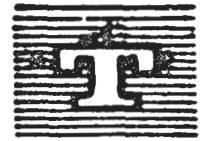


UNITED NATIONS
TRUSTEESHIP
COUNCIL

UN LIBRARY



JAN 06 1988

COLLECTION

Distr.
GENERAL

T/PV.1644

22 December 1987

ENGLISH

Fifty-fourth Session

VERBATIM RECORD OF THE SIXTEEN HUNDRED AND FORTY-FOURTH MEETING

Held at Headquarters, New York,
on Tuesday, 15 December 1987, at 10.30 a.m.

President: Mr. BIRCH (United Kingdom)

Hearing of petitioners (continued)

Examination of written petitions

This record is subject to correction.

Corrections should be submitted in one of the working languages, preferably in the same language as the text to which they refer. They should be set forth in a memorandum and also, if possible, incorporated in a copy of the record. They should be sent, within one week of the date of this document, to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

87-60777 2862V (E)

609.

The meeting was called to order at 10.20 a.m.

HEARING OF PETITIONERS (continued)

At the invitation of the President, Miss Chapman, Mr. Collett, Mr. Clark and Miss Rios took places at the petitioners' table.

The PRESIDENT: I should like to remind petitioners that, as I said yesterday, I hope they will keep their oral petitions to 15 minutes and no more. There are many bodies in the United Nations where there are time limits on speeches; I personally feel that an intervention of about that length is the most effective. I shall give petitioners a polite reminder if they seem to be running over the time.

I call on Mr. Stephen Collett.

Mr. COLLETT: I am Stephen Collett, representative to the United Nations of the Friends World Committee for Consultation, the international body of Quakers. I thank the Council for giving me this opportunity to address it on behalf of the American Friends Service Committee.

The American Friends Service Committee is gravely concerned about the situation in Palau. I would like to begin by explaining why this is the case. The American Friends Service Committee is a Quaker-based organization which carries out programmes of service, development, justice and peace. We have projects across the United States and throughout the world.

Our work is based on the Quaker belief that there is that of God in every person, and that each human being is of infinite worth. From this flows our profound opposition to violence, war and civil and economic injustice, and our profound conviction that in free and open circumstances people can create

(Mr. Collett)

democratic, self-reliant and equitable solutions to their common problems and needs. We further believe that conflict within a community or between nations can be peacefully resolved, and that it must be so resolved if justice and continued peace are to prevail.

For those reasons we have watched the deteriorating situation in Palau with dismay and alarm. We believe that the requirement that Palauans vote repeatedly on the Compact of Free Association and the escalating violence that has accompanied those votes represent a fundamental violation of democratic processes. Those processes, including the right to an unencumbered judiciary, are essential if a people is to be truly self-governing. We are coming before the Council today to urge that it take whatever action possible to guarantee the safety of all Palauans and the integrity of Palau's democratic processes.

As background on the interest of the American Friends Service Committee, I should like to speak briefly about the specific experience of the American Friends Service Committee related to Palau. We began to learn about the situation in Palau several years ago, largely through the work of our Portland, Oregon, office. As members may know, Portland has one of the largest populations of Palauans in the United States. Through contact with Palauans there, we became aware of the pressing issues surrounding voting on the Compact of Free Association. Recognizing that fundamental questions of self-determination were at stake and that our own Government was playing a critical role in shaping the future of Palau, the American Friends Service Committee began to work with the Palauan community in Portland, supporting their efforts to prepare for the plebiscites that were to come.

In the past two years, that interest in Palau has expanded to include several other offices of the American Friends Service Committee, including our national office in Philadelphia. One of our primary concerns has been to inform people in

(Mr. Collett)

the United States about Palau: the apparent conflict between Palau's Constitution and the Compact of Free Association; the fact of repeated voting on the Compact; the recent violence and intimidation; and the role of the United States. We have written to our own Government urging that the United States act responsibly towards Palau and in a manner consistent with stated United States ideals of democracy and self-determination.

Two members of the staff of the American Friends Service Committee have travelled to Palau within the past year. Their reports have deepened our concern. From a staff members who observed the June 1987 plebisite we learned of tension, uncertainty and fear surrounding voting on the Compact. That was, of course, before the tragic events which resulted in one death, a fire-bombing and the withdrawal by those threatened of the lawsuit challenging the August referendum on the Constitution.

Another staff member visited Palau at the end of November 1987. She reports that there is still a pervasive sense of intimidation. Several pro-Constitution leaders have been threatened with physical harm or death. Pro-Constitution supporters have been unable to meet together. Several must have bodyguards and some rarely leave their family compounds. The atmosphere, she says, continues to be extremely tense. Some people literally fear for their lives.

Clearly that is not a situation in which there can be free and open debate and decision about Palau's future.

Concerning contact with the Administering Authority, we have, as noted earlier, been concerned that the Government of the United States should act responsibly towards Palau. We have communicated our concern to the United States Congress which, as the Council knows, must eventually approve the Compact of Free Association if it is to go into effect. We have urged Congress not to take any

(Mr. Collett)

action on the Compact until there is a genuine resolution of the constitutional issues, a thorough and credible investigation of the recent murder, violence and intimidation, and a complete audit of the Palauan Government's use of United States funds.

Several months ago, the Chairman and three other members of the Committee on Interior and Insular Affairs of the United States House of Representatives wrote to President Saliu in Palau and to Secretary Hodel of the United States Department of the Interior, raising questions about the events surrounding the August votes in Palau and about interference with Palau's judicial process. Those communications are on record with the Trusteeship Council from an earlier petition by the American Friends Service Committee. They stated that they would need to be assured that the Compact of Free Association had been constitutionally approved "with individual rights and constitutional processes secure" before they could support the Compact. I have made available to members of the Council copies of those letters, along with a letter of concern from Representative Les AuCoin addressed to Secretary Hodel. A team of General Accounting Office investigators has also recently been sent to Palau.

(Mr. Collett)

I turn now to the letter dated 18 September 1987 from the Chairman and several members of the House Committee on Interior and Insular Affairs addressed to the Honourable Lazarus E. Salii, President of the Republic of Palau. That letter reads as follows:

"This responds to your communications reporting that Palau is now ready for the Compact of Free Association, which would establish a new relationship between the Republic of Palau and the United States, to go into effect and requiring expeditious congressional approval for its implementation.

"We share your interest in early implementation of the Compact as it was approved by Public Law 99-658. We are gratified that this proposed relationship is clearly supported by a majority of the people of Palau. We must also underscore, however, an essential precondition in Public Law 99-658 for enactment of legislation to implement the Compact: the constitutional approval in Palau of the Compact.

"In this connection, we are greatly concerned by the recent acts of violence and allegations of intimidation in Palau which may have interfered with the judicial process. Lawless acts can only jeopardize early effectiveness of the Compact by opening Palau's approval to further question.

"Action on legislation to bring the Compact into effect can be expected as soon as the rights of the people of the islands and the sanctity of the institutions of their Government are assured and Palau's constitutional approval of the Compact is unquestioned. To expedite the implementation of the Compact, we urge the executive branch of Palau to take whatever steps may be necessary to ensure the safety of individuals and the integrity of the processes of the judicial and legislative as well as the executive branches of government.

(Mr. Collett)

"In closing, we want to reiterate our support for Palau's self-determination and express our confidence that you will take the courageous actions necessary in a difficult situation to permit a relationship of free association between Palau and the United States to replace the existing Trusteeship administration."

That letter was signed by Morris K. Udall, Chairman; Don Young, ranking Republican; Ron de Lugo, Chairman of the Sub-Committee on Insular and International Affairs; and Robert J. Lagomarsino, ranking Republican of that Sub-Committee.

In conclusion, we believe that the situation in Palau remains at a critical point. The Trusteeship Council can play an important role in moving Palau away from crisis towards a just and lasting resolution of these problems. We request that the Trusteeship Council take whatever actions are within its power to assure the safety and civil rights of all Palauans. We further ask that it urge the Administering Authority itself to assure that the rule of law can prevail in Palau. Only when Palauans are free to use their judicial system and participate in plebiscites without the threat of violence or retribution will there be genuine democracy in Palau.

The PRESIDENT: I call next on Mr. Roger Clark.

Mr. CLARK: I appear today as Vice-President of the International League for Human Rights, a non-governmental organization in consultative status with the Economic and Social Council.

I want to talk about the rule of law, a concept that has been fighting for its very life in Palau. In a climate where those in power are conniving at assaults on its ramparts, the rule of law is a fragile fortress indeed. We have witnessed this year in Palau a referendum which purported by a simple majority vote in a

(Mr. Clark)

referendum to amend the Palau Constitution so as to remove the 75 per cent majority requirement of its nuclear-control provision insofar as it affects approval of the proposed Compact with the United States.

The League believes that effort was invalid under the Constitution itself. It is at least highly illogical to suggest that the drafters of a constitution would put in their work a requirement for a 75 per cent majority to deal with a particular type of case - nuclear materials - and then permit that provision to be negated by a 50 per cent vote. An examination of the plain language, the structure and the legislative history of the Palau Constitution demonstrates quite conclusively that the drafters knew what they were doing. They were behaving quite logically, given their abhorrence of things nuclear. The Constitution requires a 75 per cent vote to deal with the nuclear issue, including Compact approval, and nothing else will suffice. Other parts of the Constitution may be changed in other ways, but there is a special rule applicable to the nuclear-control provisions. The game has to be played according to the rules, and those are the rules the people of Palau laid down by overwhelming votes when they adopted their democratic Constitution. A 75 per cent majority was required for a constitutional amendment. It was not received, and the effort at amendment failed. I believe the Supreme Court of Palau would so hold.

Ah, but there is the problem: supreme courts in the common law system do not just reach out and decide issues. They must wait for a plaintiff to bring a suit and for someone to argue both sides. They must themselves be free from intimidation, as must the parties. The system in Palau has been frustrated. A lawsuit was filed by three citizens of Palau challenging the validity of the purported constitutional amendment. The plaintiffs and their attorneys were placed under a lot of pressure. A deal was struck between President Salii and the Ibedul, the traditional leader, to withdraw their suit. They did.

(Mr. Clark)

Some 20 women subsequently filed essentially the same lawsuit in their own names. They were unable to obtain the services of an attorney within Palau. They approached Roman Bador, one of the lawyers in the first suit, who holds the rank of Trial Assistant under the Palauan rules governing the conduct of lawyers. He can appear in court and can sign legal papers only in the company of one admitted to practice as an attorney. He was not able to act on their behalf. The Palauan women were seeking other counsel outside Palau as they could not find an attorney to act within. Mr. Bador's father was murdered at his son's office shortly before a hearing on the case and during an apparently unexplained power outage, in the course of which other violent acts and arson occurred. That hearing was to take place before Judge Hefner; he was sitting after the Chief Justice had taken himself off the case under intense pressure. I have seen some of the disgraceful correspondence addressed to the Chief Justice, and I understand that he received telephone threats as well.

(Mr. Clark)

The women plaintiffs signed a paper presented to them, evidently prepared in the offices of the Palauan Government's lawyers, withdrawing their suit. Two of them filed further material swearing that they had withdrawn under intimidation. Judge Hefner issued a remarkable decision which I understand has been circulated as a Council document. He acknowledged that on the record before him he could not make a finding whether intimidation had or had not appeared, but he was obviously troubled. He said that

"The courts are established to allow anyone to have their case heard and decided by an impartial tribunal. Even the so-called little person or the underdog is entitled to have his or her day in court, no matter how unpopular his or her cause may be.

"If in this case any one of the Plaintiffs has been denied that right it is tragic.

"If intimidation of the Plaintiffs has prevented the utilization of the doctrine of due process, then the citizens, the Government, counsel and this Court have nothing to be proud of, and the justice system has failed the Plaintiffs".

The Administering Authority has nothing to be proud of either. The United States has an obligation under the Trusteeship Agreement to ensure that all actions to terminate the Agreement are in fact legally valid. A memorandum dated 10 September 1987 on the letterhead of the Office of the High Commissioner, from one Chuck Jordan to a Mark Hayward of the Department of the Interior, obtained under the United States Freedom of Information Act, records a meeting with Judge Hefner in which the judge is said to have

"stated that he believed that the only reason the plaintiffs had withdrawn their case was of intimidation through the use and threat of violence".

(Mr. Clark)

A similar "memorandum for the record" by Mr. Hayward refers to a phone call from Mr. Jordan, who

"referred to Judge Hefner's conversation by saying the judge strongly felt that the United States should not implement the Compact with Palau".

In spite of this, the executive branch of the United States Government has apparently certified to Congress that the lawful approval of the Compact has occurred under Palauan law. There is at least an opportunity for the legislative branch of the United States Government to stop this travesty in its tracks by refusing to complete the process of approving the Compact with Palau.

It has been suggested by the executive branch that Congress has approved the Compact with Palau. In fact, congressional approval, in Public Law 99-658, is the most curious approval I have ever seen: Congress "approved" the Compact subject to its later approving it. Section 101 (d) of the legislation provides that the Compact is not to take effect until after certification by the United States President, that the Compact had been legally approved in Palau and after

"enactment of a joint resolution which has been reported by the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Foreign Affairs and other appropriate Committees of the House of Representatives authorizing entry into force of the Compact".

Present indications are that the relevant committees will take their responsibilities seriously and carefully scrutinize recent events. This Council is entitled to expect no less.

If the United States continues now with bringing the Compact into force, history will draw some harsh conclusions. The matter can proceed to its next stage on the basis of raw power, or it can proceed according to the rule of law. What is the Administering Authority prepared to do? Is it prepared to face a fair fight in

(Mr. Clark)

court? How many members of this Council are prepared to stand up and demand that it do the right thing? Will Congress stay the hand of those who would like the whole thing swept under the carpet?

A further question of the rule of law concerns the United Nations Charter. As members of the Council are aware, on 3 November 1986 the President of the United States by Proclamation purported to terminate the Trusteeship Agreement in respect of the Northern Mariana Islands, the Federated States of Micronesia and the Marshall Islands, three of the four governmental entities in the Territory. In a written petition to the Trusteeship Council dated 2 April 1987 and in an oral petition delivered on 13 May 1987, the International League for Human Rights argued that the actions of the Administering Authority in this regard constitute a breach of Article 83 (1) of the United Nations Charter. That provision states that

"All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council".

I have since developed that argument in a letter to the editor of the American Journal of International Law, copies of which I am making available.

The United States made some vague promise to the members of the Trusteeship Council that it would abide by its obligations under Article 83, and the Council did not find it necessary last May to press the matter further. Yet the Administering Authority's lawyers have continued to assert in various lawsuits arising out of nuclear tests in the Marshall Islands that the Trust is terminated as to the three entities in question and that the Security Council has no role in that endeavour. I am happy to report that in the case to which Miss Roff referred yesterday, Senior Judge Harkins of the United States Claims Court has unequivocally rejected the Government's position, in a decision dated 10 November 1987.

(Mr. Clark)

Judge Harkins acknowledged that the legislation giving effect to the Compact with the Marshall Islands under United States domestic law had achieved the amazing feat of removing in mid-stream the Court's jurisdiction to decide a series of cases arising out of the nuclear testing in the Marshalls. He concluded nevertheless that arguments similar to those the League has put before this Council

"support, if not require, the conclusion that the Trusteeship Agreement for the Trust Territory of the Pacific Islands has not been terminated.

Accordingly, the Agreement remains in effect de jure at international law until the Security Council has acted".

I trust that members of the Trusteeship Council will continue to uphold the letter and spirit of the Charter.

In sum then, I challenge the Administering Authority to find a way to vindicate the rule of law in Palau, to vindicate in its Non-Self-Governing Territory those constitutional principles which have been so rightly honoured in the recent celebrations of the bicentennial of the United States Constitution. At the same time, I challenge the Members of this Organization not to stand by in silence as a provision of its constituent document, Article 83 of the Charter, is brushed aside by one of the founding Members.

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation thanks Mr. Clark for finding the time to come before the Council and deliver a petition which drew a clear - and alarming - picture of the conditions under which the legal system in Palau is operating. He described also the conditions under which the last two plebiscites were held in Palau. My delegation wishes to ask two question of Mr. Clark.

First, can Mr. Clark tell us how under the Constitution of Palau changes may be made to its provisions? Secondly, can Mr. Clark comment as a lawyer on the President Reagan's 30 November message to the United States Congress stating that a joint Senate and House resolution on the Compact of Free Association with Palau would give the green light to the Compact and terminate the 1947 Trusteeship Agreement?

Mr. CLARK: I am afraid that the answer to the first question, relating to how the Constitution of Palau may be amended, is a somewhat complex matter, but I shall endeavour to address at least some aspects of it. There are three arguable relevant provisions in the Palau Constitution which relate to the question. One provision is that which deals with matters nuclear; in fact there are two provisions dealing with matters nuclear, and they require a 75 per cent majority to permit nuclear materials to be admitted into the jurisdiction.

There is a second provision, which relates to amending the Constitution in order to remove what are referred to as inconsistencies with the Compact of Free Association. That is the provision under which the August amendments purported to take place. As I understand that provision, it relates only to changes effected in the Constitution after the Compact has come into force. Of course, the question here was the modality for bringing the Compact into force, and I think it is quite

(Mr. Clark)

clear from a reading of the section, from an examination of its legislative history and from its location in the structure of the Constitution that it was inapplicable to the amendment which it purported to effect.

There is yet a third relevant provision in the Constitution, which refers to amendments in a broad sense. That provision can be used only at the time of a general election. There was no general election in 1987; the first one is to be in 1988. So by the very terms of this provision, these amendments may first be made only in 1988.

The problem in reading the Constitution, of course, is that of reading all these provisions together. For the reasons that I have suggested, the provision relating to an inconsistency is clearly inapplicable in the present circumstances; we are then left with reading together the provisions relating to nuclear material and to amendments at the time of a general election. My own view is that the provision pertaining to the nuclear issue is so specific that it is the only way in which the Constitution may be affected so as to deal with the nuclear question. Lawyers have a Latin phrase which goes something like generalia non specialibus derogant that is to say, if you have a special, specific provision on a point it may not be overridden by some other general provision in a constitution.

In short, my view is that the only way in which the Palau Constitution may be affected so as to remove the nuclear provision is by the 75 per cent override provision contained in that Constitution.

I am not entirely sure I understood the second question, but let me try to respond to it. The representative of the Soviet Union asked a question about a message by President Reagan which evidently asserted that a joint resolution would bring the Trusteeship to an end. I have not seen the message to which he refers, but I must reiterate the point the International League for Human Rights has made

(Mr. Clark)

on previous occasions, namely that the United States Congress has no power to terminate the Trusteeship Agreement; the United States President has no power to terminate the Trusteeship Agreement; the Security Council is the sole body with power to terminate the Trusteeship Agreement.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation thanks Mr. Clark for his answers. Let me note that the text of the message from President Reagan to which I referred is contained in The Congressional Record (S-16738) of 30 November 1987.

The PRESIDENT: I call next upon Miss Catherine Chapman.

Miss CHAPMAN: I thank the members of the Trusteeship Council for this opportunity to report on the 30 June plebiscite. My name is Catherine Chapman; I am Apache and Yaqui, and a member of Women of All Red Nations of the Bay area of northern California. We are a local chapter of a national native American women's organization concerned with the protection of indigenous peoples' rights. I was sent by the International Indian Treaty Council as its representative to monitor the June election.

I arrived in Palau ahead of the rest of my delegation. In order to have a better understanding of the Palauan culture and to educate myself on the issues they were voting on, I spent most of my time going to local markets to meet people and to listen to their views on the upcoming election. Prices for many of the food items seemed extremely inflated. I was told that many stores had to raise prices on all items to cover their losses due to food spoilage during the power blackouts. I was told that many people were having a difficult time feeding their families and were concerned that the situation would deteriorate even further if the Compact of Free Association was not adopted.

(Miss Chapman)

The people were told that the blackouts were necessary to save money, but many felt they were an attempt to influence voting. I should like to read out a portion of a 12 June 1987 memorandum to the Palauan Administration Minister from the Technical Adviser, annexed to the text of my petition as item 1:

"The question is going to arise one of these days soon just how much money are we saving by turning off the power every night. You might want to check into it further to be prepared. From my quick analysis the answer is none".

As concerns the question of political education, the public library, although well organized, contained very old reading material. It reminded me of the elementary-school library I used as a child. It contained only a few, dated, magazines on current affairs and no information on environmental issues from within the past 10 years. There was no information available on the health effects of chemical or radiation contamination.

Contrary to the finding of the United Nations Visiting Mission, we were told that air-time on radio and television was difficult to obtain for pro-Constitution speakers, because of power blackouts and other problems. In that connection, I wish to cite a letter dated 13 May 1987 from Shiro Kyota addressed to Mr. Frank Malsol, annexed to the text of my petition as item 2:

"On May 4, 1987 the Manager of WSZB radio station informed us by telephone that the program of the House of Delegates will no longer be aired by the Government-owned and only radio station in Palau. On the same day, I wrote to you asking for a written statement behind this drastic action. It has been twelve days and I have not received any communication from you, written or otherwise.

(Miss Chapman)

"On May 11, 1987, I sent a public announcement to be aired. I have not received any written reason why that announcement has still not been broadcast. Please explain in writing why

"1. The program of the House of Delegates cannot go on the air;

"2. The announcement was not aired;

"3. What process do we have to go through to be able to reach our constituents through radio programming".

I asked whether they had been able to answer questions relating to health risks in accidental radiation exposure. The members of the Political Education Committee that I polled said that kind of information had not been made available to them, but that if I found out they would appreciate it if I would inform them. If the Political Education Committee could not answer these questions, I question whether or not the Palauans had been adequately advised on the realities of the contract they were voting on.

This issue is of key importance to me because our people were never informed of the health risks related to uranium mining in the south-western United States, and today the birth-defect rate and cancer rate are 10 times the national average. It has been documented that the United States Government knew the danger it was placing our people in, yet never informed them.

United States military bases have nuclear weapons. Many of the pro-Compact people felt it hard to believe that the United States would not respect the anti-nuclear clause in their Constitution. Pro-Compact supporters who spoke to me felt there was an economic necessity to pass the Compact because of the financial crisis. They said that they had been advised by their legal counsel that the United States had no intention of building a military base on Palau, and that the anti-nuclear clause was open to renegotiation upon the adoption of the Compact. In

(Miss Chapman)

that connection, I have annexed to my text a memorandum for the Secretary of the Army, dated 21 October 1981, as item 4. I shall read out a portion of that document:

"Even though there are no US military installations in Palau at the present time, it is an area of great strategic importance to the Department of Defense. Should use of bases in the Philippines be denied or restricted in the future, Palau, together with Guam and the Northern Marianas, would become the next available alternative for the conduct and support of US military operations in the western Pacific and Indian Ocean. Accordingly, it is a condition of terminating the Trusteeship that Palau will grant the US a 50-year option for extensive base and operating rights in its territory. The present Palauan Government has recently reaffirmed an earlier commitment to do so".

I turn next to the question of economic pressures. Palau is governed as a Trust Territory under the United States Department of the Interior. As a Trust Territory it has an annual budget for its social services. Yet while we were there we were told that meals to patients in the hospital had been stopped and that medicine was in short supply. We were told that this put patients on special diets at high risk, as their families could not always prepare the foods needed. Patients without family in the area were dependent upon any members of the staff who could feed them. We were told of one young man who had not eaten for three days before someone noticed that he had no one to bring him food.

We were told that deliveries of food supplies were delayed to some of the outer islands as a means of influencing the vote for the Compact. Government newsletters which were available on the counters of the local markets stated that many children in the outer islands of Palau suffered from malnutrition.

(Miss Chapman)

Where is the money the United States has given Palau to develop economic advancement and self-sufficiency? Where has it gone? One thing we heard over and over again was that despite the economic pressures forcing them to want the Compact the people said they were afraid to have the current Administration obtain the Compact funds, because of what they saw as corruption and mismanagement within the past few years.

I refer now to item 5, an article from the San José Mercury News dated Sunday 29 November 1987:

"Three top officials of Palau, a strategically vital American Trust Territory near the Philippines, were paid the sum of \$450,000 by a company that built a costly power plant in the sun-drenched Pacific island group. The 16-Megawatt electrical generating plant was a financial fiasco from its inception and has raised grave questions about the ability of the Trust Territory to manage its money, much of which comes from US aid".

I turn now to the plebiscite of 30 June 1987. The people were angry at having to vote again. Many took their ballots and slammed them into the ballot boxes. Although on the day of the plebiscite there were no visible irregularities, one has to consider events leading up to the vote. One young man stated that the repeated elections were like torture, and as with torture one becomes numb to the process.

What I fail to understand is why the Trusteeship Council has allowed the Government of the United States to force this tiny island nation to vote over and over again on an agreement they have already said "no" to. And they have said "no" in a legal and traditional way, by not giving the 75 per cent majority required in their Constitution. The 75 per cent majority is an example of their incorporation of the traditional decision-making process, which was by consensus and not by simple majority.

(Miss Chapman)

Why has the Council not questioned and objected to the United States policy regarding this election process? If according to the Trusteeship Agreement the United States was required to "develop economic self-sufficiency and self-government", and when the Palauan people did develop self-government with the adoption of their Constitution in 1979, then why did the Council not object to the repeated plebiscites?

(Miss Chapman)

I should like to submit item 6 dated 11 September 1987. This is a letter to Congressman Ron de Lugo, Chairman of the Senate Sub-Committee on Interior and Insular Affairs from Santos Olikong, Speaker of the House of Delegates.

"Dear Chairman Do Lugo,

"Because of your demonstrated concern for the dangerous situation in Palau, I am writing to advise you of events as they now stand. In short, Palau is in a reign of terror and intimidation. The last hope of those of us who want to see freedom and democracy survive in Palau that the Court would issue a decision nullifying the recent illegal constitutional amendment and subsequent Compact ratification has been smashed. The ultimate has happened: our pleas to the United States and to the United Nations went unheeded and a human life has been lost over the Compact of Free Association. The Compact now has blood on it.

"Last Monday night, within minutes a bomb exploded outside the home of a person who does not support the Compact as presently written, a building owned by another who is a traditional leader was set on fire and the father of a trial counsellor who dared to represent persons challenging the constitutionality of the constitutional amendment and referendum in Court was shot. He died the following day. The message was very, very clear: death to those who stand in the way of the Compact implementation.

"The law suit challenging the Compact was dismissed. The Court will never rule on the legality or illegality of Compact implementation. The only law in Palau right now is the law of the jungle. My own home was fired upon on two separate occasions when I and my family were at home. The first occurred Saturday night and again on Sunday morning.

Sincerely,

Santos Olikong,

Speaker, House of Delegates"

(Miss Chapman)

On behalf of the elder women of Palau who asked for my help in exposing the truth about the situation there, I ask that the Trusteeship Council fully investigate events leading up to the violent conditions that now exist there. I would also like to add that I was told that the Bedor family grandchildren have been threatened with abduction if they continue to work for this.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation has a minor question to ask of Miss Chapman. In her petition she referred to building a 16-megawatt electric station. Our question is: do we need this powerful an electric station in Palau?

Miss CHAPMAN: In the documents submitted there is more information on that. What I was told over there is that the plant that was built oversupplies the needs of the Palauan people and was built to generate power in the event that a military base was built there. That is the information I have.

Mr. SMITH (United Kingdom): My delegation listened with interest to Miss Chapman's petition. Frequently during the petition she uses the form "I was told" or "I heard" when she was in Palau. I wonder if she could specify a little more in detail who her sources are, how many people she spoke to and so on.

Miss CHAPMAN: We had a public forum and many people came and asked if they could speak to us privately. Many were afraid to speak to us in public and we tried to go out into the community and speak to as many people as possible on both sides of the issue. We went to members of the Administration; we went to the hospital; we tried to find out as much information from all sides as to what was the situation in Palau.

Mr. SMITH (United Kingdom): Miss Chapman said that during her time in Palau she attempted to find out both sides of the argument and to talk to people on both sides. Could she please explain to us why

(Mr. Smith, United Kingdom)

in her petition she appears to have reflected only one side of the argument? The side certainly from the democratic referendum which was held in Palau appears to be the minority argument.

Miss CHAPMAN: I would have to answer that, as indigenous people, what might seem the minority is many times the traditional voice of the people. I spoke to many elders over there, to many women, and I felt that the position I took was a fair representation of what we were told on both sides. It was very disturbing to me that both sides wanted the same thing for their people and that the problem seemed to be on the interpretation of the Compact and the misinformation surrounding that issue. I think the Trusteeship Council is aware that this Constitution was adopted with 92 per cent of the people in favour, and there has been incredible pressure on the people to change this. I feel that the investigation we carried out explains how this was brought about. I do not know if I answered the question, but I feel that I had to give a voice to those people who are living in fear and intimidation in Palau today.

The PRESIDENT: I call upon Miss Sara Rios to deliver her petition.

Miss RIOS: My name is Sara Rios. I am a staff attorney at the Center for Constitutional Rights located here in New York City.

I would like to take this opportunity first to thank the members of the Trusteeship Council for permitting the Center for Constitutional Rights to address it regarding what we believe to be a very serious situation in the country of Palau.

We begin our petition by stating that something very precious hangs in the balance in these chambers, in the halls of the United States Congress and in the country of Palau: that is, the answer to the question whether history books will characterize the transition of Palau's form of governance as one decided by Palauan people or as a transition dominated by mob rule and perhaps even interests outside Palau.

(Miss Rios)

In 1986 the Center for Constitutional Rights successfully represented Palauan plaintiffs in a suit in defence of Palau's Constitution. That suit, denominated Gibbons v. Salii, resulted in, among other significant holdings, a holding that the proposed Compact of Free Association between the United States and Palau was in direct conflict with Palau's Constitution, in that the Compact provided for the use and storage of nuclear substances on Palau. This being the case, Palau's highest court ruled that the proposed Compact could not be constitutionally ratified by Palau unless it garnered at least 75 per cent of the popular votes cast in a referendum to consider ratification of the Compact.

(Miss Rios)

Although two plebiscites to ratify the Compact were held following Gibbons v. Salii, both failed to gain 75 per cent of the vote necessary for ratification. Subsequently a plebiscite to amend the Palau Constitution, and thereby make it easier to ratify the Compact, was held. This amendment purported to require only a simple majority vote to ratify the Compact. It is our contention, and that of many Palauan citizens, that the plebiscite held to amend the Constitution was seriously flawed and therefore ineffective. For this reason the subsequent plebiscite held this past August in which the Compact is said to have been approved by less than 75 per cent of the vote is invalid.

Legal challenges were immediately undertaken by Palauans who questioned the validity of the amendment process and thereby also called into question the validity of the subsequent plebiscite. One of those legal challenges was lodged by some of the Center for Constitutional Rights' former plaintiffs in the 1986 suit.

That challenge filed in August 1987 and captioned Ngirmang v. Salii was failed pro se: that is, the 27 women plaintiffs who filed the suit did so without counsel of record to speak on their behalf. The plaintiffs filed without counsel because they believed that there was no counsel available whose safety could be ensured. Shortly after filing their suit the women contacted us at the Centre for Constitutional Rights to seek assistance in furtherance of their suit.

In early September the plaintiffs in Ngirmang v. Salii requested that we assist them in preparing a memorandum in opposition to a motion to dismiss that had just been filed by the defendants. On the weekend of 5, 6 and 7 September, as we intermittently conferred with the plaintiffs via Telex, we were informed that Bedor Bins, the father of one of the plaintiffs, and also father of our co-counsel in the 1986 suit, had been murdered in his son Roman's office. We also learned that there had been an attempted fire bombing at the home of the name plaintiff in Ngirmang v. Salii the same night that Mr. Bins was murdered.

(Miss Rios)

Shortly thereafter we were informed that Ngirmang v. Salii had been voluntarily withdrawn by the plaintiffs because the events of that night and the harassment experienced at the courthouse immediately before the trial had made them fear that they would be harmed if they did not withdraw their suit. However, that there were significant indicia of involuntariness associated with the withdrawal is evidenced by Presiding Judge Hefner's memorandum issued after the alleged withdrawal. In it Judge Hefner states:

"There are indications in the record and in the proceedings in this matter that the dismissal signed by the plaintiffs may not be voluntary.

There are indications that the dismissal was brought about by intimidation through the use of violence. This was manifested by a document signed and filed with the court by two of the plaintiffs and, as demonstrated yesterday in court, the failure of any of the 20-some plaintiffs to appear."

The document referred to by Judge Hefner is one that the plaintiffs prepared after the murder and firebombing and which they filed with the court on 8 September 1987, the same day they purportedly withdrew their suit. Careful examination of the document, which I include as an exhibit to this statement, indicates that it was not the women's desire to withdraw their suit but rather that they intended only to postpone it until it became safer for them to pursue it.

The wording of this document demonstrates the plaintiff's willingness to continue the suit at whatever time it might be safe for them to do so. Indeed, we have been instructed by the plaintiffs to continue preparation of the suit challenging the constitutional amendment process and subsequent plebiscite in the event that they deem it safe to refile in the future.

To provide further evidence of the current climate of unrest, the Center for Constitutional Rights has gathered anonymous affidavits from Palauan citizens who are not plaintiffs in Ngirmang v. Salii. In the affidavits the affiants express

(Miss Rios)

their desire to legally challenge the Palau constitutional amendment process but also their reluctance to do so in a climate of fear, intimidation and threats. The affidavits were given under assumed names because the affiants were afraid that if they identified themselves they or their families might be harmed. The affidavits demonstrate that, were it not for fear of physical harm, Palauans would exercise their absolute right to challenge the amendment of Palau's Constitution and the subsequent plebiscite which took place under its authority.

The affidavits speak very eloquently about the situation in Palau and therefore I would like to read out a portion of one of the affidavits dated 12 November 1987 in which Jane Doe No. 3 states the following:

"My active political involvement in support of the Constitution caused my relatives to be threatened both physically and through fear of losing their jobs. One of my relatives felt it was necessary to carry a gun at home to protect himself and his family. Other relatives who hold political office were so fearful because of the violence against supporters of the Constitution that they left their homes and lived with their families in hotels. One relative received death threats and even left the island, and others have sent their families out of the islands. Another of my relatives who held political office was pressured by the Government because of my activities supporting the Constitution and was removed from his job temporarily.

"I believe this violence was intended to intimidate Palauans opposed to the Compact and did intimidate them. It prevented them from further political education and use of the media and being vocal. What it did was thoroughly silence them, preventing them from further opposition, even making it impossible for them to do their jobs or meet together.

"There have been six votes on the Compact. None of them had adequate education. There were not enough meeting times, and Government members who

attended did not answer questions - for example, what the effects of the Compact would be. One stated, 'We are under oath not to answer these questions'. I would say that 98 per cent of the time the Political Education Committee campaigned for the Compact.

"For the 4 August 1987 amendment to the Constitution, a woman lawyer who was a representative of the Government came with a ballot box. She only passed the ballot language out and did not explain the positive and negative effects of changing the Constitution: for instance, that changing the Constitution would allow nuclear activity and the United States military into Palau. She did not explain the other provisions in the Constitution which would be changed, such as eminent domain for the benefit of a foreign entity. There was inadequate education on this constitutional amendment also and it was not legal to amend the Constitution this way.

"I was sad when I heard the women dropped their lawsuit challenging the constitutional amendment as illegal. I would support such a lawsuit in the future myself and be a plaintiff, but I would want to know there is no violence first because I fear my actions might bring harm to my family at home."

With regard to the strengths of a suit challenging the amendment of Palau's Constitution, it is the strong and considered opinion of attorneys at the Center for Constitutional Rights that such a suit would have great merit. Palau's Constitution was amended under Article XV, section 11, of Palau's Constitution. That section states as follows:

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

(Miss Rios

Initially we note that the amendment in question was not "proposed for the purpose of avoiding inconsistency with the Compact of Free Association", as Article XV, section 11 requires. Rather, the amendment's specific purpose was to alter the method by which the proposed Compact of Free Association could be adopted by Palau.

(Miss Rios)

Secondly, the plain language of article XV (11) itself, as well as the constitutional legislative history, demonstrates that article XV (11) is intended to apply only after the Compact of Free Association has been adopted, by Palau, and not before such adoption. The language in article XV (11) refers to the Compact of Free Association and not to the proposed Compact of Free Association. A memorandum prepared by the Congressional Research Service is in accord with that interpretation.

Finally, article XV (11) was interpreted by Palau's own Attorney-General as referring not to a proposed Compact of Free Association but rather to an already approved Compact of Free Association.

In summary, we believe it is abundantly clear that the amendment of Palau's Constitution was procedurally flawed. It is also abundantly clear that Palauans wishing to mount a challenge to the constitutional amendment process cannot do so because of their fear of physical reprisals for their actions. Unless Palauans can safely pursue their right legally to challenge the propriety of the constitutional amendment process and the subsequent ratification of the Compact of Free Association, it can never be truly said that Palauans determined their own destiny or that they decided what was best for them and their country. Under the provisions of article VI of the Trusteeship Agreement, the Administering Authority is to ensure the progress of the Territory towards self-government or independence in accordance with the freely-expressed wishes of the peoples concerned. The current climate of violence and intimidation in Palau prevents any free expression of opinion regarding the Compact approval process. The situation calls into question the integrity of the United States' administration of its Trusteeship in Palau.

(Miss Rios)

Based on the foregoing, the Center for Constitutional Rights urges the Trusteeship Council to take whatever action is in its power to assure a prompt return to the rule of law in Palau. We also urge the Trusteeship Council to oppose any action by the Administering Authority to push the Compact of Free Association through Congress at a pace that would in effect deny the right of Palauans to the full due process of law which is part of their entitlement to self-determination.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation thanks Miss Sara Rios for coming before the Council. We think her petition was comprehensive and contained interesting conclusions; several questions came to mind as my delegation listened to her statement.

More than once Miss Rios noted that the 4 August plebiscite was invalid in terms of amending the Palau Constitution. What are the facts here? What specifically did Miss Rios have in mind when she said the plebiscite was incorrect and invalid?

Secondly, Miss Rios cited several sources, including official sources, to show that there were defects in the pre-plebiscite political campaign. My delegation is uncertain here: the reports of the Visiting Missions state the opposite, that the inhabitants of Palau understood the purpose of the plebiscite and the question on which they had to vote, and that this was true thanks specifically to the political campaign. My delegation wonders where the truth lies in this case.

Miss RIOS: With regard to the first question of the representative of the Soviet Union, about the opinion of the Center for Constitutional Rights that the August referendum was incorrect or invalid, our position is that the amendment of Palau's Constitution was not carried out in a way consistent and in accordance with the Constitution of Palau. That being the case, the amendment of the Constitution was flawed. We take the position that that means the results of the

(Miss Rios)

vote are without effect. Admittedly that would have to be challenged in court, and a finding would have to be made before official invalidation of the vote could take place.

The second question addressed the affidavit of Jane Doe No. 3, a part of which I read out today. Jane Doe No. 3 is a Palauan citizen. She was in Palau when the August referendum took place. She was stating her impressions of the political education process that took place prior to the referendum, and it was her impressions that I was reading out. We also have other affidavits reflecting the very same information; hers is a representative example.

The PRESIDENT: The Council has thus concluded its hearing of petitioners. I thank the petitioners very much for their presentations and for being with us. I would ask them now to withdraw.

The petitioners withdrew.

EXAMINATION OF WRITTEN PETITIONS

The PRESIDENT: The Trusteeship Council will now proceed to examine written communications and petitions, which are contained in documents T/COM.10/L.378 and L.381 to 391, and T/PET.10/580 to 669. I believe that each member of the Council has a copy of these documents.

I propose that we begin by examining the communications, documents not specifically addressed to the Council but to other bodies, copies of which were transmitted to the Council for its information. Does any member wish to comment on the communications contained in documents T/COM.10/L.378 and L.381 to 391?

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation has a question for the Council Secretary with respect to document T/COM.10/L.378: The writer asks the Secretary to distribute to the members of the Trusteeship Council copies of a brief, which he enclosed with his letter. A footnote indicates that the brief has been placed in the files of the Secretariat.

Why were copies of the brief not distributed, in conformity with the request of the writer?

The PRESIDENT: I call on the Secretary of the Trusteeship Council.

Mr. ABEBE (Secretary of the Trusteeship Council): I should like to inform members that when Mr. Weisgall transmitted copies of the brief we immediately forwarded copies to each member of the Trusteeship Council. I would appreciate it if the representative of the Soviet Union would check his records.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): We shall examine our files, but I am not at all sure we have this brief; I have not seen it.

Mr. SMITH (United Kingdom): First of all, I should like to say that if the representative of the Soviet Union wishes to borrow my copy of that brief I should be happy to give it to him after the meeting.

Secondly, I should like to comment on document T/COM.10/L.387, which is a communication from a Miss Jill Lewis and, I imagine, from others, in which among other things she calls upon the British Mission to the United Nations, the Security Council and the Trusteeship Council to support the wishes of the people of Palau as repeatedly stated during the plebisites of 1979 to 1987. I should simply like to say that, so far as my delegation is concerned, precisely what we have been trying to do over the past eight years and more is to ensure an outcome that does indeed

(Mr. Smith, United Kingdom)

reflect the wishes of the people of Palau. In the plebiscites to which Miss Lewis referred, on every occasion a large majority of the people of Palau voted in favour of the Compact; it is that choice we are seeking to uphold.

The PRESIDENT: In the absence of any further comments, I suggest that the Council take note of the communications contained in documents T/COM.10/L.378 and L.381 to 391.

It was so decided.

The PRESIDENT: We turn now to the written petitions contained in documents T/PET.10/580 to 669.

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): How is the Council going to examine these petitions: one by one or in some other fashion?

The PRESIDENT: In this matter I am in the hands of the Council. We can look at them one by one; we can look at them in batches; or members can select those they wish to comment on, and we can take them in the random order they choose. If there are likely to be a large number of comments, I would be happy to take them in batches, but perhaps the representative of the Soviet Union can guide me as to how he would like to comment on the petitions.

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation would prefer to consider the petitions in order, one by one.

The PRESIDENT: We shall go one by one, then.

We begin with document T/PET.10/580.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): I request that the delegation of the Administering Authority comment on some aspects of this petition. The petition begins,

"Please note the enclosed pamphlet and note my disapproval of such undemocratic actions on the people of Belau by the United States".

That is a very serious accusation about which United States delegation cannot remain silent.

The petition also contains the very serious accusation that the President of Palau is using destabilization tactics, stating the following:

"the country is in the grip of an 'economic crisis' which is directly the result of United States economic neglect and years of financial mismanagement and malpractice".

That serious statement demands comments from the Administering Authority.

The PRESIDENT: We move on to document T/PET.10/581.

Mr. SMITH (United Kingdom): This is a petition from Stirling District Council in the United Kingdom, referring to an appeal from the traditional Chief of Palau for, among other things, a peace-keeping presence in Palau and an enquiry into the situation there. My delegation is a little confused by this petition since, in one of the documents before us (T/1917) we have read a statement delivered by the traditional Chief of Palau, Mr. Gibbons, in which, among other things, he expresses support for the Compact and makes no appeal along the lines suggested by the petitioner. Perhaps that is something the Administering Authority might wish to comment on later.

The PRESIDENT: Are there any comments on documents T/PET.10/582 to 586?

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): Petition T/PET.10/586, addressed to the Trusteeship Council, begins

"We are deeply concerned that there may be moves to end the United Nations trusteeship without meeting the United Nations standards on decolonization.

"We believe that the people of Belau have been under pressure to agree to give the United States the right to operate nuclear warships within the jurisdiction of Belau, and to agree to continued unrestricted United States military and strategic access".

My delegation shares the concerns expressed in this petition.

The PRESIDENT: Does any member wish to comment on documents T/PET.10/587 to 590?

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): Petition T/PET.10/590 reads in part:

"I feel it is an urgent matter to draw your attention to the situation that is facing the Pacific Territory of Belau....

"...

"It is essential for the United Nations to retain sponsorship of Belau.

The disbandment of the present Constitution would be an illegal act ...".

My delegation agrees with that statement.

The PRESIDENT: We turn now to petition T/PET.10/591.

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): This petition notes that

"It is obvious that the pressures to throw out the anti-nuclear provisions have come from the United States and only that country will benefit from the dismantling of the world's first anti-nuclear Constitution",

(Mr. Chernyy, USSR)

and asks

"What sort of democratic process is that? It seems that democracy is only available to the powerful."

My delegation asks the same question, and supports the petitioner's request that the United Nations, as the responsible authority in the islands, act promptly to send United Nations observers to Palau and to station a United Nations peace-keeping force there - in an appropriate form, of course.

The petitioner goes on to ask

"Could the United Nations undertake to investigate way in which Belau could build its economy and start on the road to self-sufficiency and not sacrifice its integrity for an agreement with the potential to destroy their culture and their environment and to place them under threat of nuclear attack?"

The PRESIDENT: Are there any comments on documents T/PET.10/592 to 596?

Mr. SMITH (United Kingdom): I asked to speak because T/PET.10/596 is the first of a number of petitions from individuals in the United Kingdom. Many of these petitions express similar criticisms of the Administering Authority or similar concerns about the situation in Palau. Rather than comment on them all individually, I should like to ask the Administering Authority to pay particular attention to these petitions in its concluding statement and I should like to request that the Secretariat ensure that the petitioners receive a copy of the Administering Authority's comments on these petitions.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): Petition T/PET.10/596 is addressed to the Trusteeship Council, and reads in part,

"I am writing to express my solidarity with the people of Belau in their attempts to retain an anti-nuclear Constitution".

(Mr. Chernyy, USSR)

Here again, there is a request that the United Nations provide a peace-keeping force to prevent United States-inspired disorder. We support that request.

The PRESIDENT: Are there any comments on document T/PET.10/597?

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): I wish to note that petition T/PET.10/597 bears 94 signatures, and comes from the Campaign for Nuclear Disarmament of Auckland, New Zealand. The petitioners are deeply concerned that the United States may move to end the United Nations Trusteeship, without meeting United Nations standards on decolonization. They

"believe that the people of Palau have been under pressure to agree to give the United States the right to operate nuclear warships within the jurisdiction of Palau, and to agree to continued unrestricted United States military and strategic access".

The petitioners call on the Trusteeship Council to ensure the Palauan people's continuing right to self-determination and their right to maintain the nuclear-free commitment in their Constitution.

We stand in solidarity with the petitioners in their request and in their comments in this petition.

The PRESIDENT: Are there any comments on petitions T/PET.10/598 to 601?

Mr. SMITH (United Kingdom): Petition T/PET.10/601 comes from the City Clerk of the city of Bristol in the United Kingdom. It makes a number of statements concerning the situation in Palau, several of which seem to my delegation to be incorrect.

(Mr. Smith, United Kingdom)

For example, in the first complete paragraph on page 2, the petition alleges that the conduct of the referendums in Palau is in contravention of international law. There have been several United Nations Observer Missions in Palau present during those referendums. You, Mr. President, of course, chaired one of those missions and I think I am right in saying that all of those missions concluded that the procedures of the referendums had been conducted legally and fairly.

Further on in that paragraph, the petition alleges that copies of the Compact had been presented only two weeks before voting and that they were predominantly available only in English. Again, the understanding of my delegation is that those statements are not correct. This was the same Compact that had been voted on as early as February 1986. I think copies of the Compact had been available in Palau both in English and in the native languages since well before that vote, so the people of Palau had had some 20 months in which to get to know the Compact. I think that is probably quite enough time for most people.

Finally, a little further down the page, in the third paragraph, the petition refers to an illegal amendment to the Constitution. My delegation understands that the amendment to the Constitution was ruled legal in the Palauan courts, so again this Statement appears not to be correct.

As regards paragraph (1), page 2 of the petition, I have already commented in my remarks concerning the petition from Sterling Council.

Finally, as regards paragraph (2), page 2 of the petition, I understand that all United Nations documents concerning the situation in Micronesia are, as we heard during our main session in May, given a full distribution in the territory.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): Our delegation has carefully read this petition from Mr. Bates, representing the Committee Services Section for City Clerk. I believe he is a competent official. This petition deals with the illegal amendment made to the Constitution in Palau. In this respect I should like again to express the concern of my delegation because what we find in the petition does not reflect what is found in the report of the Visiting Mission. Our delegation once again has some problems in this respect.

The PRESIDENT: Are there any comments on T/PET.10/602? 603? 604?

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/604 from Women Working for a Nuclear-Free and Independent Pacific deals with the nature of the political situation in Palau and contains the following direct questions:

"How much more violence? How many more assassinations? We are angered by United Nations hesitation to act to protect the people and Constitution of Palau. We urge you to call a halt to the increasing terrorism being used in Palau ...".

Our delegation wishes to express its concern at the situation in Palau as described in this petition.

The PRESIDENT: Are there any comments on T/PET.10/605? 606? 607? 608? 609?

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET/10/609, also from Women Working for a Nuclea-Free and Independent Pacific, expresses horror at the assassination of Rub-ak Bedor that took place on the steps of the Belau Pacific Centre on 8 September 1987. It states that this assassination was committed under the

(Mr. Chernyy, USSR)

direct sanction of President Salii, which is an extreme escalation of the régime of intimidation and harassment directed against those people who wish to retain Belau's legal nuclear-free-zone Constitution. We ask: Should not the Council send a request to President Salii to answer these charges contained in this petition? A very serious charge is made here.

The PRESIDENT: Are there any comments on T/PET.10/610? 611?

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/611 from H. B. Roberts and Margaret Roberts, from the United Kingdom, states that the islanders are not getting a fair deal even in United Nations Trust Territories. Again there is reference to the murder of Mr. Bedor and the fire bombing of leading women opposed to the Compact, which shows the lengths to which the supporters of the Compact go. I should like to repeat our view that perhaps the Council should send a request to the President of Palau to respond to these kinds of charges stated in the petition.

The PRESIDENT: Are there any comments on T/PET.10/612? 613? 614?

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/614 from Richard Eng relates to the Trust Territory of the Pacific Islands. The question of amending the Constitution of Palau is again touched upon. It contains a quote from the statement of Santos Olikong, Speaker of the House, as follows: "I voted for the enabling legislation on these two plebiscites only because I feared for my life". The delegation of the Soviet Union expresses serious concern over how this amendment to the Palauan Constitution was voted on and whether this reflects the facts of the situation.

(Mr. Chernyy, USSR)

direct sanction of President Sallii, which is an extreme escalation of the régime of intimidation and harrassment directed against those people who wish to retain Belau's legal nuclear-free-zone constitution. We ask, "Should not the Council send a request to President Sallii to answer these charges contained in this petition? A very serious charge is made here.

The PRESIDENT: There appear to be no comments on T/PET.10/610.

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/611 from H. B. Roberts and Margaret Roberts, from the United Kingdom, states that the islanders are not getting a fair deal even in United Nations Trust Territories. Again there is reference to the murder of Mr. Bedor and the fire bombing of leading women opposed to the Compact which shows the lengths to which the supporters of the Compact go. I should like to repeat our view that perhaps the Council should send a request to the President of Palau for him to respond to these kinds of charges stated in the petition.

The PRESIDENT: There appear to be no comments on T/PET.10/612 and 613.

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/614 from Richard Eng relates to the Trust Territory of the Pacific Islands. The question of amending the Constitution of Palau is again touched upon. It contains a quote from the statement of Santos Olikong. Speaker of the House, as follows: "I voted for the enabling legislation on these two plebiscites only because I feared for my life". The delegation of the Soviet Union expresses serious concern over how this amendment to the Palauan Constitution was voted on and whether this remark reflects the facts of the situation.

The PRESIDENT: Are there any comments on T/PET.10/615? 616? 617?

Mr. CHERNYI (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/619 from the General Secretary, Campaign for Nuclear Disarmament, in London, states that

"The National Council of the British Campaign for Nuclear Disarmament, concerned at the situation in Belau, voted to adopt the following resolution for your attention:"

We are then given the text of the resolution, which states:

"(a) Recalling that in 1979 the people of Belau voted by 92 per cent to establish their Constitution which would protect their lands, culture, heritage and language for their children and future generations;

"(b) Noting that this was the world's first nuclear-free constitution;

"(c) Aware that the United States Administration's demand for one third of the total land area of Belau for military bases has forced the people of Belau to vote in 10 separate plebiscites in eight years, and that these plebiscites have consistently failed to obtain the constitutionally required 75 per cent vote for change;"

The resolution then states:

"(e) Aware that a lawsuit filed against the Government of Belau by Ibedul (High Chief) Gibbons challenging the constitutionality of the 4 and 21 August plebiscites were withdrawn on 29 August after firebombing at the home and threats to the family of Chief Justice Nakamuru forced the Chief Justice to evacuate his family to Guam and withdraw from the case;"

Then an appeal is made to the Security Council and the Trusteeship Council:

"To request the United States Government to honour the Trusteeship Agreement of the Pacific Islands (1947) and to give time to the people of Belau before any more referenda are allowed so that the rifts within the Belau community

(Mr. Chernyy, USSR)

may be healed and then to offer the Belauan people a choice between a renegotiated Compact and independence;"

Then there is another call for the Trusteeship Council to support the wishes of the people of Belau as repeatedly stated during the plebiscites of 1979-1987.

Our delegation believes that this petition is very important and we express sympathy with its authors.

Mr. SMITH (United Kingdom): I shall be very brief. The text of this petition is more or less identical to the text of document T/COM.10/L.387, on which my delegation has already commented, and I would be grateful if the comments of my delegation on that document could be drawn to the attention of this petitioner also.

The PRESIDENT: Before we continue - I do not wish, of course, to limit delegations in what they say: if there are comments to be made on the written petitions, that is fine, but I think it would expedite our work if, we could avoid the practice of merely summarizing what is in a petition and then saying that it is supported. These petitions are already in the record.

Mr. CHERNY (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation has a question to put to the Council with regard to the contents of the petition in document T/PET.10/620. The petition states that

"The recent referendum in August to remove the 75 per cent majority

requirement plainly shows that the Trusteeship Council has admitted defeat."

Does the Council intend to react to that?

Mr. SMITH (United Kingdom): In response to the question just put by the representative of the Soviet Union on this petition, it seems to my delegation that the petitioner does not quite understand the procedure of the Trusteeship Council. As I understand it, and as my delegation understands it, whether or not we have admitted defeat, we are now considering the recent referendum held in August, whether to take action and what action to take.

The PRESIDENT: Any comments on T/PET.10/621?

Mr. LEVCHENKO (Union of Soviet Socialist Republic) (interpretation from Russian): The petition in document T/PET.10/621 from Ms. Lynda Medwell, England, is sent not on her personal behalf but on behalf of the Birchwood Hall community and as a member of Women Working for a Nuclear-free and Independent Pacific. Particular attention is drawn to the violence and intimidation that exist in Palau, which are condemned. Women who have been trying to protect the Constitution have been the victims. The Soviet delegation cannot be silent with respect to those actions.

The Soviet delegation also feels great sorrow and is shocked that on 7 September this year Chief Bedor was assassinated. The assassination of Chief Bedor should be viewed as the second political assassination that has taken place in Palau over the last two years. Furthermore, the petition states that both those victims were opposed to the Compact of Free Association and supported the present Constitution of Palau.

This information should require Council members to think seriously about the political situation in the Trust Territory of the Pacific Islands and about what the Trusteeship Council can do in order to resolve the situation and to ask the Administering Authority for information about what is taking place there and what steps it is taking to stabilize the situation in the territory. The petition requests that the United Nations in general and the Trusteeship Council in particular investigate the situation in Palau and bring pressure on the United States Government to uphold and promote the Trusteeship Agreement and accept responsibility for protecting the human and democratic rights of the people of Palau. The Soviet delegation has given serious attention to this petition, and we think it reaffirms that the situation in Palau is extremely critical.

The petition in document T/PET.10/622 also comes from the United Kingdom and expresses concern at the pressure from the United States on the people of Palau.

(Mr. Levchenko, USSR)

The petition says that the Administering Authority tried to force the people of Palau to overthrow their original Constitution. The people of Palau, and particularly the High Chief, ask the Security Council to send a peace-keeping force to Palau because the people have been threatened with the abduction of their children should the United States Government not achieve its aims.

That is a very serious piece of news provided to the Trusteeship Council by a petitioner. I think that the Council should give serious attention to it. We should like to hear comments by the Administering Authority about this. We should like also to hear the views of the members of the Visiting Missions that went to Palau twice. What can they tell us about this matter, and specifically about the information contained in this petition?

The PRESIDENT: I should like to ask a question as President on the basis of a number of remarks that the Soviet representative has made on these petitions.

Is my understanding correct that he is asking that the United Nations send a peace-keeping mission to Palau, and that he is also proposing that a visiting mission should be sent now by the Trusteeship Council to investigate conditions there?

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The Trusteeship Council is now considering the contents of specific petitions. It is considering requests and complaints by the petitioners. The situation described in the petitions gives rise to serious concern. A number of petitioners - not always in their individual capacities but as representatives of organizations - are very concerned about the situation existing in Palau. The petitioners are suggesting to the Trusteeship Council and the Security Council that a peace-keeping force should be sent there. It is the job of the Trusteeship Council and the Security Council to consider this matter.

(Mr. Levchenko, USSR)

We are only examining the petitions, and we believe that it is our duty to draw the attention of the President and the other members of the Trusteeship Council to the contents of these petitions. It is for the Trusteeship Council or the Security Council to take whatever decision it wishes to take in this respect.

The PRESIDENT: I thank the Soviet representative for that clarification. I now understand that he is not making any proposal.

We turn now to document T/PET.10/623.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/623 comes from Mrs. Marion Cole, representing a group for the International Year of Peace.

In this petition deep concern is expressed at the serious situation now obtaining in Palau, particularly as regards the unsafe conditions of those Palauans who have been challenging the legality of the referendums on 4 August and 21 August, when the Visiting Missions were present in Palau.

The Soviet delegation believes that the facts set forth in the petition deserve serious consideration by the Trusteeship Council - in particular, the part of the petition which draws attention to the situation of those who support the Constitution. I have in mind in particular Roman Bedor, who the petition states died on 8 September of gunshot wounds that had been inflicted on him on 7 September. This obliges us to feel that the situation in Palau at that time was far from being conducive to the conducting of any plebiscite. Indeed, the petitioner states that women were forced to withdraw their lawsuit and that men from the town of Koror could not guarantee the safety of children and elderly people.

The United Nations attaches great importance to respect for human rights. In this petition, attention is drawn to the fact that human rights in the Trust

(Mr. Levchenko, USSR)

Territory, and Palau in particular, are being seriously violated. The Trusteeship Council cannot disregard this situation and must draw the appropriate conclusions.

The PRESIDENT: We turn next to document T/PET.10/624.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/624 also refers to the situation in Palau as being out of control. It states that the situation must be resolved before any change can be made in the political status.

I draw attention to this petition in order that my comments may be reflected in the record. When the Trusteeship Council discusses the reports of the Visiting Missions, I shall refer again to this petition and other relevant petitions with regard to the complex situation in Palau and the circumstances in which all three referendums were held there.

The PRESIDENT: We shall now turn to document T/PET.10/625.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/625 is from Ms. Ayako Oga, of Japan. This is a short petition, but it contains quite a lot of information. In particular, it says that the Republic of Palau has been in chaos since July of this year. Criminal elements have been rampaging against persons who have been protecting their nuclear-free Constitution. The petition draws attention to the fact that the amendment of the nuclear-free Constitution took place amid circumstances involving threats, bombings and murders.

The petitioner draws the Trusteeship Council's attention to the fact that the will of the people of the Trust Territory should be ascertained, in a situation free of the confusion that now exists.

I think that the Trusteeship Council should also take note of the concern expressed in this petition when the Council discusses the reports of the Visiting Missions.

The PRESIDENT: I would be grateful if representatives would bear in mind my earlier comment that all of these petitions are in the record. We have a large number of petitions to look at; we have all read them before. I think it really serves no purpose simply to summarize what is in a petition by way of a comment on it

We turn now to document T/PET.10/626.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation has no comments to make on the petition in document T/PET.10/626. I should, however, like to comment on what the President has just said.

Only three minutes ago, he said that we should not read out individual extracts from petitions, that it would be better to summarize them. My delegation felt that the quickest way would be to quote from the petitions. Naturally, it would require more time to set forth all the contents of the position. If, however, that is what the President is now proposing as the procedure, we would have no objections.

That was my first comment.

(Mr. Levchenko, USSR)

My second comment is the following: It is true that all delegations have received the petitions - not only members of the Trusteeship Council, but all delegations to the United Nations. But the Trusteeship Council has been convened, and, on your proposal, Mr. President, an item has been included in the agenda relating to the consideration of petitions. This is not to be a wholesale examination, but a concrete examination of the petitions that have been received since the Trusteeship Council last met. It is therefore quite legitimate for the Soviet delegation and any other delegation, for that matter, to make any comments or proposals that they wish to make on these petitions - of course, bearing in mind your request, Mr. President.

The PRESIDENT: My suggestion was made merely in the interest of the efficient conduct of our business.

We turn now to the petition in document T/PET.10/627.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/627 is from Robin and Brenda Muir. They refer to specific situations that are of concern to them.

First, they express their dismay at the tremendous pressure being exerted on the Palauans for the nuclear-free Constitution to be amended. They ask the Trusteeship Council, to which the petition is addressed, to defend the Constitution against these attacks. The petitioners protest against the climate of fear and violence perpetrated by supporters of the Compact of Free Association with the United States of America.

The petitioners rightly ask these questions: Who was responsible for the assassination of Roman Bedor's father on the Territory of Palau? Will he be brought to justice? Those are legitimate questions by the petitioners. We believe that the Trusteeship Council should deal with them and that the Administering

(Mr. Levchenko, USSR)

Authority should take measures to find out who was responsible for the assassination, to punish the assassin and to report on the matter to the Trusteeship Council.

The PRESIDENT: We turn now to document T/PET.10/628.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/628 is from Ms. Helen E. Trask, who represents the Yorkshire and Humberside Campaign for Nuclear Disarmament. She speaks not only on her own behalf but on behalf of that entire group.

In this petition, too, concern is expressed at the serious state of fear prevailing in Palau. The petitioner states that the cause of that fear is the attempts by the local authorities to overthrow the Constitution of the island and to establish the Compact of Free Association, in order to enable the United States to take over one third of the island for military purposes.

What is requested in the petition? An appeal is made to the Trusteeship Council to disallow the illegal vote to attempt to alter the Constitution, adopted with a majority of over 90 per cent.

This petition expresses exactly the same ideas and thoughts as the other petitions. It requests the United Nations to send a peace-keeping force to the Territory and again reminds the United States Administering Authority of its responsibilities with regard to the Trust Territory. Specifically, it calls for the encouragement of the Island's independence, both economically and politically, and for protection of the land from improper use, pollution, and so forth.

The Soviet delegation feels that this petition contains very serious points, which deserve the attention of and action by the Trusteeship Council.

The PRESIDENT: The next petition is that contained in document T/PET.10/629.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/629 is from Ms. Ada Maria Isasi-Diaz, Associate General Director of Church Women United, New York.

In this petition, as in the preceding ones, serious concern is expressed over the pressure exerted on the people of Palau to change their Constitution. In the opinion of the petitioner, this is violent manipulation which impedes the right to self-determination and legal political self-expression.

The petitioner makes a request of the Trusteeship Council, and I would draw attention to this. The Council is urged to safeguard the genuine interests of the Palauan people. This again confirms the fact that the situation in the Trust Territory, and in particular in Palau, leaves much to be desired and requires that the Trusteeship Council take effective action.

The PRESIDENT: We turn now to document T/PET.10/630.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/630 is from Mr. David Barnett. He states that the Trusteeship Council is responsible for the welfare of the inhabitants of Palau and refers to actions by the United States there. He describes those actions as being "incompatible with its concept of trusteeship". The Soviet delegation draws attention to those words.

The PRESIDENT: The next petition is contained in document T/PET.10/631.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The petition in document T/PET.10/631 is addressed to the United Nations Trusteeship Council. It is from the Kanagawa Women's Association for Defence for Peace Constitution, Japan.

(Mr. Levchenko, USSR)

The petition refers to the conditions which the Palauans will have to bear if the Compact of Free Association is ratified. Under that Compact the United States, in return for aid amounting to \$300 million in 50 years, will be allowed to construct two new military bases, to have unlimited use of land it needs, and to nuclearize Palau.

(Mr. Levchenko, USSR)

The petition again says that the local authorities, in particular the President of Belau, has taken drastic means to lay off two thirds of the Government employees and cut off 20 per cent of payment of the rest. He says that pro-constitutionists are responsible for it, as they are delaying the ratification of the Compact.

In the opinion of the petitioner, these issues have encouraged threats and violence upon constitutionists, such as arson or intimidation phone calls, to such a degree that they are not able to go out even for shopping. This petitioner forces us to ask what really are the conditions there. Finally, on 7 September, it says in the petition that some inhabitants were attacked and shot to death.

What is the request made here to the members of the Council? The petition says:

"We request the United Nations Trusteeship Council to take immediate action to restore the situation in Belau so that the will of the people is not distorted by violence and is reflected justly upon the judicial or political issues." (T/PET.10/631, p.2)

The contents of this petition forces us to think seriously about it, and I think the Soviet and other delegations should think seriously about it. We should think about what measures the Trusteeship Council could take under these conditions and what response should be sent to this petitioner group.

The PRESIDENT: I propose to adjourn the meeting for five minutes for informal consultations.

The meeting was suspended at 12.40 p.m. and resumed at 12.45 p.m.

The PRESIDENT: We will continue our consideration of the written petitions.

The next petition we will look at will be that contained in document T/PET.10/632.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): Petition T/PET.10/632 comes from Ms. Kathleen A. Cross. In this case she is from a different country. It is not just the United Kingdom which is actively participating in this. She comes from the Federal Republic of Germany. Again she expresses concern over the situation in Palau. The petitioner sent letters to the Foreign Ministers of the United Kingdom and the Federal Republic of Germany concerning the current situation, but for some reason these letters have been put into the files of the Secretariat.

In receiving this petition, we would also like to receive these letters, not necessarily as official Council documents - their status is up to the President who, I know, is unwilling to distribute annexes to petitions as official Trusteeship Council documents, so the Soviet delegation does not insist on that - but the Soviet delegation would like to get photo copies of these letters after lunch so we could then adjourn our meeting for five minutes in order to study them and make our comments on them when we come back to this petition.

(Mr. Levchenko, USSR)

In their letters, the petitioners ask the Trusteeship Council to do all it can to assure the rights of the Palauan people to a genuinely free choice of political future, a choice based on freedom and clear information, not on threats and violence.

The Soviet delegation agrees with the petitioners on these points.

The PRESIDENT: I shall consult with the Secretariat about the specific request of the representative of the Soviet Union.

We turn now to document T/PET.10/633.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): Petition T/PET.10/633 was addressed direct to the President of the Trusteeship Council by Ms. Edna Ross of Balmain People for Nuclear Disarmament. We have not had an opportunity to speak with Ms. Ross, but in her petition she notes that the Trusteeship Council had agreed to resume meetings in August 1987 to consider its report to the Security Council. Here again, the petitioner's views are fully consonant with those of the Soviet Union: unfortunately, the resumed session did not take place, and the Trusteeship Council is meeting only in mid-December. The petition further notes that the President of the United States

"declared on 3 November 1986 that the Northern Mariana Islands, the Republic of the Marshall Islands and the Federated States of Micronesia had entered into a new political relationship with the United States and were therefore no longer part of the Trust Territory. Palau alone, according to the United States, remains part of the Trust Territory."

The petitioner's main point is that, in her view,

"These initiatives are in contradiction of earlier undertakings by the United States that the Compact of Free Association would not enter into force until the United Nations had terminated the trusteeship."

(Mr. Levchenko, USSR)

The petitioner not only expresses her concern, but also urges the Trusteeship Council, "in its August meeting, to observe the clear intention of Article 83" of the Charter. In keeping with the President's wishes, I shall not quote the remainder of this paragraph.

The petition also urges the Council not to recommend termination of the trusteeship over Palau until it is completely satisfied that the wishes of the Palauan people have been met in accordance with the requirements of the Palau Constitution.

Thus, yet another petitioner has expressed concerns and hopes regarding the situation in Palau.

The PRESIDENT: Are there any comments on petition T/PET.10/634?

Mr. LEVCHENKO (Union of Soviet Socialist Republics) ((interpretation from Russian): This petition comes from a physician, Dr. Robin Briant, Chairperson of International Physicians for the Prevention of Nuclear War, Auckland region, New Zealand.

The petition is addressed to the President of the Council and ends "We await your response".

We ask you, Sir, whether you have responded to this petition. If so, what did your response contain? If not, my delegation proposes that a letter of response be sent not only to this petitioner, but to all other petitioners, enclosing all relevant materials.

From the first words of this petition it is plain that Dr. Briant is acting on behalf of an entire organization:

"The members of my organization in New Zealand have asked me to write to you to express our concern about the deteriorating situation in Belau. We understand this Territory is entrusted by the United Nations to the United States, but your Council continues to have nominal jurisdiction ...

(Mr. Levchenko, USSR)

The petitioner's organization has been aware for some time of the situation in Palau, and they know Roman Bedor. They are concerned that Palau is virtually bankrupt and therefore much in need of the \$1 billion offered to it to complete the Compact of Free Association. They feel that within the country violence and the breakdown of law and order seem to be worsening and that this is not a circumstance in which the people can make a free act of self-determination.

Finally, the entire organization, International Physicians for the Prevention of Nuclear War, requests that you, Sir, and the Council monitor the situation in Palau and act in the best interests of this vulnerable people.

For someone not aware of the situation in Palau, reading this petition would be spine-chilling. We could not be silent about this petition, and we await a response from you, Sir. Was a letter sent over your signature? If not we propose that such a letter be sent.

The PRESIDENT: The representative of the Soviet Union has asked me a question about how we respond to letters from the public and from other organizations. The normal practice is that the Secretary of the Council replies on my behalf, or on behalf of any other member of the Council to whom a letter is addressed. The normal procedure, as I believe the Soviet representative knows well, is that the United Nations copy of the writer's letter is sent to him along with a record of the discussion that took place in the Trusteeship Council of that petition and the decision that is taken on the petitions.

In this particular case, as this meeting was expected to have taken place at the beginning of December, an acknowledgement has not yet been sent, as the letter was only published on 11 November. I am assured that Dr. Briant will shortly receive a reply to his letter.

Mr. LEVCHENKO (Union of Soviet Socialist Republics) (interpretation from Russian): I do not want to say anything about the petitions. I want rather to say that the Soviet delegation would like to receive a copy of the letter which the Secretary of the Trusteeship Council intends to send, over the President's signature, to this and all other petitioners, as the Soviet delegation had proposed.

The Soviet delegation would also like to state that the petition is dated 13 October. It was distributed in the United Nations on 11 November. Today is 15 December. Even if the Trusteeship Council did not meet, still the Secretary of the Trusteeship Council ought to have taken the initiative to draw the President's attention to it.

The PRESIDENT: The letter was, of course, drawn to my attention and I cannot immediately recall the date on which I received it.

The representative of the Soviet Union has made a number of requests. I will consult with the Secretariat to see whether any of those suggestions accord with our normal practice and, if necessary, I shall give a response when the meeting reassembles this afternoon.

The meeting rose at 1.05 p.m.