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Eighteenth special session

VERBATIM RECORD OF THE SIXTEEN HUNDRED AND FORTY-SECOND MEETING

Held at Headquarters, New York,
on Thursday, 13 August 1987, at 3 p.m.

President: Mr. BIRCH (United Kingdom)

- Letter dated 7 August 1987 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General, containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite scheduled for 21 August 1987 in Palau on the Compact of Free Association (continued)
- Examination of petitions listed in the annex to the agenda and related to item 3 of the agenda
- Report of the Trusteeship Council covering the eighteenth special session
- Report of the Secretary-General on Credentials (continued)
- Closure of the eighteenth special session

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The meeting was called to order at 3.15 p.m.

LETTER DATED 7 AUGUST 1987 FROM THE ACTING PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL (T/1915), CONTAINING A REQUEST FOR A SPECIAL SESSION OF THE TRUSTEESHIP COUNCIL TO CONSIDER THE DISPATCH OF A MISSION TO OBSERVE A PLEBISCITE SCHEDULED FOR 21 AUGUST 1987 IN PALAU ON THE COMPACT OF FREE ASSOCIATION (continued)

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): As I understand it the Council is expecting me - I hope with great impatience - to express our views on this question and on the draft resolution introduced for the Council's consideration by the delegations of the United Kingdom and France.

In some of my preliminary comments I said how hastily we had been convened, in violation of the rules of procedure and customary practice. Now I should like to speak in greater detail on the substance of the question under consideration.

The Trusteeship Council is convened in its eighteenth special session at the request of the Acting Permanent Representative of the United States of America to the United Nations in a letter dated 7 August addressed to the Secretary-General to consider the dispatch of a mission to observe a so-called plebiscite scheduled for 21 August 1987 in Palau on the Compact of Free Association of that part of the strategic Trust Territory of the Pacific Islands with the United States.

Today the Council has been obliged to consider once again, for the second time this year, the question of sending a mission to Palau - I should like to repeat again that we have not yet received the report of the first Mission - as I have said, to observe what will be the ninth plebiscite in the Territory.

We have what we feel is a legitimate question. Are there any grounds for thinking that the plebiscite will not be another parody of the principle of self-determination proclaimed by the United Nations? I would state frankly that such an assurance cannot be given to anyone. The eight plebiscites, held by the

(Mr. Timerbaev, USSR)

Administering Authority before this, plebiscites whose aim was to endorse the Compact of Free Association of Palau with the United States and change Palau's Constitution, have all shown quite clearly that such plebiscites and referenda are not acts of the freely expressed will of the Palauan people and have nothing in common with the genuine self-determination of colonial and dependent peoples which the United Nations, the Non-Aligned Movement and the entire international community support.

For many years the population of Palau, like other parts of the Trust Territory of the Pacific Islands, has been held in a political siege through United States economic pressure, threats and many other things which, we are convinced, have been hidden from the eyes of the United Nations and those Missions sent by the Trusteeship Council. Proof of that are the numerous petitions coming from there to us in the Trusteeship Council and to the Special Committee of 24 on decolonization. The inevitable conclusion is that, in those conditions all the plebiscites and referenda have been turned into pseudo-plebiscites and pseudo-referenda - a mockery of common sense, an international farce.

(Mr. Timerbaev, USSR)

The experience of the numerous plebiscites in Palau, or, by the way, in other parts of the Trust Territory, shows that the governing Power is giving the Palauan people neither a real opportunity nor the conditions to determine their own future without outside interference. The Palauans have been denied the opportunity to opt for the main alternatives of genuine self-determination and genuine independence which are proclaimed in the Declaration on the Granting of Independence to Colonial Countries and Peoples.

During the so-called campaign for the political education of the population before the plebiscite - in essence a campaign of political brainwashing of the Territory's indigenous population - the administering Power is imposing a new neo-colonial status on the people. It is trying to convince the population that if they do not choose this so-called Compact of Free Association with the United States things will go very badly for them. The authorities are also resorting to direct intimidation of the Palauan people: they are threatening to halt all economic assistance to the Territory if the Compact is not approved.

This was the subject of very detailed discussion recently in the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which heard several petitioners. During that discussion the Committee decided to send letters expressing great concern to the Administering Authority, to the President of the Trusteeship Council, and to the President of the Security Council, Mr. Lautenschlager. The message is well known, and the letters were signed by the Chairman of the Committee, the representative of Ethiopia. The message expresses profound concern about all the pseudo-plebiscites and pseudo-referenda, which have been organized by the administering Power so as to break the population's resistance to the new neo-colonial status being imposed on it.

(Mr. Timerbaev, USSR)

Based on its position of principle, the Soviet Union has frequently indicated that it opposes the sending of special missions of the Trusteeship Council to Palau, since such missions are intended to put the United Nations imprimatur on yet another United States attempt to impose on Palau, in conditions of gross economic and political pressure, the status of a United States nuclear bridgehead - an attempt that has been frequently rejected by the people - and to disguise its attempt to turn that Territory into a base for the stationing and storing of its nuclear weapons. All that has been done by the administering Power, despite the numerous frequently expressed wish of the Palauan people to prevent the nuclear death of their land.

Further evidence of the anti-Charter nature of this mission to Palau is the United States attempt to confer a superficial semblance of legality upon its arbitrary process of breaking up that united Trust Territory, through domestic legislative acts in direct violation of the United Nations Charter. As everyone is aware, but may not openly admit, any decision to change the Trusteeship Agreement can be adopted solely by the United Nations Security Council. The Charter is strict and unambiguous on that.

With regard to the proposal to send a mission to Palau to observe a so-called plebiscite, I should like to stress one other point. Experience gained from past Council missions shows that they do not justify the hopes placed in them by the United Nations or by the population of the Territory. Reports of similar missions, as a rule, contain conclusions and recommendations that fail to reflect the real state of affairs in the strategic Trust Territory and actually camouflage the objective fact that the United States is turning the Trust Territory of Micronesia into its military and strategic bridgehead, thereby posing a serious threat to the security of the peoples of the Asian Pacific region and world wide.

(Mr. Timerbaev, USSR)

Some of those missions have not even submitted reports - as is the case with the last mission sent at the end of June of this year.

The Soviet Union has frequently drawn the attention of the United Nations, its organs and the international community to the true state of affairs in the strategic United Nations Trust Territory of the Pacific Islands, and to the fact that the population of that Trust Territory is still unable, without outside pressure, to exercise freely its inalienable right to genuine self-determination and independence, as proclaimed by the United Nations Charter, the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, and other decisions on decolonization.

(Mr. Timerbaev, USSR)

The problem of the Trust Territory of the Pacific Islands (Micronesia) is part of the general problem of decolonization; it is no accident that the United Nations Special Committee on decolonization has been dealing actively with these problems and gives them its closest attention.

Just as in the case of other United Nations Trust Territories, the United Nations is expected to ensure the Micronesian people's free exercise of its inalienable rights to genuine self-determination and independence, in full accordance with the United Nations Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other generally recognized principles of international law.

The Soviet Union strongly condemns the anti-Charter, illegal United States actions with regard to the strategic Trust Territory of the Pacific Islands. Such actions are all the more inadmissible because they are being taken by a permanent member of the Security Council, which bears special responsibility for the maintenance of international peace and security, and because they violate the United Nations Charter, the Trusteeship Agreement, and the Declaration on decolonization. What is more, they circumvent the prerogative of the Security Council.

I should like to read out the following excerpt from the TASS statement of 12 November 1986 reconfirming the Soviet Union's position of principle on the United States act of international tyranny affecting the strategic Trust Territory of the Pacific Islands:

"the actions taken by the United States against the United Nations Trust Territory of Micronesia are unilateral, arbitrary and without legal foundation. Only the Security Council, in accordance with the Charter of the United Nations is entitled to take a decision on terminating the United

(Mr. Timerbaev, USSR)

Nations Trusteeship Agreement. It is the duty of the United Nations and of the United States to act as arbiter of the destinies of the peoples. The United Nations continues to bear responsibility for this Territory until its people acquires true independence." (A/41/822, annex, p. 2)

Having said that, we shall vote against the sending of yet another Trusteeship Council mission to Palau.

Mr. ELDON (United Kingdom): The issue before us today - the dispatch of a visiting mission to observe the forthcoming plebiscite in Palau - is a serious one. The plebiscite is important because it represents another opportunity for the people of Palau to pronounce on their political future; another stage, in the words of Article 76 of the Charter, in "their progressive development towards self-government". As Palau lies within one of the security areas referred to in Article 83 of the Charter, the functions of the United Nations relating to it are a responsibility of only the Security Council, exercised with the assistance of the Trusteeship Council alone. I draw the attention of the representative of the Soviet Union to those parts of the Charter, in view of the importance he seems to attach to the activities of the Committee of 24 in this area.

The fact that this is not the first time that the citizens of Palau have been asked to vote on the Compact of Free Association with the United States of America in no way affects the basic issue. The referendum which is to take place next week remains as important as ever to the Palauans; it is, after all, their political future which is at stake.

In our deliberations there is a danger that we may become overly involved in political and ideological arguments which have little to do with the real situation. We have sadly seen evidence of this today. Contrary to the view of the

(Mr. Eldon, United Kingdom)

representative of the Soviet Union, my delegation does not consider the recent plebiscite in Palau, on 4 August, or the referendum which is to be held next week as elements in some machiavellian scheme of the Administering Authority; they are, to the contrary, the results of decisions taken by the Palauan authorities in consultation with the Palauan Legislature in a proper, correct and democratic fashion. It is not for us to say whether the referendum should be held or to pronounce on the decision taken by the people of Palau to amend their Constitution. Those questions are for the Palauans alone to decide.

A plebiscite is an internationally recognized procedure for reaching a decision and a well-established practice in Trust Territories; that is why we have supported them in the past and have willingly taken part in observer missions. It is scarcely for those who have not participated in those missions to pass judgement on the validity of previous plebiscites or their conduct.

We believe that the Council should send a mission to Palau on this occasion, too. In our view, the Council should agree to the request made by the Administering Authority to this effect. The mission is designed to ensure that the people of Palau are able to vote freely and in accordance with their wishes, in fulfilment of their right to self-determination.

As a sponsor of the draft resolution introduced today by the representative of France, we call on all members of the Trusteeship Council to support it. We naturally hope that it will be adopted by consensus.

The PRESIDENT: The Council will now consider and take a decision on the draft resolution contained in document T/L.1261 with regard to the arrangements for the dispatch of a visiting mission to observe the plebiscite in Palau. The draft resolution was introduced by the representative of France at our meeting this

(The President)

morning. In this connection, I draw members' attention to the statement submitted by the Secretary-General in document T/L.1262 concerning the administrative and financial implications of the draft resolution.

Are there any comments on the draft resolution?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): You cannot imagine how grateful I am to you, Mr. President, for having reminded us of the financial implications; I almost forgot about them.

I draw the Council's attention to the fact that there is quite a substantial sum. Indeed, according to page 2 of document T/1262, we are exceeding the allocation earmarked for this by the United Nations General Assembly. Of course, that causes us some concern, especially given the fact that some Members of the United Nations in particular the Member which so ardently speaks in favour of dispatching the visiting mission has not been fulfilling its Charter obligations, has not paid its assessed contribution to the budget, and is not in fact planning in the future to cover its arrears and contribute what it should.

(Mr. Timerbaev, USSR)

So I want it to be quite clear in the verbatim record that it is the very member of the Council that is in favour of these additional expenditures that is among the United Nations debtors. That is my first point. Before Members of the United Nations read how this matter was discussed they should know that this lawlessness also exists here, with regard to the Territory.

Paragraph 4 of the document says that efforts will be made to finance the related requirements through the redeployment of funds from the resources earmarked under section 3 for the overall requirements of the Department - that is the Department that oversees the work of the Trusteeship Council - as a whole.

In that connection I have a question to put, through you, Mr. President, to the Secretary of the Council or the representatives of the Under-Secretary-General as to how this attempt will be made to cover those expenditures from section 3. What other events and meetings are organized by the Department? As far as I know, apart from the Trusteeship Council, the Department also embraces the work of such important bodies as the Council for Namibia, the Special Committee of 24 on decolonization and other important anti-colonial bodies to ensure that they work effectively for the benefit of the United Nations member countries concerned, members of the Non-Aligned Movement and many other States.

Does not that mean that distributing the funds referred to in document T/L.1262 will have an unfavourable impact on the Department's activities in servicing those decolonization bodies in which the overwhelming majority of member countries are interested? The United Nations and the whole international community is concerned about this important matter. I should like a clear answer.

The PRESIDENT: Unfortunately, no member of the financial side of the Secretariat is available to us. However, I think it would be appropriate if we seek to obtain an answer and give it at a later stage. In passing, I would remark that we are a Charter body of the United Nations, and I think our role is one that we would consider has a standing of its own under the Charter, with prior recourse to those funds over some of the other bodies mentioned in the statement of the representative of the Soviet Union.

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I think I have raised a very substantive matter. Unfortunately, I cannot adopt any position on the proposal before us in document T/L.1262, which concerns a very important matter of principle. I have serious grounds for believing that unless we have total clarity on the matter we could seriously disrupt the very important decolonization activities in which the international community has shown legitimate interest and concern, as has the whole Non-Aligned Movement. Therefore, I should like an answer to my question. We are prepared to wait for it if the Secretariat is not able to give a quick answer. There are responsible people here from the Department. I think that when they formulated document T/L.1262 they worded it with full knowledge of the need when redeploying funds to see that the other very important activities of the Department should not be jeopardized. That is my question, and I should like an answer. Unless I receive an answer I cannot imagine how we can take any action at this meeting.

The PRESIDENT: I thank the representative of the Soviet Union for explaining the precise purpose of his question. I am told that a member of the financial side of the Secretariat will attend and I hope will shortly be able to give a further explanation. But I would remind members that the message in document T/L.1262 from the Secretary-General indicates that the funds for the mission can be found. Whatever term we use - whether "self-determination" or

(The President)

"decolonization" - it seems to me that the purpose of the mission is very closely related to the concern of the representative of the Soviet Union about self-determination.

Mr. ROSENSTOCK (United States of America): It would be useful to us all if we knew whether any answer could be given to the question the representative of the Soviet Union has just asked that would induce it to support the idea of sending a mission in accordance with the resolution. If there is some form of response to that question that would induce an affirmative vote or even an abstention by the Soviet delegation, perhaps we all might wish to know about it so that we might work towards that end. If, however, we are faced with a situation in which no matter what the answer is the vote will be the same, perhaps we need not indulge in wasting time waiting to hear the answer, unless some other delegation is particularly interested in knowing how the Secretariat plans to go about its thoroughly admirable intention of absorbing the costs of this unexpected mission.

The PRESIDENT: As there are no further comments, and as we have been promised that we shall shortly have an explanation of where the money will be found, I do not believe we should further hold up our work if members would now like to vote on the draft resolution and then later hear an explanation of exactly how the savings will be made to finance the mission.

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I fear, Mr. President, that we cannot move to the vote, because we have not had a clear clarification from the Secretariat of the financial implications of the draft resolution that we have to vote on. I raised serious questions, and nobody has tried to answer them yet. We are awaiting answers. You promised, Sir, that a staff member on the financial side would attend soon to give further clarification. It is an important matter, because we are talking not merely about one Territory but about many on the list of Non-Self-Governing Territories. The Department is responsible for a large number of Territories and dealing with many problems, and we cannot now take any decision without knowing exactly at whose expense we shall be sending a visiting mission.

We are not talking here about a trade between the Soviet Union and the United States; the Trusteeship Council is not a stock exchange. We have to take a political decision of principle on such an important matter, and we must know all the implications of the decision. It is inappropriate to suggest any kind of trade-off.

Mr. ELDON (United Kingdom): We seem to be approaching a point of some procedural difficulty. It would greatly help my delegation, in deciding how we should proceed, to hear whether the representative of the Soviet Union has any reaction to the point raised by the representative of the United States a few minutes ago, since if, as perhaps was implied, whatever the financial implications of the draft resolution his vote might be a foregone conclusion, I would see little

(Mr. Eldon, United Kingdom)

point in delay. However, if the converse is true, we might move temporarily to consideration of item 4 on our agenda, on the understanding that when a representative of the Office of Financial Services is here we shall revert to the vote on the draft resolution.

However, my delegation would not wish to go down that road unless we could be assured that the member of the Secretariat involved would be with us fairly soon. I would first be interested in hearing whether the representative of the Soviet Union can react to the point raised by the representative of the United States.

The PRESIDENT: I now call on Mr. Duval, of the Office of Financial Services, to tell us where the sum of money for the visiting mission will be found.

Mr. DUVAL (Office of Financial Services) (interpretation from French): Paragraph 4 of document T/L.1262 says that the finance needed - \$35,100 - for the mission would be the subject of a redeployment of funds from resources earmarked under section 3 of the budget for the overall requirements of the Department of Political Affairs, Trusteeship and Decolonization. The funds in question, under section 3(b), "Political affairs, trusteeship and decolonization", are to be used to cover travel costs of the Department, costs of representing the United Nations, at the request of the Secretary-General, to attend various meetings of intergovernmental bodies, specialized agencies and interorganizational meetings, as well as to maintain contact with governmental and non-governmental authorities that have an interest in decolonization.

From the report on expenditure for the present biennium it appears that the funds authorized here should be enough not only to cover the requirements of the Department in this area but also to enable us to absorb the additional expenditure of \$35,100 mentioned in paragraph 4.

Mr. TIMERBAEV (United Soviet Socialist Republics) (interpretation from Russian): The representative of the Office of Financial Services has explained that the funds required to cover the deficit will come from the funds for travel to establish contact with various non-governmental and intergovernmental organizations. Does that mean that those funds will be redeployed for other purposes, for sending the next visiting mission and travel, contacts and so on? Will those amounts have to be reduced, thus damaging important departmental activities which had been planned earlier?

(Mr. Timerbaev, USSR)

The sum of \$35,100 was planned to be spent on some important work by the Department to promote very important goals - the goals of decolonization. Does this mean that the reduction will have an impact on those important activities? That is the question directed either to Mr. Duval or to other members of the Secretariat present here.

The PRESIDENT: I call on Mr. Duval.

Mr. DUVAL (Office of Financial Services) (interpretation from French): I merely wish to add that from the purely financial point of view we are now towards the end of the budgetary period 1986-87, and it is possible to determine, on the basis of experience since 1 January 1986, that the funds approved for the requirements of the Department in this area of good offices, consultation and the related activities will be adequate to cover the additional expenditure of \$35,100.

The PRESIDENT: Mr. Duval has given us a very full explanation of where the money will be found. Are there any further questions or comments?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I cannot be satisfied by the answer Mr. Duval has given. The only conclusion is that either the sum of \$35,100 was planned - that it was requested in vain and the preparations were done in vain - or the substantive activities will be reduced.

In any case, I should like it to be reflected in the verbatim record that I cannot accept the answer. It is not satisfactory.

The PRESIDENT: I call on the representative of the Under-Secretary-General.

Mr. TANAKA (Representative of the Under-Secretary-General): I wish to assure the representative of the Soviet Union that no curtailment of the legislated activities of the Department will result from the diversion of the funds, which the representative of the Office of Financial Services has just identified as coming from within section 3 (b) of the budget and which accrued from savings resulting from the delay in the implementation of some of the actions which the former head of the Department had foreseen when the biennium 1986-87 was prepared.

The PRESIDENT: I call on the representative of the Soviet Union - I hope for the last time on this subject.

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): That depends on how events turn out, Sir.

I note what Mr. Tanaka has said - that the important work for independence will not be reduced. It affects not only us, but many other Members of the United Nations which are also interested in the United Nations decolonization activities. It is important to have this set down in the United Nations section dealing with finance, so that it knows that some Departments seem to be requesting excessive sums for their activities and then explaining while carrying out their work that they can then make savings. We see that savings can be made in the Department concerned, and others, and the bodies dealing with finance - the General Assembly and the Fifth Committee - should also find this useful information in planning the United Nations future budgets.

The PRESIDENT: I suggest that the Council now proceed to vote on draft resolution T/L.1261.

Draft resolution T/L.1261 was adopted by 3 votes to 1.

Mr. ROSENSTOCK (United States): My delegation wishes to express its gratitude to the Council for adopting the resolution, which we believe can only contribute to facilitating the acts of self-determination by the people of the Trust Territory. It seems to us fully responsive to their freely expressed wishes and entirely appropriate.

In the course of discussing the resolution, the Soviet delegation saw fit to accuse the United States of calumny, lying, putting economic and other pressure on people and denial of the right to self-determination, violations of the Charter, failing to meet our obligations and heaven only knows what else. Considering the enormous expertise and experience of the Soviet Union with calumny, lying, denying the right of self-determination of people, both internally and of neighbours, violations of the Charter, failure to meet financial obligations -

The PRESIDENT: I call on the representative of the Soviet Union on a point of order.

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): My point of order is obvious: we are today discussing a very specific question, and so far my delegation has discussed matters within the context of this particular question - that of deciding on sending, or not sending, a visiting mission to Palau.

(Mr. Timerbaev, USSR)

Now, the representative of the United States has diverged into a discussion of matters that have nothing to do with the subject before us. I request that he be called to order and asked to speak only to the agenda of this special session.

The PRESIDENT: I take the point made by the representative of the Soviet Union. I think it would be conducive to our work if delegations could avoid trading accusations, and I ask that we continue to consider the matter before us: the dispatch of a mission to the Trust Territory.

Mr. ROSENSTOCK (United States): If one had time, one would have loved to know what references to payment of financial obligations - an issue hardly raised by my delegation - had to do with it.

In any event, in the light of the expertise of the Soviet Union to which I was paying tribute, it seems to us necessary to respond to the charges, however fantastic they may seem. The Soviet delegation spoke of economic pressure and threats hidden from United Nations eyes. One wonders if it would be departing from the matter before us to note that it must be remarkable to know how things are hidden from the eyes of those who refuse to attend, who refuse to participate, who refuse to go on visiting missions.

There are accusations of threats to withdraw economic assistance should Palau not approve the Compact of Free Association. This too is made of whole cloth. The fact is, the United States provides \$15 million in grants and programmes every year to Palau as a Trust Territory - that is \$15 million to the 14,000 people of Palau. The suggestion that there is any possible threat or conceivable threat to withdraw this economic support is patently false and baseless.

It does not seem to us appropriate either to lecture the United States on the meaning of Article 83 of the Charter in the context of references to bodies which have no authority under that Article.

(Mr. Rosenstock, United States)

Comments were made that the United States intends to store nuclear weapons in Palau. The fact is that the United States, in Compact section 324, has agreed not to test, store or dispose of nuclear or other specified weapons in the jurisdiction of Palau. My Government obviously intends to abide by these restrictions. It is the agreement which contains these restrictions which we are seeking to get approved, so it does not seem plausible that the motive is to store - else, why would we wish to have the agreement approved?

Of course, listening to the past master at withholding financial obligations, the great pioneer who first assaulted financial obligations to the United Nations and who paved the way for the temptation of others to respond in an in some ways distressingly similar fashion, lecturing on the question perhaps leaves room for hope that fiscal responsibility has now hit where it was so absent before. Who knows? Some day, self-determination may even end up there.

The PRESIDENT: Members will note that by the resolution just adopted the Council decided, inter alia, that the visiting mission should be composed of not more than four members, the members of the mission to be representatives of Fiji, France, Papua New Guinea and the United Kingdom. Following past practice, I suggest that the Council decide that the names of the persons to be submitted by Governments concerned be approved automatically as soon as they are received. If there are no comments, I shall take it that members agree to my suggestion.

It was so decided.

EXAMINATION OF PETITIONS LISTED IN THE ANNEX TO THE AGENDA (T/1916/Add.1) AND RELATED TO ITEM 3 OF THE AGENDA

The PRESIDENT: The Council will now move to the examination of petitions that relate strictly to item 3 of the agenda. These are contained in documents T/COM.10/L.376, 377, 379 and 380 and T/PET.10/538 to 579.

(The President)

May I suggest that the Council decide to take note of the written communications contained in documents T/COM.10/L.376, 377, 379 and 380?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like there to be an exchange of views on these petitions. It seems to me that they are of vital interest. They come from inhabitants of Palau, who are acquainted with the situation, and they give rise to concern on the part of my delegation. Unless the representative of the United States objects, we should like them to be discussed.

Looking at these petitions, we see a series of very grave accusations by petitioners against the Administering Authority concerning pressure exerted on the population, its -

The PRESIDENT: I call on the representative of the United Kingdom on a point of order.

Mr. ELDON (United Kingdom): I apologize to my colleague from the Soviet Union for raising a point of order at this stage. I should like merely to make the point that if we are to have an exchange of views on these documents we need to be sure that they are in fact relevant to agenda item 3.

Looking through the first batch of documents you mentioned, Sir, that is, T/COM.10/L.376, 377, 379 and 380, it seems that none of them is strictly relevant to agenda item 3, which relates to the request to dispatch a special mission to observe the plebiscite scheduled for next week. Document T/COM.10/L.376 deals with the June referendum, as does L.377. Document T/COM.10/L.379 deals with the alleged renegotiation of the Compact of Free Association, and L.380 with the suspension of some Palauan Government employees from their jobs.

I am not sure any of these are relevant. I think that if we are, as the Soviet representative seems to wish, to have a discussion on these documents, we ought to be sure the documents we are discussing accord with the agenda.

The PRESIDENT: I take note of what the representative of the United Kingdom has said. I do not, however, wish to cut off the representative of the Soviet Union, because I have an explanation to provide when he is finished which may perhaps help us in our consideration of these documents.

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I am taking special care to adhere to the framework of our agenda in the light of the presence here of so many distinguished lawyers.

The PRESIDENT: I wish to note at this stage that we are considering only communications not addressed to the Trusteeship Council; they are addressed to the Security Council, the election commissioner and so forth, but have been copied to the the Trusteeship Council. Our normal practice, a practice to which I wish to adhere, is that we simply take note of such communications.

(The President)

May I take it that the Council decides to take note of the communications contained in documents T/COM.10/L.376, L.377, L.379 and L.380?

It was so decided.

The PRESIDENT: We turn now to the written petitions contained in documents T/PET.10/538 to 579. I shall put them before members in groups; if a member wishes to make a comment upon a petition contained in a group, he may do so. The first group will consist of documents T/PET.10/538 to 546. Are there any comments on these petitions?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I do not have any comments, but there is such a wealth of documents here, and we did not have a great deal of time in which to prepare ourselves; indeed, I cannot find these particular documents here on my table. This reinforces what I said at the very outset: that we did not have time to prepare properly for this special session. It was convened so quickly - even feverishly - and our discussions have not been as thorough as we would have wished them to be.

If I had had enough time to study these documents, I think I should have had some questions about them.

The PRESIDENT: I would point out that, although this meeting might have been called at short notice - for very good reasons, we understand - many of these letters are in fact dated May and June, and have been circulated and available to Missions for some weeks, if not months. Some, of course, are more recent, but the documents in the first group, I see, were dated in June.

Mr. SCHRICKE (France) (interpretation from French): I was going to make comments similar to yours, Sir, about the bulk of the petitions, in particular those in the first group. I too would point out that this special session was announced several days ago; we might have hoped that the Soviet delegation would have had enough time to put these papers in order, as my delegation did. In general, the petitions are relatively brief; reading them should not require more than a few minutes.

The PRESIDENT: If it would be helpful to members of the Council, I shall describe what happens in terms of replies to these petitioners. As we receive a large number of petitions, it is not possible for each petitioner to get an individual reply either from the President or from the Secretariat. Our practice is to send to the petitioner the details of whatever resolution may be relevant, plus the extract from the verbatim record which the Secretariat judges may be relevant to the subject of the petition. The petitioner will thus be aware of the debate and discussion that took place in the Council on the subject he raised, we hope safe in the knowledge that his petition made a contribution to that discussion. I think it is important that we should continue to look at these petitions so the petitioners can be assured that members of the Council had the opportunity to see their petitions and to consider them.

Are there any comments on the petitions in the first group I put before members, those contained in documents T/PET.10/538 to 546?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I have not been able to read through these petitions in great detail, but my attention is drawn to a very moving letter, contained in document T/PET.10/540, which protests United States intervention in the affairs of the Trust Territory, and United States control there. Again, in the petition contained in document T/PET.10/541 we find an ardent appeal that the voting be carried out in a

(Mr. Timerbaev, USSR)

democratic manner, for the local inhabitants want to live in a nuclear-free zone. Document T/PET.10/542 contains another request that the nuclear-free status of the Territory be guaranteed, and document T/PET.10/544 also requests that the rights of the people be respected and that the United States comply with its obligations under the Trusteeship Agreement. Similar ideas are contained in documents T/PET.10/545 and 546.

Each petition in this group stands as a kind of lecture to us all, urging us to ensure that the people of Palau can exercise its rights. I believe that, in conformity with established practice, the Trusteeship Council should react, and provide proper replies to the petitioners.

The PRESIDENT: We turn now to the petitions contained in documents T/PET.10/547 to 556. Are there any comments on these petitions?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I do not want to repeat what I said earlier; the petitions are all quite similar in content. I shall not read them out, as all of us have them before us. I want only to state that we in the Soviet delegation are very grateful to the petitioners for having put forward these just demands, inspired by the desire to establish peace in the Territory and to gain independence. I think that the Trusteeship Council should react correctly also to petitions T/PET.10/547 to 556, and do all it can to meet the requests of the petitioners.

The PRESIDENT: We shall now turn to petitions T/PET.10/557 to 566. Are there any comments on these?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I would repeat the same point with respect to these petitions. Reading through them, we see that they set out the same demands, desires and requirements addressed to the Trusteeship Council. We believe they too should be properly responded to.

The PRESIDENT: I take the point made by the representative of the Soviet Union and hope that the procedure I outlined will fulfil that requirement.

We turn next to the remainder of the documents, that is T/PET.10/567 to 579. Are there any comments on these petitions?

Mr. TIMERBAEV (Union of Soviet Socialist Republics) (interpretation from Russian): I wish once again to repeat the comments made by the Soviet delegation with regard to previous petitions.

Mr. ROSENSTOCK (United States): We have had ample opportunity to study these petitions, all but a few of them having been with us for a number of weeks, if not months, and all of them being relatively brief. We should be pleased to make a few brief comments on them.

(Mr. Rosenstock, United States)

They appear to us to fall into three general categories. The first includes petitions which call upon the Trusteeship Council to execute its authority to observe the coming plebiscite on the Compact of Free Association. Those are most of the very recent ones. The President of Palau has made a similar request that the plebiscite be observed, and so has the United States delegation to the Trusteeship Council. We have always welcomed observer missions of the Trusteeship Council to the Trust Territory. Indeed, the Council has just this afternoon considered and approved a resolution authorizing a Visiting Mission. This seems to us wholly responsive to that set of petitions. Perhaps those who have been unable to read the petitions cast their vote in error, in the absence of the enlightenment shed by the petitions.

The second set of petitions focuses on the nature and meaning of the constitutional amendment referendum held by the Government of Palau on 4 August 1987. That referendum was called by the Government of Palau under the authority of the same Public Law that authorizes the 21 August plebiscite on the Compact of Free Association. As we mentioned in an earlier statement, final but not yet certified results received from Palau indicate that the constitutional amendment was approved by the Palauan people in their 4 August referendum.

The petitions, however, improperly and incorrectly state or interpret the effect of the amendment and the language of the Compact, perhaps because in most cases they come from so very far away. To put the matter as succinctly and accurately as possible, my delegation wishes to point out that the sole purpose and effect of the constitutional amendment is to provide that the people of Palau under their amended Constitution may approve by a simple majority, in a plebiscite, the Compact of Free Association, so that it can enter into force - a Compact which, one might note, has already on several occasions received the affirmative vote of well

(Mr. Rosenstock, United States)

over two thirds of the population. One need look no farther than the language of the ballot question offered to the voters on 4 August to confirm the view we have just expressed. The amendment provides that the provisions of the Constitution relating to certain substances, including nuclear and radioactive materials, remain in full force and effect. Further, the provisions of the Compact that define and limit the activities of the United States in Palau in regard to carrying out its defence responsibilities are unchanged by the amendment.

As we noted earlier, the United States, in Compact section 324 agrees not to use, test, store or dispose of nuclear or other specified weapons in the jurisdiction of Palau. My Government obviously will abide by these restrictions in Palau upon the entry into force of the Compact. And as we noted earlier, the hope and purpose of the 21 August referendum is to facilitate the entry into force of the Compact.

Finally, there is a third set of petitions that allege that the United States Government is somehow forcing the Palauan people to vote repeatedly on the Compact of Free Association or on their Constitution, and that these votes have taken place under conditions of stress or pressure induced by the United States. Nothing could be further from the truth; the request for the plebiscite, which has been dealt with under item 3 of our agenda, came from the Legislature of Palau and was endorsed by the President of Palau. So far as the question of economic pressure is concerned, we have already responded to that in commenting on an earlier intervention from the Soviet Union.

The record of observation and the conclusions of visiting missions speak for themselves. The support of my Government for this Council's participation in Palau's plebiscites and for the conclusions of those missions is a matter of record, of which we are proud.

(Mr. Rosenstock, United States)

It would be inappropriate for me to comment on the remaining few petitions that clearly address subjects not before this special session of the Trusteeship Council.

The PRESIDENT: We have now considered the written petitions contained in documents T/PET.10/538 to 579. May I suggest that the Council decide to draw the attention of the petitioners to the statements made by the representative of the Administering Authority and by other representatives on the Council, as well as to the resolution just adopted with regard to the mission to observe the plebiscite in Palau?

It was so decided.

REPORT OF THE TRUSTEESHIP COUNCIL COVERING THE EIGHTEENTH SPECIAL SESSION

The PRESIDENT: The Council has thus concluded its work, and if I hear no objection I shall propose that the Council authorize the Secretariat, in consultation with the President and members of the Council, to prepare a report on the work of the eighteenth special session and to include it in the annual report of the Council on its activities during the fifty-fourth regular session.

It was so decided.

REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS (continued)

The PRESIDENT: As I said this morning, the Secretary-General has still not received the credentials of all members of the Council. Therefore, if members agree, I shall propose that the Council consider and take a decision on the report on credentials at its resumed fifty-fourth session.

It was so decided.

CLOSURE OF THE EIGHTEENTH SPECIAL SESSION

The PRESIDENT: The Council has now concluded its consideration of items on its agenda. I should like to thank all members of the Trusteeship Council for the work they have done today, and for their co-operation with me as President. I should like also to thank all members of the Secretariat for their assistance, and the interpreters and conference officers for the work they have done for us.

Members of the Council will meet again shortly at the resumed fifty-fourth session.

I declare the eighteenth special session of the Trusteeship Council closed.

The meeting rose at 4.45 p.m.