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COMMUNICATION FROM MR. FINLTON J. PHELAN, JR. CONCERNING
THE TRUST TERRITORY OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 24 of the rules of
procedure of the Trusteeship Council)

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28 December 1966

Trusteeship Council of the United Nations
United Nations
New York, New York

Gentlemen:

I represent various citizens in the Trust Territory of the Pacific Islands who have various claims with respect to real property and the wrongful use and occupation of said property by and through the activities of the present administration of the Trust Territory.

These claims involve real estate situated in the Palau Islands; in the Island of Yap; on the islands of Tinian, Saipan and Rota; and in Truk atoll.

The present administration of the Trust Territory has created a court system and various procedures, none of which appear to me to be adequate or sufficient. It is the contention of the present administration of the Trust Territory that they are a sovereign, yet no research that I have been able to accomplish has been able to clarify this concept for me. It appears to me that the sovereignty if any in the Trust Territory of the Pacific Islands is held in abeyance and that the status of the present administration is merely that of a caretaker. It is my conclusion after a thorough study that the administration

of these islands cannot be construed to be a sovereign and that their position must be merely caretakers pending the final determination as to where sovereignty lies. It is obvious that sovereignty is not in the United States and doubtful if it is in the United Nations.

These rights for which I wish to place claims are in numerous instances substantial amounts. I cannot see that the rules and regulations, supposedly statutes of the Trust Territory, or its court system can in any way affect these substantial rights; yet I am at a loss as to how to proceed to lay this matter before the Trusteeship Council.

I would appreciate any advice you may have as to what manner I should proceed on these claims on behalf of my clients.

Thanking you in advance, I remain

Sincerely,

(Signed) Finton J. Phelan, Jr.
