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Forty-fifth Session

VERBATIM RECORD OF THE FOURTEEN HUNDRED AND EIGHTIETH MEETING

Held at Headquarters, New York,
on Wednesday, 31 May 1978, at 10.30 a.m.

President: Mr. GARRIGUE-GUYONNAUD (France)

Arrangements for the dispatch of a visiting mission to observe the referendum on the draft Constitution of the Federated States of Micronesia, July 1978
(continued)

Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands, 1979 (continued)

Co-operation with the Committee on the Elimination of Racial Discrimination
(continued)

Decade for action to combat racism and racial discrimination (continued)

41,02.13
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The meeting was called to order at 11 a.m.

ARRANGEMENTS FOR THE DISPATCH OF A VISITING MISSION TO OBSERVE THE REFERENDUM ON THE DRAFT CONSTITUTION OF THE FEDERATED STATES OF MICRONESIA, JULY 1978 (DRAFT RESOLUTION T/L.1209) (continued)

The PRESIDENT (interpretation from French): As agreed at the meeting yesterday, the Council will now consider and take decisions on the draft resolutions contained in documents T/L.1209 and T/L.1210 with regard to the arrangements for the dispatch of visiting missions to the Trust Territory of the Pacific Islands in 1978 and 1979 respectively. I would remind members that yesterday the representative of the United Kingdom introduced draft resolution T/L.1209.

If there are no further comments, I suggest that the Council proceed to the vote on the draft resolution.

I now put to the vote the draft resolution in document T/L.1209.

The draft resolution was adopted by 3 votes to none, with 1 abstention.

The PRESIDENT (interpretation from French): The resolution that has just been adopted contains the names of two countries, France and the United Kingdom, with blank spaces for the names of members who will constitute the visiting mission. Following past practice, I suggest that the Council decide that the six names to be submitted respectively by the two Governments be approved automatically as soon as they are received.

If there are no comments, I shall take it that members agree to that suggestion.

It was so decided.

Mr. KHARLAMOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to explain why our delegation abstained from voting on this draft resolution.

The Soviet delegation studied very carefully draft resolution T/L.1209 concerning the question of the dispatch of a visiting mission to observe the constitutional referendum in the Trust Territory of the Pacific Islands to be held on 12 July 1978. We have drawn attention to a number of provisions in that draft resolution; particularly to the preamble where it is stated that the referendum will take place in part of the Territory and not the whole of Micronesia. It is known that the Soviet Union considers this to be unilateral action by the Administering Authority, giving commonwealth status to the Caroline and Marshall Islands. It regards this as improper, since it is in violation of Article 83 of the Charter of the United Nations.

The Soviet delegation considers that the referendum to be held on 12 July 1978 on the constitution of the Federal States of Micronesia may be of great political importance for the future of the peoples of Micronesia. However, the sending of a visiting mission by the Trusteeship Council to observe the referendum on some of the islands of the Trust Territory might be regarded by the Administering Authority as constituting approval of its unjust action in dismembering the Trust Territory of the Pacific Islands. What is more, the draft resolution does not take into account the views of the Micronesians on a wider observance of a constitutional referendum by the United Nations. In particular, a desire was expressed by the Micronesians that members of the Security Council should participate in such observations. The representatives of the Congress of Micronesia have spoken about this at this session to the Trusteeship Council. At the same time, since the Congress of Micronesia did not object to members of the Trusteeship Council observing the referendum, our delegation abstained from voting on this draft resolution.

Certainly the Soviet delegation will follow closely the holding of the referendum and it reserves the right to explain its position on this question at the next session of the Trusteeship Council.

(Mr. Kharlamov, USSR)

I should also like to recall that yesterday the representative of the Administering Authority twice confirmed the readiness of the administering Power to receive foreign journalists in the Territory. I think that several countries will take advantage of that provision, and we would like the Administering Authority to help in the arrangements for them to be on hand both before and during the referendum, which we should like to see extended to the whole of Micronesia.

ARRANGEMENTS FOR THE DISPATCH OF A PERIODIC VISITING MISSION TO THE TRUST TERRITORY OF THE PACIFIC ISLANDS, 1979 (DRAFT RESOLUTION T/L.1210) (continued)

The PRESIDENT (interpretation from French): It will be recalled that the draft resolution contained in document T/L.1210 was introduced yesterday by the representative of France.

Mr. BROCHENIN (France) (interpretation from French): I should simply like to offer a small clarification with regard to draft resolution T/L.1210. In preambular paragraph 2 it is said that the Visiting Mission "should be composed of members of the Council". In fact the idea is that each member should send one representative, as was the case in the past. Therefore, the mission would be composed of two or three persons and, of course, members of the Secretariat.

The PRESIDENT (interpretation from French): The Secretariat has taken note of that clarification given by the representative of France.

I now call on the representative of the Secretariat.

Mr. ABEBE (Secretary of the Trusteeship Council): In view of the additional clarification provided by the sponsors of the draft resolutions in documents T/L.1209 and T/L.1210, should the 1979 United Nations periodic Visiting Mission be composed of three representatives and five staff members the additional financial resources required in the current biennium are estimated at between \$30,000 and \$40,000.

Mr. KHARLAMOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to ask the representative of France to withdraw that particular reservation. This will be the last visiting mission to the Territory of Micronesia, and it would, of course, be impossible for a single representative from each Member State of the Trusteeship Council really to be able to get a clear picture of the situation. Perhaps we could decide later precisely how many members should go, and not exclude the possibility of sending a delegation more comprehensive, than one comprising just three members of the Trusteeship Council.

I should therefore, as I have said, like to ask the representative of France to withdraw that reservation if to do so does not run counter to other considerations.

The PRESIDENT (interpretation from French): As I understand it, the reservation expressed by the representative of France was based on financial considerations, but in view of what was said by the representative of the Soviet Union I should like to appeal to the representative of France in this regard.

Mr. BROCHENIN (France) (interpretation from French): My delegation's only aim was to facilitate the drawing up of the budget for the dispatch of this, and there were no political strings, as it were. If this mission is to be the last one, then perhaps it would be appropriate that it should comprise a larger number of representatives. But I do not know if it really will be the last one.

The PRESIDENT (interpretation from French): I conclude then that we could withdraw the amendment and leave the draft resolution as it stands, unless any member of the Council has observations or comments to make. Is the representative of France prepared to withdraw his amendment?

Mr. BROCHENIN (France) (interpretation from French): Since it was but an oral clarification, and since I did not submit it as an amendment I do not have to withdraw it.

The PRESIDENT (Interpretation from French): As I understand it, the Secretariat has problems in assessing the financial implications. I now call on the Secretary.

Mr. ABEBE (Secretary of the Trusteeship Council): The purpose of the intervention by the Secretariat regarding the Visiting Mission in 1979 is to obtain a rough idea of the membership of the 1979 Visiting Mission. It is not by any means to restrict the eventual number of members composing that mission. I have intervened purely for technical reasons.

Mr. KHARLAMOV (Union of Soviet Socialist Republics) (interpretation from Russian): I understand from this that notwithstanding the verbal reservation made earlier by the representative of France, and after hearing the clarification given by the Council Secretary, we can adopt draft resolution T/L.1210 without a vote.

The PRESIDENT (interpretation from French): We shall now take a decision on draft resolution T/L.1210 as it stands, since there is no formal amendment to it. May I suggest that the Council adopt the draft resolution without a vote?

If there are no comments or observations, I shall take it that the Council adopts draft resolution T/L.1210 without objection.

The draft resolution was adopted.

CO-OPERATION WITH THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION
(continued)

DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued)

The PRESIDENT (interpretation from French): I should like to remind members that during our consideration of these items yesterday I indicated that I would prepare the text of a message from the President of the Trusteeship Council to the Secretary-General with respect to the invitation to participate as an observer in the World Conference to Combat Racism and Racial Discrimination to be held in Geneva this summer.

I shall now read out the draft message that I have prepared:

"On behalf of the Trusteeship Council I have the honour to acknowledge receipt of your letter of 6 May 1978 in which, pursuant to General Assembly resolution 32/129, you invited the Council to participate as an observer in the World Conference to Combat Racism and Racial Discrimination to be held in Geneva in August of this year.

(The President)

"I should like to take this opportunity to inform you and, through you, the World Conference, that, since its creation, the Trusteeship Council has always given special attention to the protection of human rights and basic freedoms in the Trust Territories for all inhabitants without distinction as to race, sex, language or creed.

"With regard to Micronesia - the only territory which remains on the Council's agenda - I am pleased to inform you that the Trusteeship Council and its visiting missions have always noted in their reports that human rights and basic freedoms, as mentioned in the Charter, in the Trusteeship Agreement and in the Universal Declaration of Human Rights have been respected.

"With regard to the invitation you were so kind as to convey to the Trusteeship Council to participate as an observer at the World Conference, I have the honour to inform you that due to previous engagements connected with the programme of activities of the Council in Micronesia, the Council will be unable to accept.

"However, I should like, on behalf of the Council, to extend to all those who will be present in Geneva the best wishes of the Council for the success of its work. I should like to express, on behalf of the Council, the hope that the Conference will make a significant contribution to the promotion and protection of human rights, and also to the elimination of all forms of racial discrimination throughout the world."

That is the text of the message. Are there any comments or observations?

Mr. KHARLAMOV (Union of Soviet Socialist Republics) (interpretation from Russian): I can only form a judgement from the interpretation I have been listening to. In principle, we do not object to sending a message on behalf of the Trusteeship Council. It seems to me that the third paragraph of this message could be worded as follows:

"The Trusteeship Council expresses the hope that in the last Trust Territory, the basic freedoms set down in the Charter and the relevant agreements will be implemented,"

continuing with the existing text, since at this time, we still cannot arrive at any conclusion as to what the ultimate situation in Micronesia will be. If possible, may we have an English translation which will be as accurate as possible. We shall then be able to make such amendments as will enable us to adopt this message unanimously. The congress in August will be a very important one and it is very important that the Trusteeship Council state everything as precisely as possible, so that we can confirm this message when we conclude the work of the Trusteeship Council on 8 June.

The PRESIDENT (interpretation from French): I wonder if, in order to deal with the concern which has just been expressed, we should add a paragraph after the third paragraph of the text. That paragraph refers to the past, since it reads:

"... the Trusteeship Council and its visiting missions have always noted in their reports that human rights ... have been respected."

I believe that in order to introduce the idea expressed by the representative of the Soviet Union we could add the following sentence:

"The Trusteeship Council will do its best to ensure that the fundamental freedoms are exercised in the last Trust Territory."

Thus the concern voiced by the representative of the Soviet Union would be met, for we cannot prejudge the future. The Trusteeship Council must continue its work until the Agreement ends.

Does that proposed amendment meet the preoccupations of the representative of the Soviet Union?

Mr. KHARLAMOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to ask once again that we be given an English text of the proposal you have just made so that we may be in a position on 8 June to adopt the text finally. Before that date we shall be consulting the President, as well as the Administering Authority and the other members of the Trusteeship Council, on this question. That is my request and I believe that it can be met.

The PRESIDENT (interpretation from French): The text with the suggested amendment will be translated into English and distributed by the Secretariat to all the members of the Council; then the members of the Council can consult informally between now and 8 June so that at the last meeting of the Council the message can be adopted without difficulty. Does that meet the wishes of the representative of the Soviet Union?

Mr. KHARLAMOV (Union of Soviet Socialist Republics) (interpretation from Russian): Yes.

The PRESIDENT (interpretation from French): The Council will hold the last meeting of its forty-fifth session on Thursday, 8 June 1978, at 3 p.m. At that meeting it will authorize its President to send the message referred to above and will consider the report of the Secretary-General concerning credentials. I do not know if the Secretary of the Council has received all the credentials, but I believe they have now reached the Council secretariat. The Council will also adopt its report to the Security Council.

The meeting rose at 11.25 a.m.

Trusteeship Council
Forty-fifth Session
1480th Meeting (AM)



TR/2135
31 May 1978

TRUSTEESHIP COUNCIL DECIDES TO SEND MISSION TO OBSERVE

JULY REFERENDUM IN CAROLINE AND MARSHALL ISLANDS

Also Adopts Directives for Regular Visiting Mission to Micronesia in 1979

The Trusteeship Council this morning decided to send a six-member United Nations Visiting Mission to the Trust Territory of the Pacific Islands, to observe the 12 July referendum in which the people of the Caroline and Marshall Islands will vote to determine their future political status.

This decision was taken with the adoption of a resolution (document T/L.1209) by a vote of 3 in favour (United Kingdom, United States and France) to none against with 1 abstention (Soviet Union). A statement in explanation of vote was made by the Soviet Union.

The Caroline and Marshall Islands form part of the United States-administered Trust Territory of the Pacific Islands, also known as Micronesia.

Also this morning, the Council unanimously adopted a resolution containing directives for the regular Visiting Mission of the Council which is scheduled to visit the Trust Territory in 1979 -- one of the series of missions which the Council sends periodically to look into over all conditions in the Territory (document T/L.1210).

By adopting the resolution on the dispatch of a Visiting Mission to observe the July referendum in the Caroline and Marshall Islands, the Council also decided that the Mission should be composed of three representatives from France and three from the United Kingdom. The Council directed the Mission to observe all aspects of the voting and to obtain first-hand information concerning political economic and social developments in the Caroline and Marshall Islands.

Further, the Council decided that the Mission should begin on 13 June and end "as soon as practicable after the declaration of results". It requested the Mission to submit to the Council a report on its observations of the referendum containing conclusions and recommendations.

In the resolution containing directives for the Visiting Mission which is scheduled to visit the Territory in 1979, the Council directed the Mission to investigate and report on steps taken in the Territory toward the realization of the objectives set forth in Article 76 b of the Charter, which calls for the

(more)

promotion of political, economic, social and educational advancement of the inhabitants of the Trust Territories and their progressive development towards self-government. The Council directed the Mission to pay special attention to the question of the future of the Territory, in light of the relevant Articles of the Charter and the Trusteeship Agreement.

Also under the resolution, having decided that the Mission should be composed of members of the Council wishing to participate -- except for the Administering Authority, which would provide an escort officer -- and that it would visit the Territory for six weeks, the Council directed the Mission to give attention to issues raised in connexion with the annual reports by the United States on the administration of the Territory, in the petitions received by the Council concerning the Territory and in the observations of the Administering Authority on those reports.

It further directed the Mission to receive petitions and to investigate on the spot those which, in its opinion, warranted special investigation.

Finally, it requested the Mission to submit to the Council as soon as practicable a report on its visit to the Territory containing its findings, with such observations, conclusions and recommendations as it might wish to make.

Finally this morning, the Council decided without a vote to inform the Secretary-General that, due to previous commitments connected with its activities in regard to Micronesia, it would have to decline an invitation to participate in the World Conference to Combat Racism and Racial Discrimination, scheduled for Geneva in August.

The Council is to hold the final meeting of its forty-fifth session at 3 p.m. Thursday, 8 June, when it is scheduled to adopt its report to the Security Council containing its conclusions and recommendations on the Trust Territory of the Pacific Islands. The report is now being prepared by the Council's Drafting Committee, meeting in closed session.

Explanation of Vote

VADIM P. KHARLAMOV (Soviet Union) said he had abstained on the resolution concerning arrangements for the dispatch of a Visiting Mission to observe the 12 July referendum because of references in the preamble to holding the referendum in part of the Territory rather than in the whole of Micronesia.

He regarded unilateral action by the Administering Authority as "incorrect and unjust" since it violated Article 83 of the Charter. The resolution, he said, did not take into account the desire expressed by the Micronesians that the Security Council should participate in the 12 July referendum.

Yesterday, he added, the representative of the Administering Authority had confirmed its readiness to receive foreign journalists in the Territory. He hoped the Administering Authority would promote the success of their visit and not confine them to part of Micronesia.