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PROVISIONAL VERBATIM RECORD OF THE THIRTEEN HUNDRED AND
SEVENTY-FOURTH MEETING

Held at Headquarters, New York
on Friday, 28 May 1971, at 10.00 a.m.

President: Mr. LANE (United Kingdom)

- Examination of annual reports of the Administering Authorities on the administration of Trust Territories, for the year ended 30 June 1970:
 - (a) Trust Territory of the Pacific Islands (T/1716; T/L.1160) (continued)
- Expression of welcome to the representative of the United States of America
- Election of Vice-President
- Examination of annual reports of the Administering Authorities on the administration of Trust Territories for the year ended 30 June 1970:
 - (a) Trust Territory of the Pacific Islands (T/1716; T/L.1160) (continued)
Hearing of petitioners
- Examination of petitions listed in the annex to the provisional agenda (T/1714/Add.1)

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AGENDA ITEM 4

EXAMINATION OF ANNUAL REPORTS OF THE ADMINISTERING AUTHORITIES ON THE ADMINISTRATION OF TRUST TERRITORIES FOR THE YEAR ENDED 30 JUNE 1970:

- (a) TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1716; T/L.1160) (continued)
HEARING OF PETITIONERS

At the invitation of the President, Mr. Edward Johnston, High Commissioner for the Trust Territory of the Pacific Islands and the Special Representative of the Administering Authority, and Senator Petrus Tun and Representative Sasauo Haruo, Special Advisers to the Special Representative, took places at the Council table.

The PRESIDENT: As we decided yesterday, we shall first of all continue with the questioning of the representatives of the Administering Authority, and for this purpose I call upon the representative of the Soviet Union.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation has carefully studied the statements made by the representative of the United States, the High Commissioner, and the Representative of Micronesia. What impressed us in the statement of the representative of the United States was the fact that he said that great progress has been accomplished in the Territory in the economic and social fields, etc.

In this connexion we should like to put certain questions to the representative of the United States and the High Commissioner as well. In connexion with the Charter and the Trusteeship Agreements, the United States Government has assumed responsibility to see to it that the population can develop and achieve self-determination or independence. The representative of the United States in the Council stated over and over again that the United States would remain faithful to its obligations. In this connexion we have certain questions that we should like to put to the representative of the United States. The first question is, what are the specific measures which they have taken to fulfil these obligations that the United States has assumed?

(Mr. Shakhov, USSR)

The second question is as follows: In 1965 a Congress of Micronesia was established in the Territory. As is known, according to Law 2883 in the Constitution of the Territory, this Congress has no legislative power. Its role is restricted to consultation. It is a consultative organ, not a legislative organ. The High Commissioner has the right to confirm or to reject laws adopted by the Congress of Micronesia. Thus our question is the following: Has any change been made, or are there new provisions in the territorial constitution which have enlarged the rights and powers of the Congress of Micronesia or measures which have restricted the rights and powers of the High Commissioner?

Mr. FINGER (United States of America): With regard to the first question on the specific measures taken by the Government of the United States to fulfil its obligations under the Charter -- which would be specifically under Chapter XII of the Charter -- the entire report we have given, both in writing and orally, details the measures that have been taken in the economic, educational, health and political fields, and I do not think it would be possible to be more precise in a brief oral statement than we have been in this entire report. I think that the High Commissioner -- the Special Representative -- would like to comment on the question relating to the legislative function of the Congress of Micronesia.

Mr. JOHNSTON (Special Representative): I might mention to the representative of the Soviet Union that we have discussed this matter before the Trusteeship Council at some length in the past three years and assure him that the Congress of Micronesia has definitely gained additional powers and that the powers of the High Commissioner have definitely been restricted during that same period.

To cite just one example, as recently as 1968 it was possible for the High Commissioner to introduce legislation in the Congress and to label that legislation urgent, and if the Congress did not pass the bill he could then declare it a law. That is certainly no longer true, and, as we discussed in our opening remarks just two days ago, the secretarial order during the current year has been amended to eliminate even the previous power of the High Commissioner to exercise what was known as a "pocket-veto" -- in other words, to kill an act

(Mr. Johnston, Special Representative)

of the Legislature by merely failing to sign it. Under the current rules, when a bill is passed by the Congress the High Commissioner, if he receives it with more than ten days remaining during a session, must act within ten days; if he receives it with less than ten days remaining, or at the conclusion of a session, he must act within thirty days. Within that time he must sign the bill into law or return it to the Congress disapproved, with a message stating the reasons for his disapproval. If he fails to take either of these measures, the bill becomes law without his signature.

I would again add that the powers of the Congress of Micronesia in the budgetary field and in the field of general legislation have certainly increased, and the powers of the High Commissioner have certainly decreased, within the last six years.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to say that the statements we have just heard from the representative of the United States and the High Commissioner, particularly the explanation given about the so-called "pocket-veto", do not satisfy the Soviet delegation because a direct reply to the question of exactly where the restriction lies in the rights of the High Commissioner and in what ways the rights of the Congress of Micronesia have been expanded has not been given. The High Commissioner said only that this simply refers to the procedure by which bills are passed and does not reflect any changes in the authority of the Congress of Micronesia or the authority of the High Commissioner.

Our second question on these duties is as follows: According to the law referred to, that is, the Constitution in the Territory, the High Commissioner has not only full legislative power but also full executive power. He nominates and removes people from office, the police are subject to him and administrative power in the Territory is entirely in his hands. The authority of the High Commissioner extends also to the activities of the local administrative and legislative bodies.

(Mr. Shakhov, USSR)

My next question is as follows: During this period of time -- that is, since Law 2332 was adopted -- have there been any changes introduced into that law regarding the executive authority of the High Commissioner? In other words, have the rights of the High Commissioner in the administrative field been restricted -- for example, in the appointment of civil servants and heads of various departments, and in other such matters; and what influence can be exerted by the Congress of Micronesia in the appointment of those officials?

Mr. JOHNSTON (Special Representative): May I, first of all, thank the representative of the Soviet Union for bringing up this particular question and allowing us to up-date our remarks to this Council.

We have just been officially informed, during the past twenty-four hours, that in the session of the Congress of Micronesia which concluded on 22 May 1971 both houses of the Congress, passed and will shortly transmit to the High Commissioner, Senate Bill No. 17, which provides that the High Commissioner must submit to the Congress of Micronesia for its advice and consent all appointments to certain designated positions within the Trust Territory Government. Those positions will definitely include department heads of cabinet rank and the division heads serving under them.

I might further remind the members of this Council that Representative Haruo, in his opening remarks, said:

"We are happy to note that the Administration is in full accord with our Congress in seeking to bring about the enactment of a law which would allow the Congress of Micronesia to give its advice and consent to appointments of department heads in the Executive Branch." (1372nd meeting, page 66)

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): In connexion with the same topic I should like to ask one further question: An important part of the process of training the population for self-determination or independence is to have representatives of the population put forward to occupy leading administrative posts. How many main departments are there, and how many Americans and how many Micronesians head those departments?

Mr. JOHNSTON (Special Representative): I assume the representative of the Soviet Union is referring to the main departments at the Territorial level, but before answering that question specifically I might make the comment that while we are here deliberating this morning a Micronesian citizen, well known to many of you in this Council, the Honourable Dwight Heine, who served as the first Speaker of the House of Representatives in the Congress of Micronesia and who has attended sessions of the Council here in the past, is now serving as the Acting High Commissioner of Micronesia, the second of our Micronesian citizens to hold that high post in the Territory -- Mr. Leo Falcam, who is with us here today, being the other one.

I might also point out that four of our six district administrators -- the men with the responsibility for administering an entire administrative district -- are Micronesian citizens. In two of our districts both the district administrator and his deputy are Micronesian citizens, and every district has either a district administrator or a deputy of Micronesian citizenship.

As far as the departments are concerned, our Cabinet consists, I believe, of thirteen members. Mr. Falcam and Mr. Heine, whom I have mentioned, are both members of the Cabinet. Mr. Alias Okamura, as I announced recently, is now the Acting Director of the Department of Transportation and Communications, one of our major departments. The balance of the departments are currently headed by American expatriates. However, in almost every department there is a deputy director who will, within the very foreseeable future, replace his American expatriate colleague. As an example of that we have with us today both Mr. Neiman Craley, who has for several years been Director of our Department of Public Affairs, and his Micronesian deputy, Mr. Strik Yoma, who will shortly become the head of that department.

Mr. SHAKHOV (Union of Soviet Socialist Republics)(interpretation from Russian): I should like to seek further clarification of the reply just given by the High Commissioner. He listed some of the departments which are headed by Micronesians, but I had asked him a very specific question: namely, approximately how many departments exist in the Territory as a whole -- such as the Department of Transportation -- and how many are headed by Micronesians? As I understood from his answer, there are only two Micronesians who hold such responsible posts. But how many such departments are there, in fact, in the Territory in toto?

Mr. JOHNSTON (Special Representative): There are eight major departments in the Trust Territory. Of those one is now headed by a Micronesian, and all but two of the others have one or two Micronesian deputy directors. The Department of Health Services has two Micronesian deputy directors, and all of the other departments, except the Department of Personnel and the Department of Public Works, have a Micronesian deputy director.

Mr. SHAKHOV (Union of Soviet Socialist Republics)(interpretation from Russian): My next question also relates to the administrative personnel. How many persons are there in the Territory performing certain administrative functions, and how many of those posts are occupied by Micronesians? In other words, what is the total number of administrative civil servants in the Territory, and how many of them are Micronesians?

Mr. JOHNSTON (Special Representative): The answer to that question is that our total employment in the Government of the Trust Territory at both the territorial and district levels is approximately 5,700 persons; of these approximately 5,200 are Micronesian citizens and approximately 500 are expatriates.

Mr. SHAKOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should now like to go into another group of questions that I want to put to the representative of the Administering Power. Does the Administering Authority have any plan to create a Government of Micronesia which will be responsible to the Micronesians and not to the High Commissioner?

Mr. FINGER (United States of America): This is a question, of course, which relates to the entire matter of the future status of Micronesia, on which negotiations have been conducted. We want to take into account the wishes of the people concerned and, of course, the particular circumstances of the Territory, both provisions of the Charter section dealing with this matter. We feel that the Micronesian people have already made some steps forward toward the kind of Government they would choose. The exact form of that Government, of course, will be known only at the end of the discussions which will be resumed some time this summer.

Mr. SHAKOV (Union of Soviet Socialist Republics) (interpretation from Russian): In this connexion I should like to ask an additional question because the reply of the representative of the United States was not entirely satisfactory. My question concerns the future political status of the Territory, which he referred to. As can be seen from the discussion in the Trusteeship Council, negotiations between the representatives of the United States and the Micronesians have reached a deadlock on this point. As is known, the representatives of Micronesia, particularly the Congress of Micronesia, spoke in favour of complete internal government and independence as a possible alternative for the Territory. The representatives of the

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United States in these negotiations are imposing upon the Micronesians the status of a commonwealth State or association, which according to the representatives of Micronesia would simply be tantamount to unlimited domination of the Territory by the United States for an unlimited period of time. Therefore, we have the following question: Does the United States intend in future negotiations -- those referred to by the representative of the United States -- to change its position and meet the requirements of the Micronesians? That is to say, does the United States intend to give full self-government or independence to the Micronesians?

Mr. FINGER (United States of America): First, to answer the question, I stated yesterday that the United States would honour its obligations under the Charter with respect to self-government for Micronesia -- and I read the relevant provision of the Charter. These talks are not at a deadlock and the United States has not attempted to impose a solution on the representatives of Micronesia.

I should like to read briefly from the statement of Mr. Haruo made here a few days ago, which I think gives a representative Micronesian point of view. Mr. Haruo said -- and he is here to correct me if I misinterpret in any way:

"The predominant feeling amongst my colleagues in the Congress of Micronesia is that Micronesia has reached a crucial point in her history. Soon she must decide her status in relation to the other members of the world community. But while we are inexorably brought ever closer to that fateful day in time and events, we do not wish to be pushed too quickly into that position without being able to consider carefully the many facets and consequences of such a move. We want to ensure that before any final decision on our political status is made, Micronesia becomes truly prepared to exercise her options. With the help and guidance of this Council and the assistance of the United States, it is to be hoped that a new vitality and a sense of renewed dedication can be found in our continuing programmes of education, agriculture, aquaculture, community and economic development. The result, in the end, should be to lead us ever closer toward the achievement of our objectives of self-help and self-sufficiency, and of our political goal of self-government. (1372nd meeting, pages 67 and 68).

(Mr. Finger, United States)

Those are the words of a responsible representative of the Micronesian people.

Senator Tun, in his presentation, recalled for us that the Status Commission of Micronesia recommended:

"that Micronesia should seek a redefined but continuing close relationship with the United States..." (Ibid., page 52)

and that this recommendation was adopted by the Congress of Micronesia.

Just what that relationship will be, of course, is not yet clear. I do not think either side is attempting to impose its will on the other. But there are further points to be clarified and, as Senator Tun pointed out, this is not a matter of small importance; it is the future of a whole people. Consequently, I feel that both sides are proceeding without delay as rapidly as circumstances allow, but on the other hand without undue haste.

While I have the floor I should like to mention that Congressmen Burton and Stephens have again returned to hear our discussions and have been joined by Congressman Kastenmeier, which I think is an indication of the interest of our own Government in this matter.

The PRESIDENT: On behalf of the Council I welcome the distinguished visitors from the United States Congress.

Mr. SHAKOV (Union of Soviet Socialist Republics): What the representative of the United States just said regarding the statements made by Senators and Congressmen of Micronesia is quite true, of course. But what he said himself is not clear. He said that so far it has not become clear exactly what relationship will exist between the United States and Micronesia. But the question I asked was somewhat different: Is it part of the plans or intentions of the United States, at any time in the future, to grant independence to Micronesia? I have not received a reply to this question. Is it part of the plans of the United States to do this?

Mr. FINGER (United States of America): I apologise to the Council for repeating this for the third time, but I believe it should answer the question. The United States will fulfil entirely its commitments under Article 76 (b) of the Charter, and if I need to read the text of that Article, it is:

"To promote the political, economic, social, and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each Trusteeship Agreement."

(Article 76 b)

As I say, there is no doubt whatsoever that this is the intention of the United States Government. What the form of self-government will be in conformity with our Charter obligations is, of course, a subject matter of the discussions and negotiations.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to ask some further questions of the High Commissioner. As is known, in the process of preparing the population for self-determination or self-government an important part is played by such steps as associating the population of the Territory with the economic, social and other authorities in the Territory and involving it in the productive activities of the Territory. In that connexion an important part is played by the budgets of the Territory and participation in their compilation and distribution by representatives of Micronesia, in particular the Congress of Micronesia.

In that connexion, we have some questions. First, what is the Territory's present budget -- for the last year, for example? And how is it composed -- that is, both local revenues and subsidies from the Administering Authority? And what part of the budget -- and this is the essence of my question -- is devoted to the economic development of the Territory? I am referring to capital investment expressed as a percentage ratio of the entire budget. And what part is used to cover administrative expenditures?

Mr. JOHNSTON (Special Representative): To answer the first question of the representative of the Soviet Union, the present budget of the Trust Territory consists of two parts -- first, \$60 million in United States grant funds, of which \$50 million was appropriated previously and the additional \$10 million was passed by the Congress and approved by the President of the United States just a few days ago as a supplemental budget. In addition to the \$60 million grant from the United States there are local revenues of approximately \$2.25 million. Those revenues are raised and allocated in part by the Congress of Micronesia and in part at the district level. As we reported earlier, the new Territory-wide income tax that becomes effective on 1 July 1971 will hopefully approximately double the local revenues available to the Congress of Micronesia.

Of our supplemental budget of \$10 million, which has just been passed, only \$400,000 was for administrative or operations expenses, and the other \$9,600,000 was for capital improvements to build the infrastructure of power, sewers, water, roads, harbours, airfields and so on necessary to sustain any really viable economic development for the Trust Territory. The percentage of our

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budget that goes into capital improvements is considerably more than that of many other Governments and amounts to roughly 50 per cent of the total budget. Those capital improvements are what we need most for economic development in the Trust Territory at present.

I think that has perhaps answered the question, but I should welcome any further questions along the same lines from the representative of the Soviet Union.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should now like to have clarified a point I do not quite understand. The High Commissioner said that the budget consists of two parts. There is the \$60 million that comes from the United States and the \$2.25 million that comes from local revenue. The High Commissioner said that 50 per cent of the budget goes to capital improvement. I did not quite understand whether the 50 per cent devoted to capital improvement in the Territory is a percentage of the entire budget of \$62.25 million or of only part of the budget -- that is, of the \$2.25 million.

Mr. JOHNSTON (Special Representative): The 50 per cent I was referring to was the budgeting of the United States Grant Fund. I do not have readily available the figures for the funds allocated by the Congress of Micronesia, but I can assure the Council that my Special Advisers and I will be glad to include the exact figures of the budget in our closing remarks, if that would be satisfactory.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to make a few comments on the same subject. As the Committee is aware, in his statement at one of the meetings of the present session of the Trusteeship Council Mr. Tun pointed out that all the attempts of the Congress of Micronesia to take a more active part in the allocation of the budget have hitherto not been as successful as the Micronesian representatives would like. What does the United States intend to do in order to satisfy the legitimate need of the Micronesians to participate both in the drawing up of the budget and in the allocation of financial resources coming into the Territory's budget?

Mr. JOHNSTON (Special Representative): This subject was discussed in the previous questioning and the reply remains the same -- that the Congress of Micronesia does have a great deal of input. In fact, it adopts the budget that we draw up -- and by "we" I mean the Government of the Trust Territory of the Pacific Islands, which is a separately constituted Government under the United States Administration as a United Nations Trusteeship -- and this Government jointly through its executive and legislative branches must then present the entire budget to the United States Congress for approval. And the Government of the Trust Territory of the Pacific Islands is now on record as saying -- in a hearing before the United States House of Representatives and another one before the United States Senate -- that we feel the time has come when consideration should be given to allocating the United States Grant Funds in a lump sum and allowing the Congress of Micronesia to actually appropriate those funds in the best interest of Micronesia. I believe that answers the question posed by the representative of the Soviet Union.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like a clarification. Am I to understand that the subsidies given by the United States are sums on the allocation of which the Congress of Micronesia cannot give advice or take any decision?

Mr. JOHNSTON (Special Representative): Was the question whether we allow the Congress of Micronesia to have any say in the allocation of the United States funds?

Mr. SHAKHOV (Union of Soviet Socialist Republics): Not only whether it has a say but whether it can arrive at some decision on the matter.

Mr. JOHNSTON (Special Representative): At present the Executive Branch of the Administration of the Trust Territory, after receiving input from the District Legislatures and the District Administrations -- six of them -- then prepares a Territory-wide budget which is presented to the Congress of Micronesia.

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This budget is then considered by the appropriate committees of the House and the Senate of the Congress of Micronesia. Personnel of the administration are called upon to testify in open committee hearings on the various areas in the budget. The Committee reports to the Congress of Micronesia and it in effect adopts the budget. Although the High Commissioner does have the right, as do most chief executives, to line veto items in the budget, this right has not been exercised in the budget that is currently before the United States Congress, that is, the budget for fiscal 1972. It is truly a budget adopted by the Congress of Micronesia with a vote on the floor of the Congress by the elected representatives of the people. This budget has been adopted by the Congress and therefore represents the budget which we present to the Congress of the United States for approval.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): My third question to the High Commissioner is as follows. The High Commissioner said in his statement that land is the most important factor in the entire life of Micronesia. At least, he spoke rather more cautiously perhaps than I have spoken in that formulation. He said that that was the opinion of the Visiting Mission which went to the Territory. Nevertheless he was not silent about this matter. In that connexion I have the following question: what are the plans of the Administering Power on transferring so-called public lands which at one time were taken from the indigenous population of the Territory, the genuine owners of this land?

Mr. JOHNSTON (Special Representative): We have emphasized many times during the past few years in our discussions before the Trusteeship Council that the Administering Authority, the United States, does not -- I repeat "not" -- own or hold any lands in Micronesia. Those lands which are classified as public lands are held in trust for and belong to the citizens of Micronesia. During the past few years there have been several notable returns of land which was previously leased by the United States Government, including the area known as the Bikini Atoll in the Marshall Islands. We also, as we discussed in the Trusteeship Council last year, conducted a rather exhaustive study of some lands in the Truk District which were allegedly public lands. We found that the records previously developed by the Japanese Administration did

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not stand up, could not be upheld in a court of law, and therefore this land was returned to those who claimed to be the rightful owners of the property. I can assure the representative of the Soviet Union that this Administration is making every effort possible to put public lands to productive use. Most of these public lands were lands what were considered public under the Japanese Administration, and since the Trusteeship was granted we have not taken any lands except for specific projects such as to build a road, a school, a hospital or some other community structure for the benefit of all of the people of a municipality district or territory.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to have further clarification on this matter. Exactly what percentage of such public lands is there in the Territory?

Mr. JOHNSTON (Special Representative): Although the percentage of public lands varies rather widely from district to district, the over-all average for the entire Trust Territory of the Pacific Islands is about 58 per cent public lands.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): This is rather a typical answer, 58 per cent is apparently public lands. The Special Representative of the United States said that those public lands were used to build hospitals, railways and so on. If one listens to the Special Representative of the United States, one might think that the Territory of Micronesia was completely covered by schools, hospitals and roads. But from the report of the Administering Power we can see that that is not so.

My fourth question is as follows. In his statement the High Commissioner said a great deal about vocational training of the Micronesians. We know very precisely how important this matter is in the process of preparing the population for self-government. It is important to the population of the Territory that the Territory should be able to guarantee an independent economy because this would have a tremendous influence in determining the future status of the Territory. Could the High Commissioner cite some statistical data showing how many Micronesians have undergone vocational training and how many specialists

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according to professions, have been trained over the last five years, that is since the Congress of Micronesia was set up? I ask this since the United States, as we know, has suggested that this is an important step forward in preparing the peoples for self-determination?

Mr. JOHNSTON (Special Representative): May I assure the representative of the Soviet Union that we can develop such statistics and will include them in our closing remarks to this Council. We do not have instantly available the complete figures on vocational training over the past five years, but will be more than happy to make those figures available.

I should like, if I may, to correct a possible misinterpretation of some of my previous remarks. I did not mean to indicate that all public lands in the Trust Territory were dotted with hospitals, public buildings and roads. I mentioned that much of what is now called public land in the Trust Territory was considered public land when the Japanese Government held and administered the islands. I further stated that no additional public lands had been taken by the current Administering Authority other than for specific purposes. For the most part we have used for those purposes lands which were considered public under the Japanese Administration. A great deal of that land, of course, is now, on a gradual, orderly basis, being made available for both agricultural and residential homesteading.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): From the reply which I have just received, I should like to make one comment by way of conclusion. The representative of the United States said that these lands were taken during the Japanese occupation, but I have to say that this injustice was not altered when the United States of America became the Administering Authority. My last question is the following. The High Commissioner said a great deal about the system of wage scales for civil servants and the policy of the Administration in this field. But he did not refer to any differences between the wage scales of Micronesians, on the one hand, and American civil servants, on the other. What are the differences in wages paid to American civil servants and those paid to Micronesians and other categories of employees in the Territory? In other words, what is the percentage ratio between wages paid and salaries paid to American employees and civil servants and the wages paid to Micronesians?

Mr. JOHNSTON (Special Representative): In answer to that rather all encompassing question of the representative of the Soviet Union, we have really admitted that a discrepancy in wage scales was allowed to grow in Micronesia over a period of years. As I pointed out at the session of this Council one year ago, we found upon careful examination that there were some seventeen different and separate pay scales, some applying to Americans, some applying to other foreign nationals and some applying to Micronesian citizens. We have attempted, both the Executive Branch and the Legislative Branch working in good faith over the past two years, to remedy this very difficult situation. I am pleased to report that on the final day of its session on 22 May, after amendments and conference committees between the two Houses, the Congress of Micronesia passed House Bill No. 57, House Draft 1, Senate Draft 1, Conference Draft 1, amending the Trust Territory merit system and setting up a new single pay plan for all employees. Due to the timing of this session of the Trusteeship Council, the High Commissioner and his two special advisers have not yet seen the final product which was passed by the Congress of Micronesia. I can only assure the Members of this Council that the new pay plan will definitely close the gap between the American expatriate employees and the Micronesian employees. It will also provide fairness in treatment, hopefully, between the United States civil servants and those United States expatriates who were hired by the Trust Territory Government on a two year contract. There has been a great deal of discrepancy between the pay scales of these three classes of employees. Eliminating that discrepancy has been a goal of our Administration. I am confident that by the passage of this historic legislation by the Congress of Micronesia, we have at long last remedied the situation. Members can rest assured that certainly by the next meeting of the Council complete information on our new pay plan will be available.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I have no further questions.

Mr. FINGER (United States of America): This is in reply to one part of a question which was asked yesterday relating to the law of the sea conventions, on which we promised to give an answer. I am authorized to state that the United States regards the four conventions on the law of the sea concluded at Geneva in 1958 as applying to the Trust Territory of the Pacific Islands.

The PRESIDENT: That concludes the questioning period in respect of the Trust Territory of the Pacific Islands.

EXPRESSION OF WELCOME TO THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA

The PRESIDENT: In my opening statement when the Council was good enough to elect me as President, I remarked that no representatives in the Council this year were entirely new to the Council's work. That is no longer the case. I understand that Ambassador Bennett has been appointed representative of the United States to the Trusteeship Council and, on behalf of the Council, I welcome him to our deliberations. I am sure that we are confident that he will make a valuable contribution to the Council's work.

ELECTION OF VICE-PRESIDENT

The PRESIDENT: I should also inform the Council that I have just recently received a letter, dated 27 May, from the then representative of the United States to the Trusteeship Council, Ambassador Phillips, in which he informs me that because of other urgent obligations which require his full attention, he is obliged to request that he be relieved of his duties as Vice-President of the thirty-eighth session of the Trusteeship Council. He also informs me that he must relinquish his duties as representative to the thirty-eighth session of the Council.

I should like to ask the representative of the United States to express to Mr. Phillips my thanks for the valuable though brief assistance he has given in the transaction of the Council's work this year. In the circumstances, I should draw the attention of members to rule 21 of our rules of procedure, paragraph 2, which reads as follows:

"In the event that the President for any reason is no longer able to act in that capacity, the Council shall elect a new President for the unexpired term. The same procedure shall be followed if the Vice-President for any reason is no longer able to act in that capacity."

I would suggest that in accordance with that rule, it would be right for the Council to proceed to elect a new Vice-President with the shortest possible delay. If there is no comment or objection, I would suggest that we should proceed to elect a new Vice-President now.

It was so decided.

The PRESIDENT: We shall now proceed to the election of a Vice-President. In accordance with rule 41 of the rules of procedure, the election shall be taken by secret ballot.

A vote was taken by secret ballot.

As a result of the vote, Mr. W. Tapley Bennett, Jr. (United States of America) was unanimously elected Vice-President.

The PRESIDENT: Knowing as I do the distaste which the United States delegation has for congratulatory speeches, I must clearly be guarded in my words, but I should like, on behalf of the Council, to say that I am sure that Ambassador Bennett, as our new Vice-President, will make a most useful and valuable contribution to the work of the Council. It is not often that an office-holder in the United Nations has before him the prospect of serving for over a hundred times as long as his predecessor.

Mr. BENNETT (United States of America): Mr. President I wish merely to thank you for your cordial welcome and to say that I undertake these duties with considerable humility, although under your distinguished leadership I am sure that mine will be an easy task. I return to the United Nations after some years away. Having been associated with the work of this Council in the Fourth Committee in earlier years, it is a great pleasure to be back. Please count on my full co-operation in our deliberations.

AGENDA ITEM 4

EXAMINATION OF ANNUAL REPORTS OF THE ADMINISTERING AUTHORITIES ON THE ADMINISTRATION OF TRUST TERRITORIES FOR THE YEAR ENDED 30 JUNE 1970:

(a) TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1716, T/L.116)(continued)

HEARING OF PETITIONERS

The PRESIDENT: Following the decision taken by the Council at our meeting of yesterday in regard to oral hearings, I think that the Council can now proceed to hear the petitioners. It will be remembered that oral hearings have been granted to four gentlemen: Mr. Vicente N. Santos, Mr. Jesus Mafnas, Mr. Felix Rabauliman and Mr. Daniel Muna. These four gentlemen are all from the Trust Territory of the Pacific Islands and all from the Marianas District. I understand from the documentation available that they represent divergent political parties and points of view within the District and Trust Territory. Nevertheless, I think that it would be useful and valuable if they were all to be seated at the petitioners' table and we could then proceed to hear them as petitioners in the order in which they applied for oral hearings and the Council granted those hearings.

At the invitation of the President, Mr. Vicente N. Santos, Mr. Jesus Mafnas, Mr. Felix F. Rabauliman and Mr. Daniel T. Muna, took places at the petitioners' table.

The PRESIDENT: I now call upon Mr. Vicente N. Santos to make his statement.

Mr. SANTOS: Mr. President and distinguished Council members, my name is Vicente N. Santos and I am President of the Mariana Islands District Legislature located on the Island of Saipan, Trust Territory of the Pacific Islands. I was first elected President of the Legislature in 1963, the year that it was chartered by the High Commissioner. This District is one of the six districts comprising the Trust Territory of the Pacific Islands that was placed unilaterally under the International Trusteeship System, with the United States the Administering Authority, and with ultimate responsibility falling under the Security Council of the United Nations.

I have with me today my colleague from the Mariana Islands District Legislature, Congressman Daniel T. Muna, who will speak to you on the political desires of the majority of the people of the Mariana Islands District. I also have with me today our Legislative Counsel of the Mariana Islands District Legislature, Mr. William B. Nabors, who has been in the private practice of law in the Trust Territory since 1964, and served as legal adviser to the Select Committee on land problems.

When the Trusteeship System was established in 1947, there were eleven Trusteeship areas under the jurisdiction of the United Nations. The Trust Territory of the Pacific Islands, formerly a Mandate of the Government of Japan under the League of Nations, is the only trusteeship area that is subject to the Security Council of the United Nations. All other Trusteeship areas were under the over-all supervision of the General Assembly of the United Nations.

The purpose of my visit is to assist you in your obligations to the people of the Mariana Islands District, as we believe that you can best perform your obligations to our people if you are accurately and completely informed of the problems affecting our area.

(Mr. Santos)

It might be felt that our appearance here today is to openly criticize the Administering Authority, the United States of America, but as an elected leader of my people, my first obligation is to identify critical problem areas, so as to assist the Administering Authority to better fulfil their obligations to my people. This visit by us before this honourable body was the result of the investigation by a Select Committee of the Mariana Islands District Legislature beginning in 1966. This Committee was charged by the Legislature to conduct a complete on-the-spot investigation of all land problems existing in the Mariana Islands District.

(Mr. Santos)

The record will show that this "land problem" has been the subject of many resolutions of the Saipan Municipal Legislature as well as the Mariana Islands District Legislature not only to the Administering Authority but also to the various Visiting Missions from the United Nations to the Trust Territory over the years. Due to the lack of any tangible evidence to resolve these basic problems, we have taken the time to visit you -- the Trusteeship Council -- and to report to you directly on this most serious and grave problem affecting the people of the Mariana Islands District.

I am sure you will agree that land to an islander is his most lasting and promising possession. We, in the Mariana Islands District, do not regard land any differently. In spite of many requests on the part of the people, the Administering Authority has done less toward resolving the land problems of the people in the Mariana Islands District than any other facet within our governmental structure. We feel that this problem has long demanded more attention. The longer we wait, the more difficult the problem becomes. Time and time again, it has been shown that problems ignored are problems compounded.

Our petition, T/10/44, was the result of resolution 8-1968, that was passed on 9 August 1968 by the Mariana Islands District Legislature. Pursuant to the mandate in this resolution, I appointed a Select Committee to investigate and report as fully as possible on the existence of land problems encountered by the inhabitants of the Mariana Islands District and to pay special attention to problems involving the leasing and homesteading of lands being held in trust for the people of the Marianas; to receive complaints from the public at public hearings, to consult officials employed by the Trust Territory Government who are connected with land matters; and to review any pertinent files pertaining to the land problem. In addition, I requested the Select Committee to submit to the Legislature as soon as practicable a report on its visits throughout the district, such report to contain its findings, observations, conclusions and any recommendations it might wish to make.

The Select Committee spent two years investigating the land problem, and the Mariana Islands District Legislature adopted this report in February 1968. Copies of this report were transmitted to officials of the Administering Authority for their comments. After no comments were received from any officials

(Mr. Santos)

of the Administering Authority, the Legislature, during its August session in 1968, directed that I transmit a copy to this honourable body for its information and assistance and request permission for a delegation to appear before the Trusteeship Council concerning this Select Committee's report. Twice we requested that consideration of this matter be deferred in the hope that a mutually acceptable solution could be reached with officials of the Administering Authority, but no satisfactory solution has been reached.

It should be noted that some steps have been taken by the Administering Authority to meet some of the land problems that were identified by the Select Committee. These efforts on the part of the Administering Authority to meet some of these land problems manifest themselves in the Land Cadastre Program, the Land Commissions and their support of the settlement of the "post-secure" war claims of the inhabitants of the Trust Territory of the Pacific Islands.

We have some serious reservations about the accomplishments of the Land Commission and the Land Cadastre Program, because the problem areas are being avoided by the Land Commission in the Marianas. For instance, up to the present time the Marianas Land Commission has issued only Certificates of Title on tracts of land located in the villages. This represents no real progress, because the ownership of all village lots was settled by the United States Navy Department between 1951 and 1956. So, to spend time and money redoing what has already been done and avoiding the problem areas is not what we consider progress.

It should also be noted that our Senior Land Commissioner in the Marianas, who worked for the United States Navy on Saipan soon after the close of the Second World War, was working with the land office when most of the land disputes were created that now exist, so it is not very likely that he will now reverse himself by admitting that the title determinations that he made earlier were wrong.

Just prior to my departure from Saipan, I learned that the only other Land Commissioner for the Marianas, a Micronesian, is so frustrated with the Land Commission's avoidance of problem areas that he plans to resign as soon as he is able to find suitable employment, as he no longer wishes to be identified with a programme that is not resolving long-standing disputes.

(Mr. Santos)

Notwithstanding these shortcomings, however, we are hopeful that eventually all land will be registered and recorded, but it is essential to understand that the basic land problem is not that of registration and recordation, but rather the unwillingness on the part of the Administering Authority to adjudicate land claims. We are pleased to note pertinent provisions of the 1970 Visiting Mission's report, paragraphs 155 and 156 of which state the following:

"155. The Mission's attention was also drawn by the problems arising from disputed claims to land... It is the intention of the Land Commission Act that the land registration teams should not become involved in protracted disputation about the ownership of lands, and the Mission was left with the impression that the land commissions themselves would give priority to issuing certificates of title to land which is not in dispute. Nevertheless, in view of the fact that there is already a substantial amount of litigation about land, there seems little doubt that, as the work of the land commissions proceeds, an increasing volume of disputes over land ownership rights will become apparent and will call for resolution. This will give rise to various difficulties. In the first place, the land commissions and the Trial Division of the High Court may be overloaded with work which will come forward for legal decision. In the second place, fears were expressed to the Mission that private claimants to land regarded by the Administration as public land might not necessarily receive a fair judgement from the land commissions or the courts in Micronesia. It was explained that this was not because of any doubts as to the integrity or impartiality of the administration of justice, but because it was thought that the legal resources available to the Administration would normally be much greater than those available to private claimants.

"156. The Mission believes that this is a problem which must certainly be resolved. If the Administration regards certain land as public land in trust for the people of Micronesia, it should obviously pursue its claim with all the resources available to it. On the other hand, if a private person or group of persons believes the land not to be public, it would be inequitable for the case to be decided by the land commissions or the courts without a

(Mr. Santos)

satisfactory hearing of the legal arguments on both sides. For this reason the Mission believes that it is important that private persons should have the opportunity to secure legal representation, especially in the matter of land disputes." (T/1707)

This, in our opinion, crystallizes our basic problem in the Mariana Islands District regarding the land problem -- the refusal on the part of the Trust Territory Government to allow the inhabitants to test the validity of their claims in a court of law.

(Mr. Santos)

In 1952, Land Management Regulation No. 1 was enacted by the Trust Territory Government. A copy is submitted for your reference. That regulation provides that any individual in the Trust Territory whose land had been taken, damaged or used by the United States military, the Trust Territory Government or any instrumentality of the United States Government, need only file a claim with the Land Title Officer in the district in which the land is located. Land Management Regulation No. 1 further provides that the Land Title Officer shall review each claim filed with him and determine what compensation, if any, is due the land owner and process the said determination for payment.

Over the past eight years, many claims for the use of private property by the Government have been filed with the Land Title Officer for the Mariana Islands District, but, unfortunately, there has been no adjudication by him or his office and no compensation has been made to the land owners for the use, taking, or damage to private property. Many of those property owners have sought redress in the courts of the Trust Territory by going to the expense of hiring an attorney to assist them in litigating their claims. But each time a suit is brought to the court by a land owner, the Trust Territory Government requests the court to dismiss the case on the theory that the Trust Territory Government is sovereign and, as such, may not be sued without its consent, which is withheld. The courts of the Trust Territory have consistently granted the requests of the Trust Territory Government by dismissing all such cases.

What is very strange to us is why or how a trustee can successfully claim that it is immune from legitimate inquiries by the beneficiaries of that trust.

Some of our people have gone to the extra expense of hiring an attorney to file their cases in the United States Court of Claims in Washington, D.C. Those cases, numbering ten, are at present pending before that Court, and the attorney for the land owners, Mr. William B. Nabors, who is also here today as my legal adviser, held a pre-trial hearing on those cases earlier this week in Washington, D.C.

Those cases are legitimate complaints seeking to right the wrongs against our people, but the thrust of the defence of the United States Department of Justice in those cases relates to the six-year statute of limitations imposed

(Mr. Santos)

on all matters brought before the United States Court of Claims. However, every effort is being made to meet those objections, and it is hoped that the Chief Commissioner of the United States Court of Claims will come to Saipan later this year to make a formal finding of fact on those cases. In this connexion, I am pleased to submit a copy of a document prepared by the Trust Territory Government concerning those cases filed in the United States Court of Claims, marked Exhibit "A".

To illustrate the apparent insensitivity of the Administering Authority to the rights of private property owners, permit me to cite the case of Mr. Gregorio P. Castro.

In 1965 Mr. Gregorio P. Castro, a Saipanese, hired an attorney to assist him in making a claim for his deceased father's land. It was indeed fortunate that his attorney was able to get the Trust Territory Government into court before the Government realized that the lands claimed by Mr. Castro were considered to be in the public domain.

After two years of litigation the High Court of the Trust Territory, on 17 May 1969, issued a final Judgement decreeing: (1) that the Government had illegally taken about fifteen acres of land that belonged to Mr. Castro; (2) that the Government had destroyed more than 3,000 coconut trees owned by Mr. Castro; and (3) that Mr. Castro had received less land than was promised him by the Government at Aslito Village on Saipan. To date, however, notwithstanding that final judicial determination rendered over three years ago, the Trust Territory Government continues to deny Mr. Castro possession and use of his lands.

Mr. Castro has, notwithstanding his Judgement Order, fully co-operated with the Land Registration Team and the Land Commission in their work, but the attached memorandum, -- Exhibit "B" -- dated 22 April 1971, from the Senior Land Commissioner for the Marianas is but another attempt to frustrate a final judicial determination that affirmed ownership to those lands by Mr. Castro.

(Mr. Santos)

That is just one of the many instances where our people have been required to sit by and endure these aggravating frustrations, and we wonder how long this will be allowed to continue before this honourable body will live up to its obligations to ensure -- in the words of the Bill of Rights for the Trust Territory -- that:

"No person shall be deprived of...property, without due process of law; nor shall private property be taken for public use, without just compensation...".

This United Nations represented to the world in 1945 that it was capable of assuming the serious responsibilities for the administration of Territories -- of which the Trust Territory of the Pacific Islands was one -- when it declared, in Chapter XI, Article 73, of the Charter that:

"Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, ...the well-being of the inhabitants of these territories,...".

Prior to the start of World War II, the Government of Japan had completed extensive surveys and the recording of all land holdings in the Mariana Islands District. Many of our people leased their land to the Government of Japan, to the Japanese companies doing business in our islands, and to numerous private Japanese citizens residing in the Marianas. After the Pacific War began in December 1941 the need for land for military installations and facilities became so pressing that the Japanese military authorities began taking over certain parcels of private land without, in some instances, any compensation, and in others the compensation was grossly inadequate.

The fortification of those confiscated lands resulted in the intensive bombardment and, in most cases, the complete destruction of land areas that were once highly productive, agriculturally.

During combat it was impracticable for the armed forces to take the time to document ownership and compensate the owners for the use of their land; but with the establishment of a United States Military Government, Land Titles Investigating Commissions were established to investigate existing rights to land.

(Mr. Santos)

Unfortunately, however, the demobilization in the latter part of 1945 and 1946 resulted in the stoppage of the land and claims programmes, and the Japanese land documents and new land records disappeared.

In order to cope with that situation and to establish a firm policy towards pre-war land ownerships, the Administering Authority issued Trust Territory Policy letter P-I on 29 December 1947, a copy of which is submitted. The most unfortunate thing is that the people in the Mariana Islands District had no knowledge of that Policy Letter until 1965, almost twenty years after it was issued.

Pertinent to T/PET. 10/44, the following portion of Trust Territory Policy Letter P-1 is quoted:

"Validity of land transfers made in the past...

13. Land transfers from non-Japanese private owners to the Japanese government, Japanese corporations, or Japanese nationals since March 27, 1935, will be subject to review. Such transfers will be considered valid unless the former owner (or heirs) establishes that the sale was not made of free will and the just compensation was not received. In such cases, title will be returned to former owner upon his paying into the Trust Territory government the amount received by him. Yen currency and Japanese postal savings which have been turned in by the former property owner (or heirs) to United States authorities for redemption, and which have not been exchanged for dollars, may be credited toward the payment required to clear the title..."

Obviously, therefore, the inhabitants of the Mariana Islands District were not apprised of any opportunity to redeem their private lands that were confiscated or taken without the payment of adequate compensation by the Japanese authorities.

Since the discovery of Trust Territory Policy Letter P-1 by the Legislature in 1965, we have been unsuccessful in getting the Government to comply with the Government's stated policy regarding pre-war land ownerships.

One attempt was made by the Administering Authority to identify pre-war land ownerships in the early 1950s, when the local land office requested those persons who owned private property before World War II, and who had not sold or leased their lands to the Japanese, to come into the land office and file claims for such land.

(Mr. Santos)

Many of our people were not available to file their claims. Some were sick in hospital, some were off the island, on Guam, and others were in the islands north of Saipan, on Tinian or on Rota, and could not comply with that request to file claims for their land. Many individuals who filed claims for their land received only a portion of the land they owned prior to the war -- solely because the Government did not believe they owned the amount of land filed for. And at the same time the Government itself had no documents nor did it produce any witnesses to disprove that ownership. Those individuals who were not available to file their claims were told that the filing of claims had been closed and that they had therefore lost their lands.

Several other individuals who did file their claims in the early 1950s with the District Land Office at Saipan were told that they could not have possession of their land due to the fact that it was located in the military retention area and they therefore could not have it returned.

After the military need for private property ceased the Administering Authority instituted a land exchange programme on Saipan. That land exchange programme was an attempt to give land to landowners whose land had been used by the United States military from the end of the fighting in Saipan in 1944 to about 1956 in lieu of and to eliminate land rental due those landowners. In all those cases the record will show that the land offered in exchange for the damaged land was less desirable, less accessible and less productive for agricultural purposes.

Aside from the inequities in the land exchange programme, we wish to have the record show that, in view of the strict obligations of the Administering Authority to protect the people against the loss of their land, the wholesale exchange of land held in "trust" for the benefit of my people in payment of the monetary obligations of the Administering Authority is unconscionable and illegal.

Beyond that, the exchange agreement was written in English and was neither explained to nor understood by those individuals asked to sign it. They were completely unaware that exchange agreements contained language to the effect that they agreed to waive all compensation due them for the use, damage and occupation of their private land. This problem has consistently been brought to the attention of the Administering Authority, but it has been ignored. Because of the complexity of this problem the Mariana District Legislature decided in 1966 to make an official record of the problems, to take action to correct them.

(Mr. Santos)

The problem has been brought to the attention of Visiting Missions to the Trust Territory since the mid-1950s and various congressional investigating teams visiting Saipan over the past ten to twelve years without any relief being given us. Thus we have no other recourse than to petition the Council for relief.

Mistakes made in the land exchange programme were not having involved in the land exchange programme capable individuals knowledgeable in the land tenure pattern of the Mariana Islands District, failure adequately to supervise determinations made by the native employees and failure to give adequate public notice regarding determination of ownership so as to facilitate the participation in hearings of older members of the community having knowledge of our land tenure system and individual land ownership. Furthermore, many tracts of land were declared to be owned by the Government of the Trust Territory without giving individuals who claimed ownership of those lands an opportunity to be heard. The High Court in the Trust Territory now takes the position that any land determination by the District Land Office will be considered official and is not open to attack in the High Court, even though individuals who owned those tracts of land prior to the war have many reliable and competent witnesses to testify on their behalf.

In other words those landowners who owned large tracts of land prior to the war and were not given an opportunity to appear before the District Land Office to testify when the land was declared to be owned by the Trust Territory Government have now lost their land. In most instances the land declared to be owned by the Government without any notice or evidence from the claimants has now made its way into the ownership of friends and relatives of former and present officials in the District Land Office. Needless to say, this has created and continues to act as a source of constant irritation, frustration and anger among the people.

We view all those conditions as a direct result of the lack of knowledge or lack of proper administration on the part of the Administering Authority, which either knew or should have known its actions would result in irritation, frustration and anger for the people of the Mariana District.

(Mr. Santos)

The report contained in document T/PET/10/44 is an official record of the magnitude and depth of the land problems of the Mariana Islands District. The question now is what can be done to atone for the failure of the Administering Authority to bring justice to my people. In answer to that question I wish to offer a few suggestions as to how we can begin to solve this problem.

First, when the pending "post-secure" war claims bill is finally passed and funded by the United States Congress a big step will have been taken towards resolving the substantial injustices to our people whose private property was taken without compensation.

Secondly, there are a large number of people who owned land before the Second World War who never had their land returned to them after the end of the war. Those people should be given an opportunity to file land claims and have them adjudicated under the existing laws of the Trust Territory Government -- i.e. Land Management Regulation No.1 and Trust Territory Policy Letter P-1. Permit me to emphasize that the Land Commission offers no solution to these problems because it has a stated policy of avoiding problem areas. If the existing laws of the Territory are enforced the necessary machinery will be available to resolve the major land problems of the Mariana Islands District.

Thirdly, the established policy of not allowing the inhabitants of the Trust Territory to sue the Trust Territory Government -- when that Government exists solely for the benefit of the inhabitants -- should be changed. The inhabitants are entitled to have their day in court, and it is recommended that the Administering Authority not invoke its claim of sovereign immunity when the local inhabitants seek the assistance of the courts in establishing their ownership of land.

Fourthly, this body should prevail upon the Administering Authority to preserve the land in the Mariana Islands District not determined to be owned by private individuals and to reserve it for the exclusive use and benefit of the people of the Mariana Islands District and put it under the control of the District Administrator and the Legislature of the Mariana Islands District.

Mr. President and members of the Trusteeship Council, on behalf of the people of the Mariana Islands District I wish to express my sincere gratitude and appreciation for being allowed to appear here today. I shall be pleased to answer any questions members may want to ask me.

The CHAIRMAN: I thank Mr. Santos for his statement.

I think the best course to follow, if the Council so agrees, would be first to permit all the petitioners to make their statements; after that, any representative who wishes to do so could ask questions of any of the petitioners. If I hear no objection, that is how the Council will proceed.

It was so decided.

The CHAIRMAN: I now call on Mr. Jesus Mafnas to make his statement.

Mr. MAFNAS: I have here with me Mr. Felex Rabauliman, President of the United Carolinian Association of the Marianas District, a Principal of the Mount Carmel High School on the island of Saipan, and also a former member of the House of Representatives of the Congress of Micronesia. We are most grateful for this opportunity to appear before you today.

If I may, before going into the subject, I should like to take this opportunity also to officially inform this Council that the Honourable Edward E. Johnston has done an outstanding job in Micronesia with the limited resources that he has. On behalf of the Territorial Party of the Mariana Islands District, we commend the Honourable Edward E. Johnston for a job well done.

We represent the Mariana Islands District Territorial Party -- one of the two political parties in the Mariana Islands District -- whose eligible voting membership exceeds well over two thousand voters. The Mariana Islands District, like its other five sister Districts, has a long history of administrations successively by Spain, Germany, Japan, and presently the United States of America.

During the past few years, Micronesia has undergone rapid changes from its subsistence level economy to primarily cash-oriented economy. But as development in major economic and social areas continues to accelerate and gain momentum, the question of the future political and constitutional status for the Micronesian islands -- scattered over three million square miles of ocean -- has increasingly become a pressing issue. This single issue has not only overshadowed many equally essential developmental programmes and efforts of the Government but also is something which preoccupies the minds of many of our people. While our Party is greatly encouraged by this surge of public interest in the future political status of our islands as an issue to be debated publicly and its different aspects and facets explored, we are none the less greatly disturbed, if not alarmed, by premature legislative actions which our district and municipal legislative bodies have taken regarding the resolution of the future political status for Micronesia.

Our hope in appearing before you today is to put in proper perspectives the legislative actions which our Mariana Islands District Legislature mapped out in its 19 February 1971 resolution as the course of action to take in terminating the Trusteeship status of Micronesia, especially the status of the Mariana Islands District.

(Mr. Mafnas)

Resolution No. 30-1971 of the Third Mariana Islands District Legislature, as adopted during the fifth regular session in February of this year, is clearly without the substantial support of the people of the Mariana Islands District and at best untimely, ill-conceived, and devoid of any legal basis and justification.

The resolution cites as one of its premises the obligation of the United States to advance the development of the people of Micronesia toward self-government or independence as may be appropriate to their particular circumstances but it fails to give deference and recognition of the position of this Council and of the Administering Authority that the future political status of Micronesia must be determined as one issue and "fragmentation" of the Micronesian islands, as a matter of public policy, cannot be entertained.

The resolution further recites the fact that the United States has offered the Micronesian the status of commonwealth and, while the Congress of Micronesia has rejected this offer, the people of the Marianas have voted to become part of the United States. Consequently, the District Legislature concludes that the commonwealth status as offered by the United States to the Future Political Status Commission of the Congress of Micronesia should be accepted. The Legislature overlooked the fact that the commonwealth status was being offered to all of Micronesia and that any commonwealth status of Micronesia must be approved by the people themselves in a plebiscite duly conducted in accordance with law and agreed to by the United States in accordance with its constitutional processes. The resolution also recites that the people of the Marianas voted to become part of the United States. Perhaps, it will be of interest to this Council to know that in that so-called plebiscite conducted by the Mariana Islands District Administrator in November 1969 the result showed that roughly 55 per cent wanted to integrate with the Territory of Guam, 40 per cent in favour of the free associated status recommended by the Future Political Status Commission of the Congress of Micronesia, and the remaining 5 per cent in favour of either association with Japan, commonwealth, or independence. This voting pattern in the November plebiscite should not be taken by the Legislature to mean that the majority of the people in the Mariana Islands District is in favour of commonwealth status as proposed by the United States to the Congress

of Micronesia. The result of such voting should be disregarded because the question before the voters was erroneously phrased. Alternatively, a new vote specifically on the issue of commonwealth should be put before the voters of the Marianas people again.

It would probably be more correct to interpret the voting results of the 1969 November plebiscite to mean that plurality exists in the Mariana Islands District in favour of reintegration with Guam, but as the reintegration issue is now a moot question with the people of Guam having rejected the concept of reintegration, no other interpretation can now be placed on the 1969 November plebiscite.

The last "WHEREAS" clause of the subject resolution talks about the avoidance of bloodshed and the need to place the commonwealth proposal to the people of the Marianas District and if favourable votes were to result the United States is then requested to establish a commonwealth status for the Marianas District. One can only wonder whose blood needs to be shed to accommodate the people of the Marianas in choosing their political status. One can only wonder how the Marianas District Legislature proposes to work out the myriads of administrative problems that must necessarily follow in implementing the commonwealth status proposal.

Finally, our Territorial Party has misgivings in the manner in which the resolution was formulated and in the incisive language used. Our Party would like to assure this Council that the Micronesian people are peace-loving people and would not resort to arms needlessly and to no account. We believe in peaceful change-over of government leadership; we believe that one need not resort to open and armed revolution to gain one's ends, be it in government or in private life. The resolution advocates the secession of the Mariana Islands District from the rest of the Trust Territory and states that this would be done by "force of arms if necessary". One wonders at whom the "force of arms" was to be directed?

Did the Mariana District Legislature really believe that the United States would seriously consider a commonwealth status for the Marianas if the people were to revolt against law and order within the legal framework of the United States? Our Party is quite doubtful that flaunting the orderly constitutional processes would obtain any lasting partnership that the United States offered in good faith and at arms length by proposing the commonwealth status for Micronesia as a whole.

It is evident from the foregoing that our Party is in favour of a speedy resolution of the future political status of Micronesia. Our Party is also in favour of a commonwealth status generally along the lines outlined by the United States to the Future Political Status Commission of the Congress of Micronesia. It is our desire, however, to see that our Congress of Micronesia be given adequate opportunity to explore with the United States all possible future political status alternatives that may be open to Micronesia. If and when the Congress of Micronesia concludes its negotiations with the United States on the status question, we would be in a position to determine whether the status recommended by the Congress of Micronesia is in keeping with what we see to be the best interests of our people and at that time a determination will be made whether Mariana Islands District should seek a separate political status that is different from the one adopted by the other five districts.

In passing, I wish briefly to express my disagreement with the statement made by the representative of the United States in his opening remarks. He appeared to suggest that the total victory by the Popular Party in winning all of the Marianas seats to the Congress of Micronesia indicated strong pro-commonwealth support. It might be of interest to note that both the Popular Party and the Territorial Party had in their respective platforms a plank in favour of a commonwealth status. The November election, therefore, revolved on the other major election issues and could not be ascribed solely to have been dependent upon the issue of political status.

In conclusion, I should like to reaffirm to this Council the sense of affinity and loyalty to Micronesia as a body politic. The Congress of Micronesia, which is comprised of thirty-three members, has three members of the House and two

Senators to represent the interests and views of the people in the Mariana Islands District. These members of the Congress of Micronesia were elected by our people in the Marianas and we have faith in them to represent us to the utmost of their abilities. We in the Marianas District have much in common with the people from the other districts of the Trust Territory, forged over centuries of common history and heritage.

As President of the Marianas Territorial Party, I wish to support the efforts of this Council and of the United States as the Administering Authority in seeking ways and means to assist the people of all districts of Micronesia in their desire to improve and advance their well-being and in their quest to achieve a future political and constitutional status that will assure them security, stability, and longlasting happiness.

The PRESIDENT: I understand that Mr. Rabauliman has indicated that he will make no statement at this stage, although I understand he will be prepared to answer questions later.

I now call on Mr. Daniel T. Muna to make a statement.

Mr. MUNA: The courtesy of the Council in allowing me to make this oral presentation before this body is deeply appreciated.

I appear here today on behalf of Honourables Senator Edward Pangelinan, Congressmen Carlos Shoda and Herman G. Guerrero of the Congress of Micronesia, the Honourable Vicente D. Sablan, Mayor of Saipan, the Honourable Vicente T. Canacho, Speaker of the Saipan Municipal Legislature and the Honourable Fernando Benavente, Chief of the village Commissioners of the Municipality of Saipan, to speak on matters relating to, among other things, the political aspirations of the majority of the people of the Mariana Islands District.

The performance of our High Commissioner is not considered to be a part of the future political status of the Marianas. We in the Popular Party are fully aware of the tactic of "divide and rule".

During the February session of the Mariana Islands District Legislature, President Vicente N. Santos issued a statement of position that was aimed at providing the foundation of the future political course of action to achieve that status desired by the majority of the people.

(Mr. Muna)

In making that statement of position it should be noted that this position had been fully discussed with the leadership of the Mariana Islands District, including officials of the Municipalities, Village Commissioners and the Marianas delegation to the Congress of Micronesia. .

Basically, the future course of action referred to was aimed at achieving that status voted upon by the majority of the people of the Mariana Islands District, as was evidenced in a district-wide plebiscite that was held in November 1969. The results of that plebiscite were as follows:

VOTES

1.	Reintegration of the Northern Marianas with the Territory of Guam	1,942
2.	Independence	19
3.	Unincorporated Territory of the United States	107
4.	Free Associated State	1,116
5.	U.S. Commonwealth	1
6.	Statehood	1
7.	<u>Status Quo</u>	5
8.	Unincorporated Territory of Japan	1
9.	Permanent Association with Japan	1

The first phase of this future political course of action was the passage of resolution No. 30-1971, entitled:

"A resolution relative to advising the Security Council and Trusteeship Council of the United Nations that the Mariana Islands District of the Trust Territory of the Pacific Islands will secede from the Trust Territory of the Pacific Islands by force of arms if necessary, and with or without the approval of the United Nations."

(Mr. Muna)

The second phase was a boycott of the special session of the Congress of Micronesia that met on Truk recently.

The third phase will be to convene a constitutional convention this fall to hold public meetings throughout the Marianas and draft our constitution for submission to the people in a referendum in November, 1972.

Before I explain each of these phases, some understanding of the background of our plight and efforts since 1958 will be helpful.

During the Spanish Administration of the islands that now comprise the Trust Territory of the Pacific Islands, the people of the Marianas, including Guam, were ruled as one unit internally. The other islands such as Yap, Palau, Truk, Ponape and the Marshalls were also administered as a separate unit internally. We all existed in the same ocean, but they did not bother us and we did not bother them. This arrangement continued through the German and Japanese Administrations, except for Guam, and up until July, 1952, when the Department of the Interior assumed responsibility for the entire Trust Territory by taking over Tinian, Saipan and the islands north of Saipan.

Between the years 1945 and 1962, the islands of Tinian, Saipan and the islands north of Saipan, except for a short period in 1951, were administered by the United States Department of Navy separately from the other districts of the Trust Territory. During this period, emphasis was placed on internal self-government and the Saipan and Tinian Municipal Governments assumed major responsibility for essential governmental functions, including, but not limited to, public works, health, education and community development.

(Mr. Muna)

Soon after the Department of the Interior assumed responsibility for the entire Trust Territory, the Congress of Micronesia was established by Secretarial Order 2882, and convened its first regular session on Saipan in July 1965. For fiscal year 1965, the Saipan Municipal Government operated on a budget of nearly \$300,000. Unfortunately, rather than allowing the Congress of Micronesia to appropriate funds authorized by the United States Congress for the operation of the Trust Territory of the Pacific Islands, Secretarial Order 2882 took and reserved to the Congress of Micronesia all import and export taxes. The taking of these local taxes resulted in a reduction of the Saipan Municipal Government for fiscal year 1966 to less than \$30,000. Needless to say, this resulted in a severe blow to the people who have seen the activities of their government diminished to a perfunctory body that exists in name only.

For the people of the Marianas, the Congress of Micronesia is the body that is responsible for the curtailment of the fiscal responsibilities of their government, whose leaders are elected by popular vote, and not appointed.

During the past five years, the Mariana Islands District has contributed as high as \$500,000 annually to the Congress of Micronesia through taxes, of which 50 per cent is returned to the district for expenditure by the District Legislature, and 50 per cent is retained by the Congress of Micronesia for their appropriation. This arrangement has not been particularly objectionable, even though the Mariana Islands District has only received a high of 16 per cent in direct benefits from the Congress of Micronesia.

But the trend that has been set by the Congress of Micronesia, as evidenced by (1) reducing the export tax on copra that is mostly produced in the other districts, (2) exempting fuel taxes when used for outboard motor boats, that are used almost exclusively in the other districts, but not in the Marianas, (3) the consideration of a hotel room tax when only the Marianas openly invites outside investment for hotel construction, and (4) the consideration of a \$3 head tax on tourists when the Marianas is actively encouraging tourism, clearly indicates that the economic, political and social development of the Marianas will be stagnated to a point of retrogression, and causes us grave concern.

This obvious trend cannot help but to arouse an already deeply inbedded desire to seek a realization of our political aspirations that were clearly expressed in plebiscites held in 1961, 1963 and 1969.

(Mr. Muna)

While these plebiscites endorsed a variety of opinions on the future political status, one thing was very clear in all of these plebiscites -- the majority of the people of the Marianas are pro-American and want nothing short of a permanent association with the United States of America, and they want out of the Trusteeship Agreement.

For many years now we have been told that there can be no fragmentation of the Trust Territory as long as there is a trusteeship. Let the record show that we do not oppose a reasonable time-table for a Trust Territory-wide plebiscite to be monitored by the United Nations in order to terminate the trusteeship. But if a reasonable time-table for a plebiscite is not set, then we take the position that we are not signatories to the Trusteeship Agreement and are not bound by its provisions. As a last resort, our opposition to this trusteeship can manifest itself in many different ways because our people are ready, willing and able to make the necessary sacrifices to obtain a stable and viable government in the Mariana Islands District. While we do not condone violence, it must be realized that violence may result from an open confrontation over this issue.

As I have been saying, this future course of action regarding our political future has been endorsed by a majority of the people of the Mariana Islands District. This means that there is a minority of people there who do not share the same views. The opposing views are represented here by Mr. Jesus Mafnas and Mr. Felix Rabauliman, who are members of the minority political party.

It should be noted, however, that the membership of the Mariana Islands District Legislature is composed of nine members of the Popular Party, the majority party, and seven members of the Territorial Party, the minority party. It should also be noted that resolution No. 30-1971 that was adopted unanimously on 19 February 1971, was supported by Congressman Luis M. Limes, a member of the Territorial Party, Secretary of the United Carolinian Association, and one of the signatories of T/COM.10/L.73, a letter dated 21 May 1971. Incidentally, I am the Executive Secretary of the Saipan Municipal Legislature and, among other things, have sole custody over all incoming mail addressed to the Legislature, and while it is indicated that a copy of T/COM.10/L.73 was sent

(Mr. Muna)

to the Speaker of the Municipal Legislature on 21 May 1971, no copy had arrived for the Speaker by 26 May, 1971. Normally, of course, letters mailed On Saipan for local delivery never take more than two days. If, however, a copy is being mailed to the Speaker from New York, it will take considerably longer to reach my office.

Before I withdraw, I would like fully to explain the reasoning behind the recent boycott of the special session of the Congress of Micronesia.

Since the Congress of Micronesia adopted the Future Political Status Delegation's report that endorsed "Free Association" or "Independence" as the only alternatives acceptable as the future political status for the Trust Territory of the Pacific Islands, it became clear to us that positive steps must be taken to let the world know that nobody will force the people of the Marianas to accept any future political status other than one that is in permanent and everlasting association with the United States of America. If the other five districts of the Trust Territory desire to be independent, then we wish them well, because that is their right. We have no desire to interfere with that right, and will insist that no one interferes with our right to be permanently associated with the United States of America.

Based on the recent developments concerning the future political status of the Trust Territory, it appears that we were correct in our actions because Truk and Ponape have openly formed an "Independent Coalition" that is only in favour of independence for the Trust Territory.

These therefore, are the actions to support resolution No. 30-1971, concerning the secession of the Marianas from the Trust Territory.

In closing, Mr. President, I wish to emphasize that our approach is to seek the approval of the United Nations to allow us to associate with the Administering Authority, the United States, on a permanent basis, as most of the other trusteeships have done. Should you turn us down within the context of the principle of self-determination to which the United Nations is committed, then we will secede from the Trust Territory.

(Mr. Muna)

After more than a quarter of a century of trying to "unify" the diverse districts of the Trust Territory without success, it should be clear to you now that it will never work. The records will show that the Trust Territory was put together by foreigners and is held together by foreigners. The policy against fragmentation has failed and the sooner this is realized, the better it is going to be for all concerned.

The PRESIDENT: I thank Mr. Muna for his statement. Unless Mr. Rabauliman wishes to make a statement at this stage, we shall now invite members of the Council to put questions to any of the four petitioners. Does any member wish to put questions to the petitioners?

Mr. ASEWIN (Australia): I should like to direct a question to Mr. Santos about his statement, but before doing so, I should like to express my delegation's appreciation to him for the very full material he has laid before the Council. My question is this. At the end of his statement he offered a number of suggestions about the solution of the land problem in the Marianas District. His first suggestion is that when the pending post-secure war claims bill is finally passed and funded, a big step will have been taken to resolve injustices to the people of the Marianas whose private properties were taken without any compensation.

What I had wished to ask Mr. Santos is what percentage -- if it is possible to give a percentage -- of the claims will in fact be satisfied by the distribution of the post-secure war claims funds?

Mr. SANTOS: I have no definite figure on percentage, but it will be a very substantial one when finally the people are compensated under the post-secure claims. Most of the compensation derives from land exchanges where people have exchanged their land since 1951, and no compensation whatsoever has been given to them.

Mr. ASHWIN (Australia): I should like to thank Mr. Santos for his answer and then perhaps just to comment that Mr. Santos's statement and his answer are another illustration of the urgency of settling the war claims and post-secure claims question.

Mr. HAINING (United Kingdom): I should like to address one or two questions, if I may, to Mr. Muna, who said in his statement that he was quite happy to see a Trust-wide Territory plebiscite held within a reasonable time factor, but that failure to hold such a plebiscite would result in the action that he has described. I should like to ask Mr. Muna what he would regard as a reasonable time factor for a plebiscite taken throughout the Trust Territory?

Mr. MUNA: The time most preferable for the Mariana Islands District would be the late part of 1972.

Mr. HAINING (United Kingdom): I have one other question. It refers to the results of the special poll held in the Mariana Islands District on 9 November 1969. We note that the figures given indicate that for re-integration there were a total of 1,942 votes cast. This, it is true, is a majority of the total votes cast, but is in fact considerably less than 50 per cent of total registered voters. In addition, it is quite clear from the breakdown of the statistics that one or two areas, and particularly two of the islands of the Mariana Islands District, Anatahan and Agrihan, came out quite decisively in favour of free associated statehood.

I would be interested to know the attitude of the petitioners, Mr. Muna, or perhaps his colleague, on the position of those islands. In a situation where the Mariana Islands District were determined to secede on the basis of the voting in favour of re-integration originally -- presumably now Commonwealth status -- would they be prepared to allow a free choice to those islands in their district which might prefer to go with the Trust Territory into free associated statehood?

Mr. MUNA: First of all, the islands mentioned by the representative of the United Kingdom are within the municipality of Saipan. We also believe that the majority rules in this decision. At the same time, I would like to point out also that Guam rejected the idea of re-integration with a vote of only 30 per cent of the entire municipal votes

Mr. HAINING (United Kingdom): I should like to put one supplementary question. If the principle is that of majority vote, the vote cast for the re-integration -- and then, hence, presumably for Commonwealth status -- is less than 50 per cent of the total registered voters, would there be a clause which would require, in any local poll which might be carried out, 50 per cent of the total electorate voting for the final decision, or would it be simply of those voting? This is simply to establish whether it would be a majority of the total population whose right it is to decide their future.

Mr. SANTOS: On the question posed by the delegation of the United Kingdom, in the constitutional convention this question will be one of the subjects to be discussed and possibly arrangements can be made in that regard.

Mr. BLANC (France) (interpretation from French): Mr. Muna gave us to understand that there might be bloodshed if satisfaction were not given to the wishes of those representing the position of the majority of the Marianas. How specifically does he envisage this perspective? He also spoke of the use of force, but what force is this and how would the force be used? This pessimistic view of the future of the Territory ought to be explained.

Mr. MUNA: To answer that question I should like to go back to the year 1958 when a petition of the same kind was submitted to this honourable body. From there on, almost every year, the same petition kept coming to the United Nations as well as to the Administering Authority concerning the people's desire to be permanently associated with the United States of America.

(Mr. Muna)

On the question of bloodshed, I did not specify clearly that this would happen. It is only in the extreme cases where the people's desires were not heard and they were not given the opportunity to present their views; that is, as I stated before, if you turn us down and do not listen to our aspirations as expressed by various plebiscites in the Marianas.

Mr. BLANC (France) (interpretation from French): I should like to ask Mr. Santos what was the status of the Select Committee of which he spoke in his statement on land problems.

Mr. SANTOS: If I am correct the question was posed with regard to the status of the report of the Mariana Islands District Select Committee in 1966. A report submitted by the Select Committee of the Mariana Islands District Legislature shows that there is very little accomplishment -- as I stated also in my statement -- but there are substantial problems with regard to the land that are yet to be resolved, and that is one of the reasons for my coming to this honourable Council.

Mr. BLANC (France) (interpretation from French): I wanted to know what the status of that Committee was, how it was financed, how it was established, how it was constituted, how its members were designated and what is its legal, moral and financial status.

Mr. SANTOS: The Committee was established by a resolution of the District Legislature. Its report has already been made and circulated to this Council as well as to the Government of the Trust Territory.

Mr. BLANC (France) (interpretation from French): I should like to be more precise. I should like to know how the financing takes place. Who pays for the expenses? Were they large expenses or small expenses? Who paid for all of this work of the Select Committee?

Mr. SANTOS: The expenses of the Select Committee were paid by an appropriation of the District Legislature.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I have a question to ask Mr. Santos. I should like to know how many claims were filed to get plots of land and how many of the claims filed were satisfied.

Mr. SANTOS: We do not have the figure for the total number of claims filed, but the Committee's report, which was published by the Legislature and submitted to this Council, deals with the problem area in question.

The PRESIDENT: As no other member wishes to put questions I should like to thank the petitioners for having come such a long way to address us. They may be assured that the Council has listened with great care to what they have said and that it will take full account of their words in reaching its conclusions and recommendations.

I should like, as President, to say this to the four petitioners: The Council is bound by the objectives of the Trusteeship System set out in the United Nations Charter. In particular, it is our responsibility, under Article 76 (b),

"to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement."

The objectives also include, under Article 76 (c),

"... to encourage recognition of the interdependence of the peoples of the world."

Now, our four petitioners here and others who have addressed us from the Trust Territory can be assured that the Trusteeship Council will adhere to these objectives. It is natural that there should be different views held even among neighbours in a relatively small community. These views may be held with much strength, and strong feelings naturally give rise to strong words.

(The President)

Yet a very basic element of this Organization, set out in the Preamble to the Charter of the United Nations, is that we are determined "to practise tolerance and live together in peace with one another as good neighbours".

When our visitors return to the Mariana Islands, I am sure that the Council would hope that they would bear these objectives and these words in mind and that over the period to come they will strive together in accordance with these aims and objectives and principles to look for means of mutual understanding rather than assume that this understanding cannot be reached.

On behalf of the Council I should like to thank again the petitioners for their statements and for the answers they have given to our questions.

The petitioners withdrew.

AGENDA ITEM 5

EXAMINATION OF PETITIONS LISTED IN THE ANNEX TO THE PROVISIONAL AGENDA
(T/1714/Add.1)

The PRESIDENT: I should now like to invite the Council's attention to the communications and written petitions concerning the Trust Territory of the Pacific Islands. They appear in the annex to the provisional agenda (T/1714/Add.1) and are contained in documents T/COM.10/L.52-72 and T/PET.10/44, 66 and 67. The observations of the Administering Authority are contained in documents T/OBS.10/16, 37 and 38.

The Council will be aware that since the publication of the provisional agenda one more communication has been circulated. It appears in document T/COM.10/L.73, and I would suggest that it also be included.

A classification of these numerous communications and petitions according to subject matter appears to be difficult and, following previous practice, I would suggest that all of them be considered by the Council en bloc. I would propose, in accordance with the usual practice, to call on each delegation that wishes to put questions to the Administering Authority on all petitions and all communications before the Council. That means that the debate itself, if there is one, would touch on all these documents. After that, when all questions have been asked, the Council would then take a decision with regard to the communications, taken as a group, and after that again the Council would take a decision on the petitions.

Is there any comment on this procedure? If there is no objection it will be so decided.

It was so decided.

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

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): May I reserve my right to comment on these later?

The PRESIDENT: I have taken note of the statement by the Soviet representative that he reserves the right to refer to the communications and petitions at a later stage, and he may certainly do so. I wonder whether he or the Council would feel that this need prevent the Council from taking note, at the present stage, of the communications. If I hear no objection I shall take it that the Council decides to take note of the communications.

It was so decided.

The PRESIDENT: With regard, secondly, to the petitions, both written and oral, may I suggest that the Council decide to draw the attention of the petitioners to the observations of the Administering Authority and to any statements which members of the Council may subsequently make?

It was so decided.

The PRESIDENT: At our next meeting, to be held on Tuesday, 1 June, at 10.30 a.m. the Council will begin the general debate on conditions in the Trust Territory of the Pacific Islands.

The meeting rose at 12.45 p.m.