



**Trusteeship Council**

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PETITION FROM THE OFFICE OF THE GOVERNOR, COMMONWEALTH  
OF THE NORTHERN MARIANA ISLANDS, CONCERNING THE TRUST  
TERRITORY OF THE PACIFIC ISLANDS

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

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

OFFICE OF THE GOVERNOR

Saipan, MP 96950

His Excellency Javier Pérez de Cuéllar  
Secretary-General  
United Nations  
New York, N.Y. 10017

The Secretary  
Trusteeship Council  
United Nations  
New York, N.Y. 10017

[undated]

Dear Sir and Madam,

It is with great concern that we transmit an official text of a Commonwealth-wide initiative which was approved by over 75 per cent of the voters on 7 November 1987.

Because of questions involving the Commonwealth's right to self-government, the people, in Section 2 of the initiative, affirmed their mandate that if those problems remain unresolved by 1 July 1989, they shall have the right to reaffirm, reject or renegotiate the Covenant. For this reason, the people of the Commonwealth oppose any formal termination of the Trusteeship Agreement, 1/ and United Nations oversight of the Trust, until there is a clear agreement and

understanding between the United States and the Commonwealth regarding Section 103 of the Covenant which is intended to carry out Article 76 of the Charter [of the United Nations] and article 6 of the Trusteeship Agreement.

We request an opportunity to be heard in the upcoming May proceedings before the Trusteeship Council to further explain this initiative, which was passed overwhelmingly by our people. We would appreciate being accorded sufficient time to make our presentation to the Trusteeship Council.

Sincerely,

(Signed) Pedro P. TENORIO  
Governor

(Signed) Benjamin T. MANGLONA  
President of the Senate

(Signed) Froilan C. TENORIO  
Resident Representative to the  
United States

(Signed) Pedro R. GUERRERO  
Speaker, House of Representatives

Enclosures [3]

Notes

1/ Trusteeship Agreement for the Trust Territory of the Pacific Islands  
(United Nations publication, Sales No. 1957.VI.A.1).

Enclosure 1




Board of Elections  
Northern Mariana Islands  
P.O. Box 470  
Saipan, Mariana Islands 96950

CERTIFICATION ON INITIATIVES AND RECALL

BY VIRTUE OF THE AUTHORITY VESTED IN THE BOARD OF ELECTIONS, I, PETE P. REYES, CHAIRMAN, BOARD OF ELECTIONS, HEREBY CERTIFY THAT THE OFFICIAL RESULTS OF THE NOVEMBER 7, 1987 REGULAR GENERAL ELECTION SHOW THAT THE COMMONWEALTH-WIDE INITIATIVE NO. 1 HAS BEEN RATIFIED BY 2/3 OF THE VOTES CAST IN THE CNMI, AND THAT LEGISLATIVE INITIATIVE NO. 1, AN AMENDMENT TO THE CNMI CONSTITUTION WAS RATIFIED BY THE MAJORITY OF THE VOTES CAST IN THE CNMI. RECALL NO. 1 AND LOCAL INITIATIVE NO. 1 IN THE SECOND SENATORIAL DISTRICT, TINIAN AND AGUIGUAN, FAILED RATIFICATION BY A 2/3 VOTE OF PERSONS QUALIFIED TO VOTE IN THE SECOND SENATORIAL DISTRICT.

THE FOREGOING ARE THE OFFICIAL RESULTS OF THE NOVEMBER 7, 1987 ELECTION ON THE PROPOSED INITIATIVES AND RECALL PETITION.

DECLARED THIS 4<sup>th</sup> DAY OF DECEMBER, 1987.

  
PETE P. REYES  
CHAIRMAN, BOARD OF ELECTIONS

Enclosure 2

**OFFICIAL COMMONWEALTH-WIDE INITIATIVE BALLOT**  
Commonwealth of the Northern Mariana Islands

NOVEMBER 7, 1987

**INSTRUCTIONS:**

ENGLISH.

MARK ONE BOX ONLY. EITHER "YES" OR "NO" WITH AN (X) OR (✓) WITHIN THE BOX; DEPOSIT YOUR BALLOT IN THE BALLOT BOX.

CHAMORRO:

MATKA UN KAHON HA, "HUNGGAN" PAT "AHE" YAN UN (X) PAT (✓) GI HALOM I KAHON; DEPOSITA I BALOTUMO GI HALOM I KAHON BALOTU.

CAROLINIAN:

MÁKKIY SCHAGH EWW KÓWUN, "AWER" NGÁRE "EHE" (X) NGÁRE (✓) LLÓL KÓWUN; ISÁLHILONG SCHÉEL FFIL MWU YÓÓMW LLÓL KÓWUNUL FFIL.

COMMONWEALTH-WIDE INITIATIVE NO. 1

ENGLISH:

DO YOU APPROVE THE PROPOSED GENERAL LAW, ENTITLED "TO REAFFIRM THE COVENANT GUARANTEEING SOVEREIGNTY TO THE PEOPLE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS OVER ALL INTERNAL AND LOCAL AFFAIRS." AS PRINTED IN ITS ENTIRETY ON THE REVERSE SIDE OF THIS BALLOT?

CHAMORRO:

KAO UN APRUEBA I MAPRUPOPONI NA LAI HINERAT NI MA'TITTULO "PARA U MA'AFITMA I CONTRATA (COVENANT) NI HA-GARENTITIA I DIRECHON I TAOTAO I COMMONWEALTH I SAN KATAN NA ISLAS MARIANAS POT GOVIETNAN MAISA YAN UMA GOVIETNA SIHA GI TODO ACTIVIDAD GI HALOM MARIANAS." COMO MA PRINTA GI ENTERAMENTE GI SAN TATTEN ESTE NA BALOTU?

CAROLINIAN:

U APREBAAY ALLÉGH LAPALAP YE. EBWE GHI ALLÉGHU FISCHIIY ALLÉGH LAPALAP YE LEMELEMIL TIPEER ARAMASAL COMMONWEALTH MELLÓL NORTHERN MARIANA ISLANDS REEL ALONGALLÓ AWEWEEL ME MWÓGHÚTÚGHÚTÚL FÁLEEY." "IYE AA FFEERE WOW MELLÓL ALONGALLÓ ME PEIGH YE EPEIGH MELLÓL SCHÉEL ÁFFIL YEEL?"

**YES  
HUNGGAN  
AWER**

**NO  
AHE  
EHE**

Enclosure 3

**TO REAFFIRM THE COVENANT  
GUARANTEEING SOVEREIGNTY TO THE PEOPLE OF THE  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OVER ALL INTERNAL AND LOCAL AFFAIRS.**

WHEREAS the purpose of Section 2 of the Congressional resolution (Public Law 94-241) approving the executive agreement known as the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (hereinafter referred to as the Covenant) was according to its sponsor United States Senator Jacob Javits, to give the people of the Commonwealth of the Northern Mariana Islands the opportunity to review their vote on the Covenant because that agreement "might not give to the Marianans participation in the United States Government which they may later desire and also to neutralize any argument that this was a step toward American "colonization" of part of its "trust."

**Section 1.** The Covenant is hereby reaffirmed with the clear and unambiguous understanding that the people of the Commonwealth in granting sovereignty over foreign affairs and defense in Section 104 clearly reserved and did not grant sovereignty over internal and local affairs (Section 103 of the Covenant). And it is clear that the only provisions of the United States Constitution applicable in the CNMI are those specifically listed in Section 501 of the Covenant. Section 501 was effective in January 1978 when the Commonwealth was part of the Trust Territory and not a territory of the United States therefore neither the so-called Territorial Clause nor the Interstate Commerce Clause apply of their own force and can only upon the specific consent of the people be made applicable in the Commonwealth and used as a basis for local legislation in the Commonwealth.

**Section 2.** Should the covenant's Section 902 discussions leave any substantial matters regarding self government or financial assistance unresolved as of July 1, 1989, the people of the Commonwealth by Initiative (Article IX, Section 1) shall have the right to reaffirm, reject, or renegotiate the Covenant.

**Section 3.** The People of the Commonwealth respectfully request and strongly urge the United Nations Security Council and Trusteeship Council in any resolution terminating the "Trusteeship Agreement for the formerly Japanese mandated islands" to include the following language or its equivalent:

"In terminating the "Trusteeship Agreement for the formerly Japanese mandated islands" the United Nations Security Council and Trusteeship Council specifically recognize that the People of the Commonwealth granted sovereignty only over foreign affairs and defense (Section 104 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands) and reserved and did not grant sovereignty over local and internal matters (Section 103 of the Covenant), and neither the Territorial Clause nor the Interstate Commerce Clause of the United States Constitution are applicable in the Commonwealth (Section 501 of the Covenant)".