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COMMUNICATION FROM TENTH GUAM LEGISLATURE CONCERNING THE  
TRUST TERRITORY OF THE PACIFIC ISLANDS

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TENTH GUAM LEGISLATURE  
P.O. Box 373  
Agana, Territory of Guam USA

April 29, 1969

Honorable U Thant  
Secretary-General of the United Nations  
United Nations Building  
New York City, New York

Dear Secretary Thant:

Transmitted herewith is Resolution No. 186 (2-S), "Relative to the immediate implementation of the cherished goal of political re-integration of the Marianas Islands pursuant to Articles 73 and 76 of the Charter of the United Nations, and Article 9 of the Trusteeship Agreement", duly and regularly adopted by the Legislature on April 21, 1969.

Sincerely yours,

(Signed) James T. SABLAN  
Legislative Secretary

Enclosure

69-10640

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TENTH GUAM LEGISLATURE  
1969 (SECOND) Regular Session

Resolution No. 186 (2-S)

Introduced by \_\_\_\_\_

J.T. Sablan  
J.C. Arriola  
W.D.L. Flores  
J.M. Acfalle  
J.L. Anderson  
G.M. Bamba  
R.J. Bordallo  
E.C. Conway  
A.C. Cruz  
O.L. Delfin  
A.S.N. Flores  
F.G. Lujan  
M.U. Lujan  
J.C. Okiyama  
L.S.N. Paulino  
J.A. Perez  
F.T. Ramirez  
R.C. Sgambelluri  
R.F. Taitano  
E.S. Terlaje  
J.U. Torres

Relative to the immediate implementation of the cherished goal of political re-integration of the Marianas Islands pursuant to Articles 73 and 76 of the Charter of the United Nations, and Article 9 of the Trusteeship Agreement.

BE IT RESOLVED BY THE LEGISLATURE OF THE TERRITORY OF GUAM:

WHEREAS, previous discussions, petitions, resolutions and referenda dealing with the desire of the people of the Marianas to be re-integrated within one government have relied on the common history, culture, religion, and similar affinities of the Chamorro peoples living in the Marianas, and while these reasons are no doubt compelling and convincing, they are not necessarily a legal basis for such re-integration; and

WHEREAS, all civilized nations of the world have banded together in a world organization known as the United Nations, the Charter of which has been approved by all such nations, including the United States which under its Constitution has made said Charter the law of the land since it was approved by the Senate as a treaty to which the United States is a party; and

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WHEREAS, Guam is considered by the United Nations to be a non-self-governing territory by virtue of its citizens' inability to participate in national elections and the current lack of the power to elect their own chief executive, and therefore Article 73 of the United Nations Charter applies specifically to Guam, which Article reads as follows:

"Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measures of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

"a. To ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

"b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancements;

"c. to further international peace and security;

"d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

"e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply"; and

WHEREAS, the other islands of the Marianas are within the trusteeship provisions of the Charter and specifically Article 76 thereof which reads as follows:

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"The basic objectives of the trusteeship system, in accordance with the purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

"a. To further international peace and security;

"b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

"c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and

"d. to ensure equal treatment in social, economic, and commercial matters for all members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80"; and

WHEREAS, in addition, Article 9 of the Trusteeship Agreement between the United States and the United Nations contains the following provisions:

"The administering authority shall be entitled to constitute the trust territory into a customs, fiscal, or administrative union or federation with other territories under United States jurisdiction and to establish common services between such territories and the trust territory where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of this agreement"; and

WHEREAS, in reading these three provisions it is unmistakably clear that the peoples of the Marianas, both in Guam and in the other islands, have the right as guaranteed by the Charter to develop self-government within their common political aspiration, namely within the same governmental framework, which common aspiration has not only been established by numerous resolutions of this body, but also by a resolution from the Marianas Legislature addressed to the United Nations, and therefore it is the consensus of the Legislature that instead of again and again attempting to convince doubting outsiders that the peoples of the Marianas deserve re-integration on some moral or historical basis, immediate steps should

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be taken to implement the clear legal right the people of the Marianas have, by virtue of the Charter of the United Nations, and by virtue of the Trusteeship Agreement to obtain political re-integration; now therefore be it

RESOLVED, that the Tenth Guam Legislature does hereby assert and declare on behalf of the people of Guam that by virtue of the provisions of the Charter of the United Nations the people of the Marianas, both in Guam and in the other islands, have the clear legal right to obtain political re-integration and that immediate steps should be taken to implement this right; and be it further

RESOLVED, that the Secretary of State and the Ambassador of the United States to the United Nations be and they are hereby respectfully requested, petitioned and memorialized to advise the Legislature and the people of Guam as to the reaction of the United States Government, as trustee for the Northern Marianas, to this joint call of re-integration within the framework of the territory of Guam, and to support in the United Nations and before the councils thereof the position of the people of the Marianas, both in Guam and in the other islands, with respect to such political re-integration; and be it further

RESOLVED, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Secretary-General of the United Nations, to the Secretary of the State, to the Secretary of the Interior, to the Presiding Officer, Marianas District Legislature, to the Speaker, Saipan Legislature, to the Presiding Officer, Tinian Council, to the Presiding Officer, Rota Council, to the Mayor of Saipan, to the Mayor of Tinian, to the Mayor of Rota, to Guam's Washington Representative, and to the Governor of Guam.

DULY AND REGULARLY ADOPTED ON THE 21ST DAY OF APRIL, 1969.

(Signed) James T. SABLAN  
Legislative Secretary

(Signed) Joaquin C. ARRIOLA  
Speaker

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