a Mission to the Trust Territory in 1985 to observe conditions in general and to assess the readiness of the Territory for self-government. That Mission had noted the high level of support for the Compact and had concluded that the locally elected Governments in all four entities of the Trust Territory were already exercising a substantial measure of self-government. 2/

126. The United States representative recalled that, during the closing months of 1985, the Personal Representative of the President of the United States and the newly-elected President of Palau had held meetings on the Compact in which members of Palau's legislative branch had participated. Those meetings had resulted in new revisions to the Compact being initialled on 28 November 1985. Further and final negotiations held in Washington, D.C. had led to the formal signing of the revised Compact and its subsidiary agreements on 10 January 1986 in Palau.

127. He further stated that the Palau Senate had initiated legislation, which had subsequently been approved by substantial margins in both Houses. That legislation, which had been signed into law by the President of Palau on 24 January 1986, authorized the President of Palau to call a plebiscite on the Compact on 21 February 1986. The legislation also appropriated funds for the voters' education programme, as well as for administrative costs.

128. In a letter dated 24 January 1986, the President of Palau had requested the Administering Authority formally to notify the United Nations of the plebiscite to be held in Palau and to invite it to observe the education programme and the plebiscite itself.

129. The representative of the United States said that her Government believed that the vote on the Compact merited observation by the international community, although the political status of free association set forth in the Compact signed on 10 January 1986 was identical to that voted on by the people of Palau in 1983 and 1984. Sufficient alterations had been made in the specific terms of the free-association relationship, including that between the Compact and the Palau Constitution, to lead to the desirability of international observation. The United States representative also noted that the Council had, in the past, encouraged representatives of other States, particularly those from the region, to participate in missions, and stated that her Government would welcome such an arrangement.

130. During the discussion on 6 February 1986, the representative of France stated that through a plebiscite observed by a United Nations Visiting Mission in February 1983, the people of Palau, in exercise of their right to self-determination, had chosen the status of free association with the United States from all the options before them, including independence. While easily attracting an absolute majority of votes, however, the 1983 Compact had not obtained the majority required under the Palau Constitution as regards certain of its provisions. The renegotiated Compact signed by Palau and the United States had taken that requirement into account and would be submitted to the population for its approval on 21 February 1986.

131. The French representative believed that it was appropriate for a visiting mission, with the participation of representatives of States members of the South Pacific region, as in the past, to be sent to Palau to see to it that the will of the population was expressed freely and that the electoral process took place in an orderly manner. He hoped that the Administering Authority would give special attention to the programme of political education prior to the plebiscite.

132. The representative of the Union of Soviet Socialist Republics stated that the question of sending a mission to Palau to observe a so-called plebiscite on the Compact of Free Association involved almost 40 years of harmful negative control by the United States of the people of Micronesia to impose upon them its own conditions and to convince them that without association with the United States, they might not even be able to exist.

133. The policy of the Administering Authority had been carried out in violation of its obligations under the Charter of the United Nations, the Trusteeship Agreement and the Declaration on the Granting of Independence to Colonial Countries and Peoples, which were fully applicable to Micronesia as a colonial Non-Self-Governing Territory.

134. The representative of the Soviet Union further stated that the United States had tried to fragment Micronesia and then, for almost 16 years, had tried to hold negotiations with the local authorities, which had been formed by the Administering Authority itself and which were fully dependent upon it, in order to impose agreements amounting to virtual annexation by the United States of that Trust Territory.

135. Over many years, the people of Palau had struggled against the nuclear militarization of their islands by the United States and had repeatedly rejected that danger in the course of all the pseudo-plebiscites that the Administering Authority had imposed upon them. For a number of years, the United States had unsuccessfully attempted to force the people of Palau to change their Constitution, which forbade the introduction, transit, stockpiling and installation on the Territory of Palau of nuclear, chemical and other types of weaponry of mass destruction. Having been unsuccessful in its frontal attack on Palauans, the Administering Authority was now trying to mislead the people and simply hoodwink them.

136. The representative of the Soviet Union also stated that as a result of negotiations with the local administration of Palau, which had been held secret from the Trusteeship Council, the United Nations and world public opinion, new conditions had been imposed on Palau in which nuclear weapons of the United States could be located within its territory without the knowledge or consent of the local authorities. According to section 324 of the Compact, the United States Government would be entitled to operate vessels and aircraft in Palau that could carry nuclear weapons and, in fact, had a nuclear capability, without having to confirm or deny the presence of such weapons on board. Therefore, all references in the Compact to the Palauan people's sovereignty over their Territory were meaningless.

137. The Soviet Union representative further stated that the Council had received a number of petitions and appeals saying that the majority of the Palauan people had not read the Compact in their own language and did not understand the military provisions. Furthermore, the key article of the Compact on military weapons was now worded in such a way that the nuclear provisions of the Constitution could be deliberately ignored. The Compact was an unjust, inequitable agreement imposed

through pressure, deceit and financial blandishments by one of the most powerful Western Powers.

138. The Soviet representative also stated that, in response to the demands of the people of the Pacific Ocean to establish in their region a non-nuclear zone, the United States was establishing a zone of increased nuclear danger. The United States was using Micronesia as a military stockpile and springboard whose significance for the Pentagon was growing, especially since the Australian, New Zealand and United States (ANZUS) bloc had been weakened by New Zealand's anti-nuclear policy and because of demands in the Philippines for the removal of the United States military bases.

139. The representative of the Soviet Union noted that the Compact of Free Association was accompanied by subsidiary agreements of mutual security, which, along with the Compact's military provisions, would make it impossible for Micronesians to change their neo-colonial status in the future. It deprived the people of Palau of the right unilaterally to cancel a deadline for the military uses that the United States was imposing upon them and upon the Territory of Micronesia. In accordance with the Compact, the Administering Authority was maintaining its right of veto over all spheres of Micronesian life: internal affairs, trade, external affairs and even development programmes if, in its view, they were in contradiction with United States security interests. Such a state of affairs actually negated even the limited autonomy of Micronesia that was being declared in the Compact. Because the Compact was a treaty signed under duress, it could not be regarded as legitimate and valid.

140. Furthermore, under the so-called programme of political education, the United States had financed a propagandist campaign during which it had hardly explained the right of the people of Micronesia to independence or what advantages that would bring. On the contrary, the whole focus of propaganda had been on convincing Micronesians that they should vote in favour of the Compact.

141. The representative of the Soviet Union stated that it was no secret that the purpose of the United States proposal that a mission be sent to Palau to observe the plebiscite was to give some semblance of legitimacy to its illegal activities with regard to that Territory and to attempt to cover up annexation of various parts of Micronesia with a sort of endorsement obtained through the observation of the United Nations Visiting Mission. The Soviet delegation opposed the establishment and dispatch by the Trusteeship Council of a visiting mission to observe the so-called plebiscite in Palau, and stated that his country would not take part in it.

142. As regards the composition of that mission, the representative of the Soviet Union drew the attention of the Trusteeship Council to rule 95 of its rules of procedure, which stated that the Trusteeship Council should select the members of each visiting mission, who should preferably be one or more of the representatives on the Council.

143. He concluded by saying that by unilaterally imposing on Micronesia a neo-colonial status of free association or commonwealth, the Administering Authority was violating provisions of Article 83 of the Charter, which stated that all functions of the United Nations relating to strategic areas, including the approval of the terms of the Trusteeship Agreements and of their alteration or amendment, should be exercised by the Security Council.

144. The representative of the United Kingdom stated that members of the Council were well aware of the protracted and exhaustive negotiations between the Governments of the United States and Palau over the Compact of Free Association which, in the case of the Marshall Islands and the Federated States of Micronesia, had already been approved in separate plebiscites observed by the United Nations.

145. In the view of his delegation, it was of the utmost importance that the Trusteeship Council once again play its part in ensuring that the purposes of the Charter and the objectives of the Trusteeship Council were seen to be carried forward. It was through the forthcoming plebiscite that the people of Palau would signify to their elected leaders what future constitutional status they considered would best meet their political, social and economic aspirations. It was not the task of the Trusteeship Council to influence one form of constitutional advancement over another.

146. The representative of the United Kingdom noted that the forthcoming plebiscite on the Compact of Free Association would be the second in Palau that the United Nations had been invited to observe. In 1983, a perceived incompatibility between the terms of the Compact and the Palau Constitution had prevented the Compact from coming into force, even though a clear majority of voters had favoured it. His delegation was delighted that the Governments of Palau and the United States now appeared to have overcome that problem and, on 10 January, had signed a revised version of the Compact and its related agreements, which they believed met the interests of all concerned.

147. The representative of the United Kingdom considered it particularly important that the mission should consist not only of Trusteeship Council members, but also of non-member States from the South Pacific region, and was delighted that Fiji and Papua New Guinea had indicated their readiness to take part.

148. At its 1600th meeting, on 6 February 1986, the Council adopted by 3 votes to 1, resolution 2180 (S-XVI), by which it decided to send a visiting mission of approximately two weeks' duration to observe the plebiscite in Palau. The mission was to begin on or about 13 February 1986 and end as soon as practicable after the declaration of the results. The Council further decided that the visiting mission should be composed of not more than five members; the members of the mission should be representatives of Fiji, France, Papua New Guinea and the United Kingdom.

F. Report of the United Nations Visiting Mission to Observe the
Plebiscite in Palau, Trust Territory of the Pacific Islands,
February 1986

149. The Trusteeship Council considered the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1986 6/ at its 1601st, 1612th, 1613th and 1616th meetings, on 12, 21, 22 and 28 May, respectively.

150. In introducing the report, the representative of the United Kingdom, who had served as Chairman, stated that the Mission had spent almost 10 days in Palau, arriving five days before the plebiscite itself. It had visited all of the major villages and hamlets not only on the two main islands but on the outer islands as well, holding public meetings at which it had asked questions about the Compact and the plebiscite and had sought to ascertain the views of ordinary Palauans on their political future. It had found the political awareness of Palauans extremely

high. Although it had not encountered many Palauans who were thoroughly immersed in all the details of the Compact of Free Association, it had met very few who were totally ignorant of what the Compact contained. Its general impression was that most voters had, by the date of the plebiscite, good ideas of the pros and cons of the Compact and that the political education programme had served its purpose adequately.

151. The Mission considered that the conduct of the poll was a model of its kind: that it was extremely well organized and totally free and fair. It was satisfied that no undue pressure had been put on voters either to vote a particular way or to vote at all, and had absolutely no evidence of ballot-rigging of any kind.

152. The counting and tabulating of votes had been equally well done. At least one member of the Mission had been present throughout the counting of the vote, which began on the evening of plebiscite day and continued for the next 48 hours. The Mission took the view that the plebiscite was a free and fair act of self-determination by the voters of Palau. The turnout was high and the majority in favour of the Compact convincing.

153. The representative of the Soviet Union recalled that, at the sixteenth special session of the Trusteeship Council, his delegation had pointed out that the organization and conduct by the United States, together with the local authorities, of a so-called plebiscite in Palau had been designed to impose on that part of the Territory the neo-colonialist status of free association. It had also pointed out that the interest of the United States in sending a Mission to Palau had flowed from its desire to use the name of the United Nations to cover up the anti-Charter action and lend it a spuriously favourable appearance. In deciding to dispatch that Visiting Mission, the Trusteeship Council had become a co-participant with the United States in the latter's illegal actions with regard to the Trust Territory.

154. The Soviet Union had already pointed out the discrepancies and nebulous assertions in the report. The report spoke of a political campaign before the so-called plebiscite but there had been no such campaign. Also, the report stated that the President himself had appealed to the population to adopt the Compact, and that the Governor and the National Congress had expressed support for the Compact before the holding of the plebiscite. The ballot paper contained just one question, which asked whether or not the voter approved the Compact. The question of the nuclear provisions of the Compact had been deliberately suppressed.

155. The Soviet representative again referred to a letter sent by President Salii of Palau to the Governor of the State of Ngesar as striking proof of how the local authorities had exploited economic leverage so that the members of the Political Education Committee would support approval of the Compact and try to encourage Palauans to vote in favour of it.

156. If the Mission had really been impartial, it would have stated that United States actions in Micronesia, in general, and in Palau, in particular, were not in keeping with the interests of the Micronesians and were in violation of the Charter, the Trusteeship Agreement and the Declaration on the Granting of Independence to Colonial Countries and Peoples. Those conclusions did not appear in the report and the Mission had been unable to live up to that standard.

157. The representative of the Soviet Union stated that after the unsuccessful attempt to force the Palauans to change the Constitution, the Administering Authority had resorted to manoeuvres to include in the latest Compact its right to

use in the area aircraft and ships capable of carrying nuclear and other weapons of mass destruction and not to confirm or deny their presence. Consequently, the lofty words about Palau's sovereignty and its jurisdiction over its own territory and adjacent waters meant nothing. The Compact was an agreement on annexation, which had been signed by individual parts of Micronesia in conditions of coercion, with flagrant inequality among the parties to the agreement. It could not be viewed as legal or valid. Neither could the so-called plebiscites and referendums.

158. The representative of the Soviet Union criticized the Chairman of the Visiting Mission for commenting on a statement by the Telegraphic Agency of the Soviet Union (TASS), which gave an objective and correct assessment of the anti-Charter policy of the United States in Micronesia. It viewed that action on the part of the Chairman as a deliberate attempt to distort the position of the Soviet Union on Micronesia in the eyes of the people of Micronesia and to deprive Palauans and all Micronesians of the opportunity to learn of the true position of the Soviet Union on that question.

159. The Soviet representative considered that the Trusteeship Council had been assigned the role of accomplice to the United States and had been forced to rubber-stamp the results of the anti-Charter activities of Washington, D.C. and cover them with the United Nations flag. That contradicted the spirit and the letter of the Charter and the obligations assumed by the United Nations in its trusteeship over Micronesia, and was in contravention of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

160. The representative of the United Kingdom stated that the members of the Visiting Mission deeply resented the remarks by the representative of the Soviet Union about their political leanings and their professional competence. To impute any motives other than professionalism or to impugn the competence of representatives mandated by the Council to carry out a task was unacceptable. As regards the statement by the Soviet Union concerning the TASS telex, far from being an attempt to distort the position of the Union of Soviet Socialist Republics, it was an invitation to that State to make its position known. The representative of the United Kingdom stated that to talk of Palau as being a military strategic beach-head was grotesque. Apart from some civilian aircraft and the uniform of 1 of the 11 United States engineers carrying out public works on Palau, the only signs of military activity the Mission had seen dated back to the Second World War. It had seen no evidence of any attempt by the United States to influence the outcome of the plebiscite, nor of what the TASS telex referred to as "the neo-colonialist actions and arbitrariness with respect to a small people of the Pacific Islands".

161. The Soviet representative had referred to the report of the Mission as a mere rubber stamp, which it was not. It had been written carefully to reflect the views of all the members of the Mission and had been subscribed to unanimously. The members of the Mission, Fiji, France, Papua New Guinea and the United Kingdom, were all of an independent mind and not mere accomplices of the United States.

162. The representative of the United Kingdom charged that the Soviet representatives had sought to distort the report for their own purposes. Since they had shown great faith in the objectivity of the reporting when criticisms were being made, he wondered why they did not accept the objectivity of the report as a whole.

163. The representative of France stated that the Visiting Mission had at all times been guided by the concern that it should take into account the various statements heard in the Council and in the Territory. It wanted to be sure that all points of view were reflected.

164. France had the satisfaction of having carried out the mission entrusted to it by the Trusteeship Council.

165. Mrs. Janet McCoy, High Commissioner of the Trust Territory and Special Representative of the Administering Authority, stated that the Administering Authority considered the report of the Visiting Mission to be helpful, perceptive and balanced. While some of the observations were not particularly complimentary, the Administering Authority commended the Mission and the drafters of the report on a job well done.

166. At the 1616th meeting, on 28 May 1986, the representative of the United Kingdom introduced draft resolution T/L.1251 concerning the report of the Visiting Mission. The draft resolution was adopted on the same day as resolution 2182 (LIII) by 3 votes to 1. In the operative paragraphs of the resolution, the Council took note of the report of the Mission and expressed its appreciation for the work accomplished by the Mission on its behalf.

167. The representative of the Soviet Union stated that his delegation had voted against the draft resolution because the discussion of the Visiting Mission's report in the Council and the material presented by petitioners had convincingly demonstrated that the Mission was politically directed to hide the illegal actions of the Administering Authority in the Trust Territory, to help turn Palau into a nuclear springboard for the United States and to circumvent Palau's Constitution. The plebiscite in Palau had been aimed at camouflaging the anti-Charter actions of the United States in the strategic United Nations Trust Territory of Micronesia. Thus a compact of free association could not be considered as a legal one.

G. Attainment of self-government or independence by the Trust Territory of the Pacific Islands; co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

168. At its 1619th meeting, on 2 June 1986, the Trusteeship Council jointly considered the questions of attainment of self-government or independence by the Trust Territory and of co-operation with the Special Committee. During the discussion, the representative of the Union of Soviet Socialist Republics stated that those issues had neither been touched on in the 1985 report of the Administering Authority 7/ nor in its statements or those of the Micronesian Special Advisers to the United States delegation. The United States was avoiding those issues because all of its actions with respect to the Trust Territory of the Pacific Islands contradicted the Charter, the Trusteeship Agreement and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

169. The representative of the Soviet Union stated that the Administering Authority had grossly violated the rights of the Micronesians to complete freedom. The people could not freely choose their future political status since the Administering Authority had placed them in a position of political and economic dependence and had established its military control there by dividing the Micronesians into four entities.

170. The Soviet representative pointed out that, since 1971, the Administering Authority had stopped submitting information to the Special Committee regarding the situation in the Trust Territory, had ceased co-operating with it and had refused to receive visiting missions of that body. The basic reason for changes in its policy had been rooted in its determination to achieve the de facto annexation of the Territory.

171. Referring to the conclusions and recommendations of the Special Committee on the Trust Territory of the Pacific Islands, 8/ which had been submitted to the General Assembly at its fortieth session, the representative of the Soviet Union stated that the Administering Authority's refusal to co-operate with the General Assembly and its Special Committee violated Assembly resolution 40/57 of 2 December 1985. That resolution, like resolution 1654 (XVI) of 27 November 1961, called upon all States, in particular the Administering Authorities, to give effect to the Committee's recommendations for the speedy implementation of the Declaration and relevant resolutions of the United Nations.

172. The representative of the United Kingdom also stated that since attainment of self-government was what the Council had been discussing for three weeks, there did not seem to be more to be said on that issue. With regard to the question as to whether Micronesians had attained self-government, the answer was "yes". They had not attained independence because they had rejected it. As to the question of co-operation with the Special Committee, it was clear from the Charter that responsibility for the Trust Territory lay with the Security Council.

173. The representative of the United States further stated that the Special Committee had no jurisdiction over the Trust Territory of the Pacific Islands; jurisdiction over the only strategic Trust Territory was held by the Security Council, as stated in Article 83 of the Charter.

174. The representative of the United States indicated that at least three basic political status options were internationally recognized as valid bases for termination of non-self-governing status: emergence as an independent State, incorporation into an independent State and free association with an independent State. The principles and requirements associated with those three avenues for termination had been established through the international practice of States with respect to Non-Self-Governing Territories, including several General Assembly resolutions. The representative of the Soviet Union had never cited any resolution other than Assembly resolution 1514 (XV), but there were indeed other resolutions that were totally pertinent to the matter. The most authoritative in the present context was Assembly resolution 2625 (XXV), which contained the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. The Declaration specifically identified free association, in addition to independence and incorporation into an existing State, as acceptable alternatives for achieving self-government. The United States considered that all three political status options recognized as being available to Non-Self-Governing Territories generally were equally available to the peoples of the Trust Territory.

175. The representative of the Soviet Union, referring to the statement by the representative of the United States, noted that the Security Council alone had jurisdiction over the strategic Trust Territory.

176. At its 1620th meeting, on 4 June 1986, the Trusteeship Council decided to draw the attention of the Security Council to the conclusions and recommendations

adopted by the Trusteeship Council at its fifty-third session 9/ concerning the attainment, in accordance with the relevant provisions of the Charter, and in particular Article 83, of self-government or independence by the Trust Territory, and to the statements made by the members of the Council on that question.

H. Co-operation with the Committee on the Elimination of Racial Discrimination; Decade for Action to Combat Racism and Racial Discrimination

177. At its 1619th meeting, on 2 June 1986, the Trusteeship Council considered the questions of co-operation with the Committee on the Elimination of Racial Discrimination (General Assembly resolutions 2106 B (XX) of 21 December 1965 and 40/28 of 29 November 1985) and the Decade for Action to Combat Racism and Racial Discrimination.

178. During the discussion, the representative of the Soviet Union noted that numerous instruments, particularly the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX) of 21 December 1965), the International Convention on the Suppression and Punishment of the Crime of Apartheid (Assembly resolution 3068 (XXVIII) of 30 November 1973), Assembly resolution 3057 (XXVIII) of 2 November 1973 establishing a Decade for Action to Combat Racism and Racial Discrimination, and the International Declaration against Apartheid in Sports (Assembly resolution 32/105 M of 14 December 1977) formed a solid international legal basis to support the struggle for the full and speedy elimination of racism and racial discrimination. Also, pursuant to Articles 73 and 76 c of the Charter, the Administering Authority bore direct responsibility for preventing the manifestation of racial discrimination in the Trust Territory of the Pacific Islands.

179. The representative of the Soviet Union also noted that by its resolution 40/28, in which the report of the Committee on the Elimination of Racial Discrimination was adopted, the General Assembly had taken note of that part of the report relating to Trust and Non-Self-Governing Territories and had called upon the appropriate United Nations bodies to ensure that the Committee was supplied with all relevant information on the Territories in order to enable it to fulfil its mandate.

180. As pointed out in the report of the Committee, however, the Trusteeship Council, at its fifty-second session, had taken note of the statements on the question made by its members, but had taken no action. The Council should be made to co-operate with the Committee and transmit to it all relevant information on Micronesia, including petitions and communications, in order to ensure that the Administering Authority upheld those basic rights and freedoms of the people.

181. The representative of the Soviet Union noted that, during the consideration of the report of the Administering Authority, several petitioners had stated that the Administering Authority had violated fundamental human rights of the the population of the Territory. The many years of nuclear testing had had a profound impact on the social and economic situation of the Micronesians, polluting their environment and damaging their health and well-being. That proved that the Administering Authority was guided by its own interests, particularly military ones, and not by the interests of the population.

182. The Soviet representative stated that during the fifty-third session of the Trusteeship Council, a petitioner had given evidence and supplied slides showing that Marshallese people had been handcuffed merely because they wanted to return to their own land. Other petitioners had given examples of the differences between the living conditions of United States citizens and Micronesians. In Kwajalein, over 2,000 United States citizens lived on 800 hectares of land, whereas more than 8,000 Micronesians of that atoll had been forced to live on a tiny parcel of land of 25 hectares. Also, the Territory had a high percentage of unemployment; medical services were inadequate; drinking water was insufficient; and the sewage system was inadequate. The clear distinction between United States inhabitants and Micronesians surely constituted discrimination.

183. The representative of the United Kingdom stated that the inclusion of an item on racial discrimination in the agenda of the Trusteeship Council encouraged delegations to spy out racism where none might in fact exist. Pollution, unemployment and radioactivity and their effects on the health, welfare and economy of Micronesia were not evidence of racism as an act of public policy. He cautioned against using the label of racism as a convenient hook on which to hang general criticisms. The word racism was at risk of losing all meaning for being over-used. The United Kingdom delegation co-operated fully with the Committee on the Elimination of Racial Discrimination in its national capacity. With regard to the Trust Territory, however, the Charter made it perfectly clear that responsibility lay with the Security Council and the Trusteeship Council. There was clearly no obligation on the part of the Trusteeship Council to co-operate with the Committee.

184. The representative of France assured the Council that he had never witnessed racial discrimination during his visits to the Trust Territory.

185. The representative of the United States considered that the Second Decade to Combat Racism and Racial Discrimination should not be on the agenda of the Trusteeship Council. The entire concept of the Decade had been damaged because of the linkage between racism and zionism. The United States reiterated that the Trusteeship Council received its mandate from the Charter and that the Committee on the Elimination of Racial Discrimination could not instruct the Trusteeship Council as to whom and on what to report.

186. At its 1619th meeting, on 2 June 1986, the Trusteeship Council decided, without objection, to take note of the statements made on these agenda items.

I. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories

187. At its 1618th meeting, on 30 May 1986, the Trusteeship Council considered the report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System in the Trust Territory of the Pacific Islands covering the period from 1 May 1985 to 30 April 1986. 10/

188. During the discussion, a representative from the Department of Public Information of the Secretariat stated that the report of the Secretary-General on the subject contained information on the measures and activities undertaken by the Department to maintain and enhance the awareness of the people of the Trust Territory concerning the United Nations, the activities of the Trusteeship Council and the International Trusteeship System. The Department had continued to

distribute information material directly to the Territory, as well as through its information centres, particularly the Centre at Tokyo. He added that a staff member from the Tokyo Centre had visited the Trust Territory in November 1985. The outcome of his talks with Micronesian officials was outlined in the report of the Secretary-General. Furthermore, positive feedback on United Nations radio programmes used in the Territory had been reported by a radio officer of the Department who visited the Territory in January 1985.

189. The representative of the United States noted that the Deputy Director of the United Nations Information Centre at Tokyo had visited the Trust Territory recently and had brought his distribution list up to date. The mailing of information on the United Nations was now done directly from Fiji, Tokyo and New York to both government and private addresses throughout the Territory. The Administering Authority was encouraging direct contact as a part of its reduction of Trust Territory headquarters functions. Information on the United Nations was available throughout the Trust Territory.

190. At its 1619th meeting, on 2 June 1986, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General. 10/

J. Offers by Member States of study and training facilities
for inhabitants of Trust Territories

191. In its consideration of this item at its 1618th meeting, on 30 May 1986, the Trusteeship Council had before it the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Trust Territories covering the period from 21 May 1985 to 12 May 1986. 11/

192. During the discussion, the representative of the Soviet Union stated that the number of specialists in the Trust Territory with higher or middle-level education was not known. The situation in the Territory could be far better if all possibilities for assistance to the Micronesians had been used to help them acquire knowledge and take advantage of the experience of other countries. The educational opportunities that had been offered by Member States had not been utilized, since Micronesians did not know of the availability of such training possibilities. Although the Soviet Union and other socialist countries had offered scholarships to Micronesian students, there were no students from the Trust Territory studying there.

193. The representative of the United States said that, contrary to the statements by the representative of the Soviet Union, the people of the Trust Territory continued to receive educational assistance from several countries. There were also several training programmes sponsored by various regional and international agencies.

194. The United States representative added that the Trust Territory had received no offers from the Soviet Union of scholarships of any type. The Administering Authority imposed no conditions or restrictions on where Micronesian students might go for their education. The Administering Authority expected that they would continue to accept offers from other places where English was the language of instruction and where the courses offered were relevant to their developmental needs.

195. At its 1618th meeting, on 30 May 1986, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General on the item. 11/

K. Report of the Drafting Committee

196. At its 1616th meeting, on 28 May 1986, the Trusteeship Council appointed a Drafting Committee, composed of the representatives of France and the United Kingdom, to propose, on the basis of the discussions that had taken place in the Council, conclusions and recommendations for inclusion in the Council's report to the Security Council.

197. At its 1620th meeting, on 4 June 1986, the Council considered the report of the Drafting Committee, 12/ adopted the conclusions and recommendations contained in the annex to that report by 3 votes to 1 13/ and decided to include them as part II of its report to the Security Council (see paras. 210-212).

198. The representative of France stated that the question of the future of the Trust Territory of the Pacific Islands had predominated during the fifty-third session of the Trusteeship Council. Since that question was at stake, the Council had had to consider all viewpoints and gather as much information as possible. In welcoming the adoption of the draft resolution on the subject, the French representative indicated that the Council had taken an important decision in that regard. Although there had been no unanimity on the resolution, which was to be regretted, it had been adopted in full compliance with the rules of procedure of the Trusteeship Council. The French delegation was pleased that, as a result of its work, the Trusteeship Council had been able to respond positively to the wishes of the people of the Trust Territory.

199. The representative of the Soviet Union stated that the Drafting Committee had failed to fulfil its mandate, since it had not shown the true political, economic and social situation in the Trust Territory of the Pacific Islands. Nor had it presented the educational and cultural situation there. The Committee had not summarized the discussions that had taken place in the Council and had disregarded many oral and written presentations by petitioners. It had presented conclusions and recommendations that favoured the interests of the Administering Authority, but that were contrary to those of the Micronesians.

200. The representative of the Soviet Union also stated that the entire report of the Drafting Committee consisted of the text of the resolution adopted by the Council undemocratically, without any discussion, on the basis of an agreement reached among the three Western members of the Council. The sponsors of the resolution were attempting to get the Trusteeship Council to make yet another concession contrary to the Charter when, in the conclusions and recommendations, they asked the Administering Authority to complete the internal process of approval of the Compact of Free Association for Palau.

201. The Soviet representative stated that under the Charter, any change in the status of a strategic Trust Territory should be made only by a decision of the Security Council. In that regard, the Trusteeship Council was not empowered to take decisions.

202. The representative of the Soviet Union stated that because the Trusteeship Council was subjected to carrying out an anti-Charter action and unlawful

activities, his delegation had voted against the recommendations contained in the report of the Drafting Committee. The fate of the people of Micronesia was an integral part of the question of decolonization; the United Nations must shoulder its future responsibility towards the Territory until it achieved genuine independence.

203. The representative of the United Kingdom rejected the assertion by the representative of the Soviet Union that the Drafting Committee had not taken into account the views expressed in the many oral and written petitions submitted to the Council. The Committee had taken them into account but had decided not to reflect them in its report since they had been circulated as United Nations documents or had been made available in the verbatim records. It had taken account of the views of the Micronesian leaders who had participated as members of the United States delegation since they were elected representatives of their people.

204. The representative of the United States stated that during her country's years of administration of the Trust Territory of the Pacific Islands, the United States had adhered scrupulously to its obligations under the Charter and the Trusteeship Agreement, as had been demonstrated by its last annual report. Programmes, policies and laws had been implemented or enacted to give effect to the Trusteeship Council's annual recommendations.

205. With respect to self-government throughout the Territory, the United States was fully confident that the instruments of government created by the Micronesians would continue to meet the challenges they would face after the dissolution of the Trusteeship Agreement.

206. Concerning Soviet allegations that violence had been used against Kwajalein landowners, the representative of the United States stated that the Marshall Islands Government had taken action consistent with local ordinances and court orders and no one had been hurt in the actions taken to end the sit-in. She considered odd the Soviet delegation's belated enthusiasm for the idea of dispatching a special visiting mission to Kwajalein since that delegation had steadfastly refused to participate in visiting missions and had repeatedly denounced their findings as biased.

207. The representative of the United States reiterated her Government's fundamental position that the Trusteeship Agreement should be terminated. Under the Trusteeship Agreement, its central obligation had been the preparation of the inhabitants of the Trust Territory for self-government or independence in accordance with their particular circumstances and their freely expressed wishes; it was not for outsiders to stipulate arbitrary and exclusive methods for the sovereign right to self-determination of non-self-governing peoples. The representative added that self-government should be based on constitutions or other instruments crafted by the people to whom they applied and that the controlling interpretations of those constitutions could only come from those who produced the constitutions, acting through their duly constituted Governments. Finally, the representative observed that the most important requirement for legitimacy of a post-trusteeship political status would be that it reflected the free choice of the people concerned. Those fundamental principles had guided the United States and the representatives of the four entities over the past 20 years. From what had been seen, none of the critics had or could offer any improvement upon those principles.

208. The representative of the Soviet Union stated that facts mentioned in the statement of the representative of the United States did not reflect the situation

in the Trust Territory. The actions of the United States violated the respect for principles and provisions of the United Nations Charter and the Declaration on decolonization. The Soviet Union did not support the annexationist plan of the United States with regard to Micronesia. The United Nations, he concluded, should retain its responsibility over the Trust Territory until it achieved genuine independence.

L. Adoption of the report of the Trusteeship Council to
the Security Council

209. At its 1621st meeting, on 30 June 1986, the Trusteeship Council considered its report to the Security Council and adopted it by 3 votes to 1.

PART II. CONCLUSIONS AND RECOMMENDATIONS

210. At its 1620th meeting, on 4 June 1986, the Trusteeship Council adopted the following conclusions and recommendations by 3 votes to 1.

211. At its 1617th meeting, on 28 May 1986, under items 4 and 14 of its agenda, the Trusteeship Council adopted resolution 2183 (LIII), the text of which follows:

"The Trusteeship Council,

"Recalling the Trusteeship Agreement for the Trust Territory of the Pacific Islands 14/ approved by the Security Council on 2 April 1947,

"Noting that Articles 73 and 76 of the Charter of the United Nations call upon Administering Authorities of Trust Territories to assist their peoples in the progressive development of their free political institutions and towards self-government or independence,

"Mindful that the peoples of the Federated States of Micronesia, the Marshall Islands, the Northern Mariana Islands and Palau have established constitutions and democratic political institutions providing the instruments of self-government,

"Aware that political status negotiations between the Administering Authority and representatives of the Trust Territory began in 1969 with the aim of facilitating the progressive development of the peoples in Micronesia towards self-government or independence as was deemed appropriate,

"Aware also that this process has been successfully completed,

"Noting further the recommendation of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1985 2/ that termination of the trusteeship should be achieved as soon as possible,

"Having heard the statements by the elected representatives of the Trust Territory Governments requesting early termination of the Trusteeship Agreement, and believing this to reflect the freely expressed wishes of the people of the Trust Territory,

"Conscious of the responsibility of the Security Council in respect of strategic areas as set out in Article 83, paragraph 1, of the Charter,

"1. Notes that the peoples of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia and Palau have freely exercised their right to self-determination in plebiscites observed by the visiting missions of the Trusteeship Council and have chosen free association with the United States of America in the case of the Marshall Islands, the Federated States of Micronesia and Palau and Commonwealth status in the case of the Northern Mariana Islands;

"2. Requests the Government of the United States, in consultation with the Governments of the Federated States of Micronesia, the Marshall Islands, Palau and the Northern Mariana Islands, to agree on a date not later than 30 September 1986 for the full entry into force of the Compact of Free

Association and Commonwealth Covenant, and to inform the Secretary-General of the United Nations of that date;

"3. Considers that the Government of the United States, as the Administering Authority, has satisfactorily discharged its obligations under the terms of the Trusteeship Agreement and that it is appropriate for that Agreement to be terminated with effect from the date referred to in paragraph 2 above;

"4. Requests the Secretary-General to circulate as official documents of the Security Council the present resolution and all material received from the Administering Authority pursuant to this resolution."

212. The Trusteeship Council recommends that the Administering Authority complete its internal process of approval of the Compact of Free Association for Palau at the earliest possible date.

Notes

1/ For the text of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, see Official Records of the Trusteeship Council, Forty-second Session, Sessional Fascicle, annexes, document T/1759.

2/ For the report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1985, see Official Records of the Trusteeship Council, Fifty-third Session, Supplement No. 1 (T/1878).

3/ A/41/315-E/1986/71, annex.

4/ Article 76 b reads: "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 expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement".

5/ T/1886.

6/ For the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1986, see Official Records of the Trusteeship Council, Fifty-third Session, Supplement No. 2 (T/1885).

7/ 1985 Trust Territory of the Pacific Islands, October 1, 1984 to September 30, 1985, thirty-eighth annual report to the United Nations on the administration of the Trust Territory of the Pacific Islands. Transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations (Department of State Publication 9418).

8/ A/40/23 (Part VII), chap. XVIII. The complete report is to be issued as Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23).

Notes (continued)

- 9/ T/L.1253, annex.
- 10/ T/1889.
- 11/ T/1890.
- 12/ T/L.1253.
- 13/ See T/PV.1620.
- 14/ Trusteeship Agreement for the Trust Territory of the Pacific Islands
(United Nations publication, Sales No. 1957.VI.A.1).

Annex I

AGENDA OF THE SIXTEENTH SPECIAL SESSION ADOPTED BY THE TRUSTEESHIP
COUNCIL AT ITS 1599TH MEETING, ON 4 FEBRUARY 1986

1. Adoption of the agenda.
2. Report of the Secretary-General on credentials.
3. Letter dated 8 January 1986 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1880), containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite in Palau on the Compact of Free Association.
4. Examination of petitions listed in the annex to the agenda a/ and related to item 3 of the agenda.

Notes

a/ See Official Records of the Trusteeship Council, Sixteenth Special Session and Fifty-third Session, Sessional Fascicle.

Annex II

AGENDA OF THE FIFTY-THIRD SESSION ADOPTED BY THE TRUSTEESHIP COUNCIL AT ITS 1601ST MEETING, ON 12 MAY 1986

1. Adoption of the agenda.
2. Report of the Secretary-General on credentials.
3. Election of the President and the Vice-President.
4. Examination of the annual report of the Administering Authority for the year ended 30 September 1985: Trust Territory of the Pacific Islands.
5. Examination of petitions listed in the annex to the agenda. a/
6. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1985.
7. Report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1986.
8. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General [General Assembly resolutions 557 (VI) and 753 (VIII)].
9. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General [Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII)].
10. Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 40/28].
11. Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 40/22].
12. Attainment of self-government or independence by the Trust Territories [Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)] and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolutions 1514 (XV) and 40/57].
13. Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolution 1654 (XVI)].
14. The future of the Trust Territory of the Pacific Islands [item proposed by the United States of America (T/1886)].
15. Adoption of the report of the Trusteeship Council to the Security Council [Security Council resolution 70 (1949)].

Notes

a/ See Official Records of the Trusteeship Council, Sixteenth Special Session and Fifty-third Session, Sessional Fascicle.

Annex III

WRITTEN COMMUNICATIONS AND PETITIONS EXAMINED BY THE TRUSTEESHIP COUNCIL AT ITS SIXTEENTH SPECIAL SESSION

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
<u>A. Communications</u>			
Maire Leadbeater, Spokesperson, Campaign for Nuclear Disarmament	5 June 1985 T/COM.10/L.356	Transmittal of a copy of letter to Mr. Monroe Browne, United States Ambassador to New Zealand, expressing the concern of 642 signatories about pressure being exerted on Palau to change the nuclear-free provisions of its Constitution	The Council drew the petitioner's attention to the statements made by members of the Council and to the resolution adopted with regard to the Mission to Observe the Plebiscite in Palau on the Compact of Free Association
<u>B. Petitions</u>			
Maire Leadbeater, Spokesperson, Campaign for Nuclear Disarmament	31 May 1985 T/PET.10/345	Letter addressed to the Under-Secretary-General, Department of Political Affairs, Trusteeship and Decolonization, enclosing T/COM.10/L.356 (above)	"
Phil Esmonde, Execu- tive Director, South Pacific Peoples Foundation of Canada	16 January 1986 T/PET.10/348	Letter stressing the need to uphold the Palauan Constitution and requesting the Trusteeship Council to send a mission to Palau to observe the plebiscite	"
Nancy Kleiber	23 January 1986 T/PET.10/349	Letter requesting the Council to send a mission to observe the plebiscite in Palau	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
C. J. Lewis	25 January 1986 T/PET.10/350	Letter expressing support for the Trusteeship Council's observation of the Palau plebiscite	The Council drew the petitioner's attention to the statements made by members of the Council and to the resolution adopted with regard to the Mission to Observe the Plebiscite in Palau on the Compact of Free Association
Peter Chapman	25 January 1986 T/PET.10/351	Letter urging the Trusteeship Council's observation of the plebiscite in Palau	"
Susan Quass and Elizabeth Bounds, United Methodist Office for the United Nations	30 January 1986 T/PET.10/352	Letter asking that the Palauan plebiscite be postponed to allow more time for political education	"
Marilyn Grigel	23 January 1986 T/PET.10/353	Letter urging the Trusteeship Council to observe the plebiscite in Palau	"
Meryl Olsen, Alberni Valley Coalition for Nuclear Disarmament	28 January 1986 T/PET.10/354	<u>Idem</u>	"
Jean Tollefson	23 January 1986 T/PET.10/355	<u>Idem</u>	"
M. Rose	24 January 1986 T/PET.10/356	<u>Idem</u>	"
Robert and Elizabeth Tennant	26 January 1986 T/PET.10/357	<u>Idem</u>	"
Susanne Rabbitt Roff, Minority Rights Group	31 January 1986 T/PET.10/358	Letter requesting postponement of the plebiscite in Palau	"

Annex IV

WRITTEN COMMUNICATIONS AND PETITIONS EXAMINED BY THE TRUSTEESHIP
COUNCIL AT ITS FIFTY-THIRD SESSION

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
<u>A. Communications</u>			
House of Representatives, Fourth Northern Marianas Commonwealth Legislature	26 June 1985 T/COM.10/L.357	Transmittal of a resolution requesting States members of the London Dumping Convention to support proposed amendment by Kiribati and Nauru to ban the dumping of nuclear waste in the world's oceans	The Council took note of the communication
Yap State Legislature	12 August 1985 T/COM.10/L.358	Transmittal of a resolution strongly opposing any United States Congressional action substantially deviating from the basic purpose of the Compact of Free Association and invalidating the peoples' act of self-determination	"
Brian W. McMahon, President, Northern Marianas Bar Association	6 December 1985 T/COM.10/L.359	Transmittal of a resolution urging the United States Government to take all appropriate steps either to have the Trusteeship Agreement terminated for the Northern Mariana Islands or to assure that its people are afforded the rights of United States citizens as promised in the Commonwealth Covenant	"
Anthony Burke	9 February 1986 T/COM.10/L.360	Copy of a letter addressed to the Permanent Representative of Canada to the United Nations urging United Nations observation of the plebiscite in Palau	"
P. W. Blight	10 February 1986 T/COM.10/L.361	Copy of a letter addressed to the Permanent Representative of Canada to the United Nations urging close scrutiny of the Palau plebiscite by the United Nations	"
Edith Adamson	10 February 1986 T/COM.10/L.362	Copy of a letter addressed to the Permanent Representative of Canada to the United Nations urging assistance to the people of Palau in exercising their right to self-determination	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
Iroi Mo Jitiam, Leroij Neiar Moses and Leroij Kalora Zion	10 March 1986 T/COM.10/L.363	Letter addressed to the High Commissioner of the Trust Territory expressing opposition to <u>Nitijela</u> Bill No. 66 dealing with land rights on the Jebdrik side of Majuro atoll	The Council took note of the communication
James Orak and 23 others	2 April 1986 T/COM.10/L.364	Transmittal of a petition to the Palau National Congress signed by Palauans living in Portland, Oregon, and expressing concern that the political education process preceding the plebiscite was inadequate	"
James Orak and 27 others	22 April 1986 T/COM.10/L.364/ Add.1	Letter providing names of additional signatories to petition transmitted in T/COM.10/L.364 (above)	"
B. <u>Petitions</u>			
David R. Anderson of Wilmer, Cutler and Pickering, Attorney for the people of Enewetak	6 June 1985 T/PET.10/346	Letter expressing the hope that the Trusteeship Agreement would not be terminated until the United States has made adequate arrangements for the continued well-being of the people of Enewetak	The Council drew the petitioner's attention to the statements made by members of the Council
127 residents of Tinian, Northern Mariana Islands	Undated T/PET.10/347	Petition requesting that an investigation be conducted into the local election held on 3 November 1985	"
Jakob Von Uexkull, Grael Group, European Parliament	7 February 1986 T/PET.10/359	Telegram calling for postponement of the Palau plebiscite	"
Joan Cass	3 February 1986 T/PET.10/360	Letter calling for United Nations involvement in the Palau plebiscite	"
Laurie Dempster	Undated T/PET.10/361	<u>Idem</u>	"
H. E. Brightwell, Greater Victoria Disarmament Group	6 February 1986 T/PET.10/362	<u>Idem</u>	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
D. A. Dunbar	10 February 1986 T/PET.10/363	<u>Idem</u>	The Council drew the petitioner's attention to the statements made by members of the Council
Lidiana Marrelli	10 February 1986 T/PET.10/364	<u>Idem</u>	"
Bonnie Robinson	11 February 1986 T/PET.10/365	Letter expressing the hope that the United Nations would send observers to the Palau plebiscite	"
Gladys M. Kennedy	10 February 1986 T/PET.10/366	Letter asking for United Nations observation of the Palau plebiscite	"
Elmer C. Kennedy	11 February 1986 T/PET.10/367	Letter urging United Nations observation of the Palau plebiscite and a review of the Trusteeship Agreement	"
Bernice Levitz Packford	13 February 1986 T/PET.10/368	Letter requesting the Trusteeship Council to investigate the manner in which the United States discharged its obligation to Palau and to strengthen Palau's efforts to become independent within five years	"
Deirdre Wooding, Honorary Secretary, Women's International League for Peace and Freedom	13 February 1986 T/PET.10/369	Letter expressing concern that the new "treaty" arrangement with the United States could override Palau's nuclear-free Constitution	"
Barbara Holiff	10 February 1986 T/PET.10/370	Letter requesting a United Nations presence to observe the plebiscite in Palau	"

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<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
Gyllian Davies	10 February 1986 T/PET.10/371	Letter urging the Trusteeship Council to observe the plebiscite in Palau	The Council drew the petitioner's attention to the statements made by members of the Council
Maire Leadbeater, Spokesperson, Campaign for Nuclear Disarmament	10 February 1986 T/PET.10/372	<u>Idem</u>	"
Ivor Roberts	12 February 1986 T/PET.10/373	Letter requesting an investigation into United States involvement in Palau	"
Richard Eng	Undated T/PET.10/374	Letter expressing concern that the Compact would make Palau into a dependency of the United States	"
S. and J. Chant	3 March 1986 T/PET.10/375	Letter protesting United States involvement in Palau	"
Chris Moore, Movement against Uranium Mining	14 February 1986 T/PET.10/376	Letter urging the Trusteeship Council to explore the process of self-determination in Palau and to take appropriate action	"
Dianne Lucas	16 February 1986 T/PET.10/377	<u>Idem</u>	"
Jan Lynch	19 February 1986 T/PET.10/378	Letter expressing concern about the Palau plebiscite and requesting the United Nations to reject it as unnecessary	"
Zohl de Ishtar, Women Working for a Nuclear- Free and Independent Pacific	24 February 1986 T/PET.10/379	Letter protesting United States pressure on Palau to accept nuclear provisions of the Compact of Free Association and requesting a United Nations observer mission for the plebiscite	"
C. Angela Needham	Undated T/PET.10/380	Letter expressing concern about the situation in Palau	"
Ataji L. Balos, Senator, Marshall Islands <u>Nitijela</u> (Parliament)	19 March 1986 T/PET.10/381	Letter requesting a mission to visit Kwajalein and investigate the situation	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
A. Hilda Davidson	9 March 1986 T/PET.10/382	Letter requesting the Trusteeship Council to ensure that the people of Palau are fully informed on issues before the plebiscite	The Council drew the petitioner's attention to the statements made by members of the Council
C. A. Prendergast	11 March 1986 T/PET.10/383	Letter requesting the Trusteeship Council to ensure a fair and open plebiscite	"
Antoinette G. Brown	13 March 1986 T/PET.10/384	Letter asking the Trusteeship Council to call upon the United States to acknowledge the rights of the Palauans to their chosen Constitution	"
Susan Quass and Elizabeth Bounds, United Methodist Office for the United Nations	12 February 1986 T/PET.10/385	Letter alleging potential procedural inconsistencies with United Nations norms and obfuscated issues in the proposed Palau plebiscite	"
Gill Dammers	7 March 1986 T/PET.10/386	Letter requesting the Trusteeship Council to prevent the nuclear testing in the Trust Territory of the Pacific Islands	"
Barbara M. Wells	19 March 1986 T/PET.10/387	Letter urging the United Nations to support the people of Palau in their desire to retain their nuclear-free Constitution	"
Delia Haywood	Undated T/PET.10/388	Letter requesting the Trusteeship Council to exercise its influence to help demilitarize the Pacific	"
Stanley Price, Cam- paign for Nuclear Disarmament	25 March 1986 T/PET.10/389	Letter protesting violation of fundamental rights of the people of Micronesia by United States nuclear and military policies	"
Mr. and Mrs. D. Scotland	25 March 1986 T/PET.10/390	Letter calling upon the United Nations to defend Palau against United States harassment	"
R. B. Armitage	31 March 1986 T/PET.10/391	Letter protesting steps to overturn Palau's nuclear-free Constitution	"
Atul Shah	Undated T/PET.10/392	Letter calling for a longer political education campaign in Palau	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
J. Symington	8 April 1986 T/PET.10/395	Letter expressing concern that the United States is trying to pass the Compact of Free Association by a simple majority contrary to Palau's Constitution	The Council drew the petitioner's attention to the statements made by members of the Council
J. R. Little	25 March 1986 T/PET.10/396	Letter calling upon the United Nations to uphold the Constitution of Palau	"
Women Working for a Nuclear-Free and Independent Pacific, Britain	10 April 1986 T/PET.10/397	Letter listing points said to invalidate result of the plebiscite held in Palau on 21 February 1986	"
Lorna J. Smith	11 April 1986 T/PET.10/398	Letter asking the United Nations to ensure that the result of the plebiscite of 21 February, which rejected the Compact, be upheld	"
J. C. Greenland, Bega Valley Women for Nuclear Disarmament	11 February 1986 T/PET.10/399	Letter calling upon the United Nations to ensure that Palau's nuclear-free Constitution is upheld	"
Dr. Anne Noonan	Undated T/PET.10/400	Letter calling upon the United Nations to study whether the Compact could override the Palauan Constitution	"
J. Blair on behalf of the Honorary Secretary, People for Peace and Nuclear Disarmament	26 March 1986 T/PET.10/401	Letter urging the Trusteeship Council to accept only 75 per cent approval of the Compact, as required by the Palauan Constitution	"
Joan Grant, Nuclear-Free and Independent Pacific Women's Support Network	Undated T/PET.10/402	Letter requesting the Trusteeship Council to preserve the nuclear-free Constitution of Palau	"
Barbara Shaw	13 April 1986 T/PET.10/403	Letter urging the Trusteeship Council to insist that approval of the Compact for Palau require a 75 per cent majority	"
Judith Windle	13 April 1986 T/PET.10/404	Letter urging that the Compact not be allowed to become the basis of United States relationship with Palau	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
Penelope Strange on behalf of the Women's Peace Group in Oswestry, United Kingdom	14 April 1986 T/PET.10/406	Letter urging the Trusteeship Council to prolong the time for political education in Palau and to insist on a 75 per cent majority vote to change the Constitution	The Council drew the petitioner's attention to the statements made by members of the Council
Mark Burgess	24 April 1986 T/PET.10/410	Letter urging a Trusteeship Council presence during the Palau plebiscite	"
Joan Shears	Undated T/PET.10/411	Letter protesting United States efforts to force Palauans to abandon their nuclear-free Constitution and calling for appropriate United Nations action to protect Palauan interests	"
Graeme Stuart, Blackburn-Nunawading People for Nuclear Disarmament	16 April 1986 T/PET.10/412	Letter expressing support for the people of Palau and their nuclear-free Constitution	"
Sister Judith Watkins, Methodist Deaconess	27 April 1986 T/PET.10/414	Letter asking the Trusteeship Council to consider whether the United States has fulfilled the terms of the Trusteeship Agreement	"
Michael Thacker	28 April 1986 T/PET.10/415	Letter asking the Trusteeship Council to ensure that Palauans continue to live under their nuclear-free Constitution	"
Austin McCarthy	28 April 1986 T/PET.10/416	Letter urging the Trusteeship Council to ensure that the Compact for Palau not be considered approved in the absence of a 75 per cent majority	"
J. Boreham	April/May 1986 T/PET.10/417	<u>Idem</u>	"
Sue Upton	25 April 1986 T/PET.10/420	Letter expressing concern about United States pressure on Palauans to vote in favour of the Compact and asking the Trusteeship Council to take action to prevent this	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
Pauline Miller	26 April 1986 T/PET.10/421	Letter urging the Trusteeship Council to ensure that the Compact for Palau not be considered approved in the absence of a 75 per cent majority vote	"
H. B. and M. M. Roberts	Undated T/PET.10/422	Letter expressing concern about economic pressure to change Palau's nuclear-free Constitution	The Council drew the petitioner's attention to the statements made by members of the Council
L. P. Watkinson	27 April 1986 T/PET.10/423	Letter protesting United States pressure on Palau and requesting the Trusteeship Council to uphold the 75 per cent approval of the Compact required by the Palauan Constitution	"
Mabel Baker	28 April 1986 T/PET.10/424	Letter expressing the hope that the United Nations would use its influence to support peoples of the South Pacific in their stand against nuclear weapons and nuclear warfare	"
Judith Hanna	28 April 1986 T/PET.10/425	Letter calling upon the United States to recognize Palau's Constitution and allow Palauans to determine their own future	"
C. Willis	30 April 1986 T/PET.10/426	Letter asking the Trusteeship Council to continue to fulfil its obligations in the best interest of the Palauans and not allow the United States to put pressure on them to accept the Compact of Free Association	"
Anne Millar	1 May 1986 T/PET.10/428	Letter requesting the United States to respect the nuclear-free Constitution of Palau	"
Birgitta Hambræus and Margot Wallstroem	7 May 1986 T/PET.10/429	Letter appealing to the Trusteeship Council to stop the Compact from giving the United States exclusive military rights in Palau	"
Dr. M. Hersh	Undated T/PET.10/430	Letter listing points said to invalidate the Palau plebiscite of 21 February 1986	"
Clare Mutton and 7 others	Undated T/PET.10/431	<u>Idem</u>	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
Susan Quass and Elizabeth Bounds, United Methodist Office for the United Nations	9 May 1986 T/PET.10/432	Letter stating that the Compact of Free Association for Palau had failed to be approved in the absence of a 75 per cent majority vote	"
Polly Milner	2 May 1986 T/PET.10/433	Letter urging the Trusteeship Council not to recognize the Compact of Free Association for Palau unless a 75 per cent majority vote is obtained	"
Joseph Nicholas	3 May 1986 T/PET.10/434	Letter asking the Trusteeship Council to reject the Compact of Free Association for Palau and to replace it with one acceptable to Palauans	The Council drew the petitioner's attention to the statements made by members of the Council
David Leigh	5 May 1986 T/PET.10/435	Letter expressing concern at the situation in Palau	"
Members of the European Parliament	7 May 1986 T/PET.10/436	Letter urging the Trusteeship Council to reject the proposed United States Compact of Free Association for Palau	"
A. Craven	7 May 1986 T/PET.10/437	Letter charging that the United States deprives Palauans of human rights and independence	"
Marion Sinton	Undated T/PET.10/438	Letter urging the Trusteeship Council to ensure that the United States respects the will of the Palauan people to remain nuclear-free	"
"Friend of the Earth"	8 May 1986 T/PET.10/439	Letter expressing support for Palau's nuclear-free Constitution	"
D. Saville	9 May 1986 T/PET.10/440	Letter asking the Trusteeship Council to stipulate that United States and Palauan officials abide by the 75 per cent vote requirement for acceptance of the Compact	"
Victoria Bassett	6 May 1986 T/PET.10/441	Letter requesting support for the Palau Constitution, which requires 75 per cent approval to pass the Compact	"
Dr. Mary P. English	7 May 1986 T/PET.10/442	Letter urging the Trusteeship Council to refuse to recognize the Compact of Free Association as it has not obtained 75 per cent approval	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
P. and P. M. Byrne	7 May 1986 T/PET.10/445	Letter appealing to the Trusteeship Council to protect the people of the Pacific from the planned action of the United States	"
A. Howe	10 May 1986 T/PET.10/446	Letter expressing disapproval over the repeated interference of the United States with the Constitution of Palau	"
Julia Fice	10 May 1986 T/PET.10/447	Letter listing disadvantages for Palau contained in the Compact of Free Association and calling upon the Trusteeship Council to defend Palau's interests	The Council drew the petitioner's attention to the statements made by members of the Council
H. E. Hiley, Chairman, International Affairs Committee of Guildford Council of Churches	12 May 1986 T/PET.10/448	Letter asking the Trusteeship Council to ensure that Palau's integrity and independence are maintained	"
Ann Fleming	13 May 1986 T/PET.10/449	Letter protesting the testing of nuclear weapons	"
J. B. Thomas	5 May 1986 T/PET.10/450	Letter expressing concern over United States efforts to override the Constitution of Palau and calling upon the United Nations to support the rights of Palauans to an independent Constitution	"
Caryl Davies, United Nations Association in Otley, West Yorkshire	7 May 1986 T/PET.10/451	Letter expressing concern over the Compact of Free Association, which contradicts the the Palauan nuclear-free Constitution	"
Hilary Aller and 8 others on behalf of the Bristol University Third World First Group	8 May 1986 T/PET.10/452	Letter appealing to the Trusteeship Council to reject the Compact of Free Association for Palau	"
Betty Farrar	9 May 1986 T/PET.10/453	Letter calling upon the Trusteeship Council to urge the United States to end the nuclear contamination in the Pacific	"

<u>Sender</u>	<u>Date and document number</u>	<u>Contents</u>	<u>Action</u>
Marion Cole, Brain- tree and District United Nations International Year of Peace Group	9 May 1986 T/PET.10/454	Letter protesting United States actions in undermining the Constitution of Palau through a plebiscite on the Compact of Free Association	"
Mark Darledge	10 May 1986 T/PET.10/455	Letter calling upon the Trusteeship Council to uphold the nuclear-free Constitution of Palau and to reject the Compact of Free Association	"
J. Wheatley	14 May 1986 T/PET.10/456	Letter expressing concern that the United States was using undue pressure to overturn Palau's nuclear-free Constitution	"
Margaret Morton, General Secretary, Scottish Campaign for Nuclear Disarmament	15 May 1986 T/PET.10/457	Letter urging the Trusteeship Council to reject the Compact of Free Association since it did not receive the 75 per cent approval required by Palau's Constitution	The Council drew the petitioner's attention to the statements made by members of the Council
Peter Stocker	9 May 1986 T/PET.10/458	Letter urging the Trusteeship Council to support Palauans in their efforts to maintain nuclear-free Constitution	"
G. A. P. Harvey	12 May 1986 T/PET.10/459	<u>Idem</u>	"
B. Mackenzie	13 May 1986 T/PET.10/460	<u>Idem</u>	"
Pat Jenner	15 May 1986 T/PET.10/461	Letter requesting the Trusteeship Council to investigate the situation in Palau with a view to ensuring the rights of Palauans	"

Annex V

MAP OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS