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### Fifty-sixth Session

#### VERBATIM RECORD OF THE SIXTEEN HUNDRED AND SIXTY-FOURTH MEETING

Held at Headquarters, New York,  
on Wednesday, 17 May 1989, at 3 p.m.

President: Mr. BIRCH (United Kingdom)

- Report of the United Nations Visiting Mission to Palau, Trust Territory of the Pacific Islands, 1989 (T/1935)
- Examination of petitions and communications (T/INF/37 and Add.1) (continued)
- Examination of the annual report of the Administering Authority for the year ended 30 September 1988: Trust Territory of the Pacific Islands (continued)

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

REPORT OF THE UNITED NATIONS VISITING MISSION TO PALAU, TRUST TERRITORY OF THE PACIFIC ISLANDS, 1989 (T/1935)

The PRESIDENT: The Council will now begin consideration of item 6 of its agenda, concerning the report of the United Nations Visiting Mission to Palau, Trust Territory of the Pacific Islands, 1989. I call on the Chairman of the Visiting Mission, Mr. Jean-Michel Gaussof of France, to introduce the Visiting Mission's report, contained in document T/1935.

Mr. GAUSSOT (France) (interpretation from French): I should like to introduce the report of the Visiting Mission which the Trusteeship Council, by its resolution 2190 (S-XIX) of 17 March 1989, decided to send to Palau.

The terms of reference of the Mission, as laid down in the resolution, are to be found in paragraphs 1 and 2 of the report. I shall therefore confine myself to recalling their general outline. The Mission was directed first and foremost to observe the steps taken in Palau towards bringing into effect the proposed Compact of Free Association; secondly, to obtain first-hand information concerning political, economic and social developments in Palau, and also to receive petitions and to examine on the spot such petitions as, in its opinion, warranted special examination. The resolution also provided that the Mission should be composed of members of the Council wishing to participate except, of course, the Administering Authority, which might provide an escort officer. The United Kingdom appointed Mr. Stephen Smith to this Mission and I had the honour to represent France.

Thus, the Mission was made up of two members, accompanied by three members of the United Nations Secretariat and two representatives of the Administering Authority. It visited Palau from 10 to 17 April, as stated in chapter I, paragraph 6, of the report. Annex I of the report gives the Mission's schedule and the map at the end of the document shows its itinerary.

(Mr. Gaussot, France)

Since the last Visiting Mission to the Trust Territory dates back to 1985, the Mission felt it necessary, by way of introduction to its report, to provide a brief statement, in chapter II, of the geographical, historical and constitutional background and of the events that have marked the political life of Palau in the last three years, especially as regards the Compact of Free Association with the United States.

Chapter III gives a detailed account of the information the mission obtained during its stay concerning the progress achieved in the political sphere, including progress with regard to the Compact of Free Association, economic and social advancement, and educational advancement.

Chapter IV deals with certain special issues, such as the problem of war damage claims and fisheries protection; and chapter V reports on the dissemination of information on the United Nations in Palau. The conclusions and recommendations of the Mission are to be found in chapter VI of the report. As stated in the report, the Mission visited 13 of the 16 states that make up Palau. It had the privilege of being received by many officials and other individuals, including the President and the Vice-President of Palau, whom this Council had the honour of receiving here at the opening of the current session, as well as members of the Palau legislature, governors and traditional chiefs. It held public meetings in each of the States visited and spoke with all of those who, either individually or jointly, wished to make contact with it.

(Mr. Gaussoy, France)

On our arrival, I broadcast a message to the population of Palau in my capacity as Chairman of the Mission, inviting anyone who wished to get in touch with us to do so. The text of that message has been included as annex II of the report.

In conformity with our mandate from the Trusteeship Council we also received a number of written petitions and communications. These are available to members of the Council and are listed in annex III of the report.

Wishing to give the Council the clearest possible picture of the situation in Palau, we took every opportunity to observe, to converse and, above all, to listen. Those with whom we spoke were citizens aware of their responsibilities who cared about the future of their country and who were extremely well informed about the political, economic and social facts. The many discussions we had revealed that the entire population was greatly interested in the role of the Trusteeship Council at a crucial time in the history of Palau.

Our account of the facts and our conclusions may sometimes appear excessively detailed, but we wanted to be as complete as possible in the information and appraisal we presented to the Council. Mr. Smith and I hope the report will make a useful contribution to the Council's consideration of the present situation in Palau. We are, of course, available to the Council for any additional information or clarification its members may desire.

I wish finally to take this opportunity to express our thanks to the President of Palau and all those who received us, as well as to those assigned by the Administering Authority to escort us and to the representatives of the Secretariat. Thanks to particularly efficient help from them and others, we were able to complete our work in the best possible conditions. We are very grateful to them.

The PRESIDENT: As no member wishes to comment on the report of the Visiting Mission at this stage, may I take it that the Council decides to delay consideration of the report until a later meeting.

It was so decided.

EXAMINATION OF PETITIONS AND COMMUNICATIONS (T/INF/37 and Add.1) (continued)

The PRESIDENT: As requested by one delegation at our meeting this morning, members will now have an opportunity to put questions to petitioners who made their presentations yesterday and this morning. I therefore ask petitioners who are present to take places at the petitioners' table.

At the invitation of the President, the petitioners took places at the petitioners' table.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): Before putting my questions, I should like to thank all the petitioners who spoke yesterday and today. Their statements were extremely important in supplementing our picture of the situation in the Trust Territory of the Pacific Islands. Unfortunately, my delegation does not yet have the texts of the statements made this morning, including those made by the petitioners from the Northern Mariana Islands. If, therefore, I do not put questions to some of the petitioners this afternoon, that does not mean their statements did not draw our attention: they were all important and very comprehensive, and could be of help to us in our work in the Council.

I have a few questions for Mr. Alcalay. In his statement, Mr. Alcalay points out that there is as yet no clear understanding of the true scope of the damage done to the health of the inhabitants of the Marshall Islands and to the environment. Could he expand on that?

(Mr. Berezovsky, USSR)

In addition, Mr. Alcalay spoke of the recent establishment of a tribunal in the Marshall Islands. Could he tell us a little more about that body and about what it deals with?

The PRESIDENT: I call on Mr. Alcalay.

Mr. ALCALAY: I thank the representative of the Soviet Union for his questions. I shall begin with his question on my statement that to date we do not have a clear understanding of the full extent of radiation damage in the Marshall Islands. As this body knows well, historically, the focus with respect to radiation injury has centred on two populations in the Marshall Islands: the people of Rongelap and the people of Utirik. It is those groups that since 1954, when the largest United States hydrogen bomb, Bravo, was exploded, have been followed up medically by the United States Government. Lawrence Livermore Laboratory in California has done the radiological sampling, and Brookhaven National Laboratory has been doing the health surveys.

What is very interesting is that in 1978 the Department of Energy issued a report stating that at least 14 atolls and islands were irradiated with "intermediate-range fall-out" from the thermonuclear explosions in the 1950s at Eniwetok and Bikini. Intermediate-range fall-out, it should be pointed out, is a fairly sizeable amount of radiation for any person.

The question that I have is this: If the United States Government, through the Department of Energy, has readily admitted since 1978 that at least 14 atolls and islands other than Rongelap and Bikini were irradiated, why is it that the medical studies and the medical programme have not been expanded to include those other 14 atolls, many of which are inhabited?

(Mr. Alcalay)

When I said yesterday that we still had no clear understanding of the total impact both to human health and to the environment, what I meant was that the surveys that were conducted were what we call "in-house surveys", and members will recollect that in my first petition before this body - as long ago as 1979 - I raised the question of the need for an independent non-governmental survey to come to the Marshall Islands and, first, to conduct an epidemiological study to ascertain baseline data - that is, to tell us what we can expect normally to occur in terms of diseases and other maladies in the Marshalls.

If we had that background information, it would be quite simple to determine whether there are excess rates of certain types of diseases, and we could then even focus more narrowly and determine if some of those diseases might indeed be radiation related.

In a small population such as that of the Marshall Islands - 43,000 according to the November 1988 census - it would be a very simple task indeed to conduct such a survey. The question I have is: Why has such a survey not been conducted? Here it is 1989, and we are still missing large pieces of information about the total impact. We have anecdotal information; we have reports throughout the Marshall Islands today - not from the 1950s - about problems with human reproduction: women giving birth to strange, non-human objects; we have reports of infertility; we have reports of a myriad range of birth defects and of diseases that people tell us were not present before the bomb testing in the 1940s and 1950s.

In reference to the newly created Nuclear Claims Tribunal, this Tribunal comes out of what is known as section 177 of the Compact of Free Association for the Marshall Islands. Out of the appropriation for nuclear claims - which amounted to \$150 million put into an interest-bearing trust - came, I believe, \$3 million annually for the Nuclear Claims Tribunal. Recently an Australian judge named Bruce Piggott was given the contract to head up the Tribunal - he now lives in Majuro -

(Mr. Alcalay)

and through some communications he has indicated that indeed he has a formidable task ahead. When people start coming into the claims office of the Nuclear Claims Tribunal asking for compensation for what they perceive to be a radiation-induced injury, Judge Piggott says that he is quite confused, that he scratches his head and has a very difficult time ascertaining what is and what is not a disease caused directly or indirectly from radiation.

I hope that sufficiently answers the question of the representative of the Soviet Union.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to put another question to Mr. Alcalay, since he dealt with proposals to store, as I understood, radioactive materials in the area of the Marshall Islands. Can he give us more information, what data he has on this, since matters of ecology are of great importance to the entire world today - and of course this interests us when we talk about the Trust Territory as well?

Mr. ALCALAY: I am afraid I am a bit confused. I wonder if the representative of the Soviet Union could rephrase his question. I was able to understand just part of it, but I am afraid I might have missed the essence of the question. Could he please repeat it.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I apologize to Mr. Alcalay; perhaps I did not state my question very clearly. I am referring to his statement yesterday, where he dealt with radioactive fall-out on the Marshall Islands and quoted Senator Tony DeBrum, who is well known in this Chamber.

I should like to know whether he can give us any further information on intentions for storing this waste from the United States mainland in the Marshall Islands.



Mr. ALCALAY: My quotation of Tony Debrum actually referred to a proposal to store solid waste, garbage - not nuclear waste - but just simple household waste from the California mainland - the West Coast of the United States - and ferry it out to the Marshall Islands to serve as landfill. That is under study at the moment; there is a feasibility study under way. The California corporation that would like to carry out this waste project is known as Admiralty Pacific and, in essence, they have run out of storing room on the United States mainland and are looking for other markets for their waste.

The President of the Marshall Islands, Amata Kabua, is very much behind this proposal, as are several members of the Nitajela - or Parliament. As Tony DeBrum points out in that quotation, which is from the Christian Science Monitor of 4 May 1989 in a very long story on this very subject, once the people of the Marshall Islands truly learn about the total ramifications of what it means to accept waste from another country - some of which may contain toxic materials - and if there is an authentic education programme to inform them about the repercussions, their reaction will be as follows:

"They are smart. We have had to suffer the brunt of nuclear testing. We have had enough of American garbage here." (T/PV.1662, p. 7)

Now that is in reference to the proposal under way to store solid waste. I think what the representative of the Soviet Union is referring to is another plan to store nuclear waste in the Marshall Islands. This plan actually first surfaced in 1981, when President Amata Kabua half in jest half in seriousness proposed that since Bikini was so totally destroyed by nuclear weapons the Marshall Islands Government could make some money by offering to use it as a nuclear-waste dump.

In 1981 many people thought he was just joking. But here we are in 1989 and there is indeed a proposal under way to see if the Marshall Islands will accept nuclear waste from the American civilian nuclear-waste programme. As members of

(Mr. Alcalay)

the Council might know, the State of Nevada was, by default, chosen to accept the nuclear waste of all the other 49 States. A Nevada member of the House of Representatives, Barbara Vucanovich, has made several trips to the Marshall Islands, speaking with the people of Bikini and others, trying to see if she could work out a proposal whereby the waste intended for Nevada would actually end up in the Marshall Islands.

(Mr. Alcalay)

At present it seems that that plan will not come to fruition. In this game anything is possible, but it seems that the waste intended for Nevada will not be going to the Marshall Islands.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I thank Mr. Alcalay for the efforts he made to answer my questions. I am pleased with his answers, which he is well qualified to give; once again I thank him for enlightening us on the situation.

I have another question. I am not even sure to which of the petitioners it should be addressed, but I have in mind one of the petitioners from the Northern Mariana Islands. We listened carefully to the statement made on behalf of the Northern Marianas, one of the first made yesterday, which reproached the Trusteeship Council for disregarding statements made at the last session. That gave us pause, and at the same time we should like to state in the presence of the representatives of the Northern Marianas that their reproach should not apply to the Soviet delegation, which at the last session insisted that their statements be issued as annexes to the document presented at the last session by the delegation from the Northern Marianas and be duly reflected in the Council's report.

I well recall the discussion at the Council's last session and on what note it ended, when the representative of the Administering Authority said that a special representative of the President had been appointed to pursue negotiations with the local Northern Marianas authorities. My delegation would like to ask the Northern Marianas delegation what the negotiations have yielded since his appointment. At this session the representative of the Northern Marianas has told us that the situation has not changed - that the Northern Marianas have been virtually turned into a colony. Therefore, we wish to have clarification: What have the negotiations between the special representative of the United States President and

(Mr. Berezovsky, USSR)

the Northern Marianas authorities yielded? We are now clear as to the final result. What differences are there between them? What was the crux of the matter? We know that we are talking about self-government and that the Northern Marianas have to all intents and purposes not received the self-government that the Administering Authority promised them. Apparently there are some other key details in the talks and key areas in the policy now pursued by the United States towards the Northern Marianas.

I do not intend to name any of the representatives of the Northern Marianas Islands who have spoken yesterday or today; I should like any one of them who may be able to answer my questions to do so.

The PRESIDENT: I believe that the representative of the Northern Marianas who presented the petition yesterday is not present, but I see that Mr. Hilbloom from the Northern Marianas is here. Perhaps he would care to answer the questions put by the representative of the Soviet Union.

Mr. HILBLOOM: I shall begin answering the questions put by the representative of the Soviet Union by talking about the status of the section 902 negotiations. After last year's session of the Trusteeship Council a section 902 negotiator was appointed and discussions began. But in those negotiations the United States refused to go into the issue that brought the delegation here last year, the issue of self-government, the question of a non-elected Congress imposing local law on the Northern Marianas and what kind of laws the local legislature can enact. The only substantive discussions were about whether a bond issued by the Northern Marianas would be taxable. The negotiator reached agreement that it would not, but further action by the United States President was needed, and that has not to this date occurred.

A section 902 meeting is scheduled for the end of May. The Northern Marianas would like to have on the agenda the issue of section 103, the question of the

(Mr. Hilbloom)

sovereignty reserved within the meaning of "self-government". It believes that those laws affecting the internal affairs of the Northern Marianas should be enacted by the Northern Marianas legislature and not by the non-elected United States Congress. That is the issue on which there has not been progress. It is the primary issue that the delegation of the Northern Marianas brought before the Council last year, and it continues to be its primary issue.

We were also asked what other issues were outstanding. I think that Mr. Antonio Camacho mentioned the sea-bed issue. In 1980 the Northern Marianas passed a law regarding the economic zone. According to the United States, that was superseded by the national legislature. That is an issue that has come up for discussion.

However, the other discussions all surround the primary issue - the meaning of the self-government that is required when the Trusteeship ends. If we go to a territorial status, we end up being a pure colony. That is the issue that the Northern Marianas feels most strongly about.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I thank the representative of the Northern Marianas for the clarification he has offered us. At this juncture I have no other questions for the petitioners.

The PRESIDENT: I thank the petitioners for answering questions.

The petitioners withdrew.

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1988: TRUST TERRITORY OF THE PACIFIC ISLANDS (continued)

The CHAIRMAN: The Council will now continue its examination of conditions in the Trust Territory of the Pacific Islands. In accordance with our provisional agenda, we shall now proceed with the questioning of the representatives of the Administering Authority.

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

Mr. SMITH (United Kingdom): On our opening day, we heard a statement given by the Vice-President of Palau in which, among other things, he commented on what he claimed were certain deficiencies in the report of the Administering Authority, and I noted that some of the petitioners we have heard associated themselves with the remarks of the Vice-President.

I may later want to go into the details, but first of all I should like to ask the Administering Authority to comment on the points mentioned by the Vice-President, particularly those to be found on pages 3 and 4 of the copy of his statement I received from the Secretariat.

Miss BYRNE (United States of America): The United States welcomes this opportunity to clarify the record with respect to the remarks of Vice-President Nakamura.

We do stand behind our report to the Council as a comprehensive and accurate account of developments in the Trust Territory over the course of the reporting period. For the sake of clarity, however, we are happy to offer these additional remarks.

My Government appropriated \$10 million to Palau for its hospital, based on our experience with hospital design and construction in similar areas of the Pacific. After appropriation, the Government of Palau chose to change the site and size of

(Miss Byrne, United States)

the hospital. Meanwhile renovations to keep the existing facility operative were undertaken.

In fiscal year 1988, 46 patients were referred off-island - that is, outside of Palau - for medical care at a cost of \$481,000 in total, not only for medical care but also for transportation. We stress that no individual has been denied medical referral owing to inability to pay.

Grants in fiscal year 1988 for drug education provided for police training and law enforcement, drug identification equipment, a special public-safety consultant and an education programme for schools, as described in the annual report of the Administering Authority.

Concerning the IPSECO power plant debt, it is the position of the Administering Authority that that debt should be settled directly between Palau and its creditors, since arrangements were negotiated and concluded by Palauan authorities and since all parties were told at the time that the United States did not accept liability for this project.

Next, a project to evaluate the capital improvements programme undertaken by an independent firm made recommendations that are now under consideration.

As for operational funding, from 1981 to 1988 it nearly doubled - from \$8 million in 1981 to \$14.5 million in 1988. That does not include additional monies appropriated for capital improvements programmes, federal categorical grants, technical assistance grants and other resources.

I believe that the annual report of the Administering Authority demonstrates that we have fulfilled, and continue to fulfil, our obligations under the Trusteeship Agreement.

The PRESIDENT: Does the United Kingdom representative wish to ask any further questions of the Administering Authority?

Mr. SMITH (United Kingdom): Mr. President, I should like first of all, through you, to thank the representative of the United States for her full answer.

There is one point of clarification I would seek. It concerns medical referrals. The representative of the United States spoke of the cost of medical referrals, \$481,000. Could she clarify for us how those costs were met?



Miss BYRNE (United States of America): I am informed by representatives from the area that that money was in the Palau budget. The United States, as the Council knows from earlier sessions, appropriates money to Palau and then Palau plans its own budget. That money - the \$481,000 - was covered by an item in the Palau budget.

Mr. SMITH (United Kingdom): While still in the field of health care, I notice in the report of the Administering Authority, on page 48 and again on page 49, references to a shortage of drugs and medical supplies in Palau. That was also a problem that was brought to the attention of the Visiting Mission while we were in Palau.

I would be grateful if the Administering Authority could give us some explanation as to what is the cause of this problem and what, if anything, might be done to overcome it.

Miss BYRNE (United States of America): I would ask that Mr. McPhetres be invited to answer that question.

Mr. McPHETRES (Adviser): The problem has been well documented, and it is a problem. I would call attention, however, to the programme that is at present under way in the Palau health services programme to computerize their ordering system and to get people trained to think in advance of the needs for medicines and other equipment and supplies that they will be needing. We believe that this computer training that is ongoing now will go a long way towards resolving this problem.

The PRESIDENT: There appear for the time being to be no further questions. I would remind members of the Council that there will be further opportunities to ask questions of the Administering Authority.

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(The President)

I believe that that concludes our business for this meeting. The Council will meet again at 10.30 tomorrow morning, Thursday, 18 May.

The meeting rose at 4.05 p.m.