



Thirty-ninth session

PROVISIONAL VERBATIM RECORD OF THE THIRTEEN HUNDRED AND  
NINETY-SECOND MEETING

Held at Headquarters, New York,  
on Friday, 26 May 1972, at 10.30 a.m.

President: Mr. BENNETT (United States of America)

- Examination of annual reports of the Administering Authorities on the administration of Trust Territories, for the year ended 30 June 1971: (continued)
  - (a) Trust Territory of the Pacific Islands
- Hearing of Petitioners
- Examinations of petitions listed in the annex to the provisional agenda

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EXAMINATION OF ANNUAL REPORTS OF THE ADMINISTERING AUTHORITIES ON THE ADMINISTRATION OF TRUST TERRITORIES, FOR THE YEAR ENDED 30 JULY 1971:

(a) TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1735; T/L.1170) (continued)

At the invitation of the President, Mr. Edward E. Johnston, High Commissioner of the Trust Territory of the Pacific Islands and the Special Representative of the Administering Authority, and the Special Advisers, Senator Andon Amaraich and Representative Polycarp Basilius, took places at the Council table.

The PRESIDENT: We are glad to have with us in the Chamber this morning Mr. James Gamble, of the United States Senate Interior Committee, and Mr. Charles Leppert, of the House Interior Committee, both of whom take a continuing interest in the affairs of the Trust Territory. We are pleased welcome them back to this Chamber this year.

The Council will now continue its questioning of the representatives of the Administering Authority.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): In the statements of the United States representative and the Special Representative, the High Commissioner of the Territory, and also in the statements made by the representatives of the people of Micronesia who are participating in the work of the Trusteeship Council, major attention has been focused on the problem of the political future of this Trust Territory. This is quite natural, for the people of Micronesia have the inalienable right to self-determination and to decide their own future. The provisions of the Charter of the United Nations and of the Declaration on the Granting of Independence to Colonial Countries and Peoples are completely applicable to the Trust Territory of the Pacific Islands, as they are to any other colonial Territory.

The representatives of the people of Micronesia have unambiguously and firmly stated their aspirations and desires, in accordance with the right to self-determination and with the well-known four principles.

(Mr. Safronchuk, USSR)

They have declared that they aspire to independence and national development. In this connexion, the Soviet delegation would like to ask the representative of the administering Power to go into more detail on the reasons for the delay in permitting the people of Micronesia to exercise their legitimate right to self-determination.

Mr. SACKSTEDER (United States of America): If there has indeed been a delay in the granting of the legitimate rights of the people of Micronesia, as the representative of the Soviet Union implies -- and I would say, right at the outset, that my delegation does not accept that as a valid conclusion -- it has been only because of the effort which has been made by both my Government, as the Administering Authority, and the representatives of the people of Micronesia in the Congress of Micronesia and, through the Congress of Micronesia, in the status delegation, to seek to determine as well as they could just what the wishes of the people of Micronesia with respect to their future were or would be.

As the Council is aware, four rounds of discussions -- some have called them negotiations -- have taken place in the last couple of years with a view to ascertaining just what the people of Micronesia, through their elected representatives, wish their future to be. In my opening remarks I laid great stress on the joint declaration that followed the most recent round of talks in Palau, which sets forth as clearly as any other instrument or any other declaration has or can, the exact current status of those discussions. Those discussions were not the last leading to some compact or agreement between the United States and Micronesia regarding its future; we have not said they were; the Micronesian side has not said they were. Accordingly, I can only repeat that the implication that anyone -- the United States or the Micronesian representatives -- has delayed can only be a particular interpretation by the representative of the Soviet Union.

We believe that the negotiations leading to a final agreement which will fully meet the desires of the people of Micronesia have been conducted with all due deliberate speed.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): Since the representative of the United States not only attempted to answer my question but made a comment on the beginning of my question, we should like also to comment on his answer.

We are profoundly convinced -- and there is a good deal of proof to substantiate this, including what has been said by the representatives of the people of Micronesia at this session -- that we know the true reasons for the delay in granting to the people of Micronesia their right to self-determination; there is also a good deal of proof that the Government of the United States has put forward unacceptable conditions in the course of the negotiations it has held with the representatives of the Congress of Micronesia. It is precisely here that we can see the real root-cause of the delay in permitting the people of Micronesia to exercise their legitimate right to self-determination. That was by way of a brief comment.

(Mr. Safronchuk, USSR)

I should now like to turn to my next question. As we know -- the representative of the United States has already referred to this -- for some time now negotiations have been going on between the Administering Authority and the representatives of the people of Micronesia concerning the future status of Micronesia. The negotiations have, in fact, been protracted. It is also known that these negotiations are in fact going on without any participation by the United Nations -- including participation by the Trusteeship Council, which, according to the Charter, is responsible for controlling the implementation of the Trusteeship System. It is also set down that the Administering Authority should create the necessary conditions for the peoples of the Trust Territories to enjoy the right of self-determination and independence.

At the same time the Administering Authority, the Government of the United States, has only post facto through its representative informed the Trusteeship Council where these negotiations were held and their results.

We should like to ask a question of the representative of the Administering Authority and the members of the Congress of Micronesia now present, the Special Advisers. Do they not feel that more active participation in the negotiations by the United Nations and its bodies could assist arrival at a more successful solution to the problems being discussed?

Mr. SACKSTEDER (United States): In the view of my delegation the process of negotiation or discussion which has been going on between duly empowered representatives of the people of Micronesia and equally duly empowered representatives of the Administering Authority is the proper and only one for conducting such negotiation or discussion.

It should be noted that even the Trust Territory Government, despite its very legitimate interest in the process and in the progress of these negotiations, does not participate in them. My delegation does not believe that the talks would be assisted by the direct participation of the Trusteeship Council, nor do we believe there is any call for its participation in these negotiations. The Council has been kept fully and completely informed of the progress of these discussions at the last several sessions, and it will continue to be kept informed.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to hear the views of the representatives of the people of Micronesia on this matter.

Mr. AMARAICH (Special Adviser): As I pointed out in my opening statement, we have been very grateful for the assistance and concern that the United Nations -- and particularly the Trusteeship Council -- has been providing to us Micronesians up to this time. I also pointed out in those remarks that it is at this time, when our future political status is being talked about, that we most need the assistance of the United Nations, the Trusteeship Council and other organs of the United Nations.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to thank the Special Adviser, the representative of the people of Micronesia, for his exhaustive and very satisfactory reply to the question. I should also like to thank the representative of the United States for his reply.

In connexion with the first question, regarding the procedure for conducting these negotiations, we should like to ask the following question. It is known that Visiting Missions of the United Nations -- Missions sent out by the Trusteeship Council -- visit the Trust Territory of the Pacific Islands from time to time. However, these missions in fact always have the same membership -- that is, they always consist of representatives of the colonial Powers. Representatives of other States members of the Trusteeship Council and members of the Committee of Twenty-Four, who are responsible for controlling and supervising the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, are not allowed to participate. The Soviet Union, which is a member of the Trusteeship Council, for example, has not once been included in the membership of such Missions.

We should like the representative of the Administering Authority and the representatives of the people of Micronesia present at this session of the Trusteeship Council to express their views on the composition of the Visiting Missions sent out by the Trusteeship Council. Do they not feel that a

(Mr. Safronchuk, USSR)

deviation from this discriminatory practice -- that is, the sending of a more representative Mission to the Trust Territory -- would help to promote a more objective approach on the part of the Mission to the carrying out of its duties and more successful results for its work? For example, how would the representatives of the Administering Power and those of the people of Micronesia view the inclusion in the Mission of representatives of the Committee of Twenty-Four, who, as I have already said, are equally responsible for the implementation of the Declaration on Granting of Independence to Colonial Countries and Peoples?

Mr. SACKSTEDER (United States of America): It is the position of my delegation -- a position which we have reiterated annually during the process of the discussion of the Trust Territory of the Pacific Islands in the Committee of Twenty-Four and the Sub-Committee that deals with that Territory -- that the Trusteeship Council, acting for the Security Council, is, under the Charter and under the Trust Agreement establishing the Trust over the Pacific Islands, the only organ competent to examine the administration of the Trust Territory of the Pacific Islands.

I would take the liberty to remind the representative of the Soviet Union that missions to the Trust Territory of the Pacific Islands from the Trusteeship Council have not always been composed exclusively of colonial Powers. The mission in 1967, for example, was chaired by the representative of Liberia, who later was President of the General Assembly. The item that the representative of the Soviet Union is addressing himself to is, as we all know, on our agenda for this session. We have not begun to discuss the composition of the mission to be sent by the Trusteeship Council to the Trust Territory in 1973. I would suggest that before we attempt to decide the issue here we undertake the proper consultations and discussions among members of the Council and then perhaps continue the discussion.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to hear the views of the representatives of the people of Micronesia also on this point.

Mr. AMARAICH (Special Adviser): First of all, the selection of members of a visiting mission to the Trust Territory of the Pacific Islands is beyond the control of the people of Micronesia and their leaders. Therefore, we do not have any power to decide who comes and who does not come to Micronesia. The Micronesian people will welcome any objective inspection and study of problems and conditions in Micronesia. We look to the Trusteeship Council as one body that is interested in the welfare of the people of Micronesia. That is all I can say at this time.



Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like merely to comment that the fact that the negotiations about the future status of Micronesia are conducted in conditions of strict secrecy vis-à-vis the bodies of the United Nations which are particularly responsible for these questions undoubtedly does not serve to bring about the expeditious exercise by the peoples of Micronesia of their right to self-determination and independence, nor does the very narrow composition of the visiting missions help. Of course, we are going to revert to this matter later when we discuss the relevant item on the agenda. But since we are now asking questions about the future political status of the Trust Territory, we consider that our question on the composition of visiting missions is directly relevant to the procedure under which the future political status is being discussed and decided upon.

We should like to ask a number of questions which are directly related to the communiqué on the results of the fourth round of negotiations between the representatives of the United States and the delegation from the Congress of Micronesia.

The communiqué states:

"... authority over and responsibility for foreign affairs and defence will be vested in the Government of the United States..."<sup>17</sup>

in accordance with the agreement previously reached during the fourth round of negotiations in Koror.

Should this be interpreted to mean that Micronesia is to become part of the United States and will not be entitled to become a Member of the United Nations or its specialized agencies or to have any relations with other States?

Mr. SACKSTEDER (United States of America): The mandate entrusted to the Micronesian side of the discussions in the last round of talks was to discuss a future status in free association with the United States. The communiqué which the representative of the Soviet Union refers to sets forth very clearly the consensus of both sides in these negotiations with respect to the powers and the responsibilities which would under such a compact of free association be reserved respectively to the representatives of the people

(Mr. Sacksteder, United States)

of Micronesia and the people of Micronesia themselves and to the United States as the partner in this compact. It may be of interest to the Council to hear some remarks made by Senator Salii, the Chairman of the Micronesian delegation at those discussions. During the fourth round of talks, on Monday, 10 April, Senator Salii said, speaking about the nature of this compact:

"... both delegations accept the proposition that any compact of free association would result from an act of sovereign right of self-determination of the Micronesian people. The compact itself would determine the respective rights and responsibilities of the Government of Micronesia and the Government of the United States."

He went on to say:

"There seems to us no purpose in seeking to characterize the status which will ensue from the compact as constituting independence, sovereignty or something different. The compact will speak for itself in this regard."

(Mr. Sacksteder, United States)

The declaration that followed those discussions has made it clear that no final and definitive agreement has been reached by either party with respect to what the future status of Micronesia shall be, although the direction has been very clearly traced as to what the vast majority of the representatives of Micronesia at the talks appear to believe the people of Micronesia wish their future to be. This is, as we have said before, some status in which Micronesia will remain associated with the United States.

May I also quote from the communiqué itself, where it states:

"It was understood that the Government of Micronesia and Micronesian citizens will be free to negotiate and to sign contracts which will not involve intergovernmental obligations and responsibilities, that Micronesian participation in appropriate regional organizations will be permitted and encouraged, and that there will be consultations by both the United States and the Government of Micronesia on international matters directly in their counterpart's interest."

That language, I think, is very clear and does not need elaboration. I repeat:

"... that there will be consultations by both the United States and the Government of Micronesia on international matters directly in their counterpart's interest."

With respect, then, to the affiliation or association of Micronesia with the United Nations and its family of organizations it is clear that a door has been left open for Micronesia to associate itself more closely with the work of this Organization.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): If I have correctly construed what was said by the representative of the United States then the Government of the United States, during the forthcoming consultations on the question of external relations, would not object if there were a clearly expressed desire on the part of the Micronesians that the Territory should be a sovereign State and if they wished it to become a Member of the United Nations or of the specialized agencies.

Mr. SACKSTEDER (United States of America): If I may go back to the quotation I read the Council a few minutes ago from the statement by the Chairman of the Micronesian delegation, the Micronesian delegation and the United States delegation have been talking in terms of a form of future status called "free association". Senator Salii emphasized that it seemed to him that there was no purpose in seeking to characterize the status which would ensue from the compact to be freely negotiated between the two parties as constituting "independence, sovereignty or something different". He insisted that the compact would "speak for itself". I think that in all fairness to those representatives of Micronesia and the United States who have been discussing this issue we should not try to prejudge here what the outcome will be -- how, in other words, the compact that they are going to draw up will speak. Let us wait for the compact and see if it does indeed "speak for itself".

Our willingness -- nay, our decision -- to encourage participation by Micronesia in appropriate regional organizations does not necessarily or otherwise imply that Micronesia should have to be a Member of the United Nations. The specialized agencies have under their Charters arrangements permitting the participation of associated States in their work, without membership in the United Nations.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): The representative of the United States has appealed to us to wait and not to try to prejudge the conditions of the compact or agreement and he keeps on referring to the fact that all this will depend, in the final analysis, on the form and nature of the agreement to be reached on all these matters. But, after all, we have met together here to hold this meeting of the Council in order to discuss all matters relating to the future political status of this particular Trust Territory -- its present situation, its future status and the conditions which the United States is putting forward to the Congress of Micronesia -- and now we are being asked to wait until complete agreement has been reached and we do not even know about the plans of the Administering Authority in this connexion. We are surprised at this attitude of the representative of the United States. It seems to us that the Trusteeship Council is entitled not only to be informed after the event what the United States will agree upon in the final analysis but also to be told what plans it now has -- what demands and what conditions it intends to set down in the process of these negotiations.

(Mr. Safronchuk, USSR)

We have already said that the Trusteeship Council is informed only after the event on the results of any particular round of negotiations. Meanwhile, we should like the Trusteeship Council to be fully informed about the plans which the United States Government has on this point.

I turn now to my next question. In the communiqué we read that the laws of the United States will be applicable to Micronesia. What laws are being referred to here? Perhaps the representative of the United States can elucidate what this proposal means and give an example of the kind of laws which would be applicable to the Territory of Micronesia after an agreement has been reached and after the compact has been concluded.

Mr. SACKSTEDER (United States of America): Although the scope of United States laws which might become applicable to Micronesia remains the subject for future discussion, it may be of help to the Council and to the representative of the Soviet Union if we point out once more that since this compact provides for certain responsibilities of the United States, as well as certain responsibilities of the Government and the legislature of Micronesia, the laws of the United States -- and I quote here from the communiqué itself -- "will apply to Micronesia only to the extent mutually agreed upon by Micronesia and the United States".

Micronesia would expect to continue to benefit from certain programmes of the Federal Government of the United States which are established under laws of the United States. If such programmes are to continue to benefit Micronesia it will have to be through the acceptance by Micronesia of those laws relating to those programmes in which they have an interest. The important thing to remember here is that the United States will not dictate laws to Micronesia on questions which are the basic responsibility of Micronesia, but, rather that Micronesia may accept such laws as in its view are beneficial to it.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to thank the representative of the United States for his reply, although it is still not clear to the Soviet delegation precisely which laws of the United States are being referred to, which laws would in fact be applicable to the future Territory of Micronesia and which parts of its activities would be involved. We hope that in the course of time we will receive a reply to this question.

I now go on to my next question. The communiqué says that the United States of America will waive its right to alienate lands from Micronesia in the future. What will happen to those lands which are now owned by the administering Power? For example, in the statistical annex to the report of the administering Power, on page 279, data are given to the effect that approximately 60 per cent of the total land of Micronesia at the present time is public land that is, it has been alienated and is not the property of the Micronesians.

(Mr. Safronchuk, USSR)

We should like to know what will happen to this land. Will it be returned to the people of Micronesia?

Mr. SACKSTEDER (United States of America): If my memory serves me aright, this question has arisen in previous years. My delegation had thought that the matter had been discussed sufficiently for all members of the Council to be quite clear on what was meant by so-called public land in Micronesia. Public land in Micronesia is land held by the Government of Micronesia -- not the Government of the United States but the Government of Micronesia, the Government of the Territory -- in trust for the people of Micronesia.

Those lands which are used by the United States in Micronesia -- and they too have been enumerated in the past --- are not owned but merely leased by the United States Government. I emphasize "leased", not "owned". The ownership of all lands in Micronesia resides in the people of Micronesia collectively through their Government or individually.

May I also refer to the following declaration made by the United States delegation at the talks at Hana:

"Under any new relationship between Micronesia and the United States, all public lands held in the trust will revert to the new Government of Micronesia."

That is a clear agreement by the United States side.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I have a further question on this communiqué. It says that:

"the future relation between Micronesia and the United States will be determined by a compact. That compact will be based on the sovereign right of the people of Micronesia to choose their own future."

At the same time, paragraph 3 of the communiqué states that:

"It is also agreed that any United States requirements for defence will be negotiated before the signing of the compact".

(Mr. Safronchuk, USSR)

Then, paragraph 5 of the same communiqué says that negotiations on the conclusions of a mutual security pact, which will provide for continuing United States defence interests -- that is, the existing military bases of the United States in Micronesia, and also new bases that might be established -- will be held before the compact is signed.

Should we interpret those extracts from the communiqué to mean that the conclusion of the treaty or compact on the future status of Microneisa would, according to the United States, hinge upon the signing of a number of military agreements which would provide for limitless rights on the part of the United States to have military bases in the Territory of Micronesia? If that is so, then how can it be reconciled with the statement to the effect that the compact will be based on the sovereign right of the people of Micronesia to choose their own future?



Mr. SACKSTEDER (United States of America): I should like first to thank the representative of the Soviet Union for, in effect, partly answering his question by carefully quoting from the communiqué which, as we have stated all along, represents the best possible exposition of the situation as it now prevails. The Council, of course, is aware of the fact that the Trust Territory of the Pacific Islands is a strategic trust, and remains a strategic trust, under which the Administering Authority is granted certain very specific rights with regard to military questions. The future requirements, such as they may be, for the military needs of the United States in the area will be, as the communiqué clearly states, subject to mutual agreement between the United States and Micronesia. The United States has in effect, therefore, renounced the right to assert unilaterally its requirements in Micronesia in future.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): The question we asked concerned one particular issue. The answer which has been given, though quite comprehensible, was not an answer to our question. What we asked was whether we should interpret the language which I have quoted from paragraphs 3 and 5 of the communiqué published after the fourth round of talks to mean that the Government of the United States makes the conclusion of a compact conditional upon the conclusion of a series of military agreements. Is that true? In other words, if it should be impossible to reach agreement on military matters, then would the compact or treaty on the future status of Micronesia be signed? Is there any interrelation here? Is a prior condition being laid down? Let us take the hypothetical possibility that the people of Micronesia does not agree that its Territory should be used for military bases -- for, as is known, all military bases on the territory of any country threaten the security of that country first and foremost, and that is particularly true in the case of such a small country as Micronesia. Let us assume that the people of Micronesia, during the negotiations, do not agree that the right to self-determination should in their case be tied to the conclusion of one or a series of military agreements. In that case, would the United States be prepared to sign such a compact of free association providing for the unilateral dissolution of such an agreement? This is a very simple question and, at the same time, a very important one.

Mr. SACKSTEDER (United States of America): I do understand the question posed by the representative of the Soviet Union, but, as I am sure he clearly understands, it is not the kind of question that can be flatly answered yes or no. The question of the military use or any eventual military use of Micronesia, of parts of Micronesia or of portions of certain districts in Micronesia in the future, which derives from the strategic nature of the area and therefore from the present character of the Trust Agreement, is an inextricable part of any ultimate compact or agreement on the future status of the Territory. It has been stated -- and I repeat -- that the future compact to be negotiated between the representatives of Micronesia and the representatives of the United States is one which must, before it is implemented be acceptable to the Congress of Micronesia for the people of Micronesia, to the Congress of the United States, for the people of the United States and, finally and most important, to the people of Micronesia as a whole. The provision of these three steps of ratification ensure, in the view of my delegation, that the rights and interests of the people of Micronesia will be fully protected.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to thank the representative of the United States, the Special Representative and also the representatives of the people of Micronesia, who gave satisfactory replies to most of the questions we asked, although we still have a number of points on which we are not clear, particularly the last point which I raised. The statement that any part of the forthcoming agreement, including military agreements, can be interpreted as part and parcel of the entire compact still leaves us with some misgivings and for the time being it gives us some justification I think for interpreting the reference to military agreements in the communiqué as a condition -- and a prior condition furthermore -- for the conclusion of any compact on the future political status of the Territory.

The Soviet delegation reserves its right to speak on all these matters at an appropriate time when we reach the relevant item on our agenda.

The PRESIDENT: As no other member of the Council wishes to put further questions, that concludes the questioning period.

#### HEARING OF PETITIONERS

The PRESIDENT: In accordance with the decision taken by the Council at its 1390th meeting we were to have continued this morning the oral hearing of petitioners. In reply to a communication from the Secretariat informing the petitioners whose requests were contained in documents T/PET.10/69 and T/PET.10/70 that hearings had tentatively been scheduled for them for today, 26 May, Mr. Balerio U. Pedro informed the Secretariat that he would be arriving in New York shortly. However, I have to inform the Council that as far as the Secretariat has been able to ascertain Mr. Pedro is not yet in New York. Moreover, a communication from the other petitioner, Mr. Ataji Balos, received yesterday, informed the Secretariat that he would be unable to be in New York on 26 May and inquired whether the Council would be able to hear him at a later date.

In view of the circumstances and of our timetable of meetings, I would suggest that the Council postpone these two oral hearings until Tuesday, 30 May, and give the petitioners an opportunity to be heard on that day either before or after the general debate. If I hear no objections I shall take it that it is so decided and we shall proceed accordingly.

It was so decided.

#### EXAMINATIONS OF PETITIONS LISTED IN THE ANNEX TO THE PROVISIONAL AGENDA (T/1731/Add.1).

The PRESIDENT: The Council will now, in accordance with its decisions of yesterday, examine the communications and written petitions before it. They are listed in the annex to the agenda and are contained in documents T/COM.10/L.74-L.84; T/PET.10/68 and T/PET.10/71.

(The President)

With regard to the procedures to be followed in the consideration of these communications and written petitions, the Council will recall that at previous sessions it decided to consider all such communications en bloc. If the Council agrees to follow that procedure I propose to call on each member who wishes to put questions to the Administering Authority on all communications and written petitions now before the Council. This means that the debate would touch on all of them. When all questions have been put, the Council would then proceed to take a decision with regard to the communications taken en bloc; the Council would next take a decision on the petitions.

If there is no objection to this proposal it will be so decided.

It was so decided.

The PRESIDENT: Does any member wish to comment on any of the communications and petitions before the Council?

Mr. BLANC (France) (interpretation from French): Would it be possible to have a comment on communication T/COM.10/L.82 in connexion with the hotel being constructed on Micro Beach, which was referred to the other day?

The PRESIDENT: Does the representative of France desire to comment on that petition?

Mr. BLANC (France) (interpretation from French): It is a communication, I believe. I should have been glad had the Special Representative been able to speak to us at greater length about this problem -- it was raised already in the Council the other day and it is put forward very well in the communication -- since it is to some extent a problem of public domain.

Mr. JOHNSTON (Special Representative): In regard to that communication, I would point out to the representative of France and to the other members of the Council that the area known as Micro Beach on the island of Saipan is now, and will continue to be, a public park, and that a public access road which is currently in existence will continue to be there, despite the presence of hotels in the general area.

The District Administrator of the Mariana Islands District, in executing the leases for land with two hotel corporations that currently hold leases, even took the step of insisting on a set-back from the high-water mark of approximately four times the legally established set-back, so that the hotels, although they will be in the vicinity of Micro Beach and an area adjacent to it now known as Reese Beach, will not actually encroach upon the public beach lands in any way.

Mr. BLANC (France) (interpretation from French): In document T/COM.10/L.80 we have a resolution on the possibility of having associate membership for the Territory in the Economic Commission for the Far East. Has this matter been considered yet, or would it be premature to discuss it now?

Mr. SACKSTEDER (United States of America): My delegation is pleased to inform the representative of France that the expression of interest by Micronesia in an association with the Economic Commission for Asia and the Far East (ECAFE) is looked upon with great favour by the United States Government. My Government is prepared to forward this application to the appropriate body and will welcome the association of Micronesia with ECAFE as an associate member.

Mr. BLANC (France) (interpretation from French): My question relates to document T/COM.10/L.83, on the activities of the Land Commission for the Mariana Islands. Yesterday in various questions I referred to the problems connected with land identification and the activities of the Land Commissions in the whole of Micronesia. It might be interesting to know, since we have received this communication, something more about the activities of the Commission which is dealing particularly with the Marianas District.

Mr. JOHNSTON (Special Representative): First of all I would absolutely and categorically deny the allegation contained in this communication that

"the land policies followed by the Trust Territory Government seem to be designed to steal private property from the inhabitants in the Mariana Islands...". (T/COM.10/L.83, p.2)

Nothing could be further from the truth. However, at the present time there does not seem to be a need for separate land courts in the Trust Territory of the Pacific Islands. Our present procedure for documenting those parcels of land which have been properly identified as to boundaries is not creating any particular backlog at the present time, and it is our opinion that there does not seem to be a need for special land courts. However, this would be a subject to be considered legislatively by the Congress of Micronesia, and it may be that in the future there would be a need for them and that therefore separate land courts would be established in the Trust Territory of the Pacific Islands. I do not mean to imply that there are not adequate procedures for the hearing of land disputes at the present time. Such procedures do exist, and they are currently adequate.

Mr. ASHWIN (Australia): I was going to ask the same question as the representative of France about the communication contained in document T/COM.10/L.80, relating to ECAFE. If I may, I should just like to follow that up.

I had understood from the communiqué that after the signature of the compact there would, according to the terms of the communiqué, be no question about Micronesia being able to take up associate membership status with ECAFE, but from the reply of the representative of the United States I gather that the Administering Authority has no objection to the forwarding of an application to ECAFE before that time.

Mr. SACKSTEDER (United States of America): The assumption of the representative of Australia is quite correct. We do not have any objection to such association with ECAFE, and in fact we welcome it.

Mr. ASHWIN (Australia): I thank the United States representative for his reply.

I wanted to raise some other questions. First, the petition contained in document T/PET.10/68, a resolution of the Senate of the Congress of Micronesia, relates to the use of the services of the United Nations Volunteer Corps. I should be grateful if the representative of the United States would comment on that.

Mr. SACKSTEDER (United States of America): The petition inviting the participation of the United Nations Volunteer Corps in Micronesia is really directed more to the United Nations Secretariat than to the Administering Authority. It requests assistance from a body of the United Nations --- a body created by the United Nations but, as far as I am aware, not as yet in existence. Accordingly, we are not in a position to reply that Micronesia will next week, next month or next year be receiving United Nations volunteers. Those volunteers do not exist, so far as I know. Perhaps the Secretariat is in a position to inform the Council whether there have been more recent developments in the creation of a United Nations Volunteer Corps. It might thereby enable us to inform the authors of this communication of the status of the situation.

Mr. ASHWIN (Australia): It is my understanding that the structure of the body that is going to control the United Nations Volunteer Corps has been established and that it is in effect in the process of assembling volunteers. Like the representative of the United States, I do not know whether it yet has any, but the structure is certainly there.

However, my question is not really directed to whether there are any yet, or whether any are yet in Micronesia, but rather to the attitude of the Administering Authority towards the acceptance in Micronesia of the United Nations volunteers.



Mr. SACKSTEDER (United States of America): In further reply to the representative of Australia, my Government takes the position that as and when such volunteers are available, and as and when a request emanating from Micronesia for accreditation to Micronesia of a United Nations Development Programme Resident Representative is acted on affirmatively -- such a request has been pending for some time now -- we see no problem in the assignment to the Territory of volunteers, following the establishment of a United Nations programme.

Mr. ASHWIN (Australia): I wonder if I might follow that track a little. I must say I was not aware that a request had been made to the United Nations Development Programme for the appointment of a Resident Representative in the Trust Territory. Is my understanding correct that such a request has been addressed to it? Could the United States representative give us any further information about the attitude of the United Nations Development Programme towards that request?

Mr. SACKSTEDER (United States of America): Such a request has indeed been made. A reply has not yet been forthcoming from the United Nations Development Programme. The request is for the accreditation to the Territory of a UNDP Resident Representative in the general area; it is not for the establishment of a UNDP regional office in Micronesia itself, presumably the needs not being such as to warrant the expenditure of establishing a separate staff and office.

We have, through the United States Mission to the United Nations, been in touch with UNDP periodically over the last several months with regard to this request. We are hopeful that action on it is proceeding and that it will soon be possible to accredit such a representative. With the permission of the representative of Australia, I should like to refer to this further in our closing remarks, if we can obtain some additional information by that time.

Mr. HINCHCLIFFE (United Kingdom): I merely wish to ask a supplementary question arising out of the petition concerning the United Nations volunteers. I see that there is a reference in the petition to a scarcity of skilled personnel from the Peace Corps. As the Council will recall, we had some discussion of this at our last session and, if I remember aright, the Special Representative did say then that there was a shortage of Peace Corps personnel working in the Territory but he hoped that more would be recruited or would be available in the coming year. Could the Special Representative let us know what the present position is?

Mr. JOHNSTON (Special Representative): In answer to the question posed by the representative of the United Kingdom, there are currently in the Trust Territory some 280 United States Peace Corps volunteers, 220 of whom are in the field of education. Although it is true that some of our requests for volunteers for certain specialties have not been filled, either because of the limitations of the Peace Corps budget world-wide, or because of the lack of volunteers available for those specialties, I do not believe that this indicates any severe shortage of volunteers. But there have definitely been cases where the Trust Territory or one of the districts thereof has requested a volunteer with a specific technical qualification, and no such volunteer has been made available.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/COM.10/L.79 has annexed to it joint resolution No. 77, which was adopted at the Fourth Congress of Micronesia. That resolution states:

"Whereas, it is the sense of the Congress of Micronesia that Micronesians ought to be consulted and their advice, opinions and experiences should be taken into consideration in the process of selecting said chief officials of the Executive and Judicial Branches of the Trust Territory Government;" (T/COM.10/L.79, p. 3).

(Mr. Safronchuk, USSR)

In this connexion, the resolution contains an appeal to the Congress of the United States to amend the United States legislation so that the Congress of Micronesia can be included in the process of selecting the High Commissioner. A number of other proposals are also made here. I should like to hear from the representative of the United States whether consideration is being given to this resolution of the Congress of Micronesia and what steps are envisaged in connexion with it.

Mr. JOHNSTON (Special Representative): As has been mentioned previously in this session of the Council, Public Law 4C-48 -- which became law during the current year -- does provide for advise and consent by the Congress of Micronesia on major administrative appointments, including District Administrators and Department Directors and their deputies. As for the positions to which appointments are still made by either the President of the United States or the Secretary of the Interior, those positions will of course go out of existence when the Trusteeship Agreement is terminated and Micronesia assumes a new political status -- and both the United States as the Administering Authority and the Congress of Micronesia as the representatives of the people of Micronesia are moving as rapidly as possible, as we have stated before, toward this particular solution to that problem.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to thank the Special Representative of the United States for replying to my question.

My next question is on the communication from the Ponape District Legislature, which has annexed to it a resolution adopted at one of the sessions of the legislative body of that district on 14 October 1971. The resolution says that

"... the United States has created the world of Micronesia to be ruled and be dominated for her own military and security interest, as evidenced by sending such a mission like the Solomon mission into Micronesia and further evidenced by keeping the mission's report in secrecy."

It goes on to say:

"... in defining the United States policy in Micronesia, the Secretary of the Department of the Interior, Mr. Rogers C.B. Marton, declared that the main object is to develop the economic and social structure through the development of education and health, a statement which is untrue in Ponape District, thus not enabling the young and old generations to have alternatives available for a viable act of self-determination."

In this connexion an appeal is made by the legislative body to the Government of the United States

"... to implement its professed administrative policy in Micronesia."

(T/COM.10/L.78)

(Mr. Safronchuk, USSR)

I should be very grateful to the representative of the United States, and also the Special Representative, if they would comment on this resolution.

Mr. SACKSTEDER (United States of America): By way of introduction to my reply to the question I should like to say that this so-called Solomon report -- and I use the words "so-called Solomon report" advisedly -- is a document without any authenticity or any legitimacy whatsoever. This report was not accepted by those who commissioned it. No parts of it have been implemented at any time, and no parts of it will be implemented at any time -- even parts which one of our distinguished Special Advisers referred to in his opening statement and which he would have liked to see adopted. Therefore, the repeated references by the press in the Territory, by the Ponape Legislature and others to the Solomon report while understandable, perhaps, are unfounded because the report has no character and no value and does not stand for anything.

The question of the representative of the Soviet Union, based on this broad and rather vague document from the Ponape District Legislature, is difficult to answer in its specifics because it is so broad in nature. I could almost say that the best answer to the question posed lies in the opening statements made by me and the Special Representative. Without specifically addressing ourselves to this resolution, we have, directly or indirectly, answered all or virtually all of the allegations contained in it.

The PRESIDENT: As there are no further questions or observations concerning the communications and the written petitions the Council will proceed to take decisions, first on the communications and then on the written petitions.

With regard to the communications may I suggest that the Council decide to take note of them?

It was so decided.

The PRESIDENT: Secondly, with regard to the written petitions may I suggest that the Council decide to draw the attention of the petitioners as appropriate to the oral observations of the Administering Authority and the relevant statements made by members of the Council at this meeting?

It was so decided.

The PRESIDENT: That completes our agenda for today. The next meeting of the Council will be held on Tuesday, 30 May, at 10.30 a.m., when we shall begin the general debate.

The meeting rose at 12.20 p.m.