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PETITION FROM MR. LITOKWA TOMEING, CHAIRMAN OF THE OPPOSITION,
MARSHALL ISLANDS NITIJELA, CONCERNING THE TRUST TERRITORY OF
THE PACIFIC ISLANDS

(Circulated in accordance with rule 85, paragraph 1, of the
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23 May 1980

Honourable President
Trusteeship Council
United Nations
New York, N.Y.

As members of the opposition in the Marshall Islands Nitijela, we humbly present to you and the members of the Council our disagreement with the termination of the Trusteeship Agreement in 1981. We have a prepared statement (see enclosure) and we beseech your permission to put it on record. We sincerely extend to you and the honourable members our regrets for being unable to participate in this year's proceedings.

Litokwa Tomeing

Enclosure

Statement submitted to the Trusteeship Council by
Mr. Litokwa Tomeing, Chairman of the Opposition,
Marshall Islands Nitijela

1. We wish to present to you and the Council several points for your consideration. Foremost among these is the future political status of our people.
2. It is a matter of record that the Marshall Islands Government has initialled the draft Compact of Free Association with the United States of America at Kina, Hawaii, on 14 January 1980 thereby accelerating the target date for the termination of the Trusteeship Agreement. 1/ One matter to consider is whether the target date of 1981 can be met and whether the people will be ready to make their decision by then.
3. We are somewhat at a disadvantage in presenting a thorough review of the steps leading to the initialing of the draft compact. This disadvantage stems from two factors: first, the minority in the Marshall Islands Nitijela was not given the opportunity to participate in the status negotiations which began 1 May 1979 and which are continuing up to this day; second the minority does not have funds to hire a legal counsel to provide candid advice on the matter of political status. Be that as it may, we beg the indulgence of the Council to bear with us, as lay persons, in offering some general points for your consideration.
4. First, the Opposition believes free association is the best choice for our people in view of economic developments during the past 30 years and in the years to come. As the Council is aware, economic development in the Marshall Islands has been found wanting all these past years. Also, under the draft compact, our 200-mile economic zone, which contains our important resources will always be subject to restrictions imposed by the defence requirements of the United States. Furthermore, our Government is likely to make economic development loans with a country other than the United States, although these loans will not be guaranteed by the United States. As we understand it, this is so because under the draft compact, the United States is not responsible for any dispute arising from any agreement between our Government and that of a third country. In the draft compact, no funds are earmarked for economic development loans as was agreed to in the draft compact initialed at Saipan and which was eventually discarded. Although the Marshall Islands will receive \$US 29 million in yearly grants, \$US 9 million will be earmarked for Kwajalein alone, of which about \$US 3 million will go to the Marshall Islands Government. The situation on Kwajalein is fluid and there is concern for the status of this \$US 9 million in the years to come. There are other funds earmarked in the draft compact. For example, 40 per cent of the \$US 29 million (annual grant during the first five years) is earmarked for capital improvement projects which we understand will include such projects as construction of roads and docks, etc. But there are no specific amounts earmarked for economic development loan funds.

1/ Trusteeship Agreement for the Trust Territory of the Pacific Islands
(United Nations publication, Sales No. 1957.VI.A.1).

5. We believe that money should be earmarked for all the subdivisions of the Marshall Islands and not just for Kwajalein. This is especially necessary for capital improvement funds. Many of the atolls of the Marshall Islands lack basic infrastructure such as decent schools, dispensaries, docks, roads and airfields. These atolls should receive the same guarantees that Kwajalein receives. To be specific, the 40 per cent of the annual grant earmarked for capital improvement projects should be divided by population on a roughly yearly basis.
6. We have already seen the need for such earmarking. For example, one atoll is receiving a dock, a road, an airfield, and school renovation in the first year of the Marshall Islands Government. An atoll designated as an outer-island regional centre is receiving virtually nothing even though the criterion for these projects was stated to be copra production. In fact some low-producing atolls are to receive docks early.
7. The draft compact makes reference to development plans. We have two observations. The first is that we and the Marshall Islands public have had no input to the Marshall Islands Development Plan. We cannot be satisfied with a compact which incorporates by reference such a plan from which we are excluded. Second, the Marshall Islands plan is incomplete and inadequate. Whole sectors such as tourism are ignored. Projects are not related to changes in the gross domestic product. Furthermore, there is apparently no staff for the ongoing revision of the plan. Perhaps the United Nations could give us some technical assistance.
8. Our second general point is that government has become a going concern of the people and by the same token the draft compact and the free association that will emanate therefrom ought to become also a going concern of the people. We regret to say that that will take time because the draft compact is so complex, more so than the one initialled at Saipan, and so replete with provisions of United States laws that it will require considerable time and effort to translate it into Marshallese. It will also require considerable time to explain the draft for the people to understand it before they make their decision.
9. Furthermore, there are several separate agreements to be approved by the people which will come into effect simultaneously with the draft compact. These separate agreements also have to be translated and explained to the people before they can make their decision. We might add that we in the Opposition members have not, to this day, seen these so-called separate agreements which we understand are highly technical in nature. The separate agreements will be time-consuming to translate and indeed highly difficult to explain to our people.
10. Of course we, as leaders of the people, will have to guide them in making their decision. But this matter is of the utmost importance, so much so that it is beyond anyone's ability to guide the people to make their decision next year as the Administering Authority has publicly stated. On a higher level, it is indeed very difficult to meet the 1981 target date because we are asking our people to tamper with their fate and destiny.

11. The United States is in the process of electing a President who will also be responsible for the termination of the Trusteeship Agreement. If the President is elected from the party not now in power, can we be certain that he will not radically alter the draft compact, as the present President did to the draft initialled at Saipan? Do the remaining months of this year provide us ample time to translate and explain the draft compact to our people so that they can make an intelligent choice next year? In all candor, the answer is no.

12. There is a Marshallese saying that "Haste makes waste". He had the feeling from the beginning that it would require more than 10 years to reach an agreement that could bring honour to our people, to the Administering Authority and to this august body.

13. Third, the Opposition supports the status of free association - a free association that is balanced in the manner in which it recognizes and treats the interests of our people and the interests of the nation that we will be freely-associated with. We in the Opposition understand fully the responsibility of the Administering Authority under the Charter of the United Nations and the Administering Authority's interest to have the capability to carry out that responsibility under a free association status. We truthfully feel that the overriding interest of our people is to have a decent and viable economy capable of providing the needs of a people suddenly thrust into the Space Age. We believe that the Administering Authority can best meet its - as yet unmet - obligations under the Trusteeship Agreement by terminating it at some date later than 1981.

14. Finally, the Opposition observes that although independence would be the optimal choice as set forth under the United Nations Charter and the Trusteeship Agreement, the people are not yet on a firm economic ground from which to run a Government capable of providing for the needs of our people. Although mankind is endowed with certain attributes with which to institute a government that is best for its needs, many sectors are not endowed by mother nature with islands abundant in natural resources. The Marshallese people are among those not so endowed.

15. Mr. President and honourable members of the Council, we regret that for reasons beyond our control we are unable to send our representative to personally appear before the Council. We seek forgiveness for having failed to make the trip to New York. We extend sincere thanks for your good work on behalf of our people. Our sincere YOKWE /love and greetings/ and KOMOLTATA /many thanks/ go to each and every one of you.
