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VERBATIM RECORD OF THE SIXTEEN HUNDRED AND THIRTY-FOURTH MEETING

Held at Headquarters, New York,
on Wednesday, 20 May 1987 at 10.30 a.m.

President: Mr. BIRCH (United Kingdom)

later: Mr. GAUSSOT (France)
(Vice-President)

- Organization of work
- Examination of the annual report of the Administering Authority for the year ended 30 September 1986: Trust Territory of the Pacific Islands
(continued)
- Examination of petitions listed in the annex to the agenda (see T/1908/Add.1)
(continued)
- Hearing of a petitioner

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The meeting was called to order at 11 a.m.

ORGANIZATION OF WORK

The PRESIDENT: I apologize for our starting slightly late this morning, owing to informal consultations that were held among members of the Council in the hope that we can establish clearly how we will tackle our work over the next few days. I believe that the delay will be to the benefit of all delegations.

This morning we will continue with the examination of the annual report of the Administering Authority. We will then continue with the consideration of written communications and petitions and then, at the end of the morning, we will give time, exceptionally, to Mr. Alcalay to present his oral petition.

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1986: TRUST TERRITORY OF THE PACIFIC ISLANDS (continued)

The PRESIDENT: The Council will now continue the examination of conditions in the Trust Territory of the Pacific Islands and members will continue questioning, if they wish, representatives of the Administering Authority.

Does any member wish to put further questions to the representatives of the Administering Authority?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): To continue the subject we touched on at our meeting yesterday, we should like to put a question to the Administering Authority on the economic development of the Trust Territory of the Pacific Islands, in particular about the ratio in the Territory of foreign to international sectors in the economy. I would stress "national".

Miss BYRNE (United States of America): I may have misunderstood the interpreter. That is to say, I heard "international", and I heard "national", and I should like some clarification from the representative of the Soviet Union. I first heard "the ratio of foreign to international sectors in the economy". Then I heard "I stress 'national'". I should like clarification on that.

I should also like to know whether "national" - if "national" is the correct word - is meant to refer to the Micronesian sector or the Administering Authority. Is "foreign" the Administering Authority or is that an international entity? Is "national" Micronesia or the Administering Authority, or is it a combination of both? I understood two different things, and I should be very grateful for some clarifications.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics): What I was asking was the ratio between foreign and Micronesian sectors. If it is now clear, I should like the response of the Administering Authority.

Miss BYRNE (United States of America): I should like one further clarification. I take it from the formulation now that "foreign" covers both American - Administering Authority - activity and, say, activity by the Japanese, as an illustration. Does "foreign" mean both American and international? The other part is now clear; it is Micronesia.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics): What we would like to find out is the share of the Micronesian sector in relation to the other nations.

Miss BYRNE (United States of America): I thank the representative of the Soviet Union for the clarification he has given. I should now like to ask the President to be so kind as to call upon the High Commissioner to answer the substance of the question.

Mrs. McCOY (Special Representative): I, too, would have liked a little clarification, but I think perhaps I can answer the question of the representative of the Soviet Union. Each of our Governments has a five-year national development plan which they themselves have drawn up. This is in connection with their ongoing investment and economic development. Each of them has one, and in those plans they do have expected revenues and figures on some of the foreign and national investments. Those could of course be made available. They are not part of the Trust Territory routine, because these are their five-year national development plans.*

*Mr. Gaussot (France), Vice-President, took the Chair.

(Mrs. McCoy, Special
Representative)

Other than that, I would again call the attention of the Soviet delegation to table No. 1 in our statistical annex to the annual report, in which we point out the amount of local revenue. Each Government has entered its own figures. Those figures represent the money they could use for investment as opposed, for instance, to Department of the Interior (DOI) funds and the federal grant funds, which shows the amount of money that comes from the United States. As I said on this same point yesterday, all of the revenues that they expect to collect are their own to use as they wish and as such, of course, they can use them for investing and for anything that they particularly wish. I would point out again that there are, of course, chances with the joint ventures, with foreign investors and with local investors. There are joint venture requirements in the Governments. There are Foreign Investment Boards in each Government, and I would submit that that explanation of how the money is handled would suffice.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from

Russian): To our great regret, we have not received an answer to our question. Perhaps I shall have to give a further clarification. We are not asking how the money is spent by Micronesians or in what sectors they are investing the money which they receive from the Administering Authority or funds which they receive from other investors. What we want to know is the relationship, the ratio, of the two sectors which exists in the economy of the Trust Territory - the Micronesian sector and the foreign sector. That is what is of interest to us. We would like to have a clarification of the level of the economic development of the Trust Territory of the Pacific Islands.

(Mr. Berezovsky, USSR)

The reply just given was so general in nature that it was only indirectly related to the general state of affairs with respect to the economy of the Trust Territory. Perhaps the representative of the Administering Authority did not totally understand our question or really did not know the status of the economy of the Trust Territory of the Pacific Islands; or perhaps the Administering Authority knows that status but for some reason does not wish to submit those data to the Trusteeship Council. We have seen all the figures in the annex to the report, including the well-known table No. 1, which was referred to by the High Commissioner. However, those figures are not what led us to ask this question. I do not know if we can obtain a reply now. We are prepared to wait so that the delegation of the Administering Authority may be able to make the relevant appraisal and give us the data that we seek.

I come now to my next question: How many Micronesians over the past year have received higher-level education in various educational institutions?

Miss BYRNE (United States of America): The tables to which the High Commissioner has referred are the tables the Administering Authority has traditionally provided. There is information on the public sector, both the Administering Authority and the Micronesian public sector. This report does not provide, and has never provided, information on the Micronesian private sector except as it might arise incidentally in relation to another matter. The reason that private sector information, that is, whether Micronesian or foreign, does not appear is because that is left to the local authorities in line with the self-government which they have achieved.

(Miss Byrne, United States)

The report concerns the activities of the Administering Authority, which are in the public sector, and the activities of the Micronesian Governments, which are also in the public sector. That is consistent with reports of previous years.

Mr. McPheters, who is involved in education in the Trust Territory, can best answer the question of the representative of the Soviet Union concerning how many Micronesians have received higher education over the past year.

Mr. McPHETRES (Adviser): We have testified on this question many times over the past several years, and I am pleased to report that the number of Micronesians who have received higher education has been increasing steadily. Our report, which includes entries from the various Micronesian Governments, notes that there are approximately 700 Palauans alone who are abroad receiving post-secondary education. There are approximately 1,700 students in the College of the Northern Marianas receiving post-secondary education services. The College of Micronesia has an enrolment of about 700 on campus, but provides services to an unspecified number of students in the various other governmental areas: the states of the Federated States of Micronesia, Majuro, Palau, and so forth. These are primarily teachers receiving post-secondary education.

I would also point out that there are many Micronesian students abroad who are not included in those figures because they are not on Government scholarships or receiving Government aid; they are doing their own studies on their own financial resources.

If we take a ball-park figure typical of the last several years, there are probably about 3,000 Micronesian students receiving post-secondary education outside Micronesia, in addition to those receiving education from the College of the Northern Marianas and the College of Micronesia.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I phrased my question very specifically; I was interested in how many Micronesians had received higher education in the period we are now discussing. The answer was to the effect that people are studying; that they have not completed their work, but are still studying. We were given general statistics. Does the Administering Authority have specific figures concerning the number of Micronesians who have received higher education?

In that connection, I have another, closely related, question. If possible, I should like to know how many of those who have received higher education are now working in the Trust Territory of the Pacific Islands. The delegation of the Administering Authority could provide figures for each separate part of the Territory if it wishes.

Miss BYRNE (United States of America): I would turn to Mr. Samuel McPheters to answer the question on higher education just put by the representative of the Soviet Union.

Mr. MCPHETRES (Adviser): If I understand the question of the representative of the Soviet Union correctly, he is asking how many students have completed post-secondary education, not just those who have received post-secondary education. I should like to point out that the Trust Territory Administration does not track students engaged in post-secondary education. We have no way of actually saying how many have completed any particular programme, since many of those programmes take place outside the Trust Territory itself.

As for those who have returned to the Trust Territory, we have no figures on how many are employed, in the public sector or the private sector, since these are matters taken up by the local Governments. There is a Department of Education in each of the Governments, which maintains some information on this, and there is some information in the annual report, but as a general rule we do not keep this kind of record.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): The representative of the Administering Authority has been talking about progress in the sphere of education and about economic and overall development in the Trust Territory. Of course, there can be no development without a flow of educated people, especially people with higher education. Moreover, it has become clear that the Administering Authority does not know its facts, for it can give us no figures explaining on what this progress is based. I mention this discrepancy as a call to conscience for the Administering Authority.

I should like to ask another question. In a statement here, the High Commissioner said that the current situation in the Trust Territory as regards health care is stable: that everything is satisfactory, that there have been no recent outbreaks of illness and that there has been progress in this area.

(Mr. Berezovsky, USSR)

At the same time, however, the Trusteeship Council has data available to it indicating that there has been some worsening in this area as concerns the island of Ebeye. Those data are derived from statements made by Senator Ataji Balos of Kwajalein Atoll, in which he said that on 8 April 1986, 29 cases of typhoid had been diagnosed on the island of Ebeye, that a syphilis epidemic existed and that child malnutrition existed.*

We should like to obtain a clarification -

The PRESIDENT: I call upon the representative of the United Kingdom, who wishes to raise a point of order.

Mr. SMITH (United Kingdom): I had understood that we were at the moment discussing the agenda item under which questions were being asked of the Administering Authority. Yet the representative of the Soviet Union has been reading from a written petition. Since we decided to discuss written petitions later in this meeting, would it not be better if he left his comments until that stage?

The PRESIDENT: I think the point raised by the representative of the United Kingdom is a relevant one. I too had believed that we were questioning the representatives of the Administering Authority, and if there are points to be made on written petitions there will be an opportunity to do so at a later stage.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): That is precisely what we are doing now: asking questions of the Administering Authority. We were asking the Administering Authority a question based on data contained in the report of the Administering Authority and in statements made by the High Commissioner. I am asking questions directed to

*The President returned to the Chair.

(Mr. Berezovsky, USSR)

statements made by the High Commissioner. The source of my supplementary information is irrelevant. I am not questioning the delegation of the United Kingdom in this instance, but of the Administering Authority, and, I repeat, the source of my additional information - whether from petitions or from other materials, or even from the press - is irrelevant. The question of where I derived this or that item of information need not concern the representative of the United Kingdom. I do have questions to direct to the Administering Authority, and I should like to have answers to them.

Mr. BUCZACKI (United States of America): Before asking that the High Commissioner respond to the question relating to health, I would like to point out to the representative of the Soviet Union that we have, in fact, supplied him in Mr. McPhetres's answer, with information about higher education in Micronesia and that we believe that this answers his questions and also gives a very clear indication of the excellent state of higher education in Micronesia.

I would now ask that the High Commissioner respond to the last question.

Mrs. McCOY (Special Representative): The subject of health in Micronesia has always been one of intense interest to the Administering Authority, and we have seen over the past reporting years a steady increase in the health care and programmes that have come in. We have a new hospital on Majuro which is helping with the problems on Ebeye and throughout the Marshall Islands. We have a new hospital on Saipan in the Northern Marianas and we have one under design for Koror. Hospitals in the rest of Micronesia have also been renovated and are in good shape.

On the subject of Ebeye in particular, we did have a problem; it is now under control and I must at this time give a great deal of credit and a great deal of thanks to various bodies of the United Nations that, as always, stepped in to give us a hand out there. I speak particularly of the World Health Organization (WHO).

(Mrs. McCoy, Special Representative)

I give credit to the United Nations Children's Fund (UNICEF). I give credit to any number of other United Nations agencies that have helped us, not to eradicate, but certainly to improve. The hospital on Ebeye has just recently been thoroughly gone over and renovated. The service is better. We have plenty of doctors there now, and, of course, the new hospital on Majuro is a referral point for that.

I must also give credit to our own Centers for Disease Control in Atlanta, Georgia, which has a person stationed out there now who keeps good track of this sort of thing. I feel quite confident that the situation has so improved that - well, that is my statement: I feel confident that the situation has greatly improved.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): It is clear from the statement we have just heard from the High Commissioner that everything is not as marvelous in this sphere as was reported to us at previous meetings. Everything has not been as excellent as it should have been.

(Mr. Berezovsky, USSR)

It is stated on page 260:

"One significant event took place in May of 1986. This was when the Economic and Social Council for Asia and the Pacific admitted all four governments of the Trust Territory as separate Associate Members in their own rights."

In that connection, I should like to ask the following: Would the Administering Authority clarify whether the admission of all four Governments of the Trust Territory as Associate Members of ESCAP took place only in terms of changes of the names of parts of the Trust Territory? Is the statement in the report true? Is it correctly stated?

Mr. BUCZACKI (United States of America): I am perhaps not very clear about the content of the question of the representative of the Soviet Union. His remarks contain no information that would lead me to suspect that there is an inaccuracy in our report on this point.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): In asking that question, we are returning once again to the subject of what is the degree of the Administering Authority's responsibility for the Trust Territory, its understanding of that degree of responsibility, and its actions in accordance with that responsibility and the Trusteeship Agreement on the international scene. The Trusteeship Agreement perfectly clearly defines to what extent and how the Trust Territory can and should carry out its ties, regional or broader. It is from that point of view that we want to get from the Administering Authority clarification of that paragraph of its report.

Mr. BUCZACKI (United States of America): The United States fully supports and encourages the efforts of the individual Micronesian Governments to establish ties with their neighbours in the Pacific and to participate with them in appropriate regional forums. The Administering Authority was therefore extremely pleased to sponsor the applications of all four of the constitutional Governments for separate associate membership in the Economic and Social Commission for Asia and the Pacific (ESCAP) in April 1986. Those applications were unanimously accepted on 24 April 1986 by the ESCAP plenary in Bangkok, in accordance with ESCAP's procedures for accepting associate members. I would also note that all the Governments of Micronesia are members of the South Pacific Commission.

Furthermore, I refer the representative of the Soviet Union to page 16 of the Administering Authority's annual report, column 1, second paragraph, which provides amplifying material on the associate membership of ESCAP of the constitutional Governments of Micronesia.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): The answer we received from the representative of the Administering Authority in the given case does not shed light nor does page 16, which we have read also, because if we are speaking about page 260 we certainly had the opportunity to read page 16 as well. What we were speaking about here, what we wanted clarification about from the Administering Authority, was the true state of affairs concerning this part of the report, because as concerns the terms of reference of the Economic and Social Commission for Asia and the Pacific (ESCAP) - to which the United States representative referred - paragraph 5 says that any Territory, part thereof or group of Territories within the geographic zone of the Commission as defined in paragraph 2 may, upon application to the Commission by a member responsible for the international relations of the said Territory, part thereof or group of Territories - be admitted by the Commission as an associate member.

As we know, the Trust Territory was such an associate member until 1986, if we are not mistaken. Now, it seems to us that the report states that the four parts of the Territory - actually, it says "the four governments" of the Trust Territory - have become separate associate members "in their own right". Thus, there is an attempt to create the impression that the four parts of the Trust Territory of the Pacific Islands for which responsibility is borne by the Administering Authority are already acting under another part of the ESCAP article that I have quoted, which states that if a Territory, a part thereof or group of Territories becomes responsible for its own international relations, it may be admitted as an associate member of the Commission upon submission, in its own name, of application to the Commission.

As far as we know, this has not taken place and the four parts of the Trust Territory of the Pacific Islands became associate members of ESCAP, as should have

(Mr. Berezovsky, USSR)

been, upon application by the Administering Authority. Therefore, we are saying that Part X of the Administering Authority's report contains a definite distortion, as does Part III, just referred to by the representative of the Administering Authority in his previous statement.

Miss BYRNE (United States of America): I thoroughly disagree with the Soviet representative's characterization of this development to which he refers as a "distortion". I thoroughly disagree with that word. There has been no distortion. The single associate membership is now four separate associate memberships, in line with the increasing self-government of the four parts of the Trust Territory of the Pacific Islands - the four parts of Micronesia - and I do not believe it is within the purview of the representative of the Soviet Union to interpret ESCAP's charter for ESCAP. The applications were duly made in ESCAP, and ESCAP interpreted its charter as permitting the acceptance of four separate associate memberships in lieu of what had been a single associate membership. I do believe that it is up to ESCAP to interpret its own charter. It has done so, and the report of the Administering Authority for the period under review merely records that fact.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): The delegation of the United States, of course, has the right to disagree with the description given by the Soviet delegation of this part of the report or not agree. But that does not alter the true state of affairs - the actual situation - regardless of the wishes of the Administering Authority.

As far as I know, in considering this question, ESCAP requested information on this matter from the Legal Department of the United Nations, if I am not mistaken, and the appropriate conclusion was given, which is not in keeping with the

(Mr. Berezovsky, USSR)

understanding now expressed here by the representative of the Administering Authority. That is my first point.

Incidentally, if delegations here are unaware of the facts relating to the admission of the separate parts of the Trust Territory of the Pacific Islands to associate membership, they need only read that conclusion for themselves.

On that note the Soviet delegation ends its questioning of the representative of the Administering Authority.

Miss BYRNE (United States of America): I wish to add just one more statement concerning the last question of the representative of the Soviet Union. The decision taken by acclamation in the Economic and Social Commission for Asia and the Pacific (ESCAP) was confirmed by the Economic and Social Council (ECOSOC), the parent body of ESCAP, in 1986 at its regular session. ECOSOC is a main body of the United Nations under the Charter, as is the Trusteeship Council, and ECOSOC has taken the action it considered proper in the matter.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): This is not a question. It is simply a piece of advice to the representative of the United States to avoid future repetition of such statements in the report of the Administering Authority, continued misunderstanding of the essence of the issue at hand and a reluctance, so to speak, to see reality. The Soviet delegation views this as a clear policy of the United States with regard to the Trust Territory of the Pacific Islands and termination of the Trusteeship Agreement.

The PRESIDENT: If there are no further questions, I shall take it that we have completed the questioning of the representatives of the Administering Authority. I should like, on behalf of the members of the Council, to thank the representatives of the Administering Authority, who have been with us for some time, and thank, in particular, High Commissioner McCoy and her advisers, as well as Mr. Victor Uherbelau for his presence and for the co-operation of all members of the Administering Authority who, I am sure we will all agree, have made a most useful contribution to our work.

EXAMINATION OF PETITIONS LISTED IN THE ANNEX TO THE AGENDA (see T/1908/Add.1)
(continued)

The PRESIDENT: At our meeting yesterday the Council examined the communications contained in T/COM.10/L.366 and 369 to 375.

We shall now proceed with the examination of the written petitions contained in documents T/PET.10/476, 495 to 507, 511 to 513, 519, 521 to 523 and 526 to 536.

Does any member wish to comment on T/PET.10/476?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): As we have stated at previous meetings, the Soviet delegation takes special interest when additional sources of information become available on conditions in the Trust Territory, in both oral and written petitions. We take particular interest in the petition of Mr. Richard Eng (T/PET.10/476) who is very much concerned about a worsening of the situation in Ebeye. We believe that his petition is very timely. There are issues here which deserve the consideration of the Trusteeship Council. He requests that a special mission be sent to study the situation which has developed in Ebeye and quotes Senator Balos as saying that there is a syphilis epidemic and some cases of typhoid.

At the same time, the petition draws our attention to the fact that Kwajalein lands are again being confiscated from their owners. The petitioner says: "I cannot see how the testing of MX missiles and ABM systems on Kwajalein missile range can be equated with 'public use'."

The petition also draws our attention to the fact that more than 130 people have been living in protest camps on Kwajalein as a result of being forcibly removed from their lands.

At the same time - he quotes I think quite rightly - the words of a United States congressman, Mr. John Seiberling:

(Mr. Grigutis, USSR)

"I think the actions of the military out there are hardly becoming of a nation that is a great Power. Here we have a bunch of people who [are] our wards ... We're occupying their land and we're denying them the right to peacefully assemble and petition for redress of grievances that our Constitution guarantees to our own citizens. And yet we're in their country." (T/PET.10/476)

The citation I have just given from the petition would seem to show a violation of the Agreement. I think that the Council should take a close look at this petition and that we should receive a reply on this from the Administering Authority.

Mr. SMITH (United Kingdom): We are asked to take a close look at this petition and yet when I do look at it I see first of all that it was sent not from the Trust Territory, but from San Francisco. Secondly, I see that the petitioner appears to rely not on first-hand knowledge of the Territory but simply on, I imagine, press reports - if the Marshall Islands Journal is a newspaper, as I think it is. I think it is difficult for us to know exactly how much credence we should give to a petition which is not apparently based on first-hand knowledge.

I also wanted to comment on the quotation from a congressman which the representative of the Soviet Union just read out. I notice that, in fact, the comment is described as being "on a similar situation" - not on the same situation, but on a similar situation, and indeed a situation which took place well over four years ago. I wonder how relevant such a comment is to the current situation nowadays.

The PRESIDENT: As there are no further comments on this petition, we shall turn to document T/PET.10/495. Does any member wish to comment on this petition?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): This petition also draws the attention of the Trusteeship Council to some questions that perhaps the Trusteeship Council is already aware of, but it does provide additional information. Ms. Duika Watson writes that she does not understand the intention of the President of Palau to hold yet another referendum, since a referendum has already taken place. At the same time, she draws our attention to the fact that the people of Belau have repeatedly voted in favour of anti-nuclear clauses in the Constitution and that they are being forced to vote once again. She comes to the conclusion that she understands "the idea of

Mr. Grigutis, USSR)

democracy", but it is very difficult to believe that after six referendums, with a possible seventh on the way, the United States is still not satisfied and continues to find "new loop-holes and ways of undermining the Constitution". This petition has been sent to the Trusteeship Council and to the United States Embassy.

The document states here that observations may be required by the Administering Authority. We should like to know when we might receive some comments from the Administering Authority.

The PRESIDENT: My understanding is that this same question was asked of the representative of the United States yesterday and he indicated that he would be making a statement that covered all the communications at the conclusion of this section of our business.

Miss BYRNE (United States): I merely wished to say that three times before in this session, twice by me and once by another member of our delegation, the United States has said that it would, as it has always done, respond to comments on the petitions at the end of the discussion.

The PRESIDENT: We now turn to document T/PET.10/496. Does any member wish to comment on that petition?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): This petition from Mrs. Miller once again focuses our attention on the referendum which is to take place on 2 December and brings up new aspects which shed light on the activities of the United States in trying to force the people of Belau to change the Constitution which bans nuclear weaponry. Again it shows that the holding of a referendum is a violation and it draws special attention to the fact that the United States is trying to change the status of Belau as a Trust Territory, which is against the law. The petition contains an appeal to heed the wishes of the people of Belau, who do not want their land to be used as a United

(Mr. Grigutis, USSR)

States military base. Such use is not in keeping with the wishes of the people of the country. This petition, like previous ones, we feel requires some further comment on the part of the Administering Authority.

The PRESIDENT: We come now to document T/PET.10/497. Does any member wish to comment on that petition?

Mr. SMITH (United Kingdom): In fact I wanted to comment on document T/PET.10/496, but my comments apply to a great number of the petitions that we are considering at this time. First, I should like to point out that these petitions come from a great many places, as far apart as Tasmania, Sheffield in the United Kingdom, Japan and a great number from Vancouver, but I see very few from the Territory.

(Mr. Smith, United Kingdom)

Secondly, these petitions express opinions on the plebiscite which took place in Palau in December 1986, and a great number ask that the United Nations send a mission to supervise, or at least to observe, that plebiscite. Of course, the United Nations did indeed send a Visiting Mission, and my delegation was among those that participated. That Mission has reported on the plebiscite.

I personally prefer to give more weight to the report of the Visiting Mission than to the views expressed from the distant standpoint of Sheffield, Tokyo or wherever.

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): I believe that, under the rules of procedure, petitions can be submitted by citizens of any country, not only by inhabitants of the Territory of Palau. Indeed, it is interesting that people in other countries are interested in the fate of these tiny islands and that they are aware of and study the situation in the islands. That underscores the fact that the peoples of the world are not indifferent to the fate of Micronesia and that they are truly interested in ensuring that the Territory be able to determine its own future for itself.

The petition contained in document T/PET.10/497 is from Ms. Joan Grant, of Women Working for a Nuclear-Free and Independent Pacific. Understandably, it raises the question of the referendum, and it also points out that whereas the referendum should be free, undue pressure is being applied to the voters in Palau. The petitioner wishes to know if her organization could be granted observer status in the General Assembly and raises the matter of protecting the democratic rights of the citizens of Palau.

Has Ms. Grant received an answer to her petition?

The PRESIDENT: The Secretariat has informed me that Ms. Grant's letter was acknowledged and that she will receive a further communication once a decision has been taken on these petitions.

We turn now to document T/PET.10/498. Does any member wish to make a comment?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): This petition is interesting because it comes from Japan, a country that has suffered as a result of the use of nuclear weapons. Despite what the representative of the United Kingdom has said on petitions that refer to the plebiscite which was observed by a Trusteeship Council Visiting Mission, this petition also points out the senselessness of holding yet another plebiscite and speaks out in favour of the right of the people of Palau to defend its nuclear-free Constitution, which has been confirmed on many occasions by the will of the people. That is why an appeal is made to the Trusteeship Council, and the Council should bear this petition in mind.

The PRESIDENT: We turn next to document T/PET.10/499. Does any member wish to make a comment?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): The petition contained in document T/PET.10/499 is addressed to the Secretary of the Trusteeship Council and comes from Australia, from People for Peace and Nuclear Disarmament. It draws the attention of the Trusteeship Council to the fact that the people of Palau are constantly having the same question thrust at them, on which they have already expressed their views on numerous occasions. The petition asks what the Trusteeship Council and the Security Council intend to do in this connection to stop the same question being voted upon many times, and it observes that the result of certain actions is economic blackmail by the Administering Authority.

I believe these questions to be highly relevant to our discussion of the written petitions before us and of the general conditions in the Trust Territory.

Mr. GAUSSOT (France) (interpretation from French): I am somewhat astonished at the wording of this petition. The author writes that he hopes the Palauan people will not be "harrassed with yet another referendum". We are surprised at the notion that one can be harrassed with a referendum, as though it were something disagreeable. After all, the referendum is a form of expression and consultation in certain democratic countries.

The author of the petition goes on to ask, "How many times do they have to vote NO?" I would recall that if the various referendums have failed to achieve the required majority, the majority that was achieved has always been in favour, not against.

The PRESIDENT: We turn now to document T/PET.10/500. Does any members wish to make a comment?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): This petition (T/PET.10/500) comes from the Crossgates Peace Movement. It expresses that Movement's alarm at the intolerable pressure being put upon the Republic of Palau in an attempt to overthrow its Constitution.

(Mr. Grigutis, USSR)

Here attention is drawn to the fact, and the question is raised before the United Nations as to whether the Organization can guarantee that if they yield the Territory will not become yet one more United States base and the people of Palau will not suffer the same fate as the inhabitants of Diego Garcia.

Further, this petition protests against the typical disgraceful treatment of the islanders. It states that the United Nations should support Palau and take prompt and effective action to ensure that such acts are not repeated endlessly.

HEARING OF A PETITIONER

The PRESIDENT: If no other member wishes to comment on this document, I propose that we now hear the petition of Mr. Glenn H. Alcalay, if that is acceptable to the members of the Council.

At the invitation of the President, Mr. Alcalay took a place at the petitioners table.

The PRESIDENT: I now call upon Mr. Alcalay.

Mr. ALCALAY: I should like to preface my statement with an apology for the inconvenience I have caused the Council because of my absence last week.

I am grateful to the Trusteeship Council for the opportunity to appear before it today on behalf of the National Committee for Radiation Victims, a public-interest organization which works on behalf of people exposed to radiation from nuclear testing and all phases of the nuclear-fuel cycle.

My involvement with the people of the Trust Territory of the Pacific Islands began 13 years ago, when as a young Peace Corps volunteer I stepped ashore at Utirik Atoll in the Marshall Islands. Knowing in advance that Utirik - like Rongelap, its neighbour - had been hit with dangerous levels of radioactive fall-out, I was reminded of the frightening saga of the post-nuclear world captured

(Mr. Alcalay)

in Nevil Shute's modern classic On The Beach. Little did I know then that Utirik would for ever change my way of looking at the world.

Since my Peace Corps days I have maintained an intimate connection with the people of the Marshall Islands, and most recently I had the opportunity to sit in the federal court room of Judge Kenneth Harkins with several Marshall Islanders during the historic oral argument concerning the ongoing radiation litigation in the United States Court of Claims. Today I am conducting research on the socio-cultural impact of the United States nuclear-weapons programme in the Marshall Islands, and am based at the Graduate Faculty of the New School of Social Research here in New York City.

At issue today is the pending termination of the last remaining Trust Territory under the so-called Compacts of Free Association. I ask the Council to consider the following history of events.

Is it not more than a mere irony that the United States unilaterally took possession of Bikini Atoll in March 1946, caused the forced dislocation of the Bikini people and commenced its nuclear experiments in July 1946, one year before signing the Trusteeship Agreement the following year? And today, as Administering Authority, the United States is again attempting to act unilaterally as it seeks to terminate the trusteeship in a less than honourable, back-door manner. The best that can be said about the behaviour of the Administering Authority towards the Trust Territory is that it has acted with premeditated consistency as it has taken every conceivable advantage of the island inhabitants during its four-decades-long administration.

This Council is quite familiar with my previous petitions concerning the ongoing health and environmental problems associated with the nuclear-testing legacy in the Marshall Islands. Although I shall briefly touch on some of the

(Mr. Alcalay)

current problems which stem from the nuclear tests, I shall today focus primarily on the serious question of coercion on the part of the Administering Authority during the past 40 years of trusteeship.

Following the polio epidemic on Ebeye Island at Kwajalein Atoll in the early 1960s, 10 years after the discovery of a polio vaccine, the Administering Authority was closely scrutinized by this Council. Likewise, President Kennedy, who was embarrassed by this revelation, called for an immediate policy review of Micronesia. With his friend and Harvard economist as commission chief, Kennedy ordered Anthony M. Solomon to conduct an investigation of the situation in the Trust Territory during the summer of 1963. In what came to be known as the Solomon report, most of which is still classified for obvious reasons, a new United States policy for Micronesia was developed. It is a sad truism that in 40 years of administration the only viable product of development was the commission and implementation of the policy contained in the Solomon report.

Far from being a mere historical anecdote, the Solomon report contained recommendations which ring as true today as they did 25 years ago. For example, on page S-2 of the report it is stated that

"The President, on April 18 1962, approved National Security Action Memorandum 145, which set forth as United States policy the movement of Micronesia into a permanent relationship with the United States within our political framework".

More to the point, the Solomon report said that

"Micronesia is not now United States territory; we wish it to become so. To accomplish that, we must convince the United Nations and the Micronesians that a measure of self-government will be given".

(Mr. Alcalay)

In a previous passage I used the term "premeditated consistency" in reference to how the Administering Authority has conducted its affairs with the Trust Territory. In a quite startling passage that sounds shockingly familiar with today's impasse concerning pending termination, the Solomon report clearly anticipated problems within the United Nations, as expressed in the following passage:

"If, after the plebiscite[s], a Security Council resolution recognizing the freely expressed act of Micronesian self-determination and formally terminating the Trusteeship Agreement were to be vetoed, the United States would presumably take certain actions. It is not the Solomon mission's province to recommend overall tactics in the United Nations, but it should be stressed that from the Micronesian viewpoint reasonably rapid recognition of their act of self-determination should be taken by the United States without awaiting the results of a drawn-out debate in the United Nations."

(Mr. Alcalay)

So that Micronesia's future would not be ambiguous, the Solomon Report literally spelled out what the United States had in store for the Trust Territory:

"Looking forward to the period after the plebiscite when Micronesia may become another United States Territory, it would seem logical that it should follow the pattern of Guam, the Virgin Islands, American Samoa and, until recently, Alaska and Hawaii."

So much for "self-determination."

When journalist Bob Woodward, of Woodward and Bernstein Watergate fame, splashed a front-page story about Central Intelligence Agency (CIA) bugging in the 12 December 1976 edition of the Washington Post, many people in Micronesia were not surprised. Micronesians had known for several years about the CIA jungle training base in Saipan that was used for training Chinese Nationalists from Taiwan in anticipation of a United States-supported invasion of the Chinese mainland and later used for training Viet Nam advisers. Similarly, it was no surprise when President Nixon appointed Haydn Williams in 1971 to serve as chief United States negotiator in the nascent years of the post-Trusteeship talks. According to former United States representative to the United Nations Donald McHenry, Williams's past association with the Asia Foundation located in San Francisco provided him with the credentials necessary for his appointment. The Asia Foundation, says McHenry,

"was created in the 1950s to provide proper training and education for promising foreign leaders" (Micronesia: Trust Betrayed, Carnegie Endowment Foundation, Washington D.C., 1975, p. 104).

Reports in The New York Times at the time alleged that the Asia Foundation received major funding from the CIA.

According to Woodward's story in the Washington Post, Haydn Williams stated that the intelligence information gathered in Saipan since 1971

"was useful because the Micronesians are tough negotiators."

(Mr. Alcalay)

The Washington Post article went on to describe how the CIA conducted clandestine intelligence operations which were aimed at discovering the negotiating position of island leaders who had been talking since 1971 of independence from the United States. By assigning Haydn Williams to negotiate the status negotiations with the Micronesians and by resorting to the use of the CIA in Micronesia, the Administering Authority provided manifest evidence about the high-stakes game the United States was engaged in as it attempted to consolidate a group of islands into the United States orbit in a strategically sensitive portion of the Western Pacific.

For several years the Council has heard me argue about the validity and legitimacy of the 7 September 1983 plebiscite in the Marshall Islands. It may be recalled that I have repeatedly called into question the available knowledge for the average voter in the Marshall Islands about the full extent and breadth of the radiation legacy wrought by more than 66 atomic and hydrogen bombs in their islands between 1946 and 1958. The Council has also heard me point out that because a truly independent and non-governmental radiological and health survey has never been conducted in the Marshalls, the average Marshallese voter was unable to make an informed and intelligent decision about the full extent of radiation damage in the Islands and, therefore, was unable intelligently to make a decision about section 177 of the Marshalls Compact.

Is this a moot and irrelevant point I make? Not according to the Council's own Visiting Mission, which observed the 1983 plebiscite in the Marshall Islands. In its official report of 10 April 1984, the Visiting Mission made the following observations:

"The political campaign centred on the two questions of compensation under section 177 of the Compact and compensation for the Kwajalein Missile Range. Voters appeared to be faced with the decision of whether to settle for the amount offered in the Compact and therefore vote "yes," or to vote "no" in

(Mr. Alcalay)

the hope of getting more in the courts - a difficult decision on which they were offered much conflicting advice. No other subject attracted comparable attention in the campaign". (T/1865, para. 30)

As the Visiting Mission readily observed, the issue of radiation in the Marshall Islands was indeed "a difficult decision on which they were offered much conflicting advice." I submit to the Council that, in the aftermath of the nuclear testing programme in the Marshall Islands, the Administering Authority has succeeded in suppressing vital information about radiation levels and the concomitant health risks associated with past and current exposures to radiation. That the Administering Authority has blocked all efforts to conduct a full-scale epidemiological health survey of the Northern Marshall Islands in order to ascertain base-line health information is tantamount to covering up the radioactive legacy in the islands.

With these rather serious allegations in mind, I wish to direct the Council to a recent sworn affidavit filed by Tony DeBrum, the current Minister of Health of the Republic of the Marshall Islands, in the United States Court of Claims on 20 April of this year. Minister DeBrum, as the former Foreign Secretary and Minister of Foreign Affairs, was a key negotiator for his Government during the Compact negotiations.

In his recent bombshell affidavit, Minister DeBrum revealed in no uncertain terms what had been suspected all along, namely, that the United States used coercion against the Government of the Marshall Islands in the Compact negotiations. In a clear and unambiguous manner, Minister DeBrum makes manifest what many of us had always suspected:

"During the early negotiations of the Compact, the Government of the Marshall Islands had requested and fought for the statement of section 177 of the Compact, in which the Government of the United States admits its liability for

(Mr. Alcalay)

for all claims that arise out of the nuclear testing programme. Thereafter, it has always been the steadfast position of the Government of the Marshall Islands and its negotiators that the United States should negotiate with the individual claimants through their chosen representatives and that the claims should be negotiated with those claimants and not between Governments.

"The United States at all times, therefore, controlled the entire economy of the Marshall Islands. It could and did, during this period, provide or withhold funds for public purposes in order to pressure the public officials of the Marshall Islands into political positions desired by the United States. ... The United States Government began to use that debt burden to put pressure on us to include the nuclear claims and the espousal thereof in order to obtain the necessary funding which had been previously promised.

"The Government of the Marshall Islands held out as long as it could against this pressure. Eventually, however, an ultimatum was issued by the Government of the United States. We either had to include the claims and espousal or forgo the Compact of Free Association and remain as wards of the United States Government under the Trusteeship of the United Nations.

"Certain inducements were made to the Government of the Marshall Islands to cause it to support the Compact of Free Association during the plebiscite of the people of the Marshall Islands. ... After the plebiscite was completed the Government of the United States unilaterally changed the provisions of the Compact through its internal legislative process by withdrawing from the Compact these provisions which had induced some of us to support the Compact in the plebiscite, thereby making a mockery of the Marshallese people's act of self-determination. Following the passage of the Compact of Free Association by the United States Congress, the changed Compact was not presented to the people of the Marshall Islands for a new plebiscite.

(Mr. Alcalay)

"Espousal never should have been in the Compact. It is illegal and unconstitutional under the Constitution and laws of the Marshall Islands. It was included because of coercion by the United States Government upon the Government of the Marshall Islands.

(Mr. Alcalay)

"Although the United States held out the prospect that we would achieve sovereignty if we acceded to their many demands, even that prospect has proved illusory. So far in our negotiations with the many Governments which we have approached, only one, the former Government of the Fiji Islands" - that would be two Governments ago - "has welcomed us to the family of nations as an independent sovereign State. All others have refused to deal with us as a sovereign State on such questions as landing rights, etc. For example, Japan has refused to negotiate reciprocal landing rights, stating that the Trusteeship has not yet been terminated. The Asian Development Bank has denied us membership because of its position that we are not sovereign and the Trusteeship has not ended."

For this Council's deliberations, I wish to make available a copy of the aforementioned sworn affidavit of Minister Tony DeBrum and request that it be included as an official United Nations document.

As may readily be inferred from the damning indictment by Minister DeBrum, the Administering Authority has placed great value on extracting the espousal provision from the Government and the people of the Marshall Islands. As mentioned previously, because we still do not have an independent and non-governmental assessment of radiation-related damage in the Marshall Islands - a point this Council has heard on innumerable occasions - it is rather suspicious that the United States was so intransigent on the espousal issue. Obviously fearful of an independent radiation survey in the Marshalls and equally fearful of the Marshallese plaintiffs having their day in court, the Administering Authority has behaved rather unscrupulously as the 40-year guardian of the welfare of the island people of the Trust Territory. As the invasion of the island nation of Grenada -

(Mr. Alcalay)

with a population equal to Micronesia - has shown, and as the continued war by a super-Power against the tiny nation of Nicaragua has also demonstrated, the United States has succumbed to the moral equivalence of a third-rate nation.

When the tiny island nation of Palau mandated the world's first nuclear-free constitution in 1979, little did the 14,000 people realize that they would become involved in a David-and-Goliath saga lasting for several years. Today, after seven separate referendums on the nuclear-free constitution in what have come to be called "demonstration elections", the Palauan Government is set for an eighth role of the dice. While the rest of the world watches in complete dismay, it is truly difficult to fathom how the United Nations - and this body in particular - can manage to keep a straight face while the Administering Authority further desecrates the principle of democracy that it helped to instill among the people of Palau in the past 40 years.

And just what are the stakes at play here? We have heard denials on the part of the Administering Authority about alleged plans to use Palau as part of a defensive "fall-back arc" in the event the critical Philippine bases are closed beyond the current 1991 expiration date. Yet, one of the key negotiators in the Office of Micronesian Status Negotiations (OMSN) - James Berg - spoke quite candidly about the United States real interest in Palau. In an interview with the Washington Post on 18 January 1986, Berg explained the rationale for Palau.

According to the article in the Post:

"Militarily insignificant by itself, Palau offers the potential for refuelling stops and reconnaissance operations in support of larger facilities under construction for Guam and the Northern Marianas, the officials said. 'To the degree one looks at the next forward area for naval and air installations, we have completed the arc', said James Berg, political and economic adviser of the Office of Micronesian Status Negotiations."

(Mr. Alcalay)

To add to the political instability involving the confusion over the constitutional question and the Compact, Palau's first elected President was assassinated on 30 June 1985. Still unsolved, the Remeliik murder has thrown Palau into chaos.

Moreover, the economic catastrophe related to the IPSECO fiasco and the \$32 million defaulted loan certainly bodes ill for the minuscule nation of Palau as it resembles ever more a stillborn baby on the delivery table of emergent nations.

In a recent article in the Pacific Daily News from Guam, dated 19 April 1987, Palau's House of Delegates issued an angry resolution against the Administering Authority. The article in the Guam newspaper states:

"According to a recent resolution of the Palauan House of Delegates, 'The position of the United States is calculated to coerce the people of the Republic of Palau into accepting the Compact despite its known defects.'"

The article further stated that:

"The House of Delegates asked the U.N. Trusteeship Council and Security Council to 'express disapproval of the refusal of the United States to conduct negotiations with Palau aimed toward a satisfactory termination of the Trusteeship'."

And so now another plebiscite is planned for some time in June - 23 June, I believe - for the island nation of Palau. Observers of the situation there report that the Palauan people have grown weary of voting for the very same Compact they have voted on in the past so many times. Is it true that this Council and the entire United Nations organization will countenance such bizarre behaviour and such blatant coercion by an Administering Authority over a vulnerable Trust Territory? Is this truly what the international community had in mind 40 years ago ago when it entrusted the islands of Micronesia to the administration of the United States?

(Mr. Alcalay)

In a complete violation of the letter and the spirit of the framers of the United Nations Trusteeship System, the United States is attempting to bypass the Security Council as it seeks to terminate the Trust Territory of the Pacific Islands. As the 2 April 1987 written petition submitted by Professor Roger Clark of the International League for Human Rights clearly states, termination must occur with the Security Council.

It is interesting to note the approach taken by the current Reagan Administration in this light. In an interview with the Christian Science Monitor of 4 February 1987, OMSN's legal adviser Howard Hills brazenly states the case for the Administering Authority:

"Our attitude is", said Hills, "we've notified the Security Council of what's going on. As far as we're concerned, the trusteeship is over."

Unfortunately, Mr. Hills does not speak for the United Nations, and the mere "notification" of termination is insufficient in terms of the intent of the Trusteeship Agreement signed in 1947.

On 23 April Judge Kenneth Harkins of the United States Court of Claims ruled that the espousal provision of Section 177 of the Marshall Islands Compact was invalid. This preliminary ruling confirms what Minister DeBrum stated in his affidavit, namely, that espousal is unconstitutional and should never have been allowed to enter the Compact. If a final ruling by Judge Harkins - and that is due in about a month - finds that the over 3,000 Marshallese lawsuits pending in the courts shall proceed to trial, it will be a great victory for the unfortunate victims of United States nuclear testing in the Pacific.

One group of radiation victims - the former Rongelap people who now reside on Mejato Island in Kwajalein Atoll - is continuing to languish in a state of purgatory while they await an independent radiation survey of Rongelap.

(Mr. Alcalay)

In conclusion, I specifically request the Trusteeship Council to consider the following recommendations during its 1987 deliberations. The National Committee for Radiation Victims respectfully requests that the Trusteeship Council adopt a resolution which would reaffirm the position of the Security Council in respect of termination of the last remaining "strategic" trusteeship. It is also requested that the Trusteeship Council adopt a resolution which requires the Administering Authority to prepare annual reports on the Trust Territory as it does for other entities that are inscribed on the United Nations list of non-self-governing nations.

(Mr. Alcalay)

Finally, it is appropriate to quote a prominent Marshallese leader in respect to how the Administering Authority has performed during its 40-year administration. Speaking to a reporter from Newsweek magazine - 11 August 1986 - Marshall Islands legislator Carl Heine said about the Compact, "Now we're going to be the only sovereign country in the world with our own U.S. ZIP code". Referring to the near-complete economic dependence created in Micronesia by the United States, Heine stated further his suspicion about Washington's "long-standing policy to get us so dependent on the United States that we won't want another country to come in".

I would urge this Council to demonstrate to the citizens of Micronesia that, instead of sugar-coated absorption of the island-nations of Micronesia by the United States in a fait accompli, the United Nations stands ready to protect the rights and freedoms of inhabitants entrusted by the international community to seek true self-determination and independence from foreign rule.

The petitioner withdrew.

The PRESIDENT: Unfortunately, Mr. Alcalay's petition has taken rather longer to deliver than he had indicated to the Secretariat - in fact, nearly twice as long - and I fear that because of the lateness of the hour we will not have an opportunity to permit members to ask any questions they may have, and I propose, in fact, an informal consultation to see whether we may find - if it is the wish of members - an opportunity to do that.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. President, it is very sad that you have come to the conclusion that we cannot ask questions now of the petitioner because his petition is an extremely important one, filled as it is with very serious material and facts. Therefore, we will naturally be ready to discuss this question, and we express the hope that we will still be able to ask questions of Mr. Alcalay.

(Mr. Berezovsky, USSR)

During the reading of his petition Mr. Alcalay referred to a memorandum of Minister DeBrum and noted that he could submit a copy of the text of that memorandum to members of the Trusteeship Council. I should like to request Mr. Alcalay, through you, Mr. President, to distribute that document to members of the Council and that, if possible - this is up to members of the Council - it be made an official document of the Trusteeship Council since it has a direct bearing on the question we are considering and would be extremely useful in further discussion of items on the Trusteeship Council's agenda at the present session.

The PRESIDENT: It is of course, open to Mr. Alcalay, if he heard that request - as it is indeed open to any member of the public - to submit to members of the Council any document he wishes. No doubt, when we have that document in our hands and members have had an opportunity to consider it we could then decide whether or not it should be an official document of the Trusteeship Council.

ORGANIZATION OF WORK

The PRESIDENT: I propose that tomorrow morning we continue with agenda item 5 on the consideration of written petitions. We will then consider agenda item 6 on the report of the Visiting Mission to observe the plebiscite held in Palau in December 1986, and I understand that we may have a draft resolution to consider.

I propose that we then consider the request to dispatch a visiting mission to Palau to observe the plebiscite that is planned to be held in June 1987. That is a new agenda item.

We would then take up agenda item 7, "Offers by Member States of study and training facilities for inhabitants of Trust Territories". If there is time tomorrow morning, we would then turn to agenda items 9 and 10, "Co-operation with the Committee on the Elimination of Racial Discrimination" and "Decade for

(The President)

Action to Combat Racism and Racial Discrimination". But if, as I fear, we are not able to complete all those agenda items tomorrow morning, I propose nevertheless to keep to the provisional time-table we adopted and to start the general debate tomorrow afternoon. I very much hope that members wishing to speak in that debate will be ready and prepared to do so at that time. Two meetings will be held tomorrow, but tomorrow afternoon will be devoted to the general debate. If there is time left over we might return to some of the agenda items we were unable to cover in the morning or other items that remain on our agenda.

Then, on Friday we will have just one session, in the morning. We will take, I hope, closing statements by the Administering Authority. At some stage tomorrow I will give further notice of what other agenda items I propose to take up on Friday.

The meeting rose at 1.10 p.m.