

TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

FORTY-EIGHTH SESSION

18 May - 11 June 1981

SESSIONAL FASCICLE



UNITED NATIONS

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New York, 1982

INTRODUCTORY NOTE

The official records of the Trusteeship Council include the records of the meetings, issued in final offset, the annexes to those records and the supplements. The present volume contains prefatory matter and the annexes of the forty-eighth session.

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Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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AGENDA

of the forty-eighth session
adopted by the Council at its 1506th meeting, on 18 May 1981

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 1980: Trust Territory of the Pacific Islands.
5. Examination of petitions listed in the annex to the agenda [see below].
6. Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands.¹
7. 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)].
8. 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)].
9. Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 35/40].
10. Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 35/33].
11. Attainment of self-government or independence by 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 35/119].
12. 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)].
13. Adoption of the report of the Trusteeship Council to the Security Council [Security Council resolution 70 (1949)].

ANNEX

List of petitions and communications concerning the Trust Territory of the Pacific Islands received by the Secretary-General and circulated to members of the Trusteeship Council

<i>Petitioners</i>	<i>Document symbols</i>	<i>Observations by the Administering Authority</i>
Carlos S. Camacho, Governor of the Commonwealth of the Northern Mariana Islands	T/COM.10/L.286	T/OBS.10/50
Margaret O. H. Walker	T/COM.10/L.287	Not required
Congress of the Federated States of Micronesia	T/COM.10/L.288	Not required
Northern Marianas Commonwealth Legislature	T/COM.10/L.289	Not required
Hans J. Impola	T/COM.10/L.290	T/OBS.10/52
Ponape State Legislature	T/COM.10/L.291	Not required
House of Elected Members, Palau Legislature	T/COM.10/L.292	Not required
Antonio M. Palomo, Conference Co-Chairman, Second Joint Marianas Legislative Conference	T/COM.10/L.293	Not required

¹ United Nations periodic missions visited the Trust Territory of the Pacific Islands at three-year intervals from 1950 to 1959. A mission was sent to the Territory in 1961, one year earlier than anticipated. The three-year intervals were observed from 1961 to 1976. In 1979, however, the Council decided to defer the dispatch of its periodic mission scheduled for that year to early 1980.

<i>Petitioners</i>	<i>Document symbols</i>	<i>Observations by the Administering Authority</i>
Congress of the Federated States of Micronesia	T/COM.10/L.294	Not required
Congress of the Federated States of Micronesia	T/COM.10/L.295	Not required
Congress of the Federated States of Micronesia	T/COM.10/L.296	Not required
Second Northern Marianas Commonwealth Legislature ..	T/COM.10/L.297	Not required
Congress of the Federated States of Micronesia	T/COM.10/L.298	Not required
Iroij Litokwa Tomeing, President, Voice of the Marshalls	T/COM.10/L.299	Not required
Congress of the Federated States of Micronesia	T/COM.10/L.300	Not required
Jonathan M. Weisgall, on behalf of the people of Bikini .	T/COM.10/L.301	Not required
George M. Allen	T/COM.10/L.302	Not required
Theodore R. Mitchell, Counsel for the people of Enewetak	T/COM.10/L.303	Not required
Mary Baker and Marie O'Donoghue, Christchurch Catholic Commission for Justice and Development	T/PET.10/162	T/OBS.10/51
Australian Quaker Peace Committee	T/PET.10/163	T/OBS.10/51
Erika Rathgeber, President, Women's International League for Peace and Freedom (Australia)	T/PET.10/164	T/OBS.10/51
Diana Roberts, Transnational Co-operative (Australia) ...	T/PET.10/165	T/OBS.10/51
Ron Arnold, President, and Beverley Symons, Secretary, Association for International Co-operation and Dis- armament (N.S.W., Australia)	T/PET.10/166	T/OBS.10/51
Wayne Kelly, Office Co-ordinator, Friends of the Earth (Australia)	T/PET.10/167	T/OBS.10/51
Joan Shears, Co-ordinator, Campaign Against Nuclear Power (Australia)	T/PET.10/168	T/OBS.10/51
R. T. Scott, National President, The Amalgamated Metal Workers' and Shipwrights' Union (Australia)	T/PET.10/169	T/OBS.10/51
Mr. and Mrs. John Fallding	T/PET.10/170	T/OBS.10/51
Vic Baueris, Acting General Secretary N.S.W. Teachers Federation (Australia)	T/PET.10/171	T/OBS.10/51
David Purnell, Honorary Secretary, Australian Council of Churches, Commission on International Affairs	T/PET.10/172	T/OBS.10/51
R. Arnold, Assistant State Secretary, The Amalgamated Metal Workers' and Shipwrights' Union (Australia) ...	T/PET.10/173	T/OBS.10/51
Stephen Lavender	T/PET.10/174	T/OBS.10/51
Hans J. Impola	T/PET.10/175	T/OBS.10/52
J. James, Council of the City of Fitzroy, Australia	T/PET.10/176	T/OBS.10/51
Senator Carl Heine, Co-Leader, Opposition Party, Marshall Islands Legislature	T/PET.10/177 and Add.1	Required
Douglas Faulkner	T/PET.10/178	Not required
Theodore R. Mitchell, Counsel for the people of Enewetak	T/PET.10/179 and Add.1 and 2	Not required
Sister Barbara Glendon, Focus on Micronesia Coalition, National Council of the Churches of Christ in the United States of America	T/PET.10/180	Not required
Bob Whan, Executive Director, Australian Council for Overseas Aid	T/PET.10/181	—
Jonathan M. Weisgall, on behalf of the people of Bikini .	T/PET.10/182 and Add.1	Not required
Theodore R. Mitchell, Counsel for the people of Enewetak	T/PET.10/183	Required
Theodore R. Mitchell, Counsel for the people of Enewetak	T/PET.10/184	—
Lawrence H. Schlang, Pacific Affairs Adviser, Continental Employees Association	T/PET.10/185	Not required

CONTENTS OF THE MEETINGS
of the forty-eighth session of the Council

NOTE: The number in brackets after the title of the item indicates the number of the item on the agenda.

1506th (opening) meeting

Monday, 18 May 1981, at 10.30 a.m.

Opening of the forty-eighth session

Adoption of the agenda [1]

Report of the Secretary-General on credentials [2]

Election of the President and the Vice-President [3]

Programme of work

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4]

1507th meeting

Monday, 18 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

1508th meeting

Tuesday, 19 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

1509th meeting

Tuesday, 19 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Programme of work

1510th meeting

Wednesday, 20 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5]

Hearing of petitioners

1511th meeting

Wednesday, 20 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

Hearing of petitioners

Programme of work

1512th meeting

Thursday, 21 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

Hearing of petitioners

1513th meeting

Thursday, 21 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

Hearing of petitioners

Programme of work

1514th meeting

Friday, 22 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

1515th meeting

Friday, 22 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands [6]

Programme of work

1516th meeting

Wednesday, 27 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

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)] [8]

1517th meeting

Wednesday, 27 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] *(continued)*

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)] [7]

Programme of work

1518th meeting

Thursday, 28 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] *(continued)*

1519th meeting

Thursday, 28 May 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] *(continued)*

Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 35/40] [9]

Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 35/33] [10]

Attainment of self-government or independence by 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 35/119] [11]

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)] [12]

Programme of work

1520th meeting

Friday, 29 May 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] *(continued)*

Programme of work

1521st meeting

Wednesday, 10 June 1981, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] *(continued)*

Report of the Secretary-General on credentials [2] *(concluded)*

Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands [6] *(concluded)*

Examination of petitions listed in the annex to the agenda [5] *(concluded)*

Programme of work

1522nd meeting

Thursday, 11 June 1981, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 September 1980: Trust Territory of the Pacific Islands [4] *(concluded)*

Adoption of the report of the Trusteeship Council to the Security Council [Security Council resolution 70 (1949)] [13]

Closure of the forty-eighth session

LIST OF DELEGATIONS

Members of the Council

CHINA

[Did not participate in the session.]

FRANCE

Representatives

Mr. Albert Turot, Counsellor, Permanent Mission
Mr. Jean-Paul Poudade, Counsellor, Permanent Mission

Alternate Representatives

Mr. Jean-Claude Cousseran, First Secretary, Permanent Mission
Mr. Yves Barelli, Second Secretary, Permanent Mission

UNION OF SOVIET SOCIALIST REPUBLICS

Representative

H.E. Mr. Richard Sergeyevich Ovinnikov, Ambassador Extraordinary and Plenipotentiary, First Deputy Permanent Representative to the United Nations

Alternate Representatives

Mr. Nikifor Mironovich Levtchenko, Expert, Department of International Organizations, Ministry of Foreign Affairs
Mr. Valentin Nikolayevich Berezovsky, Counsellor, Permanent Mission

Members of the delegation

Mr. Ivan Evgenyevich Kartashov, Counsellor, Ministry of Foreign Affairs
Mr. Semion Aleksandrovich Dzakhayev, Second Secretary, Permanent Mission

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Representatives

Mr. Marrack I. Goulding, Counsellor and Head of Chancery, Permanent Mission
Mr. David H. Anderson, Counsellor (Legal Adviser), Permanent Mission

Alternate Representative

Miss Maeve G. Fort, First Secretary, Permanent Mission

Advisers

Mr. Michael W. Maclay, Second Secretary, Permanent Mission
Mr. Iain Arthur Gray Mathewson, First Secretary, Permanent Mission

UNITED STATES OF AMERICA

Representative

H.E. Mr. Charles M. Lichenstein, Ambassador, Alternate Representative for Special Political Affairs, Permanent Mission

Alternate Representative

Mr. Daniel A. Strasser, Adviser, Permanent Mission

Special Representatives

Mr. Francisco C. Ada, Lieutenant-Governor of the Northern Mariana Islands
Mr. Anton A. DeBrum, Secretary for Foreign Affairs, Government of the Marshall Islands
Mr. Daniel J. High, Acting Deputy High Commissioner of the Trust Territory of the Pacific Islands
Mr. Alfonso Oiterong, Vice-President of the Republic of Palau
Mr. Petrus Tun, Vice-President of the Federated States of Micronesia

Senior Advisers

Mr. Bill Lee Hart, Acting Deputy Assistant Secretary, Office of Territorial and International Affairs, Department of the Interior
Ms. Ginger Lew, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State
Mr. Richard W. Teare, Office of Micronesian Status Negotiations

Special Advisers

Mr. Edward C. King, Chief Justice of the Supreme Court, Federated States of Micronesia
Mr. Carlos Salii, Speaker of the House of Delegates, Republic of Palau
Mr. Kaleb Udui, President of the Senate, Republic of Palau

Congressional Staff Advisers

Mr. James P. Beirne, United States Congress, Senate
Ms. Marian Chambers, United States Congress, House of Representatives
Mr. Thomas S. Dunmire, United States Congress, House of Representatives

Advisers

Mr. James Berg, Office of Micronesian Status Negotiations
Mr. James C. Gray, Jr., Adviser, Permanent Mission
Mr. Harlan Y.M. Lee, Office of United Nations Political Affairs, Department of State
Mr. Ralph Martin, Office of the Legal Adviser, Department of State

Mr. Daniel Perrin, National Planner, Federated States of Micronesia
Mr. R. Grant Smith, Office of United Nations Political Affairs, Department of State
Mr. Asterio Takasy, Washington Liaison Officer, Federated States of Micronesia
Mr. Victorio Ucherbelau, Special Assistant to the President of the Republic of Palau
Mr. Phillip Muller, Assistant Secretary for Foreign Affairs, Government of the Marshall Islands
Mr. Herman S. Guerrero, Washington Office, Government of the Northern Mariana Islands
Mr. Edward Pangelinan, Washington Representative, Government of the Northern Mariana Islands

Specialized agencies

INTERNATIONAL LABOUR ORGANISATION

Mr. Pierre A. Adossama, Director, Liaison Office with the United Nations, New York
Miss Marianne Nussbaumer, Deputy Director, Liaison Office with the United Nations, New York

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Mr. Triloki N. Saraf, Representative at the United Nations, Liaison Office with the United Nations, New York
Mr. Jean Syrogianis-Camara, Senior Liaison Officer, Liaison Office with the United Nations, New York

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Mr. Doudou Diene, Director, Office for Liaison with the United Nations, New York
Mr. Alain Raffray, Deputy Director, Office for Liaison with the United Nations, New York
Mrs. Marie Paul-Aristy, Liaison Officer, Office for Liaison with the United Nations, New York

WORLD HEALTH ORGANIZATION

Dr. Stavros A. Malafatopoulos, Director, Liaison Office with the United Nations, New York
Dr. Mohamed Sentici, Medical Liaison Officer, Liaison Office with the United Nations, New York

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OFFICERS OF THE COUNCIL

President: Mr. Marrack I. Goulding (United Kingdom of Great Britain and Northern Ireland)

Vice-President: Mr. Jean-Paul Poudade (France)

CHECK LIST OF DOCUMENTS

NOTE: Listed below are the documents referred to during the forty-eighth session of the Council. An asterisk after the document symbol indicates that the document is published in the present volume.

<i>Document No.</i>	<i>Title or description</i>	<i>Agenda item</i>	<i>Observations and references</i>
S/14709	Report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands (13 June 1980–11 June 1981)	13	<i>Official Records of the Security Council, Thirty-Sixth Year, Special Supplement No. 1</i>
T/1824*	Note verbale dated 17 July 1980 from the representative of the United States of America to the Secretary-General	4	
T/1826*	Note verbale dated 10 September 1980 from the representative of the United States of America to the Secretary-General	4	
T/1827*	Note verbale dated 4 November 1980 from the representative of the United States of America to the Secretary-General	4	
T/1828 and Add.1	Provisional agenda of the forty-eighth session of the Trusteeship Council	1	Mimeographed. Adopted at the 1506th meeting of the Trusteeship Council; see p. v of the present volume
T/1829*	Dissemination of information on the United Nations and the International Trusteeship System in the Trust Territory of the Pacific Islands: report of the Secretary-General	8	
T/1830	Note by the Secretary-General transmitting the report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period from 1 October 1979 to 30 September 1980	4	Mimeographed
T/1831*	Offers by Member States of study and training facilities for inhabitants of the Trust Territory of the Pacific Islands: report of the Secretary-General	7	
T/1832*	Note verbale dated 18 May 1981 from the representative of the United States of America to the Secretary-General	4	
T/1833*	Note verbale dated 19 May 1981 from the representative of the United States of America to the Secretary-General	4	
T/1834	Report of the Secretary-General on credentials	2	Mimeographed. For the list of delegations, see p. ix of the present volume
T/1835	Decisions taken by the Trusteeship Council during its forty-eighth session (18 May–11 June 1981)		<i>Official Records of the Trusteeship Council, Forty-eighth Session, Supplement No. 1</i>
T/L.1225 and Add.1	Outline of conditions in the Trust Territory of the Pacific Islands: working paper prepared by the Secretariat	4	For an outline of the information contained in the working paper, which was adopted by the Trusteeship Council at its 1522nd meeting, see S/14709, part II
T/L.1226	Draft report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands covering the period from 13 June 1980 to 11 June 1981: working paper prepared by the Secretariat	13	Adopted, as revised, at the 1522nd meeting of the Trusteeship Council; see S/14709
T/L.1227*	Report of the Drafting Committee on the Trust Territory of the Pacific Islands	4	
T/COM.../...		5	Documents in this series are mimeographed
T/PET.../...		5	<i>Idem</i>
T/OBS.../...		5	<i>Idem</i>

ANNEXES

DOCUMENT T/1824

[Agenda item 4]

Note verbale dated 17 July 1980 from the representative of the United States of America to the Secretary-General

[Original: English]
[25 July 1980]

The representative of the United States of America to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to request that the attached text of the United States-Palau joint communiqué of 20 June 1980 be circulated as a document of the Trusteeship Council.

ENCLOSURE

United States-Palau joint communiqué of 20 June 1980

The Palau Commission on Status and Transition, chaired by the Honourable Haruo Remeliik, met in Guam from 16 to 20 June 1980 with the delegation of the United States of America led by Ambassador Peter R. Rosenblatt to discuss the future political status of Palau and the future relationship between Palau and the United States.

The discussions at Guam between the United States delegation and the Palau Commission followed the meetings between the newly-elected Palauan leadership and Ambassador Rosenblatt at Honolulu in December 1979 and the participation of a Palauan observer delegation at the multilateral negotiating round and several additional informal meetings at Kona (Hawaii) in January 1980. The current meetings have led to a common understanding of the direction of the negotiations and have achieved solid progress by Palau and the United States in the political status negotiations.

The parties devoted particular attention to the issues of military land use and operating rights and law of the sea. The parties also discussed financial arrangements set forth in the compact of free association. The Palau Commission viewed the levels of compensation as inadequate. The United States reaffirmed its commitment to the levels of economic assistance in the compact. Dialogue on these issues will be continued subsequent to the Guam round in preparation for the next round of negotiations, following the referendum on the draft Palau constitution on 9 July 1980.

During the Guam round, the Palau Commission also met with Mr. Adrian P. Winkel, High Commissioner of the Trust Territory of the Pacific Islands, to seek immediate solutions to the urgent power problem facing Palau as well as to discuss long-term problems relating to the transition of Palau from its present status as an administrative district of the Trust Territory to that of a constitutional Government in free association with the United States.

The Palau Commission and the United States delegation join in expressing their gratitude and appreciation to the people of Guam for their hospitality. Mr. Joe Ada, Acting Governor of Guam, Mr. Tommy Tanaka, Speaker of the Legislature, and the entire Government of Guam deserve special recognition for their efforts to provide a friendly negotiating atmosphere conducive to the progress which was made. Both delegations also wish to express their appreciation to Rear Admiral Robert Fountain of the United States Navy and his staff for their invaluable assistance. The Palau and American delegations join in a hearty "Si yuus maase" to the people of Guam.

DOCUMENT T/1826

[Agenda item 4]

Note verbale dated 10 September 1980 from the representative of the United States of America to the Secretary-General

[Original: English]
[26 September 1980]

The representative of the United States of America to the United Nations has the honour to transmit to the Secretary-General House of Elected Members joint resolution No. 101 (annex I), adopted by the Seventh Palau Legislature on 31 July 1980, and transmitted to the Government of the United States on 15 August 1980.

The joint resolution approves the certified results of the Palau Constitutional Referendum held on 9 July 1980, in which a majority of those voting approved the Constitution of the Republic of Palau as adopted by the Palau Constitutional Convention with amendments proposed by the Seventh Palau Legislature, and declares the Constitution with amendments adopted by the people. Pursuant to Public Law 7-2-8, adopted by

the Palau House of Elected Members on 13 March 1980 and signed into law on 14 April 1980, providing for the 9 July 1980 referendum, the Palau Legislature is the judge of the referendum and the results thereof. The joint resolution is the final act required to establish the results of the referendum.

Transmitted also are the texts of the Constitution of the Republic of Palau as adopted by the Palau Constitutional Convention on 2 April 1979 (annex II) and of Public Law No. 7-2-8 (annex III) which in section 2 sets forth the amendments proposed by the Seventh Legislature.

It is requested that this communication and its enclosures be circulated as a document of the Trusteeship Council.

ANNEX I

House of Elected Members joint resolution No. 101, adopted by the Seventh Palau Legislature, Fifth Regular Session, 1980 on 31 July 1980

A HOUSE OF ELECTED MEMBERS JOINT RESOLUTION

Approving the results of the 9 July 1980 Constitutional Referendum

Whereas, on 9 July 1980, the people of Palau voted on the Constitution of the Republic of Palau, as adopted by the Palau Constitutional Convention with amendments proposed by the Seventh Palau Legislature; and

Whereas, pursuant to subsection 3 of section 3 of Public Law No. 7-2-8, the Election Commissioner certified and transmitted the results of the referendum to the Legislature; and

Whereas, the certified results of the referendum are as follows:

Total registered voters	7,082
Total yes votes	3,829
Total no votes	905
Invalid votes	165
Total votes cast	4,899
Percentage of yes votes	78
Percentage of no votes	19
Percentage of invalid votes	3
Percentage of registered voters voting	69; and

Whereas, no complaints or irregularities concerning the referendum have been registered or reported; and

Whereas, this Legislature is the judge of the referendum and the results thereof pursuant to subsection 5 of section 3 of Public Law No. 7-2-8; now, therefore,

Be it resolved by the House of Elected Members of the Seventh Palau Legislature, Fifth Regular Session, 1980, the House of Chiefs concurring, that the results of the 9 July 1980 Constitutional Referendum are hereby approved and the Constitution of the Republic of Palau, as adopted by the Palau Constitutional Convention with amendments proposed by the Seventh Palau Legislature, is hereby declared adopted by the people; and

Be it further resolved that certified copies of this joint resolution be transmitted to the President of the United Nations Trusteeship Council,² the President of the United States, the United States Secretary of State, the United States Secretary of the Interior, the President of the United States Senate, the Speaker of the House of Representatives, the Personal Representative of the President of the United States to the Micronesian Status Negotiations, the High Commissioner of the Trust Territory of the Pacific Islands and the Acting District Administrator of Palau.

Adopted: 31 July 1980

(Signed) TOSIWO NAKAMURA
Speaker

Attested:
(Signed) OMOTO RENGHIL
Clerk

ANNEX II

Constitution of the Republic of Palau

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² A copy of the resolution was received by the President of the Trusteeship Council.

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PREAMBLE

In exercising our inherent sovereignty, We, the people of Palau proclaim and reaffirm our immemorial right to be supreme in these islands of Palau, our homeland. We renew our dedication to preserve and enhance our traditional heritage, our national identity and our respect for peace, freedom and justice for all mankind. In establishing this Constitution of the sovereign Republic of Palau, We venture into the future with full reliance on our own efforts and the divine guidance of Almighty God.

Article I

TERRITORY

Section 1

Palau shall have jurisdiction and sovereignty over its territory which shall consist of all of the islands of the Palauan archipelago, the internal waters, the territorial waters, extending to two hundred (200) nautical miles from a straight archipelagic baseline, the seabed, subsoil, water column, insular shelves and airspace over land and water, unless otherwise limited by international treaty obligations assumed by Palau. The straight archipelagic baseline shall be drawn from the northernmost point of Ngeruangel Reef, thence east to the northernmost point of Kayangel Island and around the island to its easternmost point, south to the easternmost point of the Babeldaob barrier reef, south to the easternmost point of Helen's Reef, west from the southernmost point of Helen's Reef to the easternmost point of Tobi Island and then around the island to its westernmost point, north to the westernmost point of Fana Island, and north to the westernmost point of Ngeruangel Reef and then around the reef to the point of origin.

Section 2

Each state shall have exclusive ownership of all living and non-living resources, except highly migratory fish, from the land to twelve (12) nautical miles seaward from the traditional baselines; provided, however, that traditional fishing rights and practices shall not be impaired.

Section 3

The national government shall have the power to add territory and to extend jurisdiction.

Section 4

Nothing in this Article shall be interpreted to violate the right of innocent passage and the internationally recognized freedom of the high seas.

Article II

SOVEREIGNTY AND SUPREMACY

Section 1

This Constitution is the supreme law of the land.

Section 2

Any law, act of government, or agreement to which a government of Palau is a party, shall not conflict with this Constitution and shall be invalid to the extent of such conflict.

Section 3

Major governmental powers including but not limited to defence, security or foreign affairs may be delegated by treaty, compact, or other agreement between the sovereign Republic of Palau and an-

other sovereign nation or international organization, provided such treaty, compact or agreement shall be approved by not less than two thirds (⅔) of the members of each house of the Olbiil Era Kelulau and by a majority of the votes cast in a nationwide referendum conducted for such purpose, provided that any such agreement which authorizes use, testing, storage or disposal of nuclear, toxic chemical, gas or biological weapons intended for use in warfare shall require approval of not less than three fourths (¾) of the votes cast in such referendum.

Article III CITIZENSHIP

Section 1

A person who is a citizen of the Trust Territory of the Pacific Islands immediately prior to the effective date of this Constitution and who has at least one parent of recognized Palauan ancestry is a citizen of Palau.

Section 2

A person born of parents, one or both of whom are citizens of Palau, is a citizen of Palau by birth, and shall remain a citizen of Palau so long as the person is not or does not become a citizen of any other nation.

Section 3

A citizen of Palau who is a citizen of another nation shall, within three (3) years after his eighteenth (18) birthday, or within three (3) years after the effective date of this Constitution, whichever is later, renounce his citizenship of the other nation and register his intent to remain a citizen of Palau. If he fails to comply with this requirement, he shall be deprived of Palauan citizenship.

Section 4

A person born of parents, one or both of whom are of recognized Palauan ancestry, shall have the right to enter and reside in Palau and to enjoy other rights and privileges as provided by law, which shall include the right to petition to become a naturalized citizen of Palau, provided that, prior to becoming a naturalized citizen, a person must renounce his citizenship of another nation. There shall be no citizenship by naturalization except pursuant to this section.

Section 5

The Olbiil Era Kelulau shall adopt uniform laws for admission and exclusion of noncitizens of Palau.

Article IV FUNDAMENTAL RIGHTS

Section 1

The government shall take no action to deny or impair the freedom of conscience or of philosophical or religious belief of any person nor take any action to compel, prohibit or hinder the exercise of religion. The government shall not recognize or establish a national religion, but may provide assistance to private or parochial schools on a fair and equitable basis for nonreligious purposes.

Section 2

The government shall take no action to deny or impair the freedom of expression or press. No bona fide reporter may be required by the government to divulge or be jailed for refusal to divulge information obtained in the course of a professional investigation.

Section 3

The government shall take no action to deny or impair the right of any person peacefully to assemble and petition the government for redress of grievances or to associate with others for any lawful purpose including the right to organize and bargain collectively.

Section 4

Every person has the right to be secure in his person, house, papers and effects against entry, search and seizure.

Section 5

Every person shall be equal under the law and shall be entitled to equal protection. The government shall take no action to discriminate against any person on the basis of sex, race, place of origin, language, religion or belief, social status or clan affiliation, except for the preferential treatment of citizens, the protection of minors, elderly, indigent, physically or mentally handicapped, and other similar groups, and in matters concerning intestate succession and domestic relations. No person shall be treated unfairly in legislative or executive investigations.

Section 6

The government shall take no action to deprive any person of life, liberty or property without due process of law, nor shall private property be taken except for a recognized public use and for just compensation in money or in kind. No person shall be held criminally liable for an act which was not a legally recognized crime at the time of its commission, nor shall the penalty for an act be increased after the act was committed. No person shall be placed in double jeopardy for the same offence. No person shall be found guilty of a crime or punished by legislation. Contracts to which a citizen is a party shall not be impaired by legislation. No person shall be imprisoned for debt. A warrant for search and seizure may not issue except from a justice or judge on probable cause supported by an affidavit particularly describing the place, persons or things to be searched, arrested or seized.

Section 7

A person accused of a criminal offence shall be presumed innocent until proven guilty beyond a reasonable doubt and shall enjoy the right to be informed of the nature of the accusation and to a speedy, public and impartial trial. He shall be permitted full opportunity to examine all witnesses and shall have the right of compulsory process for obtaining witnesses and evidence on his behalf at public expense. He shall not be compelled to testify against himself. At all times the accused shall have the right to counsel. If the accused is unable to afford counsel, he shall be assigned counsel by the government. Accused persons lawfully detained shall be separated from convicted criminals on the basis of sex and age. Bail may not be unreasonably excessive nor denied those accused and detained before trial. The writ of habeas corpus is hereby recognized and may not be suspended. The national government may be held liable in a civil action for unlawful arrest or damage to private property as prescribed by law. Coerced or forced confessions shall not be admitted into evidence nor may a person be convicted or punished solely on the basis of a confession without corroborating evidence.

Section 8

A victim of a criminal offence may be compensated by the government as prescribed by law or at the discretion of the court.

Section 9

A citizen of Palau may enter and leave Palau and may migrate within Palau.

Section 10

Torture, cruel, inhumane or degrading treatment or punishment, and excessive fines are prohibited.

Section 11

Slavery or involuntary servitude is prohibited except to punish crime. The government shall protect children from exploitation.

Section 12

A citizen has the right to examine any government document and to observe the official deliberations of any agency of government.

Section 13

The government shall provide for marital and related parental rights, privileges and responsibilities on the basis of equality between men and women, mutual consent and co-operation. Parents or individuals acting in the capacity of parents shall be legally responsible for the support and for the unlawful conduct of their minor children as prescribed by law.

Article V TRADITIONAL RIGHTS

Section 1

The government shall take no action to prohibit or revoke the role or function of a traditional leader as recognized by custom and tradition which is not inconsistent with this Constitution, nor shall it prevent a traditional leader from being recognized, honoured or given formal or functional roles at any level of government.

Section 2

Statutes and traditional law shall be equally authoritative. In case of conflict between a statute and a traditional law, the statute shall prevail only to the extent it is not in conflict with the underlying principles of the traditional law.

Article VI

RESPONSIBILITIES OF THE NATIONAL GOVERNMENT

The national government shall take positive action to attain these national objectives and implement these national policies: conservation of a beautiful, healthful and resourceful natural environment; promotion of the national economy; protection of the safety and security of persons and property; promotion of the health and social welfare of the citizens through the provision of free or subsidized health care; and provision of public education for citizens, which shall be free and compulsory as prescribed by law.

Article VII

SUFFRAGE

A citizen of Palau eighteen (18) years of age or older may vote in national and state elections. The Olbiil Era Kelulau shall prescribe a minimum period of residence and provide for voter registration for national elections. Each state shall prescribe a minimum period of residence and provide for voter registration for state elections. A citizen who is in prison, serving a sentence for a felony or mentally incompetent as determined by a court may not vote. Voting shall be by secret ballot.

Article VIII

EXECUTIVE

Section 1

The President shall be the chief executive of the national government.

Section 2

The Vice President shall serve as a member of the cabinet and have such other responsibilities as may be assigned by the President.

Section 3

Any citizen of Palau who is not less than thirty-five (35) years of age and has been a resident of Palau for the five (5) years immediately preceding the election shall be eligible to hold the office of President or Vice President.

Section 4

The President and Vice President shall be elected in a nationwide election for a term of four years. A person may not serve as President for more than two consecutive terms.

Section 5

The cabinet shall consist of the heads of the major executive departments created by law. The cabinet members shall be appointed by the President with the advice and consent of the Senate and shall serve at the will of the President. No person may serve in a legislature and the cabinet at the same time.

Section 6

A Council of Chiefs composed of a traditional chief from each of the states shall advise the President on matters concerning traditional laws, customs and their relationship to this Constitution and the laws of Palau. No person shall be a member of the Council of Chiefs unless he has been appointed and accepted as a chief in a traditional manner, and is recognized as such by the traditional council of chiefs of his state. No chief shall serve in the Council of Chiefs while serving as a member of the Olbiil Era Kelulau or the cabinet.

Section 7

The President shall have all the inherent powers and duties of a national chief executive, including, but not limited to, the following:

- (1) To enforce the law of the land;
- (2) To conduct negotiations with foreign nations and to make treaties with the advice and consent of the Olbiil Era Kelulau;
- (3) To appoint ambassadors and other national officers with the advice and consent of the Senate;
- (4) To appoint judges from a list of nominees submitted to him by the Judicial Nominating Commission;
- (5) To grant pardons, commutations and reprieves subject to procedures prescribed by law and to suspend and remit fines and forfeitures, provided this power shall not extend to impeachment;
- (6) To spend money pursuant to appropriations and to collect taxes;

- (7) To represent the national government in all legal actions; and

- (8) To propose an annual budget.

Section 8

The compensation of the President and Vice President shall be established by law.

Section 9

The President or Vice President may be impeached and removed from office for treason, bribery or other serious crimes by a vote of not less than two thirds ($\frac{2}{3}$) of the members of each house of the Olbiil Era Kelulau.

Section 10

The President or Vice President may be removed from office by a recall. A recall is initiated by a resolution adopted by not less than two thirds ($\frac{2}{3}$) of the members of the state legislatures in not less than three fourths ($\frac{3}{4}$) of the states. Upon receipt by the presiding officers of the Olbiil Era Kelulau of the required number of certified resolutions, the Olbiil Era Kelulau shall establish a special election board to supervise a nationwide recall referendum to be held not less than thirty (30) days nor more than sixty (60) days, after receipt of the required number of certified resolutions.

Section 11

The Vice President shall succeed to the office of President if it becomes vacant. If the vacancy occurs due to death, resignation or disability and more than one hundred and eighty (180) days remain in the term, a national election for the offices of the President and Vice President for the remaining term shall be held within two (2) months of such vacancy. In the event that the offices of both the President and Vice President become vacant, the order of succession to the presidency shall be as follows: presiding officer of the Senate, presiding officer of the House of Delegates and then as provided by law.

Section 12

The President may introduce legislative measures in the Olbiil Era Kelulau.

Section 13

The President shall make an annual report to the Olbiil Era Kelulau on the progress of his administration.

Section 14

Whenever war, external aggression, civil rebellion or natural catastrophe threatens the lives or property of a significant number of people in Palau, the President may declare a state of emergency and temporarily assume such legislative powers as may be necessary to afford immediate and specific relief to those lives or property so threatened. At the time of the declaration of a state of emergency, the President shall call a meeting of the Olbiil Era Kelulau to confirm or disapprove the state of emergency. The President shall not exercise emergency powers for a period of more than ten (10) days without the express and continuing consent of the Olbiil Era Kelulau.

Article IX

OLBIIL ERA KELULAU

Section 1

The legislative power of Palau shall be vested in the Olbiil Era Kelulau which shall consist of two houses, the House of Delegates and the Senate.

Section 2

Senators and Delegates shall be elected for a term of four (4) years.

Section 3

The House of Delegates shall be composed of one delegate to be popularly elected from each of the states of Palau. The Senate shall be composed of the number of senators prescribed from time to time by the reapportionment commission as provided by law.

Section 4

(a) A reapportionment commission shall be constituted every eight (8) years not less than one hundred and eighty (180) days before the next regular general election. Not less than one hundred and twenty (120) days before the regular general election, the commission shall publish a reapportionment or redistricting plan for the Senate based on population, which shall become law upon publication.

(b) A member of the reapportionment commission shall not be eligible to become a candidate for election to the Senate in the next

regular general election under a reapportionment or redistricting plan prepared by the commission.

(c) Upon the petition of any voter within sixty (60) days after the promulgation of a plan by the reapportionment commission, the Supreme Court shall have original jurisdiction to review the plan and to amend it to comply with the requirements of this Constitution. If a reapportionment or redistricting plan for the Senate is not published before the applicable 120-day period, the Supreme Court shall promulgate within ninety (90) days before the next regular general election, a reapportionment or redistricting plan.

Section 5

The Olbiil Era Kelulau shall have the following powers:

- (1) To levy and collect taxes, duties and excises, which shall be uniformly applied throughout the nation;
- (2) To borrow money on the credit of the national government to finance public programmes or to settle public debt;
- (3) To regulate commerce with foreign nations and among the several states;
- (4) To regulate immigration and to establish a uniform system of naturalization;
- (5) To establish uniform laws on the subject of bankruptcy;
- (6) To provide a monetary and banking system and to create or designate a national currency;
- (7) To ratify treaties by a vote of a majority of the members of each house;
- (8) To approve presidential appointment by a vote of not less than two thirds ($\frac{2}{3}$) of the members of the Senate;
- (9) To establish diplomatic immunities;
- (10) To regulate banking, insurance and issuance and use of commercial paper and securities, and patents and copyrights;
- (11) To provide a national postal system;
- (12) To regulate the ownership, exploration and exploitation of natural resources;
- (13) To regulate navigation, shipping and the use of navigable waters;
- (14) To regulate the use of air space;
- (15) To delegate authority to the states and administrative agencies;
- (16) To impeach and remove the President, Vice President and justices of the Supreme Court by a vote of not less than two thirds ($\frac{2}{3}$) of the members of each house;
- (17) To provide for the national defence;
- (18) To create or consolidate states with the approval of the states affected;
- (19) To confirm or disapprove a state of emergency declared by the President;
- (20) To provide for general welfare, peace and security; and
- (21) To enact any laws which shall be necessary and proper for exercising the foregoing powers and all other inherent powers vested by this Constitution in the government of Palau.

Section 6

To be eligible to hold office in the Olbiil Era Kelulau, a person must be:

- (1) A citizen;
- (2) Not less than twenty-five (25) years of age;
- (3) A resident of Palau for not less than five (5) years immediately preceding the election; and
- (4) A resident of the district in which he wishes to run for office for not less than one (1) year immediately preceding the election.

Section 7

A vacancy in the Olbiil Era Kelulau shall be filled for the unexpired term by a special election to be held in accordance with law. If less than one hundred and eighty (180) days remain in the unexpired term, the seat will remain vacant until the next regular general election.

Section 8

The compensation of the members of the Olbiil Era Kelulau shall be determined by law. No increase in compensation shall apply to the members of the Olbiil Era Kelulau during the term of enactment, nor may an increase in compensation be enacted in the period

between the date of a regular general election and the date a new Olbiil Era Kelulau takes office.

Section 9

No member of either house of the Olbiil Era Kelulau shall be held to answer in any other place for any speech or debate in the Olbiil Era Kelulau. The members of the Olbiil Era Kelulau shall be privileged in all cases, except treason, felony or breach of peace, from arrest during their attendance at the sessions of the Olbiil Era Kelulau and in going to and from the sessions.

Section 10

Each house of the Olbiil Era Kelulau shall be the sole judge of the election and qualifications of its members, may discipline a member, and, by a vote of not less than two thirds ($\frac{2}{3}$) of its members, may suspend or expel a member. A member may not hold any other public office or public employment while a member of the Olbiil Era Kelulau.

Section 11

Each house of the Olbiil Era Kelulau shall convene its meeting on the second Tuesday in January following the regular general election and may meet regularly for four (4) years. Either house may be convened at any time by the presiding officer or at the written request of the majority of the members or by the President.

Section 12

Each house of the Olbiil Era Kelulau shall promulgate its own rules and procedures not inconsistent with this Constitution and the laws of Palau and may compel the attendance of absent members. A majority of the members of each house shall constitute a quorum to do business. Each house, with the approval of a majority of its members, may compel the attendance and testimony of witnesses and the production of books and papers before that house or its committees.

Section 13

Each house of the Olbiil Era Kelulau shall elect a presiding officer by a majority of the members of that house. Each house shall elect such other officers and employ such staff as it deems necessary and appropriate.

Section 14

The Olbiil Era Kelulau may enact no law except by bill. Each house of the Olbiil Era Kelulau shall establish a procedure for the enactment of bills into law. No bill may become a law unless it has been adopted by a majority of the members of each house present on three (3) separate readings, each reading to be held on a separate day. No bill may become a law unless it contains the following enacting clause: *The people of Palau represented in the Olbiil Era Kelulau do enact as follows:*.

Section 15

A bill adopted by each house of the Olbiil Era Kelulau shall be presented to the President and shall become law when signed by the President. If the President vetoes a bill, it shall be returned to each house of the Olbiil Era Kelulau within fifteen (15) calendar days with a statement of reasons for the veto. The President may reduce or veto an item in an appropriation bill and sign the remainder of the bill, returning the item reduced or vetoed to each house within fifteen (15) calendar days together with the reason for his action; or refer a bill to each house with recommendations for amendment. A bill not signed, vetoed or referred within fifteen (15) calendar days of presentation to the President shall become law. A bill or item of a bill vetoed or reduced by the President may be considered by each house within thirty (30) calendar days of its return and shall become law as originally adopted upon approval of not less than two thirds ($\frac{2}{3}$) of the members of each house. The Olbiil Era Kelulau, by the approval of a majority of the members present of each house, may pass a bill referred by the President in accordance with the President's recommendation for change and return it to the President for reconsideration. The President may not refer a bill for amendment a second time.

Section 16

The Olbiil Era Kelulau, with the approval of not less than two thirds ($\frac{2}{3}$) of the members of each house, may release funds appropriated by the Olbiil Era Kelulau but impounded by the President.

Section 17

The people may recall a member of the Olbiil Era Kelulau from office. A recall is initiated by a petition which shall name the member sought to be recalled, state the grounds for recall, and be signed by not less than twenty-five percent (25%) of the number of persons who voted in the most recent election for that member of the

Olbiil Era Kelulau. A special recall election shall be held not later than sixty (60) calendar days after the filing of the recall petition. A member of the Olbiil Era Kelulau shall be removed from office only with the approval of a majority of the persons voting in the election, and such vacancy shall be filled by a special election to be held in accordance with law. A recall may be sought against an individual member of the Olbiil Era Kelulau no more than once per term. No recall shall be permitted against a member who is serving the first year of his first term in the Olbiil Era Kelulau.

Article X

JUDICIARY

Section 1

The judicial power of Palau shall be vested in a unified judiciary, consisting of a Supreme Court, a National Court and such inferior courts of limited jurisdiction as may be established by law. All courts except the Supreme Court may be divided geographically and functionally as provided by law or judicial rules not inconsistent with law.

Section 2

The Supreme Court is a Court of Record consisting of an appellate division and a trial division. The Supreme Court shall be composed of a Chief Justice and not less than three (3) nor more than six (6) associate justices, all of whom shall be members of both divisions. All appeals shall be heard by at least three (3) justices. Matters before the trial division may be heard by one justice. No justice may hear or decide an appeal of a matter heard by him in the trial division.

Section 3

If the Chief Justice is unable to perform his duties, he shall appoint an associate justice to act in his place. If the office of Chief Justice becomes vacant and the Chief Justice has failed to appoint an acting chief justice to act in his place, the President shall appoint an associate justice to act as chief justice until the vacancy is filled or the Chief Justice resumes his duties.

Section 4

The National Court shall consist of a presiding judge and such other judges as may be provided by law.

Section 5

The judicial power shall extend to all matters in law and equity. The trial division of the Supreme Court shall have original and exclusive jurisdiction over all matters affecting ambassadors, other public ministers and consuls, admiralty and maritime cases, and those matters in which the national government or a state government is a party. In all other cases, the National Court shall have original and concurrent jurisdiction with the trial division of the Supreme Court.

Section 6

The appellate division of the Supreme Court shall have jurisdiction to review all decisions of the trial division and all decisions of lower courts.

Section 7

The Judicial Nominating Commission shall consist of seven (7) members, one of whom shall be the Chief Justice of the Supreme Court who shall act as Chairman. The Bar shall elect three (3) of its members to serve on the Judicial Nominating Commission and the President shall appoint three (3) citizens who are not members of the Bar. The Judicial Nominating Commission shall meet upon the call of the Chairman and prepare and submit to the President a list of seven (7) nominees for the positions of justice and judge. A new list shall be submitted every year.

Section 8

No person shall be eligible to hold judicial office in the Supreme Court or National Court unless he has been admitted to practice law before the highest court of a state or country in which he is admitted to practice for at least five (5) years preceding his appointment. Any justice of the Supreme Court or judge of the National Court who becomes a candidate for an elective office shall, upon filing for such office, forfeit his judicial office.

Section 9

All justices of the Supreme Court and judges of the National Court shall hold their offices during good behaviour. They shall be eligible for retirement upon attaining the age of sixty-five (65) years.

Section 10

A justice of the Supreme Court may be impeached only for the commission of treason, bribery, other high crimes or improper practices, or on the grounds of his inability to discharge the functions of his office upon a vote of not less than two thirds ($\frac{2}{3}$) of the members of each house of the Olbiil Era Kelulau. The judges of the National Court and the inferior courts may be impeached by a majority vote of the members of each house of the Olbiil Era Kelulau. During his impeachment or removal proceedings, a justice or judge may not exercise the power of his office. A justice or judge shall forfeit his office upon conviction of a felony or any high crime.

Section 11

The justices and judges shall receive compensation as prescribed by law. Such compensation shall not be diminished during their term of office.

Section 12

The Chief Justice of the Supreme Court shall be the administrative head of the unified judicial system. He may assign judges from one geographical department or functional division of a court to another department or division of that court and he may assign judges for temporary service in another court. The Chief Justice shall appoint with the approval of the associate justices, an administrative director to supervise the administrative operation of the judicial system.

Section 13

The Chief Justice shall prepare and submit through the President to the Olbiil Era Kelulau an annual consolidated budget for the entire unified judicial system. The national government shall bear the total cost of the system unless the Olbiil Era Kelulau requires reimbursement of appropriate portions of such cost by the state governments.

Section 14

The Supreme Court shall promulgate rules governing the administration of the courts, legal and judicial professions and practice and procedure in civil and criminal matters.

Article XI

STATE GOVERNMENTS

Section 1

The structure and organization of state governments shall follow democratic principles and the traditions of Palau and shall not be inconsistent with this Constitution. The national government shall assist in the organization of state government.

Section 2

All governmental powers not expressly delegated by this Constitution to the states nor denied to the national government are powers of the national government. The national government may delegate powers by law to the state governments.

Section 3

Subject to laws enacted by the Olbiil Era Kelulau, state legislatures shall have the power to impose taxes which shall be uniformly applied throughout the state.

Section 4

Subject to the approval of the Olbiil Era Kelulau, the state legislatures shall have the power to borrow money to finance public programmes or to settle public debt.

Article XII

FINANCE

Section 1

There shall be a National Treasury and a state treasury for each of the states. All revenues derived from taxes or other sources shall be deposited in the appropriate treasury. No funds shall be withdrawn from any treasury except by law.

Section 2

(a) A Public Auditor shall be appointed for a term of six (6) years by the President subject to confirmation by the Olbiil Era Kelulau. The Public Auditor may be removed by a vote of not less than two thirds ($\frac{2}{3}$) of the members of each house of the Olbiil Era Kelulau. In such event, the Chief Justice of the Supreme Court shall appoint an acting Public Auditor to serve until a new Public Auditor is appointed and confirmed. The Public Auditor shall be free from any control or influence by any person or organization.

(b) The Public Auditor shall inspect and audit accounts in every branch, department, agency or statutory authority of the national

government and in all other public legal entities or non-profit organizations receiving public funds from the national government. The Public Auditor shall report the results of his inspections and audits to the Olbiil Era Kelulau, at least once a year, and shall have such additional functions and duties as may be prescribed by law.

Section 3

(a) The President shall submit an annual unified national budget to the Olbiil Era Kelulau for consideration and approval. The Olbiil Era Kelulau may amend or modify the annual budget as submitted by the President. Except appropriation bills recommended by the President for immediate passage or to cover the operational expenses of the Olbiil Era Kelulau, no appropriation bill may be enacted by the Olbiil Era Kelulau until a bill appropriating money for the budget has been enacted.

(b) The chief executive of each state shall submit, with the assistance of the national government, an annual budget to the state legislature for consideration and approval. The state legislature may amend or modify the annual budget as submitted by the chief executive of the state. Except appropriation bills recommended by the chief executive of the state for immediate passage or to cover the operational expenses of the state legislature, no appropriation bill may be enacted by a state legislature until a bill appropriating money for the budget has been enacted.

Section 4

The national government and the state governments shall have the power to make investments pursuant to law.

Section 5

Except where a particular distribution is required by the terms of the assistance, all block grants and foreign aid shall be shared by the national government and all the states in a fair and equitable manner based on needs and population.

Section 6

(a) Each state shall be entitled to revenues derived from the exploration and exploitation of all living and non-living resources, except highly migratory fish, and fines collected for violation of any law within the marine area extending from the land to twelve (12) nautical miles seaward from the traditional baselines.

(b) The national government shall be entitled to all revenues derived from the exploration and exploitation of all living and non-living resources, except highly migratory fish, and fines collected for violation of any law beyond the areas owned by the state.

(c) All revenues derived from licensing foreign vessels to fish for highly migratory fish within the jurisdictional waters of Palau shall be divided equitably between the national government and all the state governments as determined by the Olbiil Era Kelulau.

Article XIII

GENERAL PROVISIONS

Section 1

The Palauan traditional languages shall be the national languages. Palauan and English shall be the official languages. The Olbiil Era Kelulau shall determine the appropriate use of each language.

Section 2

The Palauan and English versions of this Constitution shall be equally authoritative; in case of conflict, the English version shall prevail.

Section 3

Citizens may enact or repeal national laws, except appropriations, by initiative. An initiative petition shall contain the text of the proposed law or of the law sought to be repealed and be signed by not less than ten per cent (10%) of the registered voters. An initiative petition shall take effect if approved at the next general election by a majority of the persons voting on the initiative. A law enacted by initiative or a repeal of a law by initiative may not be vetoed by the President. A law enacted or repealed by initiative may be subsequently amended, repealed or reenacted only by another initiative pursuant to the provisions of this section.

Section 4

No state may secede from Palau.

Section 5

An area which was historically or geographically part of Palau may be admitted as a new state upon the approval of the Olbiil Era Kelulau and not less than three fourths (¾) of the states.

Section 6

Harmful substances such as nuclear, chemical, gas or biological weapons intended for use in warfare, nuclear power plants, and waste materials therefrom, shall not be used, tested, stored or disposed of within the territorial jurisdiction of Palau without the express approval of not less than three fourths (¾) of the votes cast in a referendum submitted on this specific question.

Section 7

The national government shall have the power to take property for public use upon payment of just compensation. The state government shall have the power to take private property for public use upon payment of just compensation. No property shall be taken by the national government without prior consultation with the government of the state in which the property is located. This power shall not be used for the benefit of a foreign entity. This power shall be used sparingly and only as a final resort after all means of good faith negotiation with the land owner have been exhausted.

Section 8

Only citizens of Palau and corporations wholly owned by citizens of Palau may acquire title to land or waters in Palau.

Section 9

No tax shall be imposed on land.

Section 10

The national government shall, within five (5) years of the effective date of this Constitution, provide for the return to the original owners or their heirs of any land which became part of the public lands as a result of the acquisition by previous occupying powers or their nationals through force, coercion or fraud or without just compensation or adequate consideration.

Section 11

The provisional capital shall be located in Koror, provided that not later than ten (10) years after the effective date of this Constitution, the Olbiil Era Kelulau shall designate a place in Babeldaob to be the permanent capital.

Section 12

The national government shall have exclusive power to regulate importation of firearms and ammunition. No persons except armed forces personnel lawfully in Palau and law enforcement officers acting in an official capacity shall have the right to possess firearms or ammunition unless authorized by legislation which is approved in a nationwide referendum by a majority of the votes cast on the issue.

Section 13

Subject to Section 12, the Olbiil Era Kelulau shall enact laws within one hundred and eighty (180) days after the effective date of this Constitution:

(1) Providing for the purchase, confiscation and disposal of all firearms in Palau;

(2) Establishing a mandatory minimum imprisonment of fifteen (15) years for violation of any law regarding importation, possession, use or manufacture of firearms.

Article XIV

AMENDMENTS

Section 1

An amendment to this Constitution may be proposed by a constitutional convention, popular initiative or by the Olbiil Era Kelulau, as provided herein:

(a) At least once every fifteen (15) years, the Olbiil Era Kelulau may submit to the voters the question: "Shall there be a convention to revise or amend the Constitution?". If a majority of the votes cast upon the question is in the affirmative, a constitutional convention shall be convened within six (6) months thereafter, in a manner prescribed by law;

(b) By petition signed by not less than twenty-five per cent (25%) of the registered voters; or

(c) By resolution adopted by not less than three fourths (¾) of the members of each House of the Olbiil Era Kelulau.

Section 2

A proposed amendment to this Constitution shall become effective when approved in the next regular general election by a majority of the votes cast on that amendment and in not less than three fourths (¾) of the states

Section 1

This Constitution shall take effect on 1 January 1980, unless otherwise provided herein.

Section 2

The first election pursuant to the terms of this Constitution shall take place on the first Tuesday after the first Monday in November 1979. The officials elected shall be installed on 1 January 1980.

Section 3

(a) All existing law in force and effect in Palau immediately preceding the effective date of this Constitution shall, subject to the provisions of this Constitution, remain in force and effect until repealed, revoked or amended or until it expires by its own terms.

(b) All rights, interests, obligations, judgments and liabilities arising under the existing law shall remain in force and effect and shall be recognized, exercised and enforced accordingly, subject to the provisions of this Constitution.

Section 4

On or after the effective date of this Constitution, but not later than the termination of the Trusteeship Agreement, the national government of Palau shall succeed to any right or interest acquired by the Administering Authority, the Trust Territory of the Pacific Islands and the government of Palau District, and may assume such obligations and liabilities incurred by the Administering Authority, the Trust Territory of the Pacific Islands or the government of Palau District as may be prescribed by law.

Section 5

Nothing in Section 3 or 4 of this Article shall be deemed to constitute a waiver or release of the Administering Authority, the Trust Territory of the Pacific Islands or any other government entity or person from any continuing or unsatisfied obligation or duty owing to the citizens of Palau, or the national government or state governments of Palau. The national government and state governments as well as the citizens of Palau shall retain all rights, interests and causes of action not specifically and expressly released or waived.

Section 6

All municipal charters existing on the effective date of this Constitution shall remain in force and effect until the state governments are established pursuant to this Constitution which shall take place not later than four (4) years after the effective date of this Constitution.

Section 7

Upon the effective date of this Constitution, the employees of the district government of Palau shall remain as employees of the national government of Palau, unless otherwise provided by law or regulation.

Section 8

Until the judicial system provided for in this Constitution is organized, which shall occur not later than one (1) year after the effective date of this Constitution, the judicial system as of the effective date of this Constitution, shall continue unless otherwise provided by law. After the organization and certification of the judicial system by the President, all new actions shall be commenced and filed therein and all pending matters shall be transferred to the proper court as though commenced and filed in those courts in the first instance, except as otherwise prescribed by law. The Chief Justice of the Trust Territory High Court shall be the acting Chief Justice of the Supreme Court until the President appoints the first Chief Justice.

Section 9

Individuals, corporations or other entities qualified to do business in Palau on the effective date of this Constitution shall maintain their legal existence and shall be allowed to continue to do business unless otherwise provided by law. Business and professional licenses in Palau District on the effective date of this Constitution shall continue in effect unless otherwise prescribed by law or until they expire by their own terms.

Section 10

Any provision of this Constitution or a law enacted pursuant to it which is in conflict with the Trusteeship Agreement between the United States of America and the United Nations Security Council

shall not become effective until the date of termination of such Trusteeship Agreement.

Section 11

Any amendment to this Constitution proposed for the purpose of avoiding inconsistency with the Compact of Free Association shall require approval by a majority of the votes cast on that amendment and in not less than three fourths (¾) of the states. Such amendment shall remain in effect only as long as the inconsistency continues.

Section 12

There shall be a Post Convention Committee on Transitional Matters which shall consist of nine (9) members, five (5) of whom shall be appointed by the President of the Palau Constitutional Convention subject to the approval of the Convention, two (2) of whom shall be appointed by the House of Elected Members of the Palau Legislature and two (2) of whom shall be appointed by the House of Chiefs of the Palau Legislature. The term of office of the members shall commence not later than ten (10) days after the ratification of this Constitution. The Committee shall commence work within ten (10) days following ratification of this Constitution and shall continue until the installation of officers elected pursuant to Section 2 of this Article. The duties and powers of this Committee shall be as follows:

- (1) To aid in the orderly transfer of governmental functions;
- (2) To propose necessary transitional legislation;
- (3) To obtain information necessary to orderly transition;
- (4) To work in co-operation with the Palau Political Status Commission and the Palau Legislature on transitional matters;
- (5) To take all steps reasonable and necessary to promote orderly transition;
- (6) To seek necessary funds from the Palau Legislature to implement this section and to carry out these tasks.

Section 13

(a) The Senate, for the first four-year term after ratification of this Constitution, shall be composed of eighteen (18) senators to be popularly elected as follows:

- (1) The First Senatorial District shall be composed of Kayangel and Ngarchelong and shall have two (2) senators;
- (2) The Second Senatorial District shall be Ngaraard and shall have two (2) senators;
- (3) The Third Senatorial District shall be composed of Ngiwal, Melekeok and Ngchesar and shall have two (2) senators;
- (4) The Fourth Senatorial District shall be Airai and shall have one (1) senator;
- (5) The Fifth Senatorial District shall be composed of Ngardmau, Ngaremlengui, Ngatpang and Aimeliik and shall have two (2) senators;
- (6) The Sixth Senatorial District shall be Koror and shall have seven (7) senators;
- (7) The Seventh Senatorial District shall be Peleliu and shall have one (1) senator;
- (8) The Eighth Senatorial District shall be composed of Angaur, Sonsorol and Tobi and shall have one (1) senator.

(b) The Olbiil Era Kelulau shall promulgate in its first term after the effective date of this Constitution an enabling act designating the duties and the rules governing the composition of the reapportionment commission. The first reapportionment commission shall be constituted within four (4) years of the first general election.

IN WITNESS WHEREOF, we, the delegates to this Convention assembled at the Palau Legislature Building in Koror this 2nd day of April in the year of our Lord One Thousand Nine Hundred and Seventy-Nine, have hereunto subscribed our names,

[Signed by 35 delegates from Aimeliik, Airai, Angaur, Kayangel, Koror, Melekeok, Ngaraad, Ngarchelong, Ngardmau, Ngaremlengui, Ngatpang, Ngchesar, Ngiwal, Peleliu, Sonsorol and Tobi.]

Attested:
(Signed)

Jonathan KOSHIBA
Convention Secretary

ANNEX III

Public Law No. 7-2-8, adopted by the Palau House of Elected Members on 13 March 1980

AN ACT

To provide for the approval of the Constitution of the Republic of Palau with proposed amendments; to appropriate funds therefor; and for other purposes

Be it enacted by the Palau Legislature:

Section 1. Purpose. The people of Palau approved the Constitution of the Republic of Palau on 9 July 1979 by a vote of 92 per cent of the votes cast in the constitutional referendum. Due to actions by the Sixth Palau Legislature and the Trial Division of the High Court, the ratification and effect of the Constitution are now a matter of legal controversy and litigation. It is the declared purpose of this Legislature to:

(1) Provide for the confirmation of the decision of the people of Palau in the 9 July 1979 Constitutional Referendum;

(2) End and avoid further legal controversy and litigation which may prevent constitutional government from becoming a reality in the Republic of Palau; and

(3) Promote a smooth and orderly transition to constitutional government in a manner to facilitate the transfer of functions from the governments of the Trust Territory and Palau District to the Government of the Republic of Palau.

Section 2. Constitution with proposed amendments. The Constitution of the Republic of Palau, adopted by the Palau Constitutional Convention, shall be submitted to the voters of Palau with amendments hereby proposed by this Legislature as follows:

"Article XV

"TRANSITION

"Section 1

"This Constitution shall take effect on 1 January 1981, unless otherwise provided herein.

"Section 2

"The first election pursuant to the terms of this Constitution shall take place on 4 November 1980. The officials elected shall be installed on 1 January 1981."

Section 3. Referendum.

(1) The referendum on the Constitution with the proposed amendments shall be held on 9 July 1980, and shall be conducted pursuant to appropriate provisions of Title 43 of the Trust Territory Code, except as otherwise provided by this Act.

(2) The referendum ballot shall appear substantially as follows:

"CONSTITUTIONAL REFERENDUM

"Do you approve of the Constitution of the Republic of Palau, as adopted by the Palau Constitutional Convention, with the amendments proposed by the Seventh Palau Legislature to repeal the Post Convention Committee and to provide for the election

and installation dates of the constitutional officials and for the effective date of the Constitution?

"Yes ☐

"No ☐.

(3) Results of the referendum shall be certified by the Election Commissioner and transmitted to the Palau Legislature no later than thirty (30) days after the date of the referendum.

(4) A simple majority of the votes cast in the referendum is required to approve the Constitution and proposed amendments.

(5) The Palau Legislature shall be the judge of the referendum and the results thereof.

Section 4. Publication of amendments. The amendments to the Constitution proposed in Section 2 of this Act shall be printed and distributed to the general public of Palau by the Election Commissioner. The Election Commissioner shall cause the proposed amendments to be regularly broadcast on radio and television from the time this Act becomes law until the closing of the polls on the day of the referendum on the Constitution with proposed amendments.

Section 5. Appropriation.

(1) There is hereby appropriated out of the General Fund of the Palau Legislature fifty thousand dollars (\$50,000.00) for the purpose of conducting the referendum pursuant to this Act.

(2) The funds appropriated by this Act shall remain available for the purpose specified in Sections 4 and 5 of this Act until the Election Commissioner has certified and transmitted the results of the referendum to the Palau Legislature at which time any funds remaining unexpended and unobligated shall revert to the General Fund of the Palau Legislature.

(3) The funds appropriated by this Section shall be administered and expended by the District Administrator who shall be responsible to the Legislature for ensuring that these funds are used only for the purpose specified in Sections 4 and 5 of this Act, and that no obligations are incurred in excess of the funds appropriated.

(4) The District Administrator shall submit a report to the Palau Legislature no later than 31 August 1980 which shall provide for a complete disclosure of all funds expended and obligated.

Section 6. Repeal and confirmation. Public Law No. 6-8-14 is repealed in its entirety and Public Law No. 6-5S-1, as amended by Public Law No. 6-7-3 and Public Law No. 6-7S-1, is confirmed except as otherwise provided in this Act.

Section 7. Effective date. This Act shall take effect upon its approval by the High Commissioner, or upon its becoming law without such approval; provided, however, that Section 6 of this Act shall take effect upon the effective date of the Constitution with proposed amendments as provided in Sections 2 and 3 of this Act.

Passed: 13 March 1980

(Signed) TOSIWO NAKAMURA
Speaker

Approved on 14 April 1980.

(Signed) ADRIAN P. WINKEL
High Commissioner

DOCUMENT T/1827

[Agenda item 4]

Note verbale dated 4 November 1980 from the representative of the United States of America to the Secretary-General

[Original: English]
[12 November 1980]

The representative of the United States of America to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit herewith for circulation as a document of the Trusteeship Council the enclosed text of a press statement released by the White House on 31 October 1980, after the initialling of the Compact of Free Association by the Governments of the United

States, the Federated States of Micronesia and the Marshall Islands.

ENCLOSURE

United States and Micronesian negotiators initial Compact of Free Association

Representatives of the United States, the Marshall Islands Government and the Federated States of Micronesia today initialled a

Compact of Free Association, a basic document which will, when finally approved, authorize self-government for the 120,000 inhabitants of hundreds of islands ranged across 3,000 miles of the mid-Pacific and will also establish the terms of a unique continuing close relationship with the United States. The initialling also advances President Carter's goal, announced in 1977, of terminating in 1981 the United Nations Trusteeship Agreement³ under which the United States has administered the Trust Territory of the Pacific Islands since 1947. The islands, formerly ruled by Spain and Germany, became a Japanese League of Nations mandate as a result of the First World War and were captured by United States military forces during the Second World War.

Initialling for the United States was Ambassador Peter R. Rosenblatt, who has served since 1977 as President Carter's personal representative for Micronesian status negotiations. He was joined by Anton A. DeBrum, Secretary for Foreign Affairs of the Marshall Islands, and Andon L. Amaraich, Secretary for External Affairs of the Federated States of Micronesia and Chairman of its Commission on Future Political Status and Transition.

Today's initialling represents the virtual completion of a negotiating process that began in 1969. The Compact provides that the United States will retain plenary authority in defence and security matters and that three Micronesian entities—the Marshall Islands, the Federated States of Micronesia and Palau—will acquire full internal self-government and authority over all aspects of their foreign relations other than those which the United States determines to be defence—and security-related. The complex 64-page Compact also sets forth the financial and other types of assistance which the United States will provide over a 15-year period and covers the many other realms—including environmental regulations, trade, finance and taxation—in which the United States and Micronesia remain linked. The Compact's aid and defence provisions continue for 15 years and thereafter, as may be mutually agreed. It also provides each of the Micronesian entities the option of unilateral termination should any of them later decide to seek full independence or any other political status. However, such unilateral termination would be subject to continuation of United States defence rights and economic assistance for their full terms.

During several months following today's initialling ceremony, negotiators for all of the Governments involved will conclude their work on a dozen or more detailed subsidiary agreements covering such subjects as telecommunications, extradition and military land

use and operating rights. Once these subsidiary agreements have been completed, the Compact of Free Association will be formally signed. At that point the Compact will be presented to the voters of Micronesia for approval by plebiscite and submitted to the United States Congress as a joint resolution for enactment into law. If the Compact is approved, the United States will present the completed arrangements to the United Nations and seek termination of the Trusteeship Agreement. The United States' strategic trusteeship in Micronesia is the last of the 11 United Nations trusteeships established after the Second World War.

Palau, the fourth party to the current negotiations, was unable to send a delegation to Washington this week because the voters of this small island group in the Western Carolines go to the polls on 4 November to elect their first national government. That government will take office on 1 January 1981, whereas elected governments took office in the Marshall Islands and the Federated States of Micronesia in May 1979. In a letter dated 25 October, however, the Palauan negotiators informed Ambassador Rosenblatt that they would meet with him in Washington on 6 and 7 November with a view to concluding negotiations and initialling the Compact and several closely related agreements.

Marshallese President Amata Kabua had initialled an earlier version of the Compact with Ambassador Rosenblatt at Kona, Hawaii, on 14 January 1980, but the document initialled today contains numerous changes from the January version, several of which were introduced by the Marshallese themselves.

Another district of the Trust Territory, the Northern Mariana Islands, in 1975 approved an agreement establishing an even closer relationship with the United States through Commonwealth status.⁴ Residents of the Northern Marianas have since elected their own Governor and legislature, but the Commonwealth will come into full legal existence only upon termination of the Trusteeship Agreement.

There is no exact precedent in international law or United States constitutional practice for the free association status which the three Micronesian entities have chosen. The autonomy which the Micronesian States will exercise exceeds that of United States Territories, while United States defence authority in the freely associated States is comprehensive and therefore of a different nature from the treaty relationships with even America's closest allies.

Washington, D.C., 31 October 1980.

⁴ See the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, reproduced in *Official Records of the Trusteeship Council, Forty-second Session, Sessional Fascicle*, annexes, document T/1759.

³ *Trusteeship Agreement for the Trust Territory of the Pacific Islands* (United Nations publication, Sales No. 1957.VI.A.1).

DOCUMENT T/1829

[Agenda item 8]

Dissemination of information on the United Nations and the International Trusteeship System in the Trust Territory of the Pacific Islands: report of the Secretary-General

[Original: English]
[11 May 1981]

1. Pursuant to Trusteeship Council resolution 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953, the Secretary-General and the Administering Authority co-operated during this reporting period in disseminating information on the International Trusteeship System and the United Nations to the Trust Territory of the Pacific Islands.

2. The present report covers the period from 1 May 1980 to 30 April 1981, during which time the Department of Public Information of the Secretariat, with the co-operation of other units in the Secretariat and the United Nations Information Centres at Tokyo and Washington, D.C., undertook action to implement its information mandates.

3. As in the past, the Distribution Section of the Department of Conference Services co-operated with the Department of Public Information and the secretariat of the Trusteeship Council in transmitting by airmail directly from New York to the Trust Territory of the Pacific Islands relevant mimeographed documents, official records⁵ and the United Nations

⁵ *Official Records of the Trusteeship Council* (verbatim records of the meetings, annexes and supplements, including resolutions of the Council); the most recent report of the Trusteeship Council to the Security Council contained in *Official Records of the Security Council, Thirty-fifth Year, Special Supplement No. 1* (S/14258); and A/35/113-S/13817. For the printed text of the latter document, see *Official Records of the Security Council, Thirty-fifth Year, Supplement for January, February and March 1980*.

Weekly News Summary. The mailing list was supplied by the Administering Authority and included the legislatures, libraries, offices of administrators and the information media in the Trust Territory.

4. The United Nations Information Centre at Tokyo continued its distribution to the Trust Territory of a large number of publications of the Department of Public Information and other organs and agencies of the United Nations system (see annex to the present report). In selecting the material for distribution, the Centre placed due emphasis on publications featuring decolonization, disarmament and international trusteeship. It also disseminated a wider variety of material on economic, social and development issues before the United Nations.

5. Following the pattern of activities undertaken in 1979, the United Nations Information Centre at Washington, D.C., provided the people of the United States of America with updated information on developments concerning the Trust Territory. It distributed documents of the forty-seventh session of the Trusteeship Council (see para. 3 above) to key members of the United States Congress and staff of the relevant congressional committees. The Centre kept the non-governmental organizations abreast of the proceedings in the Trusteeship Council and provided them and the news media with relevant press releases and documents.

6. The Radio Service of the Department of Public Information has maintained its distribution by airmail to the Trust Territory of taped radio programmes such as "This Week at the UN", "Scope", "Perspective", "Women", "Eighty-One" and "Asian Spotlight", with the addition of "UN Calling Asia", a new short-wave programme beamed to South-East Asia and the Pacific. In addition, it transmits special programmes such as "Energy", "Namibia" and "Disabled Persons" to radio stations in the Territory. "World Chronicle", a television feature programme, is sent regularly to television stations in the Territory and *Development Forum*, a periodical, is distributed to interested parties in Micronesia.

7. During the period under review, the United Nations Information Centre at Tokyo sent two missions to the Trust Territory with a view to strengthening and expanding existing arrangements with the local authorities for the dissemination of information about the United Nations. In September 1980, the Director of the Centre visited Saipan in the Northern Marianas, Majuro in the Marshall Islands and Ponape in the Federated States of Micronesia; in November, the Information Officer of the Centre undertook a follow-up visit to Saipan and Ponape and extended his itinerary to Truk and Kosrae. In both cases, the officers of the Centre made extensive personal contacts with administrators, other Trust Territory officials and members of the news media in their efforts to ascertain and update the information requirements of the people of Micronesia.

8. The visits enabled the Centre to update its mailing lists for the distribution of information material from New York and Tokyo to all points in Micronesia. They also confirmed that United Nations publications and audio-visual programmes were being used to advantage and that the depository of United Nations films at the College of Micronesia in Ponape was well

maintained. Further, the names of the films had been incorporated in the general film distribution catalogue of the College. In this connexion, the Centre issued a note in December informing all educational institutions and libraries in Micronesia of the existence of the United Nations film collection at the College. Further arrangements were made to have the Federated States of Micronesia publicize in the Government's weekly newspaper the availability of the films to the local population.

9. During their visit to the Trust Territory (see para. 7 above), the two officers of the Centre observed a keen interest on the part of key government officials in training opportunities offered by the United Nations. In this connexion, the Director of Education in Ponape was selected as the 1980 participant in the Fellowship Programme for Educators sponsored by the Department of Public Information, held at New Delhi in November 1980.

10. Publications on scholarships and training for the inhabitants of the Territory are made available in the Territory by the Administering Authority. Those available include *Study Abroad*, twenty-third edition (1981/82-1982/83), a publication of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on scholarship offers by various countries, as well as the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of the Trust Territory of the Pacific Islands.⁶

11. As in the past, messages by the Secretary-General and the President of the Trusteeship Council were sent to the Trust Territory in connexion with the public observance of United Nations Day. In the Northern Mariana Islands, renewed enthusiasm marked the preparations for the Day. A chairperson was appointed by the Governor to ensure the success of the celebration, which included a three-day symposium in Saipan to which leaders and other officials of the region were invited to discuss the Territory's future relationship with the United Nations. A former Dag Hammarskjöld Fellow of the United Nations Correspondents' Association, who had spent four months at Headquarters in 1979, was actively involved in the preparation of the symposium.

ANNEX

List of United Nations information material distributed in the Trust Territory of the Pacific Islands

Basic Facts about the United Nations

UN Today (Suggestions for Speakers)

UN Day school leaflet. (*United Nations and a New International Economic Order*)

Slide set on the thirty-fifth anniversary of the United Nations

United Nations Image and Reality: Management-Finance-People
Member States of the United Nations

Pamphlet and press kit for the International Year of Disabled Persons

The Special Committee of 24 on Decolonization—What It Is, What It Does, How It Works

International Covenants on Human Rights and Optional Protocol

⁶ Official Records of the Trusteeship Council, Forty-seventh Session, Sessional Fascicle, annexes, document T/1818.

Towards a world without racism
Report of the Secretary-General on the Work of the Organization
World Conference to Combat Racism and Racial Discrimination:
A New Step Forward
Declaration and Programme of Action to Combat Racism and Ra-
cial Discrimination
Declaration on the Granting of Independence to Colonial Countries
and Peoples
Decolonization, issue on the Trust Territory of the Pacific Islands
 (No. 16, April 1980, published by the Department of Political
 Affairs, Trusteeship and Decolonization)
Report of the Special Committee on the Situation with regard to the
Implementation of the Declaration on the Granting of Indepen-
dence to Colonial Countries and Peoples (A/34/23 and addenda)
The United Nations and Decolonization
Report of the United Nations Visiting Mission to the Trust Territory
of the Pacific Islands, 1980 (T/1816)
United Nations Council for Namibia
Questions and Answers on Human Rights
Disarmament: The Need for Intensified Efforts
Final Document of the General Assembly Special Session on Dis-
armament
Convention on the Prohibition of Military or Any Other Hostile Use
of Environmental Modification Techniques
Economic and Social Consequences of the Arms Race and of Mili-
tary Expenditures: Questions and Answers
World Women Data Sheet
Women and Science
 Poster set on science and technology for development

Restructuring of the Economic and Social Sectors of the UN System
 List of United Nations publications
 Selected list of publications from UNITAR
ESCAP in Brief
No Boundaries—Global and Interregional Activities of the United
Nations Development Programme
UNDP in Brief
UNDP in 1979—Report and Review
TCDC News, January-March 1981, UNDP
TCDC News—Bridges Across the South
 Consultative Group on International Agricultural Research, Wash-
 ington
Ten Questions on UNDRO
Guidelines for Disaster Prevention
UNDRO Newsletter No. 10
United Nations University, Charter of the University
UNHCR, What It Is, What It Does, How It Functions
Refugees in Africa, A country by country survey
The Economic Impact of Tropical Cyclones: World Meteorological
Organization
UNICEF Report 1979
UNICEF News—Development Begins with Women
 UNICEF material for the International Year of the Child
Facts about UNICEF
UNICEF News—Training
Ideas Forum, UNICEF
Development Education UNICEF School Series, No. 6: An Ap-
proach to Peace Education

DOCUMENT T/1831

[Agenda item 7]

Offers by Member States of study and training facilities for inhabitants of the Trust Territory of the Pacific Islands: report of the Secretary-General

[Original: English]
 [14 May 1981]

1. By resolutions 557 (VI) of 18 January 1952 and 753 (VIII) of 9 December 1955, the General Assembly invited Member States to make available to qualified students from Trust Territories scholarships, fellowships and internships for university study and post-primary and technical education.

2. The programme is administered in accordance with the procedure approved by the Trusteeship Council at its thirteenth session.⁷ Under this procedure, the Secretary-General was invited to submit to the Trusteeship Council at least once a year a report containing all appropriate details of the programme. The present report is the thirtieth such report and covers the period from 25 May 1980 to 14 May 1981.

3. As stated in previous reports, 11 Member States had in the past made scholarships available under this programme. Those Member States were the following: Czechoslovakia, Hungary, Indonesia, Italy, Mexico, Pakistan, Philippines, Poland, Tunisia, Union of Soviet Socialist Republics and Yugoslavia.

4. A description of the scholarships offered by Member States is contained in the eighteenth report

submitted to the Trusteeship Council at its thirty-sixth session.⁸

5. Up-to-date information concerning the scholarships made available under the programme, as well as the extent to which awards had been made to, and utilized by, students from the Trust Territory of the Pacific Islands, was requested by the Secretary-General in a note dated 16 April 1981 addressed to Member States that had offered scholarships in previous years.

6. As at 14 May 1981 information had been received from one offering State, namely the Union of Soviet Socialist Republics.

7. In a note dated 11 May 1981, the Permanent Mission of the Union of Soviet Socialist Republics informed the Secretary-General that, at present, no inhabitants from the Trust Territory of the Pacific Islands were studying in the Soviet Union.

8. Information on the scholarships made available under the programme is included in the handbook *Study Abroad*, twenty-third edition (1981/82–1982/83), published by the United Nations Educational, Scientific and Cultural Organization (UNESCO). Copies of *Study Abroad* are sent to the Administering Authority and to United Nations information centres.

⁷ *Ibid.*, Thirteenth Session, Annexes, agenda item 13, document T/1093.

⁸ *Ibid.*, Thirty-sixth Session, Annexes, agenda item 10, document T/1696.

DOCUMENT T/1832

[Agenda item 4]

Note verbale dated 18 May 1981 from the representative of the United States of America to the Secretary-General

[Original: English]
[18 May 1981]

The representative of the United States of America to the United Nations presents her compliments to the Secretary-General of the United Nations and has the honour to inform him that the following correction should be noted in the report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period 1 October 1979 to 30 September 1980:⁹ on page 2 of the report, under the heading "Major Events of the Year (October 1979–September 1980)", delete the first paragraph under the sub-heading "October 1979". The entry for October 1979 would, therefore, consist of one paragraph which begins: "Palauan voters . . .".

It is requested that this note be circulated as a document of the Trusteeship Council.

⁹ 1980 Trust Territory of the Pacific Islands, October 1, 1979 to September 30, 1980, Thirty-third 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 9181). Copies of the report were received by the Secretary-General on 4 May 1981 and transmitted to each member of the Trusteeship Council on the same day (T/1830).

DOCUMENT T/1833

[Agenda item 4]

Note verbale dated 19 May 1981 from the representative of the United States of America to the Secretary-General

[Original: English]
[20 May 1981]

The representative of the United States of America to the United Nations presents her compliments to the Secretary-General of the United Nations and has the honour to inform him that the following change should be noted in the report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period 1 October 1979 to 30 September 1980:¹⁰ on page 9 of the report, in Part V, entitled "Political Advancement", under the heading "Future Political Status", replace the last sentence of the first paragraph, which reads "Five of the sixteen . . .", by the following sentence: "At the time the Compact was initialed, 5 of the 16 agreements related to the Compact were also initialed: 3 by the Governments of the United States and Palau, and 2 by the Governments of the United States and the Federated States of Micronesia."

It is requested that this note be circulated as a document of the Trusteeship Council.

¹⁰ *Ibid*

DOCUMENT T/L.1227

[Agenda item 4]

Report of the Drafting Committee on the Trust Territory of the Pacific Islands

[Original: English/French]
[3 June 1981]

1. At its 1520th meeting, on 29 May 1981, the Trusteeship Council appointed a drafting committee composed of the representatives of France and the United Kingdom of Great Britain and Northern Ireland to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of the Pacific Islands, and to make recommendations concerning the chapter on conditions in that Territory for inclusion in the next report of the Trusteeship Council to the Security Council.

2. The Drafting Committee held four meetings. It had the benefit of the assistance of representatives of the Administering Authority.

3. In the light of the general discussions in the Trusteeship Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the majority of the members of the Council and which are set forth in the annex to the present report.

4. The Committee recommends to the Trusteeship Council that it adopt the revised working paper on conditions in the Trust Territory of the Pacific Islands (T/L.1225 and Add.1) as the basic text for the chapter on conditions in that Territory to be included in the next report of the Trusteeship Council to the Security Council.

5. The Committee also recommends that the Trusteeship Council adopt the conclusions and recommendations set out in the annex and include them at the end of the report.

ANNEX

Draft conclusions and recommendations

[For the text of the conclusions and recommendations adopted at the 1522nd meeting of the Trusteeship Council on 11 June 1981, see Official Records of the Security Council, Thirty-sixth Year, Special Supplement No. 1, part II.]

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