



**REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL  
ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS  
17 December 1987-19 July 1988**

**FIFTY-FIFTH SESSION: 10 MAY-19 JULY 1988**

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## PART I. ORGANIZATION AND ACTIVITIES OF THE TRUSTEESHIP COUNCIL

### A. Introduction

1. On behalf of the Security Council, the Trusteeship Council discharges those functions of the United Nations under the International Trusteeship System that relate to the political, economic, social and educational advancement of the inhabitants of the Trust Territory of the Pacific Islands. In accordance with Article 86 of the Charter of the United Nations, the composition of the Trusteeship Council in 1988, at its fifty-fifth session, was as follows:

United States of America (member administering a Trust Territory)

China

France

Union of Soviet Socialist Republics

United Kingdom of Great Britain and Northern Ireland.

2. At its opening (1648th) meeting, on 10 May 1988, the Trusteeship Council decided, without objection, to adopt its agenda contained in document T/1922 (see annex I to the present report). 1/

3. At the same meeting, the Trusteeship Council unanimously elected the following officers:

President: Mr. Jean-Michel Gausso (France)

Vice-President: Mr. John A. Birch (United Kingdom)

4. The Trusteeship Council held its 1648th to 1658th meetings between 10 May and 19 July 1988, during which it heard statements by representatives of the Administering Authority and its special representatives and advisers, as well as by other members of the Council (see part I, sect. C of the present report). It also heard statements by petitioners and considered written petitions and communications (see part I, sect. D).

5. At its 1657th meeting, on 27 May 1988, the Trusteeship Council adopted the report of its Drafting Committee containing the Council's conclusions and recommendations (see part I, sect. I, and part II).

6. At its 1658th meeting, on 19 July 1988, the Council adopted the present report to the Security Council (see part I, sect. J).

### B. Report of the Secretary-General on credentials

7. At its 1653rd meeting, on 17 May 1988, the Trusteeship Council considered, under item 2 of its agenda, the report of the Secretary-General on credentials. 2/

## Decision

8. At the same meeting, the Council decided, without objection, to take note of the report. 3/

### C. Examination of the annual report of the Administering Authority for the year ended 30 September 1987

9. At its 1648th and 1652nd to 1655th meetings, from 10 to 23 May 1988, the Trusteeship Council examined, under item 4 of its agenda, the annual report of the Administering Authority on the Trust Territory of the Pacific Islands for the year ended 30 September 1987.

### Opening statements by representatives of the Administering Authority

10. At the 1648th meeting, on 10 May, the representative of the United States of America stated that her Government had continued to foster in the Trust Territory the political institutions and the economic, social and educational advancement envisioned in the Trusteeship Agreement 4/ and that Palau had continued to progress along the path of self-determination.

11. On 31 March 1988, a legal challenge to the constitutional amendment approved by the people of Palau on 4 August 1987 by a 72 per cent majority had been filed in Palau's Supreme Court, reinstituting a lawsuit that had been withdrawn in September 1987. On 22 April 1988, the Supreme Court of Palau had ruled that, because there was no inconsistency between the Compact of Free Association and the Constitution of Palau, the Government of Palau could not amend the Constitution through use of its article relating to inconsistencies but that, as the law authorizing the 4 August 1987 referendum suffered from procedural deficiencies, its results, i.e., the approval on 21 August 1987 of the Compact by a 73 per cent majority, were therefore null and void.

12. In accordance with Trusteeship Council resolution 2183 (LIII) of 28 May 1986, the United States had continued to pursue the constitutional steps necessary to bring into force the Compact of Free Association with Palau. On 28 March 1988, the United States Senate had unanimously adopted legislation authorizing the entry into force of the Compact as soon as Palau had completed constitutional procedures to approve the Compact. Similar legislation was now before the United States House of Representatives. 1/

13. Mrs. Janet J. McCoy, Special Adviser to the Administering Authority, said that, as of 10 July 1987, the Office of the High Commissioner of the Trust Territory of the Pacific Islands had been abolished and the remaining functions transferred to the Office of Territorial and International Affairs, Department of the Interior, with the exception of some transitional programmes still being carried out by the newly created Office of Transition in Saipan; the Office of Transition was responsible for the monitoring of several federal programmes not yet transferred and for the supervision of ongoing capital improvement projects. The disposal of Trust Territory property and records, closing out of financial accounts and a variety of other activities were still being handled out of Saipan by a staff of 12 persons. The Trust Territory High Court was still functioning with one justice and two staff members.

14. As part of the phase-down of the Trust Territory administration, a review was being made of capital improvement projects completed over the past decade. It was hoped that the survey would bring the projects up to the original planned standard before the completion of the Trust Territory capital improvement programme.

15. As regards war claims, the United States Congress had appropriated \$12.3 million in fiscal year 1988 for the Title I claims still pending, which represented 50 per cent of the total still due. Payments were scheduled to begin in July 1988 on the basis of the judgements rendered by the Micronesian War Claims Commission in 1975.

16. Since October 1987, the duly elected Government of Palau had continued the effective administration of the area. Deplorable incidents of violence which had taken place in September 1987 had led to the arrest and conviction of several suspects in Palauan courts by Palauan judges.

17. With regard to the 22 April 1988 decision of an acting Palau Supreme Court justice, by which he had declared the constitutional referendum null and void, the Administering Authority assured the Council that it was up to the Government of Palau to resolve the internal questions concerning political status and that the United States was prepared to respect whatever decision was rendered by the people and their Government.

18. Pending implementation of Palau's Compact, the Administering Authority had continued to provide for the operations of the Government adequate funds amounting to some \$14.5 million, including the provisions for Federal programmes. A tight financial situation that existed would be worked out satisfactorily, pending the long-term solution of the political status situation.

19. There had been considerable development in the private sector economy, particularly in the area of tourism and marine resources. 1/

20. Mr. Haruo Willter, Adviser to the Administering Authority, said that since the Government of Palau believed that the Palau Supreme Court decision was in error in its interpretation of the law and the Constitution, and that the decision was in direct conflict with the Court's own previous findings, the Government had filed an appeal.

21. The enabling legislation on the Palau Compact had been passed by the United States Senate; it had also been cleared by the Committee on Foreign Affairs of the United States House of Representatives. Action by the Committee on Interior and Insular Affairs and by the House Sub-Committee on Insular and International Affairs was still pending. Reports of an attempt to place an option of Commonwealth status on the ballot in the upcoming November elections were baseless; an option for a closer relationship with the United States, as well as for independence, had been on the ballot in previous plebiscites and had been rejected. The people of Palau were now seriously reviewing their options with respect to their future political status in the light of the delay in implementing the Compact.

22. Referring to the report of a mission dispatched by the International Commission of Jurists to Palau in January 1988, the Adviser rejected as having no basis in fact the mission's allegations that there was a virtual breakdown of the rule of law from 1 July to 1 September 1987.

23. In mid-1987, Palau had been almost at the brink of bankruptcy. As a result, along with a number of other measures, cuts had had to be made in personnel services in order for the Government to continue to provide bare essential services. The entire community had been under great strain but law and order had prevailed at all times. The reported fire-bombing, house-burning and fatal shooting had been isolated incidents occurring during one night, and police investigation of them was continuing. The shooting at the house of Speaker Santos Olikong had been investigated and three perpetrators had been successfully prosecuted and convicted.

24. He called for assistance from the Council and any other international organization to enable Palau and its people to stand free from outside interference. 1/

#### Statements by members

25. At the 1655th meeting, on 23 May, the representative of France stated that his delegation considered that any difficulty having arisen in the Northern Mariana Islands should be resolved bilaterally, in accordance with the relevant provisions of the Covenant. 5/ His delegation thus noted with satisfaction the appointment by the President of the United States of a Special Representative to take part in those bilateral consultations.

26. With respect to Palau, he noted that, while questions about public order had been raised, investigations were continuing and that the matter was before the courts. While his delegation was aware of the problems that remained, it noted the progress made in political democracy, reflecting the ability of the people of Micronesia to administer themselves.

27. Positive trends had emerged with respect to the Territory's economy, in particular as regards fisheries. The progressive economic integration in the Asian and Pacific region, through bilateral or multilateral agreements, should contribute to the Territory's economic self-sufficiency. Palau's membership in the South Pacific Commission and its associate membership in the Economic and Social Commission for Asia and the Pacific should be viewed in that context.

28. As regards social development, the improvement of health services in Palau seemed particularly remarkable. In the field of education, his satisfaction at seeing a compulsory system of education at both the primary and secondary levels was tempered only by some decline in school enrolment. Access for Micronesians to higher education outside the Territory, particularly through scholarships, should be designed in such a way as to enable graduates to give their country of origin the benefit of their education.

29. The representative of France expressed the hope that the objective recommended by the Council in its resolution 2183 (LIII) would be achieved in such a manner that the people of the Trust Territory of the Pacific Islands might at last benefit fully from the constitutional status that they had freely chosen, in full accord with the provisions of the Charter. 6/

30. The representative of the Union of Soviet Socialist Republics stated that the situation in Micronesia was the result of continuing unilateral actions taken by the United States in violation of the provisions of the Charter of the United Nations, the 1947 Trusteeship Agreement and the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples.



31. The refusal of the Administering Authority at the current session fully to inform the United Nations of the situation in the Trust Territory, as a whole, confirmed the United States policy of arbitrarily restricting the supervision of the Territory by the United Nations. By declaring a change in the political status of the Territory, the Administering Authority was attempting to substitute domestic legal acts and regulations for the Trusteeship Agreement and was converting the Territory into an American neo-colonial possession and military strategic training ground.

32. Having abused the United Nations trusteeship mandate, the United States was deliberately failing to discharge its responsibilities under Article 76 of the Charter and had artificially impeded the creation of a viable, independent economy for Micronesia. As a result, many sectors of the Territory's economy, which had existed until the beginning of the United States administration, had totally been destroyed. Micronesia, once an exporter, had been turned into a consumer totally dependent on handouts from the Administering Authority. At present, Micronesia was one of the most backward and undeveloped regions of the world. It was clear that the situation created in Micronesia in the economic and social areas had been the result of a deliberate policy of the Administering Authority to force the Micronesians to submit to any decision required by the Administering Authority with regard to their future political status. The once united Territory of Micronesia had been dismembered and divided into individual island entities, while the Micronesian Congress, which had tried to preserve the Territory's unity and establish an independent government, had been dissolved.

33. The Administering Authority had negotiated in complete secrecy with representatives of individual parts of Micronesia on their future political status for 15 years, during which period the Trusteeship Council and the Security Council had been prevented, on the whole, from monitoring the related proceedings. Having been subjected to political and economic pressure and blackmail by the Administering Authority, the Micronesians had been forced to accept conversion of their country into a United States possession. In violation of the Charter, the Trusteeship Agreement and the Declaration on decolonization, the United States had unilaterally imposed and continued to impose on individual parts of Micronesia agreements of submission called compacts of free association or commonwealth agreements. The promises that the Micronesians would receive sovereignty and self-determination had proven to be mere words used by the Administering Authority in order to confuse the Micronesians, as well as world public opinion.

34. The testimony given by the representatives of the Northern Mariana Islands, in which they had appealed to the Trusteeship Council and the Security Council not to terminate the trusteeship arrangement, clearly indicated that both the Covenant and the Compact had led them into a situation where, after a certain point, the population of the Trust Territory found themselves essentially without rights. To disguise the neo-colonialist nature of the so-called free association and commonwealth agreements, the Administering Authority had organized in various parts of fragmented Micronesia, so-called plebiscites and referendums on the future of the Trust Territory, the main purpose of which was to rubber-stamp the decisions required by the Administering Authority. Moreover, those plebiscites and referendums had been preceded by a campaign of so-called political education, the main goal of which had been to force the Micronesians to believe that if they did not support the so-called free association with the United States, economic and financial help would cease.

35. That use of the Trust Territory by the United States for the expansion of its military activities in disregard of the interests of the Territory was reflected in the additional, separate military agreements and compacts accompanying the so-called commonwealth and free association covenants and compacts. Such arrangements had turned Micronesia into a hostage of the military interests of the United States for many decades to come. The atolls of Bikini and Enewetak had been used as a nuclear-weapon testing ground for various types of explosions of that weaponry, with untold harm to the well-being and health of the indigenous populations of the Territory and to the environment of a large part of the region.

36. The Trusteeship Council resolution of 28 May 1986, to which the United States delegation had often referred in its attempt to disguise its unilateral actions, in circumvention of the Security Council, to change the status of the Territory, had been adopted in violation of the Security Council mandate. The Charter made it very clear that the Trusteeship Council was not authorized to take any decisions effecting a change in the status of the Trust Territory. In particular, Article 83, paragraph 1, established very clearly that all functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, should be exercised by the Security Council. Naturally, that included the question of the termination of the trusteeship. Under the Trusteeship Agreement of 1947, affirmed not by the Trusteeship Council but by the Security Council, the latter had not mandated and could not mandate the Trusteeship Council to consider the question of any change in, or cessation of, the trusteeship over Micronesia, or to make a judgement with respect to some so-called "new status" for the strategic Trust Territory or its individual parts.

37. Under the Charter, the Trusteeship Council could only give assistance to the Security Council, and only at the latter's request, to perform those functions of the United Nations under the International Trusteeship System relating to political, economic, social and educational matters in that Territory. The United Nations must and would bear responsibility for Micronesia until all the relevant requirements of the Charter and the Trusteeship Agreement had been complied with. The representatives of the Micronesian people were justified in continuing to appeal to the United Nations for the protection of their interests.

38. Under the Charter, only the Security Council and no one else - no other United Nations body or the United States as the Administering Authority - was authorized to alter the status of the Trust Territory or to amend or terminate the Trusteeship Agreement. Consequently, until the appropriate decision was taken by the Security Council, the United States was obliged to implement the provisions of the Charter applicable to that situation and the terms of the Trusteeship Agreement to supply the United Nations with all the information about the situation in that Territory.

39. The destiny of the people of Micronesia was a component part of the problem of decolonization. It was the duty of the United Nations and of all Member States to ensure that no attempts were allowed that would place before the world the fait accompli of the annexation of the Territory by the United States. 6/

40. The representative of the United Kingdom of Great Britain and Northern Ireland recalled that the Administering Authority had reported to the Council in 1987 that the new status arrangements for the Republic of the Marshall Islands, the Federated States of Micronesia and the Commonwealth of the Northern Mariana Islands had been announced in October and November 1986, in accordance with the freely-expressed

wishes of their peoples. While the process of approval of the new status arrangements for Palau had yet to be completed, he noted that in the period under review, the inhabitants of all four groups of islands had continued successfully to govern themselves. It was only necessary to visit Micronesia to realize what a highly sophisticated people they were politically and how thorough their understanding was of the issues on which they had decided their future. It would be a clear disservice if the Trusteeship Council were to try to keep them under close control, with their every move subject to scrutiny.

41. As regards the petitions delivered by the representatives of the Northern Mariana Islands concerning certain disagreements over the interpretation of the Commonwealth Covenant, the United Kingdom welcomed the statement by the representative of the United States that a new Special Representative had been appointed. It was hoped that the Administering Authority would soon be in a position to resume the consultations envisaged in section 902 of the Covenant.

42. With respect to the situation in Palau, there seemed little doubt that some regrettable incidents had taken place, although their scale and significance had been much exaggerated. In that regard, the conclusion of the United Nations Visiting Mission to observe the referendum held on 21 August 1987 in Palau had been clear and categorical: the referendum had been conducted fairly and the results reflected the freely expressed wishes of the people of Palau. 7/ The United Kingdom delegation had noted the assurance given by the Special Assistant to President Lazarus Salii that police investigations were continuing and that criminal acts that might have taken place had not been condoned by the Palauan Government. The fact was that a legal challenge to the constitutional amendment procedure had now been filed and that the Palauan Supreme Court had been able, without intimidation, to uphold the plaintiff's case. That of itself was a clear testimony to the independence of Palau's judiciary and the good health of Palau's democratic institutions. His delegation had also noted the assurance given by the representative of Palau that regardless of the outcome of his Government's appeal, the Government of Palau would abide by the decision of its Supreme Court.

43. On the economic front, the United Kingdom delegation was reassured that steps had been taken by the Administering Authority and by the Palauan Government to avoid a repetition of the past year's fiscal crisis and it welcomed the efforts of the Palauan Government to set its financial house in order, with the assistance of a tax and financial adviser provided by the Administering Authority.

44. The United Kingdom delegation took note with satisfaction of the efforts being made to reduce Palau's dependence on funding from the Administering Authority; that was clearly discernible, for instance, from the appreciable growth of the fishing industry and from efforts to expand its export potential, as well as from the developments in tourism and that sector's contribution to the Palauan economy. His delegation also noted the Administering Authority's assistance in law enforcement, drug control, police training, education, infrastructure and capital improvement.

45. The representative of the United Kingdom said that, contrary to the allegations of the representative of the Soviet Union that the people of Micronesia had been coerced by the United States into accepting political arrangements against their interests and that the Territory had been deliberately fragmented, the Administering Authority had tried very hard for many years to create a single State of Micronesia, but the people themselves, who were widely different in culture and traditions, had wanted to be separate. The Administering Authority had left it to

the people themselves to decide and, over the years, the Micronesians, in exercise of their right to self-determination, had negotiated freely and had voted on arrangements which suited them and which were appropriate to their situation. Words such as "blackmail" and "secrecy" bore no relation to the reality of those negotiations. The Micronesians were free to govern their own internal affairs, while relying on the assistance and protection of a major Power in the important areas of security and defence. The Trusteeship Council had recognized that fact in 1986 when it determined, in its resolution 2183 (LIII), that it was appropriate for the trusteeship to be terminated. The United Kingdom delegation was convinced that the peoples of Micronesia had freely taken their respective decisions, aware of the alternatives and fully understanding the issues.

46. Had the United States indeed wanted to turn the Trust Territory into a military bulwark, it surely would have been seeking the prolongation of the trusteeship. For, in fact, under the Trusteeship Agreement, the United States had more rights over the Territory in the military sphere than under the Compact of Free Association or the Commonwealth Covenant. The responsibility assumed by the United States under the new status arrangements for the defence of the four Micronesian entities carried with it certain rights, among them the right to use land for military purposes and the right to transit Micronesia with military vessels and aircraft. Such rights were simply designed to ensure that in times of crisis, the United States would have available to it the options it needed to defend the Islands.

47. Over the past two decades, the Micronesians had drawn up their own constitutions, negotiated their respective new status agreements and participated in referendums to endorse those agreements. During those processes the people of Micronesia could, at any time, have opted for some other status but instead had chosen to maintain a close relationship with the nation that had acted as their Administering Authority for over 40 years and which, over that time, had given them generous assistance and guidance.

48. The United Kingdom was committed to defending the right of the Micronesian peoples to make their own choice about their political future, free from outside interference and in accordance with the Charter of the United Nations. 6/

49. The representative of the Soviet Union, replying to the statement by the representative of the United Kingdom, said that the question involved not some so-called allegations but the true state of affairs in the Trust Territory of the Pacific Islands, which was witnessing a violation by the Administering Authority of the provisions of the Trusteeship Agreement. It was a question of facts reported by petitioners who had made statements set forth in the documents of the current session. With regard to Trusteeship Council resolution 2183 (LIII), it had been adopted in violation of the Charter and the Trusteeship Agreement and could not be regarded as valid. 6/

50. During the course of the questioning of the Administering Authority at the 1652nd to 1654th meetings, from 16 to 18 May, the representative of the United States responded to questions by the representative of the Soviet Union as to why the report of the Administering Authority contained information solely on Palau; she reiterated, inter alia, that the Trusteeship Council, in its resolution 2183 (LIII), had determined that the people of the Trust Territory had fully exercised their right to self-determination and that the United States had satisfactorily discharged its obligations under the Trusteeship Agreement.

Subsequently, the Marshall Islands, the Federated States of Micronesia and the Northern Marianas had each adopted in 1986, new status agreements which governed their relations with the United States. 8/

Closing statements by representatives of the Administering Authority

51. At the 1655th meeting, on 23 May, the representative of the United States said that the process designed to bring the people of the Trust Territory to self-government through self-determination was evolving in full conformity with the Trusteeship Agreement and the United Nations Charter. Acting in accord with its constitutional authority, the Government of Palau had, on its own initiative, organized plebiscites and a referendum to ascertain the wishes of the people of Palau with regard to their political future. Those plebiscites, which had been observed and found to be free and fair by the United Nations visiting missions, had repeatedly made it clear that the large majority of the Palauans had desired to enter into a relationship of free association with the United States. While the United States would welcome it, free association with Palau could only come about after Palau had ratified the Compact of Free Association in accordance with its own constitutional procedures. The United States had not forced and would not force anything on the people of Palau.

52. The people of Palau had demonstrated time and again their capacity to govern themselves. Palau had endured the financial difficulties and the headaches of living within a budget by setting its own priorities. Palauan authorities had apprehended and punished persons involved in last September's isolated instances of violence - Palauan justice administered by Palauans.

53. Palau's self-determination and self-government were taking place in an atmosphere of democracy and constitutional order. The refile of a legal challenge to the constitutional amendment adopted in August 1987 demonstrated the strength of the rule of law in Palau and subsequent events reflected the independence of the Palauan judiciary. The respect shown for the Court's decision by the executive branch of the Government of Palau reaffirmed the vitality of Palau's constitutional process.

54. The United States had not turned the Territory into a military base and had no intention of doing so. 6/

55. She also added that self-determination, respect for human rights and recognition of the fact that Governments derived their legitimacy from the consent of the governed were fundamental values that would continue to guide the United States in the fulfilment of its responsibilities as trustee.

56. Mr. Samuel McPhetres, Adviser to the Administering Authority, said that at no time over the past year had law and order broken down in Palau. The review of the actual events had shown that there had been isolated, individual acts taking place within a brief period, quickly followed by a rapid return to normalcy. During the period in question, there had been at least two United Nations visiting missions to Palau.

57. The Palauan police had a task force utilizing expertise provided by various United States law enforcement agencies working on the problem of drugs. The Administering Authority reassured the Council that it was providing all the assistance and support requested by the Government of Palau in that area.

58. Regarding economic development in Palau, the Adviser stated that, as an indication of the considerable growth and progress achieved in the private sector economy over the past several years, employment in the private sector was, for the first time, equal to that in the public sector. Foreign investment projects were under consideration for major hotel construction, fisheries and other developmental projects. Budgeting priorities were the responsibility of the Government of Palau, and while adequate funding would be made available, it would be up to the constitutional authorities of Palau to determine where the money would be allocated.

59. The Office of Territorial and International Affairs of the Department of the Interior would continue to be sensitive to the requirements of the Trusteeship and the advancement of the people of the Territory. 6/

60. Mr. Victorio Uherbelau, Special Adviser to the Administering Authority, said that for Palauans, any status change would be an improvement over the status quo, and delaying the termination was not the answer.

61. The only viable and realistic solution to Palau's perennial funding shortage was the steady and considerably higher level of annual economic assistance available under title II of the Compact. With the entry into force of the Compact, Palau would be master of its own affairs, except for defence and security, and would have the authority to conduct its own foreign affairs and international relations with other nations and regional or international organizations.

62. Except for the nuclear provisions, the Palau Compact of Free Association would have needed only a simple majority vote for approval and would have taken effect long ago. The Special Adviser called for a review by both sides of the feasibility of excising the nuclear provisions from the Compact itself and treating those provisions under a separate treaty to be voted upon by Palauans as a separate issue altogether. That recommendation was made as an indication of yet another possible alternative solution to the current impasse.

63. The Compact of Free Association formed a unique, friendly and lasting relationship, an equal partnership and was not a defence treaty between the Government and the people of Palau and the Government and the people of the United States. The desires and aspirations of the people of Palau for that particular political status should not be sacrificed at any cost; free association was not the only status option. Palau could ill afford to go to the polls for the seventh time to approve the same document by a three-fourths majority. If Judge Hefner's decision was upheld on appeal, the Government might proceed to amending the Constitution once more to lower the voting requirement. One of the basic guidelines the Micronesian leadership had adopted when it embarked on status negotiations with the United States in pursuit of free association was that, if attempts to achieve that goal should fail, the only available status would be that of independence. The Government and the people of Palau were seriously considering their status options and the situation would be clearer in the remaining months of 1988. 6/

#### D. Petitions

##### Oral hearing

64. At its 1649th and 1650th meetings, on 11 and 12 May 1988, the Trusteeship Council heard statements by petitioners, under item 5 of its agenda, as follows:

Petitioner

Statement contained  
in verbatim record

Mr. William Butler, American Association for the International Commission of Jurists, Inc.	T/PV.1649
Ms. Sue Rabbitt Roff, Minority Rights Group	T/PV.1649
Mr. Pedro P. Tenorio, Governor, Commonwealth of the Northern Mariana Islands	T/PV.1649
Mr. Benjamin T. Manglona, President of the Senate, Commonwealth of the Northern Mariana Islands	T/PV.1649
Mr. Pedro R. Guerrero, Speaker, House of Representatives, Commonwealth of the Northern Mariana Islands	T/PV.1649
Mr. Pedro M. Atalig, Northern Mariana Islands Task Force on the Termination of the Trusteeship	T/PV.1649
Mr. Antonio M. Camacho, Member, House of Representatives, Commonwealth of the Northern Mariana Islands	T/PV.1649
Mr. Glenn Alcalay, National Committee for Radiation Victims	T/PV.1650
Mr. Roger Clark, International League for Human Rights	T/PV.1650
Ms. Elizabeth Bounds, Micronesia Coalition, National Council of the Churches of Christ in the United States of America	T/PV.1650
Mr. Santos Olikong, Speaker, House of Delegates, Second <u>Olbiil Era Kelulau</u> (Palau National Congress)	T/PV.1650
Mrs. Isabella Sumang, on behalf of Mrs. Gabriela Ngirmang	T/PV.1650
Mr. James Orak	T/PV.1650
Mr. Hans Ongelungel	T/PV.1650
Ms. Sara E. Ríos, Center for Constitutional Rights	T/PV.1650

65. Messrs. Tenorio, Atalig, Larry Hillblom (on behalf of Mr. Atalig), Guerrero and Clark replied to questions put to them by members at the 1649th and 1651st meetings. 9/

Written communications and petitions

66. At its 1654th and 1655th meetings, on 18 and 23 May, respectively, the Council considered 10 communications and 41 petitions. The list of the communications and petitions, together with an indication of their content, appears in annex II to the present report.

## Communications

67. With respect to document T/COM.10/L.392, the representative of the United Kingdom recalled that according to the Administering Authority and some of the petitioners, incidents of violence had not been repeated and the offenders had been pursued through the normal legal channels. With regard to document T/COM.10/L.393, he noted that the communication indicated that some Palauans actually favoured an even closer relationship with the Administering Authority than the Compact of Free Association. As regards document T/COM.10/L.396, he recalled an oral petition by the same author, in which the author had concluded that the rule of law had been restored in Palau and that the judiciary was, by and large, functioning freely and independently. 10/

68. With reference to document T/COM.10/L.396, the representative of the Soviet Union stated that the study undertaken by a group of distinguished persons from the International Commission of Jurists constituted a serious compilation of first-hand information on the situation in the Territory and that it deserved to be published as a document of the Council and would also be of interest to the Security Council. It would be useful to have the comments of the Administering Authority on that document, as also on document T/COM.10/L.395 and T/COM.10/L.397. 10/

## Decision

69. At its 1654th meeting, on 18 May, the Council decided, without objection, to take note of the communications contained in documents T/COM.10/L.392 to T/COM.10/L.401. 10/

## Petitions

70. At the 1654th meeting, on 18 May, the representative of the Soviet Union stated that, as evidenced from petitions received, Micronesia's fate was of great concern to the people the world over. The Soviet Union was of the view that the Council should take due account of the information contained and the concerns expressed in those petitions. Moreover, the Council was entitled to expect each petition to be commented upon by the representative of the Administering Authority bearing in mind, in particular, that the representatives of the Administering Authority had stated that the Micronesians had the right freely to appeal to the United Nations and to present petitions. The Soviet representative considered it essential to inform those petitioners about Trusteeship Council discussions. 10/

71. The President stated that it had been a long standing practice of the Council to send to petitioners the records of its relevant meetings. 10/

72. The representative of the Soviet Union considered T/PET.10/721 from the Campaign for Nuclear Disarmament important and the demands contained in T/PET.10/729 from Women Working for a Nuclear-Free and Independent Pacific entirely in keeping with the fundamental principles of the United Nations. 10/

73. At the 1655th meeting, on 23 May, the representative of the United States said that the United States delegation rejected the notion that the Palauans had not demonstrated their readiness for self-government and the vitality of their instruments of governance, notably their Constitution. She noted that most petitions seeking delay of self-government for Palau came from individuals and organizations outside the Territory. The people of Palau, however, on their own initiative, had held plebiscites and, as reflected in the reports of the visiting missions, had opted in favour of the Compact of Free Association.



74. Some petitioners who had made reference to the difficulties encountered by the Government of Palau in complying with ambiguous provisions of Palau's Constitution in a manner satisfactory to the courts had ignored the fact that since 1979 the United States had maintained that the Compact of Free Association could enter into force for Palau only after it had been approved by the people and the Government of Palau in accordance with Palau's constitutional procedures. The judicial process, which had been interrupted in September 1987, had been resumed in early 1988 and a final decision was expected in July 1988. Thus, the Constitution and Palau's own system for constitutional interpretation were, in fact, working.

75. With respect to investigations of the events of September 1987, some of the crimes had been solved and convictions handed down; investigation of the remaining cases was under way. The Administering Authority had provided and would continue to provide, as appropriate, law-enforcement assistance to Palau. The manner in which the people of Palau and their elected leaders had dealt with the situation clearly demonstrated that the Government of Palau was fully capable of handling the situation without the introduction of armed United States Federal agents, as some petitioners had urged. The duly constituted authorities of Palau had used their legal and political system to deal effectively with the challenge of living in an open, free society. The political branches of the Government of Palau had asserted correctly their legitimate powers to seek acceptable procedures through which the will of the people could be realized. It was a tribute to the integrity of the constitutional process that the political leadership of Palau had respected Court decisions with which it clearly disagreed.

76. The United States representative noted that several petitioners appeared to have adopted the position that the Palauans could not amend their own Constitution with regard to the 75 per cent approval mechanism. The concept that a free people had no right to amend their own constitution was insupportable and the Administering Authority would adhere to the principles embodied in the preamble to the Compact of Free Association, which expressly recognized that the people of Palau had "the inherent right to adopt and amend their own Constitution and form of government".

77. Allegations contained in a number of petitions that the United States intended to use Palau for nuclear and/or military purposes were nonsense, as there was no United States military presence in Palau and as none was intended. No nuclear bases were planned nor were there any other elements of a military complex. The limited military options available to the United States in Palau were identified in a subsidiary agreement to the Compact of Free Association and could be exercised only after consultations with the Palauan Government. Those options were: anchorage rights for visiting United States Navy ships in Palau's main harbour and use of a nearby 40-acre area for non-nuclear support facilities; contingency joint use with Palau of its two airfields; contingency use of areas for limited logistics installations; and occasional access to uninhabited areas on Babelthup Island for training exercises. The United States had no plan to exercise those limited options. If there had been a need to establish military bases in Palau, the United States could have done so at any time under the Trusteeship Agreement. It had not done so because there had been no need to do so.

78. Under the Compact of Free Association, the United States had full authority and responsibility for Palau's defence and security. However, the United States had agreed not to engage in certain activities in the exercise of that authority. Under section 324 of the Compact with Palau, the so-called nuclear issue, in reality, amounted to whether United States Navy ships would visit Palau under a

free association relationship on the same basis as they visited the ports of other friends and allies.

79. The United States representative regretted that again some petitioners had protested events that had never taken place, for example, those contained in document T/PET.10/693 and 694, which alleged that the home of Chief Justice Nakamura of Palau's Supreme Court had been fire-bombed.

80. With respect to the petitions concerning the Northern Mariana Islands, the appropriate forum for their discussion existed within the political system of the United States. To that end, on 13 May 1988 the President of the United States had announced the appointment of a Deputy Under-Secretary of the Interior to serve as his Special Representative for bilateral consultations with the Commonwealth of the Northern Mariana Islands. Consultations under section 902 of the Commonwealth Covenant would thus move forward. The United States was committed to making the Covenant work on the basis of close and continuing consultations with the people and Government of the Commonwealth of the Northern Mariana Islands. 6/

#### Decision

81. At its 1655th meeting, on 23 May, the Council decided to draw the attention of the petitioners to the observations made during the present session by the representative of the Administering Authority and members of the Council. 6/ 10/

#### E. Offers by Member States of study and training facilities for inhabitants of Trust Territories

82. At its 1656th meeting, on 26 May 1988, the Trusteeship Council considered, under item 6 of its agenda, the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Trust Territories. 11/

#### Decision

83. At the same meeting, the Council decided, without objection, to take note of the report of the Secretary-General. 12/

#### F. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories

84. At its 1649th and 1651st meetings, on 11 and 13 May 1988, respectively, the Trusteeship Council considered, under item 7 of its agenda, dissemination of information on the United Nations and the International Trusteeship System in Trust Territories.

85. In that connection, the Council had before it the report of the Secretary-General on the item, 13/ which contained a summary of the activities undertaken by the Department of Public Information and other offices of the Secretariat during the period 1 May 1987 to 30 April 1988; the activities were aimed at keeping the people of the Territory aware of United Nations activities with respect to the Trusteeship system.

86. Introducing the report of the Secretary-General at the 1649th meeting, the representative of the Department of Public Information indicated that despite

severe financial constraints, the Director of the United Nations Information Centre in Tokyo had been able to visit part of the Trust Territory during the period under review. 14/

87. At the 1651st meeting, the representative of the Soviet Union stated that his delegation considered it essential that a central file of material disseminated in the Territory be compiled in order to enable the Council to assess its contents and quality. Copies of the basic instruments of the United Nations, such as the Charter and the Declaration on decolonization, which were not mentioned in the list of material disseminated, should be made available in the Territory. While the Secretary-General's report referred to the continuing co-operation between the Department of Public Information and the Administering Authority in matters of dissemination of information, no details were given on the nature of such co-operation. Neither did the report contain an evaluation of the visit to the Territory of the Director of the Information Centre in Tokyo. 15/

88. In response to questions and observations made by the representative of the Soviet Union, the representative of the Department of Public Information stated that a central file had not yet been established but that the creation within the Department of Public Information of a new division for dissemination would permit more accurate and up-to-date monitoring of all material distributed on a subject-by-subject basis. Regarding the evaluation by the Director of the Information Centre in Tokyo of his visit to the Territory, the Director had indicated which relevant material was unavailable or in short supply; the list of documents annexed to the Secretary-General's report reflected precisely the attempt of the Department of Public Information to respond to the needs and interests of the people as identified by the Director. Additional copies of information material, including basic instruments of the Organization would be sent whenever necessary. The representative of the Department of Public Information also assured the Soviet representative that it was standard policy of the Department of Public Information always to clear with the substantive Department any material it published. Further, in addition to the centre in Tokyo, other information centres distributed material on the work of the Council in areas of their respective responsibilities. 15/

89. The representative of France thanked the Department of Public Information for its continued efforts to provide information in the Territory and noted, in particular, the indication that the new structure of the Department would permit better monitoring of the information material distributed. 15/

#### Decision

90. At the 1651st meeting, on 13 May, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General. 15/

#### G. Co-operation with the Committee on the Elimination of Racial Discrimination

#### Second Decade to Combat Racism and Racial Discrimination

91. At its 1656th meeting, on 26 May 1988, the Trusteeship Council decided to take up together items 8 and 9 of its agenda: Co-operation with the Committee on the Elimination of Racial Discrimination; and Second Decade to Combat Racism and Racial Discrimination. 12/

92. The representative of the Soviet Union stressed the importance of studying how the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination was being implemented in the Territory. The programme was based on authoritative international instruments such as the Charter of the United Nations, the Universal Declaration of Human Rights and the United Nations Declaration and the International Convention on the Elimination of All Forms of Racial Discrimination. In accordance with the Trusteeship Agreement and under Article 76 of the Charter, it was the direct responsibility of the Administering Authority to prohibit any manifestation of racism or racial discrimination and to ensure respect for fundamental rights and human freedoms in the Trust Territory of the Pacific Islands. Information on those issues should be included in the annual reports submitted by the Administering Authority. The Soviet delegation hoped that the Administering Authority would submit the relevant information for consideration at the current session and would include such information in its future annual report, as well as in its report to the Committee on the Elimination of Racial Discrimination. 12/

93. The representative of the United States said that, for all practical purposes, racism was non-existent in the Trust Territory and that allegations of violations of human rights were untenable. 12/

94. The representative of the United Kingdom said that from petitions and all documentation received over the past years, as well as reports and statements of the Administering Authority, there was no evidence that racial discrimination or racism existed in the Territory. The isolated incidents of violence that had taken place in Palau had been between members of the same race and the same community, and had not been racial in character. 12/

95. The representative of the Soviet Union stressed that the question was not only whether there actually was any racial discrimination in the Territory, but also what legislative, administrative, judicial, educational and other measures were being taken to prohibit the emergence of such manifestations in the future. 12/

#### Decision

96. At the 1656th meeting, on 26 May, the Trusteeship Council decided to take note of the statements made by members on the items. 12/

H. Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

97. At its 1656th meeting, on 26 May 1988, the Trusteeship Council decided to take up together items 10 and 11 of its agenda: Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; and Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 12/

98. The representative of the Soviet Union noted that in its recommendations to the General Assembly, the Special Committee had repeatedly emphasized that the Administering Authority had an obligation to create in the Territory conditions that would enable its people freely to exercise their inalienable right to self-determination and independence, with full awareness of all possible options. Despite the Special Committee's repeated requests, the Administering Authority continued to refuse to participate in the work of the Special Committee and to provide it with necessary information. Moreover, in its reports and statements to the Council, the Administering Authority had provided no information within the context of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

99. His delegation noted from material made available at the current session that the Administering Authority's activities in the Territory were essentially designed to deprive the Micronesian people of their right to freedom, unity and independence, as well as to strengthen United States military and strategic position in the Pacific Ocean, thus causing a serious threat to the security not only of the Micronesian people but also of other parts of Asia and the Pacific. The genuine exercise by the Micronesian people of its sovereignty would be a hindrance to the Administering Authority's efforts to splinter the Trust Territory, annex it and impose on its various parts agreements contrary to the Declaration on decolonization. According to the representatives of the Northern Mariana Islands, the Administering Authority's interpretation of the Commonwealth agreement was tantamount to a denial of their right to self-government. The United Nations had an obligation to speak out against that manifestation of neo-colonialist policy.

100. In the view of the Soviet delegation, the refusal of the Administering Authority to co-operate with the General Assembly and the Special Committee and the reluctance of the majority of the members of the Trusteeship Council to co-operate with that Committee were in contradiction with the Declaration and other decisions of the United Nations. The conclusions and recommendations of the Special Committee on the Territory, adopted and transmitted to the President of the Council on 4 August 1987, had not even been submitted to the Council at its current session. 12/

#### Decision

101. At the 1656th meeting, on 26 May, the Trusteeship Council decided to draw the attention of the Security Council to the proceedings of the Trusteeship Council concerning the attainment of self-government or independence by the Trust Territories in accordance with the relevant provisions of the Charter, in particular Article 83, and to the statement made by the representative of the Soviet Union on the items. 12/

#### I. Report of the Drafting Committee

102. At its 1655th meeting, on 23 May 1988, the Trusteeship Council decided, without objection, to appoint a Drafting Committee composed of the representatives of France and the United Kingdom to propose, on the basis of the discussions that had taken place in the Council at its fifty-fifth session, the draft text of conclusions and recommendations to be included in the Council's report to the Security Council. 6/

103. The Trusteeship Council considered the report of the Drafting Committee 16/ at its 1656th and 1657th meetings, on 26 and 27 May 1988, respectively.

104. In introducing the report of the Drafting Committee at the 1656th meeting, the representative of the United Kingdom stated that the Drafting Committee believed that the proposed draft conclusions and recommendations were fully consistent with the level of self-government freely chosen by the Micronesian people. 12/

105. At the 1657th meeting, the representative of the Soviet Union noted that the extremely one-sided draft did not reflect the different views expressed by members or by petitioners. Neither did it take due account of the relevant provisions of the Charter and the Trusteeship Agreement, nor reflected the actual situation in the Territory. The draft conclusions and recommendations were intended to exceed the Council's powers as set forth in the Charter and the mandate of the Trusteeship Council and thus his delegation could not agree to such an approach which was in contravention of the Charter, the Trusteeship Agreement and the Declaration on decolonization.

106. The first paragraph of the draft conclusions and recommendations referred to Council resolution 2183 (LIII), a resolution that had been designed to circumvent the Security Council, the only body empowered to consider the status of the strategic Trust Territory and the Trusteeship Agreement. By recommending that the approval process of the Compact of Free Association for Palau be completed at the earliest possible date, the Drafting Committee had itself violated the Charter. The approval of such a recommendation was tantamount to approving those actions in Palau which had deprived the people of their right to genuine self-determination and independence and would constitute direct pressure on Palau by the Council in the interests of the Administering Authority, in addition to the pressure the latter had already brought to bear upon the people of Palau by conducting multifarious referendums.

107. The second paragraph was clearly designed to disguise the anti-Charter activities of the Administering Authority in the Trust Territory. It was an attempt to approve the provisions of the Compact and Covenant imposed upon the population of Micronesia and to reduce the responsibility of the Administering Authority for the Territory's economic, social and educational advancement.

108. With regard to the third paragraph, the Drafting Committee, by stating that any difficulties of interpretation should be resolved bilaterally, was pursuing a policy of approving impositions on the people of Micronesia. The Micronesians were being left to deal on a one-to-one basis with the Administering Authority which employed its usual methods and levers to attain its own goals. The Soviet representative recalled that even the representatives of the local authorities of the Northern Mariana Islands had sought United Nations assistance at the current session because, on that bilateral basis, they were unable to resist the Administering Authority's actions against the interests of the population.

109. The fourth paragraph of the draft conclusions and recommendations was simply an attempt to mislead both the Trusteeship Council and public opinion, as had been the case with the 1987 report of the Council. 17/ At the current session the Administering Authority had not even submitted information on how it was fulfilling its responsibilities in the entire Trust Territory; the only information provided was on Palau and that information had indicated that the Administering Authority was being guided exclusively by its own interests and aspirations in the western Pacific.

110. It was the view of the Soviet delegation that the conclusions and recommendations should have indicated that, under Article 83 of the Charter, any change in the status of the Trust Territory could only be approved by the Security Council. The report should have emphasized that before the Security Council took any such decision the Administering Authority must report to the United Nations; that the United Nations continued to bear full responsibility for the Trust Territory until the people of the Territory attained genuine self-determination and independence; and that the people of Micronesia might approach the United Nations to defend their interests.

111. The delegation of the Soviet Union objected to all the provisions of the draft conclusions and recommendations and would accordingly vote against the draft report. 18/

112. The representative of the United Kingdom drew attention to the fact that part I of the Council's report to the Security Council would reflect the views expressed by members, including those of the Soviet Union. With reference to the Soviet representative's allegations that the draft conclusions and recommendations did not reflect the actual situation in the Territory, the Drafting Committee believed otherwise. In his view, the position adopted by the Soviet Union was tantamount to denying the people of Micronesia the exercise of their right to self-government. Allegations that the Drafting Committee had ignored the Charter were untrue; under Article 76 b of the Charter, reference to which was contained in the report, one of the basic objectives of the Trusteeship System was 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. The Drafting Committee's report had recognized that the people of Micronesia had developed towards self-government in a form they had chosen. 18/

113. The representative of France, the other member of the Drafting Committee, stated that, bearing in mind that his country was dedicated to respect for the Charter, his delegation would not have associated itself with the draft report had the draft conclusions and recommendations been contrary to the Charter. Trusteeship Council resolution 2183 (LIII) was a recommendation that took into account the status of the progress achieved by the population of the Territory. His delegation hoped that the objectives set forth in that resolution could be achieved, in keeping with the Charter. 18/

114. The representative of the Soviet Union stated that contrary to the comments of the representative of the United Kingdom, the Soviet Union had endeavoured for many years, as at the current session, to ensure that the people of the Trust Territory achieved genuine self-determination and genuine self-government as provided in the Charter, the Trusteeship Agreement, the Declaration on decolonization and in the covenants and international agreements on human rights, particularly and especially in article 1 of the International Covenants on Human Rights. It was precisely because of those desires and aspirations that his delegation was unable to support the draft conclusions and recommendations. 18/

#### Decision

115. At its 1657th meeting, on 27 May, the Trusteeship Council adopted, by a vote of 3 to 1, the draft conclusions and recommendations contained in the annex to the report of the Drafting Committee. The Council further decided that the conclusions and recommendations should constitute part II of its report on its fifty-fifth session to the Security Council. 18/

J. Adoption of the report of the Trusteeship Council  
to the Security Council

116. At its 1658th meeting, on 19 July 1988, the Trusteeship Council considered the report on its fifty-fifth session to the Security Council.

117. Following statements by the representatives of the Soviet Union, the United Kingdom and France, as well as by the President, concerning part I of the present report, the Trusteeship Council took action on the present report (see para. 119), it being understood that the modifications submitted and agreed to by the members of the Council would be incorporated therein.

118. The representative of the Soviet Union made a statement in explanation of vote, in which he, inter alia, reiterated the position of his Government as reflected in the related sections of the present report. The representative of the United States made a statement referring also to the position of her Government as set out in the present report. 19/

Decision

119. At its 1658th meeting, on 19 July, the Trusteeship Council adopted, by a vote of 3 to 1, the present report, as a whole. 19/



## PART II. CONCLUSIONS AND RECOMMENDATIONS

120. At its 1657th meeting, on 27 May 1988, the Trusteeship Council adopted the following conclusions and recommendations by a vote of 3 to 1 (see part I, sect. I):

### "A. Political advancement

"1. The Trusteeship Council recalls its resolution 2183 (LIII) of 28 May 1986 and recommends that the process of approval of the Compact of Free Association for Palau be completed at the earliest possible date.

### "B. Economic, social and educational advancement

"2. The Council notes that the people of the Trust Territory, in the exercise of their right to self-government as set out in Article 76 b of the Charter of the United Nations, have elected to assume full responsibility for administration in the economic, social and educational fields.

"3. The Council considers that any difficulties over the interpretation of the new status agreements should be resolved bilaterally by the parties concerned in accordance with the procedures mutually agreed and laid down in the relevant new status agreements.

### "C. General

"4. The Council notes with satisfaction the assurances given by the Administering Authority that it will continue to fulfil its responsibilities under the Charter and under the Trusteeship Agreement."

## Notes

1/ See T/PV.1648.

2/ T/1925.

3/ See T/PV.1653.

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

5/ For the text of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, see Official Records of the Trusteeship Council, Forty-second Session, Sessional Fascicle, annexes, document T/1759.

6/ See T/PV.1655.

7/ For the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, August 1987, see Official Records of the Trusteeship Council, Fifty-fourth Session, Supplement No. 3 (T/1920).

8/ See T/PV.1652 to T/PV.1654.

9/ See T/PV.1649 and T/PV.1651.

10/ T/PV.1654.

11/ T/1926.

12/ See T/PV.1656.

13/ T/1924 and Corr.1.

14/ See T/PV.1649.

15/ See T/PV.1651.

16/ T/L.1266.

17/ See Official Records of the Security-Council, Forty-second Year, Special Supplement No. 1 (S/19596).

18/ See T/PV.1657.

19/ See T/PV.1658.

## Annex I

### AGENDA OF THE FIFTY-FIFTH SESSION ADOPTED BY THE TRUSTEESHIP COUNCIL AT ITS 1648TH MEETING, ON 10 MAY 1988

1. Adoption of the agenda.
2. Report of the Secretary-General on credentials.
3. Election of the President and the Vice-President.
4. Examination of the annual report of the Administering Authority for the year ended 30 September 1987: Trust Territory of the Pacific Islands.
5. Examination of petitions listed in the annex to the agenda. a/
6. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General [General Assembly resolutions 557 (VI) and 753 (VIII)].
7. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General [Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII)].
8. Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 42/57].
9. Second Decade to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 42/47].
10. Attainment of self-government or independence by the Trust Territories [Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)] and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolutions 1514 (XV) and 42/71].
11. Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolution 1654 (XVI)].
12. Adoption of the report of the Trusteeship Council to the Security Council [Security Council resolution 70 (1949)].

## Notes

a/ T/1922/Add.1 and T/1922/Add.2. To be incorporated in the Official Records of the Trusteeship Council, Fifty-fifth Session, Sessional Fascicle.

Annex II

WRITTEN COMMUNICATIONS AND PETITIONS EXAMINED BY THE TRUSTEESHIP COUNCIL  
AT ITS FIFTY-FIFTH SESSION

<u>Sender</u>	<u>Document symbol</u>	<u>Contents</u>	<u>Action</u>
<u>A. Communications</u>			
Councillor Bryan North, Chair, Peace and Emergency Planning Sub-Committee, Leeds City Council	T/COM.10/L.392	Letter dated 22 October 1987 expressing concern about violence and disruption in Palau	The Council took note of the communication (see T/PV.1654)
The Second Ngchesar State Council, Ngchesar State Government, Palau	T/COM.10/L.393	Letter dated 18 January 1988 transmitting the Second Ngchesar State Council resolution proposing and endorsing a commonwealth status for Palau in a permanent political union with the United States	"
Susan Quass, Resource Co-ordinator for Asia and Pacific, United Methodist Office for the United Nations	T/COM.10/L.394	Letter dated 15 March 1988 concerning efforts by Palauans to resolve constitutional issues in Palau Supreme Court; and United States Congress delaying action on Compact until legal battle can proceed in safety	"
Sara E. Rios, Staff Attorney, Center for Constitutional Rights	T/COM.10/L.395	Letter dated 31 March 1988 enclosing copies of plaintiffs' papers filed with Palau Supreme Court seeking to continue litigation challenging the validity of the August referendums	"
William J. Butler, President, American Association for the International Commission of Jurists, Inc.	T/COM.10/L.396	Letter dated 12 April 1988 transmitting report on International Commission of Jurists mission to Palau in January 1988	"
The House of Representatives, Northern Marianas Commonwealth Legislature	T/COM.10/L.397	Letter dated 17 February 1988 transmitting copy of a House resolution requesting the Attorney-General of Northern Mariana Islands to commence proceedings in United States District Court to compel the renewal of regular consultations between United States and the Commonwealth as provided for in the Covenant	"

<u>Sender</u>	<u>Document symbol</u>	<u>Contents</u>	<u>Action</u>
The Senate, Second Olbiil Era Kelulau (Palau National Congress)	T/COM.10/L.398	Letter dated 18 April 1988 expressing frustration over the scrutiny to which the Sub-Committee on Insular and International Affairs is subjecting the Palau approval process	The Council took note of the communication (see T/PV.1654)
Violette Kaye	T/COM.10/L.399	Letter dated 25 April 1988 expressing concern that all legal questions should be resolved before any changes in Palau's political status are made	"
The Second Olbiil Era Kelulau (Palau National Congress)	T/COM.10/L.400	Copy of letter dated 26 April 1988 sent to United States President expressing appreciation to the United States Government for protecting the integrity of Palau's Constitution	"
Fannie Epstein	T/COM.10/L.401	Letter [no date] expressing concern that all legal questions must be resolved before any changes in Palau's political status are made	"
<u>B. Petitions</u>			
Don Strachan	T/PET.10/676	Letter dated 29 November 1987 requesting Trusteeship Council to ensure that all legal questions regarding amendment to Palau Constitution be resolved before allowing any change in Palau's status	The Council drew the petitioner's attention to the observations made by members of the Council (see T/PV.1654 and T/PV.1655)
The Palau Constitutional Supporters, Portland, Oregon	T/PET.10/677	Letter dated 10 December 1987 requesting Trusteeship Council to ensure that the United States fulfils its obligations to Palau and to protect Palau's nuclear-free Constitution	"
Susan Quass, Resource Co-ordinator for Asia and Pacific, United Methodist Office for the United Nations	T/PET.10/678	Letter dated 11 December 1987 drawing attention of Trusteeship Council to the United States investigation of the administration of the Trust Territory	"
Gary M. Fay	T/PET.10/679	Letter dated 15 December 1987 advocating non-nuclear constitution for Palau	"
Heinz Stockinger and Hannes Augustin, Ueberparteiliche Plattform gegen die WAA Wackersdorf	T/PET.10/680	Letter dated 15 December 1987 calling on United States to accept Palau's nuclear-free status and on the Security Council to guarantee same	"

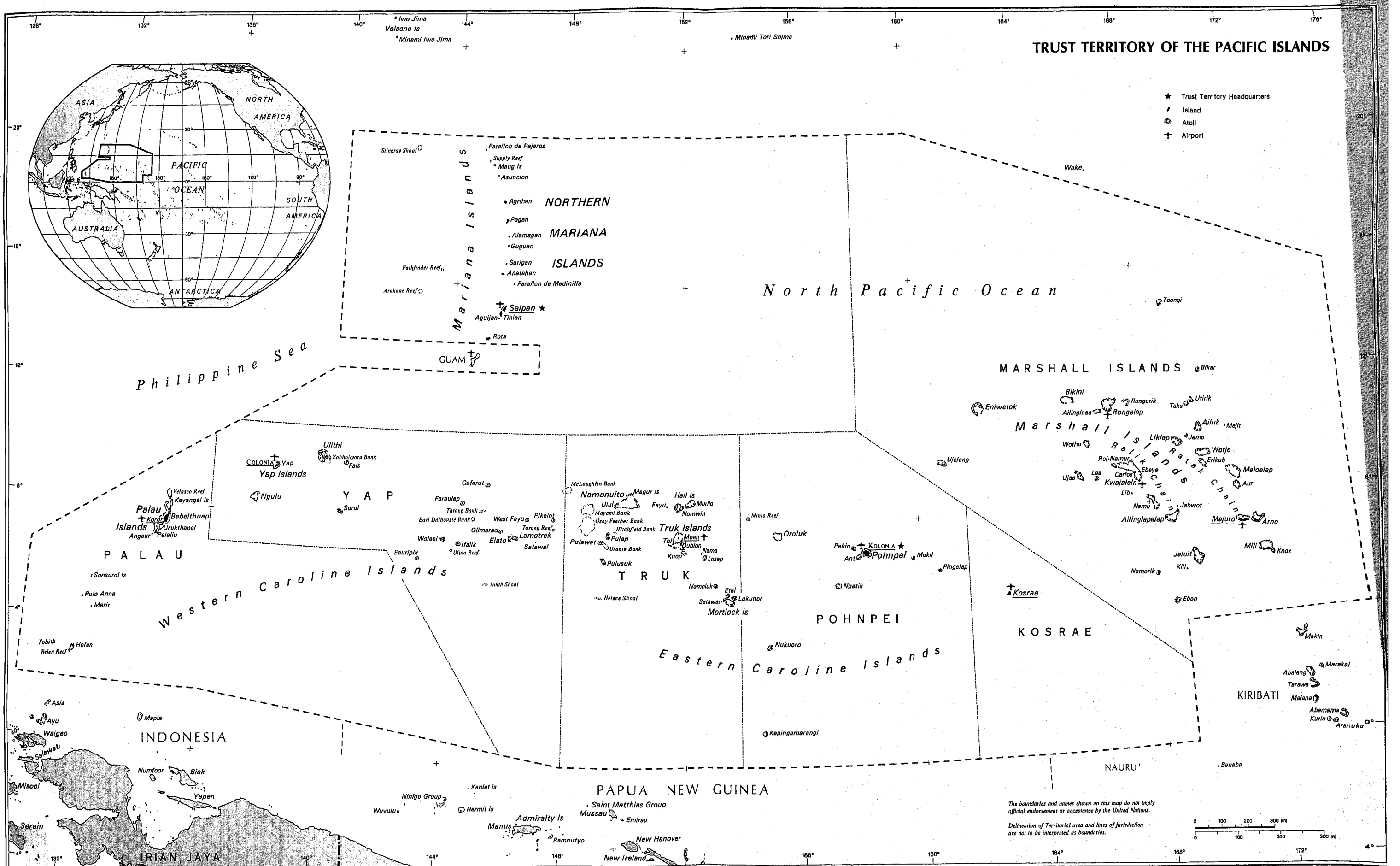
<u>Sender</u>	<u>Document symbol</u>	<u>Contents</u>	<u>Action</u>
Deborah Owen, HNRC Co-ordinator, Hiroshima Interpreters for Peace, Hiroshima Nuclear Resource Centre	T/PET.10/681	Letter dated 6 December 1987 expressing concern about situation in Palau	The Council drew the petitioner's attention to the observations made by members of the Council (see T/PV.1654 and T/PV.1655)
G. Tomos	T/PET.10/682	Letter dated 4 January 1988 urging United States to renegotiate Compact to comply with Trusteeship Agreement, Palau's Constitution and General Assembly resolution 1514 (XV)	"
Stephan Dömpke	T/PET.10/683	Letter dated 16 January 1988 complaining of the pressure on Palau by United States	"
Bruce Akizuki, Chair, Bay Area Asians for Nuclear Disarmament	T/PET.10/684	Letter dated 27 January 1988 expressing concern at instability in Palau and urging establishment of a government free of United States influence	"
Mike Gable, Communications Co-ordinator, Maryknoll Fathers and Brothers	T/PET.10/685	Letter dated 4 February 1988 asking United Nations to ensure Palau's self-determination in conformity with the Charter	"
Sister Dorothy Bolland, S.P. Providence Mother House	T/PET.10/686	Letter dated 7 February 1988 asking United Nations to ensure Palau's self-determination in conformity with the Charter	"
John and Joan Addison	T/PET.10/687	Letter dated 19 January 1988 expressing support for Palau's Constitution	"
Jean Derus	T/PET.10/688	Letter dated 8 February 1988 urging United Nations to ensure self-determination for Palau in conformity with the Charter	"
Patrick F. McManamon, S.J., Assistant for Social Ministry, Society of Jesus Detroit Province	T/PET.10/689	Letter dated 9 February 1988 expressing support for Trusteeship Council's efforts to strengthen Palau's right to self-determination	"
Brother Armand E. Guillet, SC Brothers of the Sacred Heart	T/PET.10/690	Letter dated 11 February 1988 expressing support for struggle of Palauan people to keep their island nuclear-free	"

<u>Sender</u>	<u>Document symbol</u>	<u>Contents</u>	<u>Action</u>
Jean and Robert Despain	T/PET.10/691	Letter dated 23 February 1988 urging that Palau Compact not be ratified before legality of constitutional amendment is established	The Council drew the petitioner's attention to the observations made by members of the Council (see T/PV.1654 and T/PV.1655)
Walter Birch	T/PET.10/692	Letter dated 25 February 1988 urging Trusteeship Council not to approve Palau Compact	"
Dr. M. Hersh	T/PET.10/693	Letter dated 2 March 1988 calling on Trusteeship Council and Security Council to request United States to give Palauan people choice between renegotiated Compact and independence	"
Jane French and T. Mulvihill, Tiverton Campaign for Nuclear Disarmament	T/PET.10/694	Letter dated 11 March 1988 calling on United Kingdom, Security Council and Trusteeship Council to support the wishes of Palauan people as stated in 1979 and successive plebiscites	"
Nike Eir Quester	T/PET.10/695	Letter dated 8 March 1988 urging United Nations not to approve Palau Compact until legality of August 1987 vote is established	"
Andrew Davis	T/PET.10/696	Letter dated 12 March 1988 urging Trusteeship Council to scrutinize constitutionality of Palau Compact	"
Sister Patricia Bates and four other school Sisters of Saint Francis, United States Province	T/PET.10/697	Letter dated 21 March 1988 asking United Nations to ensure that Palau exercises its right to self-determination in conformity with United Nations Charter	"
Glyn Tomos	T/PET.10/699	Letter dated 27 March 1988 requesting United Nations to ensure compensation to Marshallese for damages from nuclear testing	"
The Association of Pacific Island Legislatures, Agana, Guam	T/PET.10/700	Letter dated 17 March 1988 enclosing copy of resolutions requesting United States 1) to pay obligations of Trust Territory Government at end of Trusteeship Agreement and 2) to recognize funding shortfalls for education and health services provided under the Compact	"

<u>Sender</u>	<u>Document symbol</u>	<u>Contents</u>	<u>Action</u>
E. Olorenshaw	T/PET.10/705	Letter dated 17 April 1988 urging United Nations to call upon United States to renegotiate Palau Compact to comply with the Trusteeship Agreement	The Council drew the petitioner's attention to the observations made by members of the Council (see T/PV.1654 and T/PV.1655)
Florence Matthews	T/PET.10/706	Letter dated 22 April 1988 drawing attention to injustice in Palau	"
Marit Hegge	T/PET.10/709	Letter dated 28 April 1988 protesting pressure United States is putting on Palau to accept Compact	"
Stephen Rumbol	T/PET.10/717	Letter dated 27 April 1988 affirming right of Palauans to determine their own constitution and run their own country without interference from United States	"
Graeme Stuart	T/PET.10/718	Letter dated 29 April 1988 urging Trusteeship Council to monitor events in Palau to ensure there is no further intimidation	"
W. Heesterman-Van-Der Maen and A. R. G. Heesterman	T/PET.10/719	Letter dated 30 April 1988 requesting Trusteeship Council to safeguard Palau's right to maintain its nuclear-free Constitution	"
Tony Davies	T/PET.10/720	Letter dated 2 May 1988 concerning right of Palau freely to decide its relationship with United States	"
Sheri Lochner and 14 others, on behalf of the Campaign for Nuclear Disarmament, Eastern Suburbs Peace Group and Trades Union Peace Office	T/PET.10/721	Letter [no date] calling on Trusteeship Council to ensure Palauan people's right to maintain nuclear-free Constitution	"
Mr. Beddoe and four others Greenpeace, Pacific South-west Office	T/PET.10/722	Letter [no date] expressing solidarity with the political and economic sovereignty of Palau	"
Gunberg Nord Reite and Odd Reite	T/PET.10/723	Letter [no date] asking United Nations to insist renegotiation of Palau Compact to comply with Trusteeship Agreement	"
Margaret Wendy Brown	T/PET.10/724	Letter dated 2 May 1988 in support of the lawsuit challenging constitutionality of 1987 referendums	"



<u>Sender</u>	<u>Document symbol</u>	<u>Contents</u>	<u>Action</u>
Sigfrid Grøstad	T/PET.10/725	Letter dated 2 May 1988 asking United Nations to call for renegotiation of Palau Compact to comply with Trusteeship Agreement, Palau Constitution and General Assembly resolution 1514 (XV)	The Council drew the petitioner's attention to the observations made by members of the Council (see T/PV.1654 and T/PV.1655)
Thomas Brown	T/PET.10/726	Letter [no date] asking Trusteeship Council to ensure that United States honours its responsibilities under Trusteeship Agreement	"
K. Schenkel	T/PET.10/727	Letter dated 26 April 1988 asking Trusteeship Council to take steps to end United States interference in Palau	"
Bridget Roberts, Women Working for a Nuclear-Free and Independent Pacific	T/PET.10/728	Letter dated 6 May 1988 asking Trusteeship Council to delay termination of Trusteeship Agreement for Palau	"
Zohl de Ishtar, Women Working for a Nuclear-Free and Independent Pacific	T/PET.10/729	Letter dated 9 May 1988 asking Trusteeship Council to demand that United States cease all pressure on Palau to accept Compact	"
Joanna Simpson	T/PET.10/730	Letter dated 5 May 1988 urging that Palau remain under Trusteeship for at least five more years	"



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