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GENERAL

T/PV.1569  
21 May 1984

ENGLISH

Fifty-first session

VERBATIM RECORD OF THE FIFTEEN HUNDRED AND SIXTY-NINTH MEETING

Held at Headquarters, New York,  
on Wednesday, 18 May 1984, at 10.30 a.m.

President: Mr. RAPIN (France)

Examination of the annual report of the Administering Authority for the year ended 30 September 1983: Trust Territory of the Pacific Islands (continued)

Examination of petitions listed in the annex to the agenda (continued)

Organization of work

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

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1983: TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1863; T/L.1240 and Add.1) (continued)

EXAMINATION OF PETITIONS LISTED IN THE ANNEX TO THE AGENDA (see T/1864/Add.1) (continued)

At the invitation of the President, Father William Wood, Mr. William Alexander, the Reverend Edwin Lindens, Sister Barbara Glendon, Mr. Roman Bedor, Mayor Harold Matthew, Senator Donald Matthew and Mr. Glenn Alcalay took places at the petitioners' table.

The PRESIDENT (interpretation from French): Are there any further questions for the petitioners?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation has studied carefully the statements by the petitioners, and we wish to ask a number of questions of Mr. Wood and, when he is present, Mr. Alcalay.

In his petition Mr. Wood provided some clear and factual material. He said that the Administering Authority had not met its obligations with regard to the Trust Territory and that today, as a result, instead of a united Micronesian Territory, we had a splintered one, which was called a "commonwealth in free association" and was now in a singularly neo-colonial status. The conclusion reached in Mr. Wood's statement was that the Administering Authority, instead of leading the Trust Territory to economic independence, social progress and so on for its people without any discrimination whatsoever, had actually led the Territory to complete economic dependence on the United States of America. Therefore we should like to ask Mr. Wood this question. If Palau were sufficiently developed economically, that is, if it were economically independent of the United States, what policy would that Territory have taken for its further development?

The PRESIDENT (interpretation from French): I call on Father Wood.

Father WOOD: I think that one of the underlying principles that has governed our study and our thinking in regard to the whole process of the development of the Compact of Free Association has been a very sensitive concern for the right of the Micronesian people to determine their own future. That is an underlying principle which I think has been respected by the Council and certainly

(Father Wood)

by the United States. However, as the development in Palau has evolved, it is difficult to predict exactly in what direction the Palauans would go if they had obtained full and complete independence as a sovereign nation. It would seem to me that they would be very precariously situated in the areas of economic development, of social development and of educational development. Their whole history during recent years under the trusteeship has indicated a willingness on their part to co-operate as fully as possible in the whole process initiated by the United States, and they have given themselves whole-heartedly to that. The situation at the present time, however, is less than satisfactory from the point of view of our group. If we recall the original mandate given to the United States Government by the United Nations, in article 6 of the Trusteeship Agreement, the United Nations called on the United States to

"promote the economic advancement and self-sufficiency of the inhabitants, and to this end shall regulate the use of natural resources; encourage the development of fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communications".

At the present time I would say that the economy of the Republic of Palau is preponderantly given over to a bureaucracy, and that the funding assistance from the United States is used not so much for the development of the resources and the talents and abilities of the people as it is to maintain the existing bureaucracy.

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): I wish to thank Mr. Wood for his answer to my question and I should like to ask further questions.

Could Mr. Wood, on the basis of what has been said with regard to his petition yesterday, tell us what specific steps are required at this time, right now, on the part of the Trusteeship Council, the United Nations in general, the local authorities of the Trust Territory and the Administering Authority, so that we could make a radical change in the unfavourable situation that has been created in Micronesia, the situation about which Mr. Wood talked specifically in his petition?

Father WOOD: It would be our opinion that in regard to the Federated States of Micronesia and in regard to the Republic of the Marshal' Islands, the people themselves have determined their course of action, which is in accord with the wishes of the Government of the United States.

(Father Wood)

However, in the case of the Republic of Palau, we still have a very nebulous situation. The plebiscite approved the Compact and in the second part of the ballot disapproved the nuclear issue. That has left the whole situation in a very nebulous state. The only way in which it can be corrected immediately is by having the Palauan people asked - or forced - to change their Constitution, which seems to be contradictory to the wish of all the Members of the United Nations to protect the self-determination of the peoples of Micronesia. Where and how that problem can be solved is simply not clear to us. However, it does remain true that the rights of the people of Palau have to be protected, their Constitution has to be protected, and they cannot simply be forced to go against their Constitution and indeed, against their own judicial system.

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): I thank Mr. Wood for his answer. Once again, I would like to ask another question. Mr. Wood mentioned that during the plebiscite in Palau, in addition to the mission sent by the Trusteeship Council, there were some other observers. Could he not list them for us and tell us specifically whom and what organizations they represented - that is to say, what kind of representatives were they? And also could they not provide their materials to the Trusteeship Council?

Father WOOD: I am at a loss to determine where that statement appeared in our petition. I wonder if the representative of the USSR could indicate explicitly what he is referring to?

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. Wood mentioned this on page 5 of his statement.

Father WOOD: I am sorry. I cannot answer that question directly. There were outside observers but I do not have at hand the list of observers who were present at the time of the plebiscite.

Mr. GRIGUTIS (Union of Soviet Socialist Republics) (interpretation from Russian): I thank Mr. Wood for his answer. I should like to ask something else. It says in the petition that he presented a report to the Trusteeship Council but we do not have a copy of that report with the petition. Is it possible to get the text which was mentioned in the petition? It is mentioned on page 1 of the petition. We would like to study it and then use it in our future work.

The PRESIDENT (interpretation from French): The secretariat will contact the petitioner to get the report and we shall provide each delegation with a copy.

Mr. SHERMAN (United States of America): I should like at this time to make a brief personal statement on the general subject of petitions and petitioners before this Council.

It has been the practice of my delegation for some time now not to comment on or ask questions of the petitioners. For some years we have listened with patience and occasional interest to the annual statements of the Focus on Micronesia organization, and indeed the United States representative and the Trusteeship Council have received innumerable personal communications in letter-writing campaigns from the members thereof.

However, it does seem to me that it is difficult to remain silent in the face of the allegations made by the organization yesterday. The statement of the petitioners makes charges, challenges the authenticity of reports of the Trusteeship Council, alleges misconduct and evil intent in vague and tendentious terms, and calls for "animated discussions", which have indeed taken place over the years, and which even the most casual look at the provisional verbatim records of this Council would make clear have taken place despite the fact that Father Wood has not been here to listen to them.

What the Focus on Micronesia organization seems to ask for is that its judgements be substituted not only for those of the Administering Authority but for those of the Council as well, for the representative governments of Micronesia and, finally, for the people of Micronesia.

The petition of the Focus on Micronesia organization gratuitously congratulates the Micronesian negotiators for obtaining concessions from the United States and then goes on to denigrate central elements of the agreement achieved by those very negotiations, such as section 177. It accuses the United States of skewing development in Micronesia towards dependency, charging that "economic dependency has been one element used as leverage by the United States" (T/PV.1568, p. 8) in its negotiations.

My Government has absolutely no desire to foster economic dependence by Micronesia upon the United States. On the contrary, would Focus on Micronesia have the United States Government reduce the aid levels envisaged in the Compact, so that Father Wood's vision of "holistic growth and self-sufficiency" can be achieved? It is suggested darkly that the United States sabotaged a recommendation for a study of the effects of the United States administration of Micronesia by its refusal to fund it. Once again, it is a curious form of argument. A proposal of no evident merit is described, and the United States is condemned for failing to fund it.

(Mr. Sherman, United States)

Finally, Focus on Micronesia notes with apparent self-satisfaction that "a number of respectable people and groups with integrity" approach the Council year after year with complaints about the United States administration. Father Wood reminds us, as if we needed reminding, that our responsibility is to search out the truth. I would respond to Father Wood and his organization that we consider the duly elected representatives of the Micronesian Governments "respectable people", to use his words, "with integrity", and altogether more qualified to comment accurately and intelligently on the true situation in Micronesia than self-appointed, ideologically driven outsiders whose experience is in large part second-hand and at best desultory.

There were other comments by other petitioners which my delegation found, at best, hyperbolic. For example, one petitioner referred to Marshallese women exposed to radiation from nuclear tests as "human beings victimized by United States aggression". I have heard the argument advanced before that some were victims of United States ignorance, or negligence, but never of "aggression". The same petitioner suggested that we should invalidate the results of the Marshalls plebiscite because, he alleged, the voters were ignorant of the true situation. Well, it is in the nature of every democratic electoral system that I am familiar with that the voters have imperfect knowledge of all sorts of realities around them, but we do not accordingly annul the results of elections whose outcome we do not like. The people of the Marshalls made a choice, after a comprehensive political education programme and campaign, as the United Nations Visiting Mission to Observe the Plebiscite pointed out. The petitioner may be unhappy over the outcome, but my delegation is not especially moved by the sight of a non-Micronesian telling Micronesians that they are not yet ready to exercise self-determination, and that their belief that they have done so is simply an illusion.

The United States delegation values the views of petitioners and believes very sincerely that they make a significant contribution to full, mature consideration of the issues before the Trusteeship Council. At the same time, it is important to recognize the fact that many petitioners appear before the Council as advocates of particular positions, not as independent experts. The statements they make are opinions, they are not always supported by facts, and - despite claims to the contrary - they are not independent, impartial or objective.

(Mr. Sherman, United States)

If this judgement seems harsh, so be it. But in the three sessions of the Trusteeship Council in which I have had the honour to represent my Government in this body, petitioners have gone to great lengths to ensure that media representatives were always present for their presentations, and in some cases have constructed their presentations primarily with a view to ensuring media coverage by including somewhat theatrical devices and inflammatory language. Once the effect has been made, they have departed the camp and have not been available for questioning by Council members. Usually the media representatives have departed as well. To some extent, even the most impartial observer would, I believe, be led to the conclusion that the seekers for truth were more motivated by the desire to put their version of the truth in the public record than by the desire to engage in serious, animated or constructive discussion.

Mr. MARGETSON (United Kingdom): Yesterday I asked a series of questions in connection with the petition presented by Father Wood. I do not want to take more of the Council's time by going over that ground again, but I am delighted that Father Wood is here, and as he is here I should like to ask him one question arising from his petition. It is a rather general question, but one that is of some concern to the United Nations, because it deals with a matter that has been, is and probably will continue to be discussed here - the question of various rights.

In his petition Father Wood lists various Judeo-Christian principles, and I am not sure whether he really means these to be objectives which people should strive for or whether they are rights which we accept as being part of the ideal framework of our political and social life on this earth.

There are two expressions that really worry me. One is "the rights of all people to freedom and development" (T/PV.1568, p. 11). I understand "freedom", but "and development" I find difficult to understand. Does he mean by that, not just the internal development of the personality, but the right to economic development, which is very often the interpretation that is placed on this? When one talks about the right to economic development in a country so poorly endowed by nature as the Trust Territory of the Pacific Islands, it is a very difficult right to defend. Whence will come the means for such development in atolls which rise only a few feet above the Pacific Ocean, on which one can grow easily only coconut palms and where to develop in agricultural terms requires an enormous input of energy allied to agricultural and scientific knowledge? I should have thought that that input was not a right.

(Mr. Margetson, United Kingdom)

The other expression is the one beginning "the right to justice". I understand that, but not the next few words: "in a world characterized by peace" (T/PV.1568, p. 11). I imagine that what is meant is that the world should be peaceful. We can all accept that, but if Father Wood means that as a description of the world, which he probably does, I can only point to the Security Council, which is even now meeting - a fact which accounts for my rather late arrival this morning - and which meets more than any other United Nations Council, trying very hard to make the world a little more peaceful.

Will Father Wood enlarge on those two points?

Father WOOD: I shall take the observations of the representative of the United Kingdom in reverse order. First, the concepts to be found in yesterday's verbatim record are indeed the ideals set forth in the Charter of the United Nations for all peoples. We well realize that the world today is not characterized by peace, but it remains an ideal of the United Nations to see the world reach a plateau of peace enjoyed by all peoples.

In regard to the term "development", it is taken, of course, in the same context of the general ideals that are embodied in the Charter of the United Nations. However, I would observe that in the area of Micronesia, where there are very few resources which can be developed for economic purposes, there was a particular problem, which I think even the United States hoped to be able to assist the Micronesians in solving so that they would have a firm basis on which their self-sufficiency and independence could be maintained. Granted that this is a very difficult area and one that is a challenge, there is no doubt that unless economic development takes place in Micronesia what will remain will be a subsidy arrangement whereby the United States is simply carrying along the people of Micronesia even after the termination of the agreed monetary grants to the various Governments.

So it remains a problem, and it was for that reason that we have asked on previous occasions that a study be made on how to develop the base economy of the people of Micronesia.

Mr. MARGETSON (United Kingdom): I am grateful to Father Wood for his explanation and, indeed, relieved that he lists these particular principles as ones which should be aimed at. I am not quite sure where he finds this right to economic development in the Charter of the United Nations. There is, of course, the reaffirmation of faith in



(Mr. Margetson, United Kingdom)

"fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small"

and so forth, in the Preamble. But what is significantly not in the Preamble is this mention of the right to economic development. I think that the authors of the Charter were right not to put it in. Speaking personally, it makes no sense to me at all. Where does Father Wood find this in the Charter, either directly or indirectly?

Father WOOD: I should like to refer to something I referred to before, namely article 6 of the Trusteeship Agreement between the United States and the United Nations. In paragraph 2 it states that the Administering Authority shall "promote the economic advancement and self-sufficiency of the inhabitants, and to this end shall regulate the use of natural resources; encourage development of fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communication".

I think that that certainly is the area in which, on this particular use of the word "development", the introduction of the concept of economic development has its source. I think it is for that reason that the United Nations has a responsibility to see to it that this does take place.

It is also true that in the Universal Declaration of Human Rights there is a section on economy.

Mr. MARGETSON (United Kingdom): I am indeed relieved once more to hear what Father Wood has said, because I thought maybe he had discovered something in the Charter of which I was unaware. I entirely agree with what he has quoted at us, namely, that provision in the Trusteeship Agreement which requires the Administering Authority to promote the economic advancement of the Trust Territory. That, of course, is an objective, which we all share and which there is good evidence to show that the Administering Authority is pursuing with enthusiasm. It is an objective, not a right. I should like to repeat that - not a right.

It may be that Father Wood has inadvertently strayed into an area which is perhaps somewhat sensitive in the United Nations, but I am relieved to hear that he does not actually support the arguments which sometimes one hears elsewhere in the United Nations, about this "right" to economic development.

The PRESIDENT (interpretation from French): I wish to thank the petitioners for the statements they have made over the past few days. They have facilitated the work of the Council by presenting these oral petitions in accordance with the Council's programme of work. Finally, I should like to assure the petitioners that their statements will be studied very closely by Council members.

I now ask the petitioners to withdraw.

The petitioners withdrew.

The PRESIDENT (interpretation from French): We shall now return to our examination of the annual report of the Administering Authority. The Council will continue its questions to the representatives of the Administering Authority.

Mrs. COCHEME (France) (interpretation from French): My first question concerns the island of Bikini, more specifically the sums received from the Administering Authority by the inhabitants of Bikini. I am aware that this question has already been discussed by the petitioners and by some delegations, but I should like to return to it now.

My delegation would like to know whether the Administering Authority agrees with the figures given to the Council yesterday by Mr. Weisgall. We should be grateful to the Administering Authority if we could have some precise figures about the total compensation and grants provided by the United States since 1956, and about the total amount received by each inhabitant during that same period.

Mr. SHERMAN (United States of America): We do indeed have a list of the actual cash payments as well as of certain amounts placed in trust for the benefit of the people of Bikini, and it is a rather long one. We can understand the confusion that has arisen regarding these figures, because our figures do not coincide exactly with those presented by Mr. Weisgall. I referred to some of them in a statement yesterday, but let me now try to list them seriatim.

In 1956, a Trust was established in the amount of \$325,000. In 1970, the sum of \$2,880,000 was spent in a rehabilitation effort to improve the living conditions, including construction and rehabilitation of housing. In 1975, another \$3 million Trust was established. In 1978, another \$3 million was added to that Trust. Again in 1978, the sum of \$6 million was spent for rehabilitation of the island of Kili, which included housing for every family and the construction of an airport. The cost was approximately \$40,000 per house. Again, in 1978, \$35,000 was spent on food to assist in the resettlement on Kili and Ejit. In 1980, a

(Mr. Sherman, United States)

\$1.4 million ex gratia payment was made to the Bikinians. These are the 139 persons removed from Bikini and their descendants. In 1981, a payment of \$400,000 was provided to establish a health plan. In 1982, the sum of \$20.6 million was provided for a resettlement trust, which also provides cash payments of \$3 million over a three-year period, which can be used to continue improving conditions on Kili or to move to another desired location.

The total monies which I have mentioned amount to a grand total of \$38,734,000. In addition to the \$38.7 million mentioned, the feeding programmes which the United States has provided have cost \$1,030,000 for the period from 1979 to 1984. The amount of approximately \$40 million does not include the free medical care or education provided by the United States, nor does it include other regular funding sources common to all parts of the Marshall Islands and not specifically to Bikini.

These figures reflect the fact that in excess of \$278,000 has been spent for the care and benefit of every man, woman and child of those 139 persons removed from Bikini and their descendants. Taking into account the fact that those 139 persons have now increased to 1,100 persons, the United States Government has spent more than \$39,000 per capita. Of these funds, approximately \$25.7 million remains invested in trust for the people of Bikini.

Let me discuss also the benefits that Bikinians would stand to realize under the Compact of Free Association. Under the terms of section 177 of the Compact, the people of Bikini are scheduled to receive \$75 million in cash payments over a period of 15 years. Each year during that period, they will have available for distribution among themselves \$2.4 million, or, on the basis of a population of 1,100, an amount of \$2,181 for every man, woman and child. I might add that on the average there are some five to eight members per family, resulting in an average income per family unit of \$10,905 to \$17,448, in addition to any other income that they may have. The remaining annual proceeds of \$2.6 million will be invested in a long-term trust to ensure continuing revenues beyond the period following the 15 years, representing approximately \$50 million. Interest income alone would amount to more than \$3,300 per capita.

In addition, Bikinians will benefit from the health care system and the food programme to be established by separate funding under a related provision of section 177 of the Compact. The people of Bikini will also have the opportunity to seek award payments on additional claims, as they arise, through the mechanism of the independent Claims Tribunal, which I described in an earlier statement.

(Mr. Sherman, United States)

In addition, Bikinians also stand to benefit from the grant assistance and federal programmes which the Marshall Islands Government will receive under Title Two of the Compact and use for improvement of the well-being of the Marshall Islanders as a whole

The representative of the Marshall Islands on my delegation may also wish to comment with regard to programmes that have been provided in common to Bikini persons and other Marshallese citizens.

Mrs. COCHEME (France) (interpretation from French): Several petitioners from the Marshall Islands emphasized the desire of the people of Bikini to go back to their land, and stressed the importance of the clean-up operation of the island and the re-installation of inhabitants there. The Administering Authority, in its report, has also referred to the commitment it undertook to resettle the people of Bikini on the Bikini Atoll, but it has not given any information about the timetable for that. Could the Administering Authority give the Council more specific information about the studies that have been conducted for a clean-up operation on the island and the financial cost of the clean-up, and, finally, the specific solutions that will be decided on regarding the resettlement of the Bikinians?

Mr. SHERMAN (United States of America): Approximately 139 persons were moved from Bikini in 1946 and today there are approximately 1,100 Bikinians. During the period between 1969 and 1978, approximately 100 Bikinians returned to Bikini from Kili Island. Those who voluntarily chose to return were primarily the older generation; the remainder decided not to return. The 100 Bikinians who were moved from Bikini in 1978 now live primarily in Ejit, near the capital of Majuro.

The whole question of the clean-up is, as the Council knows, currently under litigation. Mr. Weisgall, who has been a petitioner before the Trusteeship Council, filed suit, on 1 May of this year, against various United States government agencies to force a clean-up of Bikini prior to the termination of trusteeship. Because this is pending litigation, I am not really able at this time to comment on it since that would prejudice the matter in the courts.

There have been numerous efforts made by the United States to meet the needs of the Bikinians now living on Kili Island. I would be prepared to discuss them if the representative of France is interested, and also the current status of rehabilitation and resettlement in Enewetak and other Marshall Islands. I would however leave it to her to decide how far in depth she wishes to go.

Mrs. COCHEME (France) (interpretation from French): I thank the representative of the United States for the information he has given. However, I would be more interested in precise information about the clean-up of the island than in information on rehabilitation and other developments in the Marshall Islands.

I am sorry, but I did not grasp what he meant when he spoke about legal proceedings and why they are linked to this clean-up. I would like to ask the representative of the United States to explain these proceedings, which are perhaps different from European proceedings.

Mr. SHERMAN (United States of America): In an effort to clarify, let me repeat that Mr. Weisgall, in his capacity as an attorney representing the Bikinians, has filed in the United States Civil Court a suit against the United States Government calling upon it, as defendant in the suit, to conduct a clean-up of the radiation still remaining on Bikini Island and the atoll. That is a criminal charge, a suit, against the United States Government, that would, if such a judgement were rendered by the court, compel the United States to go ahead and make this clean-up prior to termination of the trusteeship. This is now a matter of controversy, with lawyers representing the United States and Mr. Weisgall representing the Bikinians, discussing the issue. Therefore, because it is sub judice, under litigation, it would be improper and inappropriate for me to comment on the pros and cons, the cost of it, or anything of that nature. Thus, I cannot really respond directly to the question.

Mr. MARGETSON (United Kingdom): I would like to follow up on the first question of the representative of France and to thank the representative of the United States for those extremely interesting, informative, detailed figures about money and funds paid to or held in trust for the Bikinians who were moved from their atoll. It would be extraordinarily helpful if a copy of that information could be distributed. I know that it will eventually appear in the verbatim record, but if the United States delegation were able to give copies to members of the Council this would be greatly appreciated.

The PRESIDENT (interpretation from French): The secretariat will contact the United States delegation so that this list can be circulated to delegations.

## ORGANIZATION OF WORK

The PRESIDENT (interpretation from French): We will resume our work on Tuesday morning, when we shall be addressing questions to the representative of the Administering Authority as well as to petitioners and when we shall also hear further petitioners.

I should like to suggest to members of the Council that we examine at our meeting on Tuesday the written petitions and communications contained in documents T/COM.10/L.341 and L.352, and T/PET.10/299 to 307, 311 and 316.

Mr. MARGETSON (United Kingdom): Mr. President, I wanted to ask you what your plans were for the oral petitions, in particular. It would be very helpful if we could dispose of all of these before making our major statements in the general debate, because if further important issues arise from the oral petitions, I for one would like to address them in my major speech. So I wondered really where we were on oral petitioners. Written petitions, of course, we can read, but it is the unknown with which I am concerned. How many more oral petitions are there likely to be and when do you think they might be completed?

The PRESIDENT (interpretation from French): The preliminary timetable we adopted provides that oral petitions may be submitted up to and including next Tuesday. According to information which I received this morning, it is possible that we shall have one or two petitioners on Tuesday. We could, therefore, complete our hearing of the petitioners and the questions that members might wish to ask at the end of the day on Tuesday, in accordance with the programme of work adopted by the members of the Council. Delegations will thus have every opportunity to take full account of all the statements submitted in making their own statements in the general debate, which could possibly start on Wednesday, if we have concluded consideration of the questions submitted to the Administering Authority.

If there are no further comments or objections, the Council will proceed accordingly.

It was so decided.

The meeting rose at 12 noon