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PETITION FROM MESSRS. JULIO M. AKAPITO AND AMBILOS IEHSI, SPECIAL
JOINT COMMITTEE ON REFERENDUM REVIEW CONCERNING THE TRUST
TERRITORY OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 85, para. 1, of the rules
of procedure of the Trusteeship Council)

CONGRESS OF MICRONESIA

Kolonia Ponape Eastern Caroline Islands 96941

18 September 1978

The President
United Nations Trusteeship Council
New York, NY 10017

Dear Mr. President:

The referendum on the draft constitution for the Federated States of Micronesia 1/ took place on 12 July 1978, in Micronesia. The results of the referendum from all the six districts have been submitted to the Congress of Micronesia by the High Commissioner.

The Congress of Micronesia, pursuant to Public Law 5-60, is the sole judge of the referendum results. The Congress, by House joint resolution No. 7-134, 2/ created the Special Joint Committee on Referendum Review to examine the results and make recommendations to the Congress. The Committee is also empowered to investigate challenges to the results of the referendum that merit such investigation.

A challenge has been made to the referendum result from Palau District. Documents and oral testimony have been presented to the Committee on specific

1/ For the text of the draft constitution, see T/COM.10/L.174, annex I.

2/ See T/COM.10/L.236.

allegations of voting irregularities, intimidation, and bribery, relating to the conduct of the referendum.

The Committee has decided that these allegations merit clearance or substantiation. Accordingly, the Committee is scheduled to go to Palau on 27 September to conduct an investigation to the challenge that has been made. A full hearing on the challenge is also scheduled to be held in Ponape during the week of 16 to 20 October.

The presiding officers of the Congress of Micronesia, in a cable several days ago, invited representatives from the United Nations Trusteeship Council and the Security Council to observe the proceedings of the investigation by the Special Joint Committee on Referendum Review. The resolution that created the Committee also extends an invitation to you to observe the proceedings of the Committee.

As Chairman and Vice Chairman of the Committee, we like to again stress the importance of your participation as observers in the proceedings of the Committee.

On 15 September 1978, the Vice Chairman of the Committee received a letter from Palau District attached herewith. 3/ The letter threatens the safety and lives of the members of the Committee. This threat suggests that the emotional climate has heightened, which may interfere with a responsible conduct of the investigation and the process for certification of the referendum results by the Congress of Micronesia. It is, therefore, important that you once again send your representatives to observe this final step of the constitutional process in Micronesia that began in 1974.

We hope you will once again accept our invitation. We want no less than an impartial, fair and responsible investigation pursuant to law.

(Signed) Julio M. AKAPITO
Chairman
Special Joint Committee on
Referendum Review

(Signed) Ambilos IEHSI
Vice Chairman
Special Joint Committee on
Referendum Review

cc: President,
United Nations Security Council

3/ The enclosure has been placed in the files of the Secretariat and is available to members of the Council for consultation.