

UNITED NATIONS
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COUNCIL



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COMMUNICATION FROM THE PALAU CONSTITUTIONAL CONVENTION, KOROR, PALAU,
CONCERNING THE TRUST TERRITORY OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 24 of the rules of procedure
of the Trusteeship Council)

3 May 1979

President
Trusteeship Council
United Nations
United Nations Headquarters
New York, NY 10017

Dear Mr. President:

Attached for your information is a certified copy of Convention resolution No. 27, adopted on 9 March 1979 by the Palau Constitutional Convention, relating to the referendum of the Republic of Palau.

Sincerely yours,

(Signed) Sylvester F. ALONZ
Assistant Convention Secretary

Date submitted: 9 March 1979

Convention resolution No. 27

A RESOLUTION

Relating to the referendum of the Republic of Palau.

WHEREAS on 17 December 1920 the Council of the League of Nations confirmed a mandate for the former German islands (Trust Territory of the Pacific Islands) north of the Equator to Japan, to be administered in accordance with Article 22 of the Covenant of the League of Nations; and

WHEREAS Japan, as a result of the Second World War, has ceased to exercise any authority in these islands; and

WHEREAS Article 75 of the Charter of the United Nations, the successor to the League of Nations, provides for the establishment of an International Trusteeship System for the administration and supervision of such Territories as may be placed thereunder by subsequent agreements; and

WHEREAS under Article 77 of the said Charter the Trusteeship System applies to the Trust Territory of the Pacific Islands; and

WHEREAS, under article 2 of the Trusteeship Agreement, 1/ the Security Council designated the United States of America as the Administering Authority of the Trust Territory of the Pacific Islands and entrusted thereto the obligations of the United Nations to foster the development of such political institutions as are suited to the Trust Territory and to promote the development of the inhabitants of the Trust Territory toward self-government or independence as may be appropriate to the Trust Territory and its people; and

WHEREAS, on 18 July 1947, the United States approved the Trusteeship Agreement and thereafter assumed the obligations of the United Nations to the islands and the peoples of the Trust Territory as set out under article 6 of the Trusteeship Agreement; and

WHEREAS, the United States divided the islands of the Trust Territory into six (6) islands districts, Palau, Yap, Truk, Ponape, Marshalls and the Marianas and assists them in their development and progress toward a self government of unified islands districts of Micronesia for the past thirty-two (32) years; and

WHEREAS, recognizing the diversity of their traditional customs, islands district of Palau decided to separate from the family of the islands of the Trust Territory on 12 July 1978 and sought to live as a sovereign nation; and

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

WHEREAS, reaffirming the sovereignty of the people of Palau and protecting the heritage and wisdom of the past, the people of Palau resolved to elect their delegates, rest in them the people's trust and placed with them the task of writing a constitution for the people of Palau; and

WHEREAS, to uphold the trust of the people, the delegates of this Convention pledged themselves to write a constitution for the people of Palau; and

WHEREAS, this Convention wish that the draft constitution truly reflect the wish of the people and with which the people of Palau can understand and, with that understanding, they ratify it; and

WHEREAS, pursuant to the mandate of section 13 of Public Law No. 6-5S-1, this Convention wish to present to the people for referendum a draft constitution and wish that every citizen of Palau, exercising his inherent rights, free from force, intimidation, or fraud, ratifies it; and

WHEREAS, the ratification of the constitution will be held on the date of the full moon in July 1979; now therefore,

BE IT RESOLVED by this Convention that this Convention sincerely requests the representatives of the Trusteeship Council of the United Nations to observe the referendum as the people of Palau ratify their constitution, and that the Trusteeship Council send its representatives to observe the referendum and to witness the ratification of the constitution of Palau in July 1979; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Secretary General of the United Nations, the President of the Trusteeship Council, and the President of the United States.

Adopted: 9 March 1979

(Signed) Haruo I. REMELIIK
President

Attested: (Signed) Sylvester F. ALONZ
Assistant Convention
Secretary
