



**REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL
ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS
12 June 1981—11 June 1982**

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INTRODUCTION

1. In accordance with Article 83 of the Charter of the United Nations, with resolution 70 (1949) adopted by the Security Council at its 415th meeting on 7 March 1949, and with its own resolution 46 (IV) of 24 March 1949, the Trusteeship Council has carried out on behalf of the Security Council those functions of the United Nations under the International Trusteeship System relating to the political, economic, social and educational advancement of the inhabitants of the Trust Territory of the Pacific Islands, designated as a strategic area.

PART I. ORGANIZATION AND ACTIVITIES OF THE TRUSTEESHIP COUNCIL

A. ORGANIZATION OF THE COUNCIL

Membership

2. The composition of the Trusteeship Council on 1 January 1982 was as follows:

Member administering a Trust Territory

United States of America

Members mentioned by name in Article 23 of the Charter of the United Nations and not administering Trust Territories

China

France

Union of Soviet Socialist Republics

United Kingdom of Great Britain and Northern Ireland

Officers

3. Mr. Paul Poudade (France) and Mr. Marrack I. Goulding (United Kingdom) were elected President and Vice-President, respectively, at the beginning of the forty-ninth session on 17 May 1982.

Meetings

4. During the period covered by this report, the Council held 18 meetings as follows: 1523rd to 1540th meetings, from 17 May to 11 June 1982. All meetings took place at United Nations Headquarters, New York.

Agenda

5. The agenda of the forty-ninth session, as adopted by the Council at its 1523rd meeting, on 17 May 1982, was as follows:

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 1981: Trust Territory of the Pacific Islands
5. Examination of petitions listed in the annex to the agenda (see T/1836/Add.1)
6. Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands
7. 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)]
8. 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)]
9. Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 36/12]
10. Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 36/8]
11. 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 36/68]
12. 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)]
13. Adoption of the report of the Trusteeship Council to the Security Council [Security Council resolution 70 (1949)]

Procedure

6. No change affecting the procedure for the examination of conditions in the Trust Territory of the Pacific Islands was made by the Council during the period under review.

Relations with the specialized agencies

7. Representatives of the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO) participated in the work of the Council.

8. The representative of UNESCO made a statement concerning conditions in the Trust Territory of the Pacific Islands at the 1534th meeting of the Council on 27 May 1982.

B. EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING
AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1981:
TRUST TERRITORY OF THE PACIFIC ISLANDS

9. The report of the Government of the United States on the administration of the Trust Territory of the Pacific Islands for the year ending 30 September 1981 1/ was transmitted to members of the Trusteeship Council on 14 April 1982 by a note of the Secretary-General (T/1837) and placed on the agenda of the Council at its forty-ninth session.

10. The Trusteeship Council began its examination of the annual report at its 1523rd meeting on 17 May 1982. At the same meeting and at the 1524th meeting on 18 May, the representative of the United States and the Special Representative of the Administering Authority, Mrs. Janet McCoy, High Commissioner of the Trust Territory, Mr. Pedro P. Tenorio, Governor of the Northern Mariana Islands, Mr. Anton A. DeBrum, Secretary for Foreign Affairs of the Government of the Marshall Islands, Mr. Alfonso Oiterong, Vice-President of Palau, Mr. Asterio Takesy, Deputy Secretary for External Affairs of the Federated States of Micronesia, and Advisers of the Administering Authority, Mr. Olympio Borja, President of the Northern Mariana Islands Senate, and Mr. Lazarus E. Salii, Ambassador for Status Negotiations and Trade Relations of Palau, made opening statements.

11. At the 1526th to 1532nd meetings, from 19 to 21 May and 25 May, questions were put to the representatives of the United States, the special representatives and advisers by members of the Trusteeship Council. At its 1533rd and 1534th meetings, on 26 May and 27 May, the Council held a general debate on conditions in the Trust Territory. 2/

12. At the 1535th meeting, on 28 May, closing statements were made by Advisers of the Administering Authority, Mr. Epel Ilon, the Federated States of Micronesia, Mr. Robert L. Garland, Northern Mariana Islands, Mr. Victorio Uherbelau, Palau, and Mrs. McCoy, Special Representative. At the 1536th meeting on 1 June, a further closing statement was made by the representative of the United States.

13. At the 1535th meeting on 28 May, the Council appointed a Drafting Committee, composed of the representatives of France and the United Kingdom, to propose, on the basis of the discussion which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory and to make recommendations concerning the chapter on conditions in that Territory for inclusion in the Council's report to the Security Council.

14. At its 1537th and 1539th meetings, on 8 and 11 June, the Council considered the report of the Drafting Committee. 3/

15. At the 1539th meeting, the representative of the Soviet Union noted with regret that the report of the Drafting Committee suffered from a large number of defects and inadequacies and that, unfortunately, it did not take into account the comments made, in particular by his delegation, at the forty-eighth session of the

Trusteeship Council. He noted that the report, if examined as a whole, did not reflect the true situation in the Territory and the fulfilment of the responsibilities entrusted to the Trusteeship Council, whose function it was to assist the Security Council with regard to the administration of the Trust Territory of the Pacific Islands. With regard to section A, "General", it could be seen that many passages were not clear and that there were many instances of lack of precision and many points which did not adequately reflect the view of the Trusteeship Council.

16. Referring to the section titled "Population movements", the representative of the Soviet Union pointed out that those movements had been brought about by the use of the Trust Territory by the Administering Authority to carry out nuclear tests. The report, however, spoke simply of population movements, without giving the reasons for them, namely, that they were the result of the activities of the Administering Authority in the Trust Territory. In the same section of the report, reference was made to the airstrip on Kili Island being opened in March 1982. While it was important to have an airstrip for population movements, his delegation believed that that paragraph should not be included in that part of the report.

17. The representative of the Soviet Union said that the paragraph in which the Council reiterated its concern over the social, cultural and economic difficulties of the people living on the island of Ebeye arising primarily from the over-population of that island did not include the reason for the over-population, which had come about because the people of the Kwajalein Atoll had been displaced and resettled in Ebeye as a result of the military activities of the Administering Authority.

18. The representative of the Soviet Union referred to paragraph 12 of the report which stated: "The Council urges the Administering Authority to make every effort to seek mutually satisfactory solutions to specific problems arising from the presence of the United States military facility on Kwajalein Atoll."

19. The representative of the Soviet Union said that the task of the Trusteeship Council, as well as that of the Administering Authority, was to be concerned with the interests of the population of the Trust Territory, not interests of the United States which were detrimental to the population. Nevertheless, the Council was in that instance urging a solution satisfactory to the United States.

20. The representative of the Soviet Union felt that in order for the Security Council to be properly informed, the draft report should clearly and concisely reflect the important and serious problems prevailing in the Territory. In his view, lesser problems, which had a certain importance, should not be mixed with the others. That section of the report should be radically redrafted because it did not reflect the true state of affairs. Moreover, even those paragraphs which did touch on the real problems of the people of Micronesia did so only in a superficial and inadequate way.

21. In the view of the United Kingdom delegation, the draft report as a whole reflected what the Council had been told by the Administering Authority about the situation in the Territory and by the petitioners who had addressed the Council. In his view, the draft report adequately discharged the Council's responsibilities. The drafters of the report had followed the practice of the Council in previous years, which had been to include in the section on population movements the various questions that had arisen as a result of movements in the

past by the populations of Bikini, Enewetak and Kwajalein. The United Kingdom delegation saw advantage in adhering to that format.

22. The representative of the United Kingdom raised a procedural point which he said his delegation had made before. In the past, the Council's practice in considering that part of its report had been to vote on it section by section and then to give delegations the opportunity to make general statements, criticisms and observations about the report. In 1981, his delegation had proposed that the Council should adhere to that procedure and he suggested that the Council should follow that procedure again in 1982.

23. The representative of the Soviet Union said that to vote on the draft report, without first discussing it, as the delegation of the United Kingdom had proposed, would be extremely irregular. If no delegation wished to comment on the individual sections of the document, the Council could then vote. He stated that explanations of vote were normal practice and that the Soviet delegation planned to explain its vote after the vote on the whole document. He emphasized that the Council had convened to discuss the document submitted to it not simply to vote. That was the correct procedure and a democratic principle of the United Nations. The representative of the Soviet Union believed that to proceed immediately to the vote would be extremely improper and wrong, because the Soviet delegation had many comments to make on the document before the vote.

24. The representative of France stated that his delegation had taken part in the work of the Drafting Committee. With the United Kingdom delegation, it had striven to approach their task in accordance with the terms of reference given to them by the Trusteeship Council. They had sought to do their job and their drafting in a spirit of honesty and objectivity. They had taken into account everything that had been said during the debate by the representatives of the Administering Authority and the individuals taking part and providing the Council with information. By the same token, they had taken into account the observations made by delegations.

25. The representative of France said that a careful reading of the report showed that it was the very opposite of one-sided. Indeed, in certain cases, when members of the Drafting Committee had felt that the truth was best served in that way, they had not hesitated to criticize any given situation prevailing in the Trust Territory or any aspect of the Administering Authority's management of the Territory. In other cases, they had felt that the Administering Authority had fully complied with its mandate and they had so indicated. They were ready to listen to anything that the Soviet delegation or any other delegation might have to say, but they believed that it would be counterproductive to reopen the debate. It was clear that the report reflected such differences and took account of the fact that three delegations had held one opinion while the fourth had held another. It was only to be expected in a Council report that the majority view would prevail over the minority view. While they respected it, they could not say that the minority view was the Council's view. To avoid reopening the debate and repeating arguments, the representative of France would endorse the procedure proposed by the representative of the United Kingdom. He believed that that was the best procedure, one which would allow the Council to do its work in the best possible conditions.

26. The representative of the Soviet Union said that his delegation had a very serious objection to the procedure proposed by the representative of the United Kingdom and supported by the representative of France. The representative of

France had said that he was ready to listen to comments on the document which he, together with the United Kingdom, had prepared. The fact was that that was not what was being done. The agenda spoke of the "examination" of the report of the Drafting Committee, not "voting" on that report. Therefore his delegation most seriously and forcefully protested against such a procedure in the Trusteeship Council. It was improper, unfair and not in accordance with the practice of the United Nations.

27. The representative of the United Kingdom said that he would not wish the Council to leave that part of its discussion with the impression that there had been some attempt to prevent the delegation of the Soviet Union from expressing its views on the questions before the Council. The Council had been in session for nearly four weeks, during which time delegations had had many opportunities to express their views. Moreover, with specific reference to the document before the Council, the delegation of the Soviet Union had had a standing invitation to work with the Drafting Committee on the preparation of the document and to give full expression to its views. In those circumstances, the United Kingdom delegation fully shared the view of the delegation of France that it would not be appropriate on the last day of the Council's session to reopen a general debate on all the issues which had been so fully discussed during the past four weeks.

28. The representative of the Soviet Union stated that his delegation was not proposing that the general debate be reopened. The Soviet delegation was advocating in accordance with the rules of procedure, with the day's agenda and with the earlier statement by the Council's President, that the Trusteeship Council discuss the document submitted by the Drafting Committee. Now it was being proposed that the Council should not discuss the document, but just vote on it. He wondered why the members of the Drafting Committee felt that the document was flawless. He insisted once again that the working procedure of the organs of the United Nations, including the Trusteeship Council, be complied with, and that the established practice and rules of procedure be respected.

29. The representative of the Soviet Union stated that his delegation always tried to see that the work of the United Nations bodies reflected a maximum of understanding and agreement, but now his delegation was being refused understanding by others. The representatives of the United Kingdom and France, having prepared the working document, did not want to submit it to discussion, contrary to the rules and procedure and to established practice. His delegation could not agree to such an illegal approach to the work of the Trusteeship Council. The demand made by the Soviet Union delegation was completely proper and legitimate.

30. The representative of France failed to understand why the representative of the Soviet Union should describe as illegal the procedure being proposed by the representative of the United Kingdom, which the French delegation endorsed. That procedure was, in fact, customary procedure in the Trusteeship Council, as stated in the verbatim record of the relevant meeting of the Council on its examination of the report in 1981 (see T/PV.1522). He noted that at that meeting in response to a proposal by one delegation, the President had proposed that the annex to the draft report be voted on section by section and that afterwards delegations should be called on to speak on points they wished to stress. Consequently, if that had been the procedure followed in 1981, he believed that the Council should follow exactly the same procedure in 1982.

31. The representative of the United Kingdom wondered whether the most sensible procedure would be to put to a vote his original proposal that the Council, in

considering its report, should follow the procedure of previous years, namely, to vote on the draft section by section and then for delegations that wish to do so to make general points about the draft.

32. The representative of the Soviet Union said that the representatives of France and the United Kingdom had asked that general remarks be made at the end of the meeting, but his delegation did not have general comments; it had comments on specific paragraphs and specific points, and he should like to make them before the vote on the report, in accordance with the rules of procedure and the usual practice of the United Nations and its organs. References to the procedure followed in earlier years did not add anything to what had already been said. In 1981, individual delegations had perhaps no comments on specific paragraphs or sections and they had concluded that they could make general statements after the vote. In 1982, however, the situation was somewhat different. The Soviet delegation had comments on individual sections and individual paragraphs of the document, and it continued to insist on an orderly approach to the work of the Trusteeship Council. If the delegations of the United Kingdom and France continued to insist that one delegation would not be allowed to present its comments on a document submitted to the Council, his delegation was ready to have that procedural question put to a vote. The delegation of the Soviet Union asked that the report of the Trusteeship Council to the Security Council reflect the fact that the conclusions and recommendations had not been examined in the Trusteeship Council, because of the position adopted by the delegations of the United Kingdom and France.

33. The proposal made by the United Kingdom to the effect that the Council vote on the draft report section by section and that delegations be permitted to make general statements after the vote was adopted by a vote of 3 to 1.

34. At the 1539th meeting, the Council adopted the conclusions and recommendations contained in the annex to the report of the Drafting Committee (T/L.1229) by a vote of 2 to 1, with 1 abstention, 4/ and decided to include them in its report to the Security Council (see paras. 815-924 below).

35. At the same meeting, the Council, on the recommendation of the Drafting Committee, adopted by a vote of 3 to 1, the working paper on conditions in the Trust Territory of the Pacific Islands (T/L.1228 and Add.1-3) as the basic text for the relevant sections of its report to the Security Council (see paras. 285-814 below).

36. The Trusteeship Council adopted, at the same meeting, the report of the Drafting Committee as a whole by a vote of 3 to 1.

37. At the same meeting, the representative of the United States stated that his delegation had voted in favour of the report to the Security Council as a whole, but it had abstained in the vote on the conclusions and recommendations contained in the report of the Drafting Committee, as they were addressed to it as the Administering Authority. By so doing, his delegation in no way wished to indicate that it did not support many of the views expressed in the report. As his delegation had said in the past, however, it was much more important that the Administering Authority receive those conclusions and recommendations, take them into serious consideration and then decide on the appropriate way in which to act, rather than express its position by a vote in favour or against them. He assured the Council, however, that his Government would study those conclusions and recommendations with great care and try, to the extent possible, to bring to

fruition the recommendations of the Council which would most benefit the peoples of Micronesia.

38. The representative of the Soviet Union said that a vote had been taken on the report of the Drafting Committee, on which his delegation had had, and still had, many comments. Unfortunately, the Council had not deemed it necessary to listen to the comments at the appropriate time, and thereby it had violated the rules of procedure of the United Nations. The Soviet delegation had voted against all sections of the Drafting Committee's report on conditions in the Trust Territory, since it did not reflect the true situation there. It contained conclusions and recommendations, comments and references which the Soviet delegation felt were greatly at odds with the real situation in Micronesia. It was firmly convinced that in its report to the Security Council the Trusteeship Council should present a clear picture of how the Administering Authority had fulfilled its obligations under the Charter and the Trusteeship Agreement 5/ in the period under review. The Council should draw the appropriate conclusions from that and, on that basis, adopt the appropriate recommendations and conclusions with regard to the implementation of measures by the Administering Authority.

39. The representative of the Soviet Union said that the discussions at the Council's forty-ninth session, the report of the Council to the Security Council in 1981, the statements of representatives and special representatives of the United States, the written and oral communications and petitions presented to the Council and the answers given by representatives of the Administering Authority to the questions put by the members of the Council had shown very clearly that the Administering Authority was not complying with its obligations under the Charter and the Trusteeship Agreement.

40. The representative of the Soviet Union pointed out that although the report did not reflect the deficiencies in the performance of the Administering Authority in those areas cited in Article 76 of the Charter, it did contain a number of passages welcoming the activities of the Administering Authority in the Territory. The Soviet delegation could only interpret that as encouragement, an incentive to the Administering Authority to continue its policy of fragmenting and militarizing the Territory and, in the final analysis, turning the Territory into its own colonial appendage. In several areas the situation in the Trust Territory had not changed for the better over the past years; on the contrary, it had deteriorated, particularly with regard to political development. The United States had not fulfilled its basic obligation to maintain the political unity of the Territory; rather, it had contributed to its dismemberment and fragmentation.

41. The representative of the Soviet Union stated that in its report, the Drafting Committee had basically endorsed the policy of the Administering Authority aimed at the dismemberment of the Territory and the artificial creation of island entities fully dependent on the Administering Authority in the political, social and cultural spheres. Paragraph 97 of the annexes to the report stated:

"The Council notes that, in 1981, further progress was made in the negotiations on political status and that these negotiations were continuing throughout the forty-ninth session of the Council."

42. The Soviet Union delegation felt that that statement on the part of the Trusteeship Council was extremely irresponsible, because the Council could not describe the negotiations between the Administering Authority and the

representatives of the Micronesian entities as "progress" for the simple reason that it had not been able to judge the results of those negotiations. The Trusteeship Council had been told by the Administering Authority that the negotiations had been secret and that the Council would only be informed of the results. The Soviet delegation could not agree with the view of the authors of the draft report that the negotiations between the United States and the Micronesian entities, which were dependent upon the United States in all sectors, could really achieve the objective of promoting the true independence of the Micronesian people or even be described as progress towards the achievement of self-determination by the people of the Territory. The measures being taken by the Trusteeship Council constituted a form of cover-up, hiding the illegal, anti-constitutional activities of the Administering Authority in Micronesia.

43. The representative of the Soviet Union stated that for many years the negotiations had been carried on behind closed doors in an atmosphere of secrecy and diktat vis-à-vis the Micronesians, as indeed the Council had heard from representatives of Micronesia.

44. The Soviet delegation could in no way agree with the statement in the report that so-called free association was not incompatible with the Trusteeship Agreement. It continued to believe that such a conclusion by the Council was extremely premature and unfounded. In making such judgements, the Council was taking upon itself great responsibility, in that any such statement by the Council constituted a weapon in the hands of the Administering Authority with which to put pressure on the Micronesian people. The Micronesian people had not yet expressed their views on that question; yet the Council was already proposing a formula, a decision. It was thus working hand in glove with the Administering Authority and was not protecting the interests of the Micronesian people.

45. The representative of the Soviet Union pointed out that the report said practically nothing about the military activities of the Administering Authority in the Territory, activities that in no way accorded with the tasks, goals and principles of the United Nations with respect to the promotion of international peace and security. The members of the Council knew that the military activities being carried out by the United States in the Territory were significant. They knew the plans of the Administering Authority in imposing agreements and treaties on the Micronesians behind closed doors - plans to expand, consolidate and strengthen its military presence in the Territory. In its conclusions and recommendations, the Trusteeship Council had remained silent on that matter. It was known that in the subsidiary agreements under the compact of free association, the United States had reserved the right to use for military purposes the land and airspace of and waters around the Micronesian islands for from 30 to 100 years. In the report, however, all that was spoken of was "progress" in the negotiations. Agreements on a military presence for the United States in the Trust Territory for 100 years was the progress that the United States wished. The delegation of the Soviet Union could not subscribe to that. Although the broad use by the United States of the Trust Territory as a testing ground for nuclear weaponry was also known, the report was careful to avoid mentioning that, and instead, spoke only of population movements. Attention had been drawn repeatedly to the results of the military activities of the United States on the Trust Territory and the fact that the Administering Authority had not taken urgent, effective measures to eliminate all the vestiges of the effects of the nuclear tests on the population. The report merely expressed very weakly the Council's concern about the level of medical services and the social and economic problems of the people resettled from the

islands, with no reference to the causes of those problems. The Council was now expressing its concern about the inadequate medical services, but not a word was said about the Administering Authority's activities that had led to the situation in the Trust Territory, or the fact that the measures that it had taken were inadequate to solve the problems and to promote the economic and social development of the people. The report stated that "the Council notes with satisfaction that nearly all of the public land in the Trust Territory has now been turned over to the respective constitutional Governments". At the current session, as well as at earlier sessions, it had been pointed out that a great deal of land had been taken away from the population and used by the Administering Authority for military activities.

46. The delegation of the Soviet Union could not agree with the conclusions and recommendations relating to economic, social, cultural and agricultural development, employment, medical services and many other spheres. The report had not assessed the results of the activities of the Administering Authority in the islands and that too was tantamount to covering up the fact that the Administering Authority had not carried out its obligation to promote the well-being of the Territory under its administration. It was extremely serious that the authors of the report had tried to introduce recommendations with regard to the situation in the Territory which were addressed not to the Administering Authority itself, but to the local governing bodies. The Administering Authority was shirking the responsibility for its own activities, trying to place that responsibility on the Micronesians themselves. The Trusteeship Council, through the document prepared by the British and French delegations, was actually helping the Administering Authority in that effort.

47. The representative of the Soviet Union said that the conclusions and recommendations did not refer to the Trusteeship Council's co-operation with the Committee on the Elimination of Racial Discrimination and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples - despite the fact that those items were on the agenda at the current session. The Council had examined those items and views had been expressed. That was appropriate since the question of the destiny of the people of Micronesia was a component part of the problem of decolonization. The people of Micronesia were not free, they were governed and administered by others. Therefore, the United Nations must continue to bear responsibility for that Territory and that responsibility must be reflected in the draft report, as should have been the case from the outset, in accordance with the Charter, rather than hiding behind questions of procedure by refusing to include certain provisions in that report, on the pretext that the format did not allow for a two or three page increase in the size of the report. The United Nations must shoulder responsibility for the Trust Territory until its people exercised their inalienable right to self-determination and independence.

48. For those reasons, the Soviet delegation had voted against the report prepared by the Drafting Committee and against the recommendations and conclusions contained therein. It was deeply convinced that the United Nations, including the Trusteeship Council, must do everything possible to ensure that the obstructions created by the United States to the genuine political, economic and social development of a unified Micronesia were removed, and that the necessary conditions were established to ensure that the Micronesian people could achieve genuine freedom and independence.

49. The delegation of the United Kingdom felt obliged to rebut the statement of the representative of the Soviet Union that the conclusions and recommendations contained in the Council's draft report had been adopted without discussion. The Council had had an exhaustive discussion during the past four weeks. All delegations had had the opportunity to express their views. All delegations had done so. The Drafting Committee had performed its task in the full knowledge of the views of the Soviet delegation and of the other delegations in the Council. A full summary of those views would be contained in the Trusteeship Council's report to the Security Council. Moreover, the Soviet delegation had a standing invitation to join the Drafting Committee in its work. It had chosen not to take up that invitation, which was its right. What was not acceptable, however, was that the Soviet delegation should now complain that no account had been taken of its views.

50. The representative of the United Kingdom stated that the conclusions and recommendations had been adopted in accordance with the time-honoured procedures of the Council. Let them hear nothing more about alleged breaches of the rules of procedure or of the normal practice of the United Nations.

51. The representative of the Soviet Union said that the working procedures of the United Nations were well known to his delegation and to say that no violation of those procedures had been committed was not well founded. If a document was prepared in the United Nations, that document must be examined. Despite statements that the views of the Soviet delegation on the problems in question were known, the report did not reflect the views of his delegation, his delegation's approach to the problem, nor its assessment of the existing situation in the Trust Territory. Using the fact that a delegation had decided not to participate in the work of the Drafting Committee as justification for not allowing it to present its comments and views on the final product was, in his delegation's opinion, extremely improper and irresponsible.

52. The representative of France stated that the Drafting Committee had been appointed by all of the members of the Trusteeship Council and therefore enjoyed the Council's confidence. Each delegation had had an opportunity to express its views, and had done so in the Council. Every delegation had had an opportunity to participate in the work of the Drafting Committee and to state its views at the Committee's meetings. The representative of the Soviet Union had noted and deplored the fact that the Drafting Committee's report did not reflect the opinion of the Soviet delegation. That was quite natural, given that the Soviet Union's position on certain issues was a minority one in so far as the Trusteeship Council was concerned. It was therefore natural for the majority opinion to be reflected in the report of the Drafting Committee, not the minority opinion.

53. The representative of the Soviet Union thought that it would be superfluous for his delegation to comment on the French representative's brazen statement, which reflected how the French delegation understood the democratic institutions and procedures adhered to by some of the delegations in the Trusteeship Council. Such a blatant statement that the so-called majority view was to be reflected and the minority view ignored, made any further words in that regard completely useless.

54. The representative of France believed that the essence of democracy was a majority opinion that characterized the body from which it emanated. The minority view would be reflected in the report, inasmuch as discussion was summed up therein, and since the view of each delegation, whatever it might have been, would be reflected in the report as a whole. With regard to the conclusions and

recommendations, he asked how anyone could wish the Council to recommend views that represented a minority of its membership. When a body proffered recommendations, it could only proffer those that reflected the views of its majority. That he believed was common sense.

55. The Trusteeship Council considered its draft report to the Security Council (T/L.1230) at its 1539th and 1540th meetings, on 11 June.

56. At its 1539th meeting, the Trusteeship Council recalled the decision taken at its 1536th meeting on 1 June 1982 to include in the section of the report entitled "Examination of petitions" a summary of statements made during the discussion on each communication and petition. The Council also decided to include in the appropriate section of the final report subsections entitled "Discussion in the Council and opinions expressed" which would consist of statements made during the session.

57. Referring to the draft report of the Trusteeship Council to the Security Council, the representative of the Soviet Union drew attention of members of the Council to the fact that the procedure used in drawing up that report had a number of defects. At the Council's forty-eighth session, his delegation had proposed reducing the number of defects and making the report more concise and a better instrument for use by the Security Council. In particular, he drew attention to the fact that the headings of the individual parts of the report were not in accordance with the agenda. The Soviet delegation felt that that defect could be very easily corrected by adding one or two lines as headings of individual parts of the report to bring them into accord with the Council's agenda.

58. The representative of the Soviet Union stated that before describing the work of the Council at the current session, individual sections of the report had preambular parts in the form of historical summaries, giving the reader some idea of action taken in the past. Other sections, however, had no such preambular parts. He felt that, without making the report much longer, the Council could include one or two paragraphs that would be "historical excursions", stating how and when the questions had been examined and what decisions had been taken. That applied in particular to the question of the achievement of self-government or independence by the Trust Territory, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as to the question of co-operation with the Committee on the Elimination of Racial Discrimination and the Special Committee on decolonization. The members of the Drafting Committee had used that method and had included such historical summaries in the section on the visiting missions of the Council to the Territory. He thought it would be only logical for the Council to add one or two paragraphs to those sections of the report which had not already been dealt with in that way.

59. Speaking at the 1539th and 1540th meetings, the representative of the United Kingdom said that his delegation was also concerned that the report which the Trusteeship Council submitted to the Security Council should be concise, accurate and readable. Over the past two years, the Council had accepted certain modifications to the format of the report at the specific suggestion of the Soviet delegation. Indeed, the modification his delegation had introduced earlier had been made at the request of his Soviet colleague. The exchange that the representative of the Soviet Union had just initiated about the most appropriate formulations to be used in the earlier part of the report had become rather

customary in the Committee. It had also been pursued in informal consultations. He would stress that the Drafting Committee and, indeed, the other members of the Council had in the past been willing to look at any proposals which the Soviet delegation might make.

60. The representative of the United Kingdom stated that, in the cases mentioned by the Soviet representative, they had considered informally that it would be wrong in the first instance to weigh down chapter headings more than they were already with references to General Assembly resolutions and documents of the United Nations. The United Kingdom delegation was not happy with the Soviet representative's proposal to insert what he had described as "historical excursions" in the first two paragraphs of each subsection. He felt that the Council had a responsibility both to the Security Council and to its readers at large not to make that document too heavy and not to fill it with material which referred to other published documents of the United Nations. He therefore appealed to the Soviet delegation not to insist on pursuing that question. The Council had taken certain ideas of the Soviet delegation into account in 1981 and again in 1982. He hoped that they could all agree that in the interests of efficiency and the submission of a readable, compact and precise document to the Security Council, members should rest on the position that they had reached and not make any modifications beyond those that the Council had already discussed.

61. The representative of the Soviet Union pointed out that his proposal was not new. It had also been made at the forty-eighth session of the Trusteeship Council, at which it had been decided that the question would be dealt with at the current session. Now his delegation noted that the current session too was not looking into the question in sufficient depth. He expressed his delegation's serious concern, stating that the proposals it had made were logical and went to the substance of the matter. He thought that his delegation's proposals should be incorporated into the report of the Security Council.

62. At its 1540th meeting, on 11 June 1982, the Council adopted the draft report to the Security Council (T/L.1230) by a vote of 3 to 1.

63. The representative of the Soviet Union said that his delegation had voted against the report of the Trusteeship Council to the Security Council for the same reasons as those already given in connection with the vote on the report of the Drafting Committee. The comments and objections of his delegation concerning the conclusions and recommendations contained in the Drafting Committee's report related as well to the report of the Trusteeship Council as a whole.

C. EXAMINATION OF PETITIONS

64. During the examination of the annual report of the Administering Authority on the Trust Territory of the Pacific Islands (T/1837), the Trusteeship Council heard 15 petitioners whose requests for oral petitions had been circulated in documents T/PET.10/189, T/PET.10/190 and Add.1, T/PET.10/191, T/PET.10/192 and Add.1, T/PET.10/193 and Add.1, T/PET.10/194, T/PET.10/195, T/PET.10/196 and Add.1 and 2, and T/PET.10/197 to 199.

65. A summary of the statement made by each of the petitioners is given below.

66. Mr. Douglas Faulkner said that the Republic of Palau was half a world away from New York. The atoll of Kayangel, situated at Palau's northern extremity, was

only 4 kilometres wide and 7 kilometres long. The land area, amounting to 250 hectares, was distributed among four islands along the eastern rim of an oval reef surrounding a turquoise lagoon. About 180 people inhabited Ngcheangel, the atoll's largest island. The three smaller islands, Ngeryungs, Ngerebelas and Orak, tapered southward. A decade ago Mr. Lee Marvin, the actor, had offered the people of Kayangel \$US 1 million 6/ for Ngerebelas, which was less than half a hectare in size. Considering the diminished value today of the United States dollar, it was a considerable sum when compared to the amount the United States Government had offered the people of Palau for massive acreage, massive environmental and social impact, all for a rental fee that would not pay for the future burial of Palau's war casualties. The people of Kayangel had declined Mr. Marvin's offer, telling him that they could not sell Ngerebelas because it was their picnic island.

67. Mr. Faulkner stated that, unfortunately, the many clans and families of Palau had not been as cohesive as they might be, and the United States military had been most insistent. Armed with anthropological data, the United States had applied the strategy of divide and conquer in Micronesia for quite some time. It was not too late for the people of Palau to revive consensus as their primary mode of government. Had the United States been as attentive to the cultural needs of Micronesians as to the dictates of its military, alcoholism in Micronesia would have been greatly reduced, the plight of Ebeye would not have existed and artificial economies based on United States Government handouts would not have flourished. He had no doubt that the United States military would use whatever means were necessary to gain access to Palau, even for recreational purposes.

68. Mr. Faulkner said that military planners were quite familiar with Palau, but more than 226 million Americans were not. He asked how could the 14,000 people of Palau, who represented little more than a temporary obstruction to military promoters and developers, gain support from Americans for whom Micronesia was still a terra incognita in the Pacific. If the people of Palau were incapable at present of eliciting sympathy from United States citizens, it was only logical that resistance to the United States military must come from within Palau. If they were to survive as a people and the roots of their culture were to remain, they must work together towards a common goal now more than at any time in their history.

69. Mr. Faulkner pointed out that the following comments by an aide to a senator on the Committee on Energy and Natural Resources reinforced the fears of many at the United Nations:

"Regarding Micronesia and especially the Republic of Palau, the termination of the Trusteeship will not be concluded unless there is a strategic denial clause in the compact of free association. Both Republicans and Democrats are in agreement. It is not a partisan issue. Senators Henry Jackson, James McClure and J. Bennett Johnston are committed to a filibuster in the Senate to kill any opposition to the 100-year denial clause. If the 100-year denial clause is removed from the compact, the Senators are determined not to pass it. Congress will be accommodated before the United Nations. The United Nations is not a priority. If the United Nations does not sanction our decision, that's just too bad."

70. Mr. Faulkner said that any military base of any size, temporary or permanent, utilizing the waters, reefs, mangrove areas and islands of Palau, was abhorrent to him. Any military base in Palau would be a crime against a defenceless community and a crime against the earth.

71. Mr. Faulkner referred to a letter dated 2 April 1982, in which Senator Moses Uludong of Palau had informed him that a resolution had been introduced in the Palau Legislature during the past session stating its position for full independence from the United States and that it would be pressed for adoption at the session in April 1982. The Senator had written that his position was that he would not agree to Palau's lands and waters being used as part of war machines by any country, including the United States.

72. Mr. Faulkner said that in May 1982, a legal counsel to the United States Senate Committee on Energy and Natural Resources had stated in a telephone conversation with him that there appeared to be no real need for a military base on Palau. Military plans for a base there had caused a multitude of problems for the United States Government.

73. During a second conversation, the Legal Counsel had stressed that the Committee did not address itself to military-base decisions. Such decisions were the responsibility of other agencies, as well as the Department of Defense and the Government of Palau. The Legal Counsel stated:

"The principal interest of this Committee resides in denial of the area, not in military-base options. It is important that this area remain off limits for military adventurism. Trade and economic ties with other nations are not stated in the denial clause and are not an issue. Economic matters reside with Palau. The United States will exercise all its defence rights, among them denial."

74. Mr. Faulkner further stated that Micronesia had been subjected to military, political and educational experimentation more advantageous to the United States than to the 133,000 islanders. The people of Micronesia would be wise to resist with all their efforts the militarization of their islands and waters. Accepting a military base for Palau only served as a green light for military build-up. The Trusteeship Council must hold firm to its full responsibilities. Although a United States military presence might indeed keep the Pacific Basin peaceful, he did not know what peace-keeping force would protect the Micronesians from their keepers.

75. Mr. Faulkner appealed to the members of the Trusteeship Council to ensure that the new nation of Palau not be turned into a staging area or a parking lot for the United States military. Because the people of Koror had left their road-building responsibilities to the United States Government, Koror had lived with graded pot-holes for more than 30 years. Babelthuap villagers had made their own footpaths and lined them with coconut trees. The people of Palau, a tiny nation in the Pacific, again faced Uwab (a legendary greedy grant), in the form of the military-industrial complex of the United States, which even Americans were at a loss to control. United States leaders, afraid to let go of Micronesia, imagined that their ship of State would be without a secure anchorage in the western Pacific. If possession was nine tenths of the law, the 14,000 people of Palau needed only to become as one family to be the hosts of their own estate. Palau was still their inheritance to have.

76. Mr. Pedro R. Guerrero said that in 1974, the United States had destroyed the largest privately owned Micronesian corporation ever to exist in the Trust Territory. That action had eliminated scores of jobs held by Micronesians, wiped out the investments of literally hundreds of Micronesian shareholders and cut the last frail link in a chain that might have bound together the various islands of

Micronesia. By taking the company from its shareholders, the Administering Authority had violated Articles 73, 74 and 76 of the Charter and article 6 of the Trusteeship Agreement.

77. Mr. Guerrero pointed out that on 1 August 1968, a contract had been executed between the Marine Chartering Company, a United States shipping company based in California, and the United States Department of the Interior, acting for the Trust Territory, to provide water transportation services on an exclusive basis throughout the Trust Territory and to and from foreign ports. The contract had required that the shipping company establish a Micronesian corporation to provide 50 per cent of the stock ownership to Micronesians and the remainder to non-Micronesians. The new corporation, called the Micronesia Interocean Line, Inc. (MILI), had been assigned the water transportation agreement which was to last for a period of 10 years.

78. The petitioner said that in the first years after the creation of MILI, the Trust Territory Government had done nothing to help or hinder the company. By late 1969, company management had been well aware of MILI's problems, which were mainly due to an inadequate infrastructure such as inadequate storage facilities, dock and cargo security. It had also been well aware of how the problems might have been corrected. If the Administering Authority had complied with the Trusteeship Agreement and the basic law of contracts in the United States applicable to the Trust Territory, then the goal of having a viable Micronesian company at the end of a 10-year period would doubtless have been achieved well within the franchise period. Or if the Administering Authority had not interfered in any way, the goals would have been achieved, although not as quickly. Unfortunately, neither of the foregoing had taken place.

79. Mr. Guerrero said that it had become obvious to MILI's management that an increase in freight rates was necessary if the company were to remain a viable entity. In February 1971, MILI had applied for and finally been granted sizeable rate increases on the condition that it transfer all management to Micronesia. In June 1971, when a dock strike hit the West Coast ports of the United States, MILI had made repeated representations to the United States Government for assistance in permitting its ships to service the Trust Territory. No attempts had been made to assist the MILI officials in their attempts to gain exemption from the strike nor had the United States permitted the development of any alternate routes into the Trust Territory to serve the inhabitants. The income of MILI had fallen virtually to zero, while charter costs, wages and other overheads had continued to increase.

80. Mr. Guerrero stated that the West Coast dock strike had caused economic hardship not only to MILI but to the Micronesian people. Shortages of essential foods and supplies had been experienced throughout Micronesia. MILI had made every effort to obtain approval from the Trust Territory Government and the Administering Authority to provide alternate routes, but had been unsuccessful. Because of a lack of support and co-operation from the Government and the Administering Authority, MILI had suffered tremendous losses from the strike and immediately thereafter had received a notice of default from the Government.

81. According to Mr. Guerrero, what was alarming was the effort by the Trust Territory Government to take away a \$500,000 letter of credit from Barclays Bank without any legal justification. It had been an illegal act. The preparation by the Government of a false and fraudulent set of minutes and its taking over and voting of the 210,000 shares had all been illegal actions on the part of the

Government. The Government and the Administering Authority had taken those actions without fear of liability because they were the court and jury. After the Trust Territory Government and the Administering Authority had taken over complete management and operation of MILI, they had stopped the training of Micronesians for middle and top-management positions in the company.

82. Mr. Guerrero declared that the Trust Territory Government and the Administering Authority had taken away and destroyed, without any legal right or authority, a shipping company of which the Micronesians had owned 50 per cent. They had violated their prime responsibility under the Trusteeship Agreement to promote the social and economic foundations of Micronesia. Indeed, they had taken irresponsible actions which had not only destroyed MILI but had caused political fragmentation in all districts of Micronesia.

83. Mr. Guerrero asked for assistance from the Trusteeship Council in requiring the Administering Authority to compensate the MILI shareholders and creditors for their investments and claims in MILI, which had been taken away illegally by the Administering Authority.

84. Mr. Roman Tmetuchl stated that he came before the Council in his capacity as the Governor of the State of Airai, one of the largest of the 16 political subdivisions of Palau and the location of its national airport and the major source of the water supply for Palau. Mr. Tmetuchl said that he had been requested by the people of his state to express their concern regarding the appropriation by the Administering Authority of land within Airai for public purposes without due regard for the interests of the owners of the property or the impact of construction projects upon the area and without just compensation. Approximately 20 years ago, the Administering Authority had taken possession of the site of the airport with the consent of the owners of the land comprising the airport site and that of the local Government on the basis of the Administering Authority's promise that just compensation would be paid. To date, no compensation had been paid.

85. Mr. Tmetuchl pointed out that a recent project to expand the airport in Airai had been undertaken by the Administering Authority. Claiming the right of eminent domain, the Administration had not sought the consent of the affected property holders prior to starting construction work. An unavoidable result of that project had been significant damage to the natural environment of Airai and contamination of traditional subsistence farmlands in the lands surrounding the airport. In addition, the richest spawning grounds for fish and other wildlife within the Palauan islands had been extensively damaged by erosion from the airport construction site.

86. Mr. Tmetuchl said that article 6, subparagraph 2, of the Trusteeship Agreement, by which the Administering Authority was bound, stated that the Administering Authority should protect the inhabitants against the loss of their lands and resources. The Administering Authority was presently preparing to open previously solicited bids to build a new dam within Airia, which would involve flooding a large area of valued land. Again, prior consent had not been sought. That directly violated the provisions of the Constitution of Palau, which provided that only the national Government of Palau, in consultation with the state government affected, might exercise the right of eminent domain. He stated that the Administering Authority, which had encouraged the drafting and adoption of the Constitution of Palau, was in violation not only of the United Nations Trusteeship Agreement but also of Palau's Constitution. Those actions had made a mockery of Palau's constitutional process.

87. Mr. Tmetuchl believed that those recent examples pointed to the conclusion that the people of Palau would greatly benefit from the immediate termination of the Trusteeship Agreement. That conclusion was also supported in the larger context of the capital improvement programme, of which the airport expansion and the dam were a part. The two other principal projects under that programme involved road-building and the construction of a sewerage system to save the island of Koror. While those four projects were of benefit to Palau, many other possible undertakings could have been as useful. However, the Government of Palau had had no part in setting those priorities. While recognizing the need for outside technical supervision over such complex operations, Palau had within its borders ample supplies of readily trained labour, in an economy plagued with a very high level of unemployment. Yet the contractors on all four projects had imported labour as well as foreign expertise and supervision. As a result, the Palauan people had lost their best opportunity to acquire the skills and experience essential to the completion of future projects at an affordable cost. Yet the Administering Authority had adopted a most expensive strategy which could not be followed once Palau was on its own. The Palauan people had been advised that any future projects would be considered only as part of the status negotiations, to become effective upon the implementation of the compact of free association. In that respect, it was no longer possible for the Administering Authority to contend that it was still furthering the goals and bearing the responsibilities of the Trusteeship Agreement.

88. Mr. Tmetuchl said that Palauans believed that, notwithstanding the many contributions made to Palau by the Administering Authority, the Trusteeship System had, after the third of a century, outlived its usefulness and should be respectfully laid to rest.

89. Ibedul Y.M. Gibbons, one of the Paramount Chiefs of Palau, stated that although the people of Palau had not enjoyed their freedom during the Japanese occupation, they had enjoyed an infrastructure far superior to anything they had known since. There had been a thriving economy because of a balance of trade between Japan and Micronesia, and Palau had enjoyed a diversified economy. Shortly after the end of the Second World War, the United States had chosen to destroy the infrastructure of Palau. At a time when the United States was committing vast sums of money to rebuild Japan, and was implementing the Marshall Plan, designed to completely rebuild the devastated remains of Europe, it had chosen physically to destroy the infrastructure developed by the Japanese.

90. Ibedul Gibbons stated that there were only 12 kilometres of paved roads, all of which had been paved in the last year. There was also an inadequate water system. The power system was unreliable and in place of the substantial reinforced concrete buildings there was now a new architectural style known as "tin shack construction". There was no infrastructure which would enable Palau to become economically self-sufficient.

91. Under article 4 of the Trusteeship Agreement, the United States was responsible for promoting the economic advancement of the inhabitants. According to article 6 of the Agreement, the Administering Authority should foster the development of such political institutions as were suited to the Trust Territory and should promote the development of the inhabitants of the Trust Territory towards self-government or independence. Palau had inherited from the Administering Authority a government bureaucracy which was not only far costlier than its meagre resources would permit, but was inefficient and too complex to meet

the needs of the people. What the Trust Territory Government had done in preparing Palau for independence was to create a welfare State in the name of self-government.

92. Ibedul Gibbons said that the United States had created in Palau a false sense of economic prosperity and security. It had failed to promote the economic advancement and self-sufficiency of the people. The United States had left Palau, at a time when the Trusteeship Agreement was nearing termination, with an inadequate infrastructure which would render it incapable of becoming self-sufficient.

93. Ibedul Gibbons pointed out that Palau was blessed with natural resources which, had the United States chosen a different course of action, would have enabled the Administering Authority to meet its obligations under article 6 (2) of the Trusteeship Agreement. Palau also had a rich and abundant marine life capable not only of being a major world-wide tourist attraction but also of supporting a major commercial fishing fleet. Palau had received no aid in developing that fleet. The United States had not even seen fit to offer Palau the potential of enforcing its fishing zone and had completely failed in its duties in promoting the fishing resources.

94. Ibedul Gibbons stated that although an agricultural potential existed in Palau, the United States had done virtually nothing to assist in its development. Now Palau was in the economically unhealthy position of importing virtually everything it needed, while it exported virtually nothing.

95. Ibedul Gibbons stated that in reviewing the overall history of the United States as the Administering Authority of Palau, one must believe that it had deliberately and intentionally failed to develop Micronesia and Palau in order to gain negotiating leverage and thus attain its military purposes proposed under the compact. The United States now proposed under the compact to build an infrastructure for Palau. However, that responsibility had without question existed under the Trusteeship Agreement. One must assume that the United States' intentions in Palau were only for the self-interest of United States military goals rather than for the paramount interests of Palau.

96. Ibedul Gibbons asked the Trusteeship Council to adopt a resolution and cause the General Assembly to adopt a resolution which would confer jurisdiction on the International Court of Justice to try the case of Palau versus the United States. Further, he asked that Palau be given a realistic opportunity to present its case, including the required funds with which to prosecute a case of such magnitude. The case would involve proof concerning the actions of the United States, or its lack of action, throughout its 35 years as the Administering Authority. Palau would need a minimum of \$2 million and upon obtaining a favourable judgement from the Court, it would reimburse the funds provided by the Trusteeship Council.

97. Mr. Moses Uludong stated that he was appearing before the Trusteeship Council as a member of the Senate of Palau's National Congress and on behalf of his constituents in Koror State. He stated that the just war claims of Palau against Japan and the United States had yet to be fully satisfied some 35 years after the end of the war which had been fought by those foreign Powers in Palau against the Palauan's wishes and consent. Despite previous pleas before the Trusteeship Council, the United States had failed to release its share of the payments of claims under Title I and had stated that the Japanese Government must release its share first.

98. Mr. Uludong commended Japan for its foresight in recently making available to Palau \$1.3 million for the development of small-scale fishing enterprises which, in effect, repaid Palau for some of the damage done during the war. That gesture by the Japanese Government called for a reciprocal effort by the United States. He asked if the United States could not treat that grant by Japan as partial satisfaction of the war claim debt and thereby release an equal amount of the United States funds allocated to pay war claims.

99. The petitioner stated that in November 1980, representatives from the United States and Palau had initialled a draft compact of free association. It was with dismay and disgust that the people of Palau had recently learned that the United States Government intended to treat the compact not as an international treaty subject to ratification by its Senate, but as a public law enacted by the whole United States Congress.

100. Mr. Uludong said that the United States could not understand Palau's objections to that arrangement. It was objectionable because Palau was not, and did not wish to be treated as, the domestic property of the United States to be governed by its laws. The United States, however, refused to accept or respect that conscious decision by Palauans and insisted upon a compact which allowed it to transship or to store nuclear, chemical and biological weapons through or in Palau. Although it purported to be negotiating the compact in good faith, the United States had threatened the termination or reduction of its annual grants and the use of its veto power in the Security Council. A second objectionable portion of the compact dealt with land use rights of the United States military in Palau. The compensation for land use and impact fees contained in the compact was inadequate. Land was a vital subsistence resource for the vast majority of Palauans, yet the United States wished them to give up over one third of their total land area for a relative pittance. Both of those objections had been adopted as the official policy of the Palau Congress in Senate joint resolution No. 91.

101. The petitioner stated that the difference between the treatment received by the Commonwealth of the Northern Mariana Islands and that received by Palau clearly illustrated the United States' goals. The lesson to be learned from the different treatment received by the Commonwealth and by Palau was that dependence and close ties with the United States would be rewarded; attempts at independence and a failure to submit would not be tolerated.

102. Mr. Ismael John said that he represented Enewetak in the Marshall Islands Senate and that he was appearing before the Trusteeship Council on behalf of the Council of Enewetak.

103. Mr. John pointed out that in 1947, the people of Enewetak, who were still recovering from the Second World War, had been summarily uprooted and transported to a desolate island far away. They had not been permitted to object and they had suffered but survived. Their tragedy had enabled the United States to emerge as an undisputed and pre-eminent world Power.

104. The petitioner stated that the United States had substantially cleaned up and rehabilitated many of the islands and resettled some of the islands. The legacy of destruction and contamination had not been nor could it be, fully resolved and reversed. Some islands had been vapourized and one island was uninhabitable forever. As a result of their forced removal to Ujelang, the people of Enewetak had often gone hungry and had been denied adequate educational opportunities and deprived of the means to follow their self-sufficient way of life.

105. Mr. John said that because the United States Government had claimed the right to use the islands for its purposes, it must also assume the obligation to alleviate and correct the problems attributable to its nuclear testing programme. The United States had announced that it would negotiate and settle those claims by means of a subsidiary agreement to the compact between itself and the Government of the Marshall Islands. Meetings had been held in Majuro for that purpose in April 1982. At the invitation of the Government of the Marshall Islands and at the cost of substantial effort, time and expense, Enewetak had sent representatives to those talks. The talks had not been productive and negotiations had broken off.

106. The petitioner reported that the United States and the Republic of the Marshall Islands, working with Enewetak and Bikini, appeared to be close to agreement on the substance of a plan to settle the nuclear claims. Under the basic terms of the agreement with respect to Enewetak, the United States would withdraw its various ongoing programmes of support, replacing them with funds to be administered locally. In addition, separate funds had been offered to meet the claims for the use and destruction of the atoll by the United States for its nuclear testing programme. That offer left much to be desired, because it did not provide for the resettlement of Enjebi, despite the commitment made by the United States in 1981 to establish a fund of between \$US 6 million and \$US 10 million for that purpose. Nevertheless, the offer had provided a basis on which to settle the property claims, avoid litigation and on which ratification of the compact might be secured.

107. With regard to the status of a petition presented to the Trusteeship Council in 1981 (T/PET.10/183), Mr. John said that the Council of Enewetak had sought to establish a special trusteeship under which the United States would continue to administer Enewetak subject to oversight by the Trusteeship Council. The Council of Enewetak continued to believe that that course would best ensure that its needs arising out of the nuclear testing programme would be met.

108. Mr. John said that the people of Enewetak had decided to ask the Trusteeship Council to hold in abeyance their petition until the outcome of the negotiations on the compact was known. Should the compact not be ratified, or if Enewetak's claims arising out of the nuclear testing programme were not satisfactorily discharged, they would renew their request that a separate trusteeship be established.

109. Mr. Roger Clark, speaking on behalf of The International League for Human Rights, stated that as recently as two years ago the League had commented favourably on the draft compact with regard to three of the Micronesian entities which had appeared to meet the United Nations requirements for a genuine example of free association. Since that time, the United States had tried to undercut the compact by its insistence on including in the related military agreement provisions aimed at permanent denial. Permanent denial was designed to keep the Micronesian entities permanently and inextricably within the United States orbit. The Charter of the United Nations had envisaged that a strategic trust would play its part in the maintenance of international peace and security. Yet, it had never contemplated that the inhabitants of the Trust Territory would be forced into a situation where the security interests of the United States, as interpreted by the United States, would be eternally paramount.

110. Mr. Clark said that the matter on which the League wished to address the Council was closely related to United States military activity, namely, the continuing aftermath of the nuclear testing of the 1950s. The continuing health

problems in the Territory raised questions that went to the very heart of the Administering Authority's obligations under Article 76 of the Charter, which was to encourage respect for the human rights and fundamental freedoms of the inhabitants of the Trust Territory.

111. Mr. Glenn Alcalay, also speaking on behalf of The International League for Human Rights, said that he was currently conducting research on how the lingering effects of radiation and fall-out had disrupted the lives of the Marshallese. In 1981, he had spent six weeks in the Marshall Islands recording the testimony of 70 individuals who had been affected by radiation.

112. Mr. Alcalay recalled his suggestion to the Trusteeship Council in 1979 that the World Health Organization (WHO) be asked to initiate an independent international radiation assessment of the Marshall Islands. The League now reiterated that request since such a survey had not yet taken place. The League also urged the Council to request the United States Government to release all of its accumulated data on the effects of radiation in the Marshall Islands in order to facilitate that survey.

113. Mr. Alcalay said that in 1978, the United States Government had conducted a biological and radiobiological assessment of the Northern Marshall Islands. There had been serious deficiencies in that study. In the portion of the assessment entitled "Food-chain Study", government scientists had calculated that the Marshallese consumed an average of 300 grammes of coconut per day. Independent radiation experts commissioned by the legal counsel for the Bikini islanders had estimated their coconut intake to be about three times that amount. The catastrophic exposure of the Bikini population, leading to their emergency evacuation in 1978, had resulted from a similar, earlier underestimation of coconut consumption by the United States Government.

114. Mr. Alcalay stated that in terms of the delayed effects of radiation exposure, there was again a discrepancy between the Government's findings and information provided by the attorneys from the Marshall Islands Atomic Testing Litigation Project, representing the Marshallese in their law suit against the United States Government. In a recent article published in the Journal of the American Medical Association, the government-sponsored researchers had stated that 80 Marshallese had had their thyroid glands surgically removed because of radiation-induced pathology. Although that figure revealed an unquestionable epidemic of thyroid disease among the Marshallese, it also underestimated and distorted the true picture of thyroid disease in the Marshall Islands. According to the Litigation Project attorneys, well over 150 Marshallese had had thyroid surgery following the hydrogen bomb explosion in 1954. The United States Government had counted only those persons who had physically been present on Rongelap and Utirik during the 1954 fallout; the Litigation Project attorneys had included all the islanders from all the Northern Marshall Islands who had had thyroid operations.

115. Mr. Alcalay said that the United States Government's method of measuring radiation exposure was the whole-body count. It was a well-established fact about radiation that certain isotopes tended to concentrate more heavily in certain parts of the body. Yet the whole-body method of calculating radiation dose had obscured the fact of radiobiological concentration in certain parts of the body, and had greatly downplayed the dose of radiation received by the islanders. During the 1978 government survey, radiation sensors had been suspended from helicopters in order to determine the average radiation levels for the Northern Marshall Islands.

By that technique, the readings of the radioactive hot-spots known to exist on many of the islands had been averaged into other readings. That method of averaging had grossly misrepresented the danger of radioactive contamination in the islands.

116. Mr. Alcalay informed the Council that during his research visit to the Marshall Islands in 1981, he had found deep uncertainties and anxieties among the islanders in the grim aftermath of the nuclear-weapons tests.

117. Mr. Alcalay said that the League requested two specific actions from the Trusteeship Council: (a) that the United States Government be required to release all of its accumulated radiation data from the Marshall Islands so that they might be scrutinized by an independent team of radiation scientists; and (b) the creation of a team of international radiation scientists who would be commissioned to perform an independent assessment of the Marshall Islands. The two specific actions requested by the League could help to reassure the Marshallese about the uncertain future they must face.

118. Mr. Alcalay stated that the nuclear weapons programme in the Marshall Islands had been conducted to ensure the national security of the United States; yet, those same nuclear explosions had precipitated the gravest national insecurity on the part of the islanders. The League urged the Trusteeship Council to endorse the referendum called for on 17 August 1982 by the Kwajalein land-owners to determine the question of the future use of their atoll by the United States military for testing intercontinental ballistic missile guidance systems. It also called upon the Council to support the moratorium on missile testing until the referendum decided the issue.

119. Mr. Henchi Balos, speaking on behalf of the people of Bikini, stated that one day in 1946, a seaplane had landed at Bikini and Commodore Wyatt of the United States had informed the people about a powerful bomb the United States wanted to test on their islands but he neglected to tell them of the damage and destruction that would come to their islands. He had said that if they left their land they would help all mankind. They had known that they had to leave and that they had no choice.

120. Mr. Balos said that three weeks later, United States navy ships had removed the people to Rongerik Atoll, where they had almost starved to death. The United States had next moved them to a camp at Kwajalein and then to Kili Island temporarily. Thirty-six years had passed and they were still living on Kili. Their sailing and boat-building skills had become useless as Kili had no lagoon. Food and kerosene supplies had to be floated in from field-trip ships at Kili and in their attempts to get them to shore, they had lost some of their sons to sharks and to strong ocean currents.

121. Mr. Balos said that in 1946 the Americans had told them that they could go home immediately after the tests. They had broken their promise since that had never happened. Finally, after 22 years, they had been told by President Lyndon Johnson that Bikini Island was safe and many of them had returned home, only to learn 10 years later that the President had lied to them. For a second time, they had been moved. Moreover, some of them might have been injured by radiation while they were back in their homeland.

122. Mr. Balos stated that the United States had unlawfully taken and destroyed their only homeland. It had destroyed their future and their hope. The Bikinians

would never be happy until they were settled on their ancestral home islands. Many Bikinians still did not think that the United States was ready to talk to them about the past or about the many years in the future when they might still be away from their home. They were told that their home could not be cleaned up, but they had never been told why. The United States had put men on the moon, and it had easily cleaned Enewetak Atoll and resettled the Enewetakese. The Bikinians wanted their home back, clean and safe.

123. Mr. Jonathan Weisgall, Legal Counsel of the People of Bikini, said that talks had commenced recently in the Marshall Islands on an agreement subsidiary to section 117 of the compact of free association which was a very difficult negotiation because there was nothing pleasant about the legacy of Bikini. The United States Government's disregard for the human and legal rights of the Bikinians represented a sorry blot on its administration of Micronesia. It wanted to terminate the Trusteeship Agreement and the Bikinians recognized that goal, but it could not walk away from its obligations to the victims of its nuclear testing programmes. Most United States officials who had been involved in Marshallese matters over the years had viewed the Bikinians as wards of the United States. The Bikinians had given the United States all they had - their land.

124. Mr. Weisgall stated that the first United States atomic test had occurred on 1 July 1946 on Bikini and the second, also on Bikini, on 25 July.

125. The petitioner indicated that the atomic bomb had represented the United States' only real weapon against the Soviet Union's immense army. President Harry S. Truman had stressed that point when he stated that the tests on Bikini were of vital importance in obtaining information for the national defence and should give the United States information which was essential to intelligent planning in the future and an evaluation of the effect of atomic energy on its defence establishment.

126. Mr. Weisgall stated that as a result of the Bikini tests, the atomic bomb had quickly come to play a critical role in United States military planning. Bikini was not to be used again for nuclear testing until 1954. In November 1950, the National Security Council had recommended a site in Nevada for further tests. The return to the Pacific had been occasioned by the decision of the United States to develop the hydrogen bomb, a weapon whose fusion process was triggered by the 100 million degree heat generated by an atomic, or fission, bomb. With a force equal to 1,000 Hiroshima-type atomic bombs, the Atomic Energy Commission (AEC) could not risk testing the new weapon in the continental United States.

127. Mr. Weisgall said that the "Mike" shot on Enewetak on 1 November 1952 had been the world's first thermonuclear explosion. "Bravo", detonated on Bikini on 1 March 1954, had been a viable hydrogen bomb, better than the bomb developed by the Soviet Union and the largest artificial explosion in the history of the world. The shot had completely vaporized several small islands and parts of others at Bikini and had left a 1.6 kilometre wide gaping, circular hole in the reef that was still there today. Moreover, what had been described at the time as an unprecedented shift in wind direction had sent the 30 kilometre high cloud of radioactive particles drifting right over Bikini and 380 kilometres eastward, dropping radioactive fallout on the people of Rongelap and Utirik atolls.

128. Mr. Weisgall said that the people of Rongelap and Utirik had been evacuated to Kwajalein within several days. Four months later, AEC had reported that there was

no reason to expect any permanent after-effects on the general health of those people. A Japanese fishing boat had also received fallout from "Bravo" and the 23 crew members had suffered effects from the poisoning. Although the United States Government had quickly paid \$US 2 million in compensation to crew members, it had not admitted that a crew member had died from radiation exposure, despite the fact that the autopsy had revealed significant amounts of radioactive elements in his liver and bone marrow.

129. Mr. Weisgall said that altogether, the United States had detonated 23 nuclear devices on Bikini between 1946 and 1958. Each test had represented a major advance in military planning for the defence of the United States. The tests had cost at least \$US 20 billion and they had assured United States nuclear superiority over the Soviet Union and had led to immediate savings of billions of dollars in the defence budget in the late 1940s and 1950s. Bikini had been a real bargain for the United States.

130. Mr. Weisgall stated that the evidence clearly indicated that United States officials had told the Bikinians that the use of Bikini would be temporary and that their removal from their homeland would be short-lived. The Bikinians had been left on Rongerik Atoll with only a few weeks' supply of food and water. The move to Rongerik had been a disaster and the people had almost starved. The land area of Rongerik Atoll was actually much smaller than that of Bikini and its lagoon was less than one fourth the size of Bikini's. The Bikinians were finally moved to Kwajalein in March 1948 and then to Kili later that year. Kili is less than one ninth the area of Bikini Atoll and has no lagoon, no reef and no sheltered fishing area. The drastic change from an atoll existence, with its abundant fish resources, to an isolated island with no lagoon and inaccessible marine resources had taken a severe psychological, cultural, social and physical toll on the people. That damage could never be repaired.

131. Mr. Weisgall pointed out that in 1968, an AEC scientific committee had concluded on the basis of a 1967 study that the exposures to radiation that would result from the repatriation of the Bikini people had not offered a significant threat to their health and safety. In August 1968, the President of the United States had announced that radiation levels on Bikini were low enough to allow safe resettlements and in 1969 the first group of Bikinians had returned to their homeland. In the same year, AEC had stated that there was virtually no radiation left on Bikini and that there was no discernible effect on either plant or animal life. In 1971, AEC had surveyed Bikini's well water and stated that from a radiological viewpoint the water was safe to drink. The President's decision to resettle Bikini had been based on the 1967 AEC study which it was found, had miscalculated the Bikinians' average daily coconut intake by a factor of up to 100.

132. Mr. Weisgall said that by 1978, examinations on the people living on Bikini had revealed a 75 per cent increase in one year in body burdens of radioactive cesium-137. United States scientists had stated that the people living on Bikini might have ingested the largest amounts of radiation of any known population and they had concluded that it was necessary to move the people off the island as soon as possible. In August 1978, the 139 people had left Bikini again. No one had been allowed to live there since.

133. Mr. Weisgall said that the people of Bikini wanted to go back to the time when they had been self-reliant. They wanted to return home and be Bikinians more than anything else in the world. They wanted their dignity back, which was their land.

Their land was their life; to lose one was to lose the other. They believed that the country that had put men on the moon could clean up their atoll and return them there in a safe environment. They also wanted compensation from the United States for the complete disappearance of their islands, for the past and the future taking, destruction and irradiation of their lands and lagoon, for the loss of their skills and for the three and a half decades of hardship and suffering they had endured as nuclear nomads.

134. The Reverend Paul Gregory, representing the Focus on Micronesia Coalition, a group of United States religious and academic organizations and individuals, stated that because of their great concern at the lack of progress by the United States in the fulfilment of its obligations towards the people of Micronesia, the Coalition had, in 1981, questioned whether the Trusteeship Council was fulfilling its obligations towards them. They had been heartened, therefore, to read the conclusions and recommendations of the Council contained in its report to the Security Council in 1981 7/ and to find some of their concerns reflected there. The Trusteeship Council's concurrence with the coalition's long-standing belief in the need for an analysis of the effects of the United States administration had been welcomed. Such an analysis was rightly seen as a crucial empowerment tool for the Micronesians.

135. Reverend Gregory said that, with the termination of the Trusteeship Agreement more imminent, there was emerging, on the part of the Micronesians, a desire to shape their own objectives and priorities. A growing realization that Micronesian interests and United States interests had not coincided in the past, and were not likely to do so in the future, was causing a change in attitudes fostered by years of dependency on the United States.

136. Reverend Gregory pointed out that a study of the effects of the trusteeship as had been proposed and as the Trusteeship Council had endorsed in 1981, 8/ would clarify and strengthen those incipient understandings on the part of the Micronesians. It would also hasten the day when truly informed and thus free choices could be made by the Micronesians regarding their future goals and objectives. The Trusteeship Council's recommendation for such a study had been met with silence on the part of the United States. The Coalition remained convinced that such a study could be a vital empowering tool for the Micronesians. It was startled by the United States' contention that it could not afford to undertake such a study. The Coalition requested the Council to endorse once again that study and to ask the United States to fund the study as part of its obligation to enhance the ability of the Micronesians to grow in self-determination.

137. Referring to the political education programme in Micronesia, Reverend Gregory said that the United States had stated that the compact of free association had been translated into the local languages. Reverend Gregory observed, however, that the translations had not yet reached the people of Micronesia, which had been confirmed by the Coalition's Staff Consultant who had visited the Territory in 1982. The Coalition strongly disagreed with the position of the United States that a political education programme conducted prior to completion of the negotiations would be premature. In October 1981, the Administering Authority had finally announced that it was seeking to complete the political status negotiations on the basis of the initialled compact. Since the compact itself was unlikely to change, education on that document should begin now. The people needed time before voting to understand the document and to explore its implications and to understand the critical nature of some of the issues which were being negotiated in the subsidiary

agreements so that they could exercise their right as citizens in shaping those agreements.

138. Reverend Gregory said that the United States no doubt took justifiable pride in the political advancement of the Micronesian entities evidenced by the political sophistication of the Micronesian leaders and of the structures of the Micronesian Governments which it had facilitated. However, the Coalition believed a dangerous gap was growing between the political sophistication of a few Micronesian leaders and the political education of the citizenry. A free and open debate on the issues involved should be taking place now, even as the negotiations were in progress. For that reason, it requested the Council to insist on the immediate start of a political education programme on the compact.

139. Concerning the promotion of the political, economic, social and educational advancement of the Micronesians, Reverend Gregory stated that the United States had contributed negatively in some of those areas, which was evident today in the serious social problems facing the Territory, such as unemployment, youth suicide, alcohol abuse and violence. United States policy-makers had refused any continuing responsibility to deal with those problems by saying that the Micronesians were now self-governing. The distortions in the Micronesian economy had led to a high degree of economic dependency and vulnerability. In a recent article contained in the East-West Center's magazine Perspectives (Winter, 1981), the Trust Territory was ranked twelfth out of 14 Pacific Island entities in terms of economic vulnerability.

140. Reverend Gregory pointed out that several of the subsidiary agreements were designed to protect the United States' strategic interests and presence in the region. Although the people of Palau were well aware that the United States desired to use their land for military purposes, they felt powerless to go against the wishes of the United States. The proposed 30-year, 50-year and 100-year terms for some of the subsidiary agreements were considerably longer than the 15-year term of the compact. The bargaining power of the Micronesians would be seriously eroded if terms of such length were allowed to remain in the subsidiary agreements. The Coalition requested the Trusteeship Council to consider seriously the degree to which the United States was securing guarantees for its strategic interests in the islands at the expense and to the detriment of the people of Micronesia.

141. Reverend Gregory stated that the legacy of United States nuclear testing in the Marshall Islands was another major area of concern to the Coalition. It felt that The International League for Human Rights was responsibly addressing that question and it supported the League's recommendations.

142. Mr. Ataji Balos, speaking on behalf of the people of Kwajalein Atoll, said that the Kwajalein people were those people who had originated from Kwajalein and who had property rights on the atoll. Most of those people, who numbered about 5,500, lived together with about 2,000 people of non-Kwajalein origin on one small 26-hectare island, Ebeye. The conditions under which they lived were degrading and must be relieved. The Administering Authority, which was responsible for those degrading conditions, had established a facility on the atoll called the Kwajalein Missile Range and in so doing had pre-empted virtually the entire atoll for its military purposes. The United States had forced the people off most of their islands and onto Ebeye, where many of them had lived for the last 20 years. The United States had spent billions of dollars on its own facilities and virtually

nothing for the people, who were, as a consequence, in great distress. Now the United States, through the vehicle of the compact of free association and its subsidiary agreements, proposed to continue that insufferable state of affairs for another 30 years without undertaking the measures required for the well-being of the people of Kwajalein.

143. Mr. Balos stated that in response to the unacceptable proposals of the United States to continue the status quo, the Kwajalein people had announced that they intended to hold a referendum to ascertain their desires for the future use of their atoll. They had transmitted to the United States a programme under which they would consider continued use by the United States of the atoll for alternative 15-year or 30-year terms. If accepted by the United States, that programme would be submitted to the people for voting in the referendum.

144. Mr. Balos said that the devastating battles fought on Kwajalein between the United States and Japan during the Second World War had left the atoll and its people destitute. The United States had taken no action, with the exception of the ad hoc dispensing of surplus military goods, to help the people recover from their desolation. In the 1950s, the United States had taken the atoll's finest island, Kwajalein, for a military base, principally to use as a staging area for its atomic bomb tests in the Marshall Islands. No compensation had been paid to the owners of Kwajalein island and no effort had been made by the United States to assist the people to adjust to their loss. In the early 1960s, the United States had forced Kwajalein people off virtually all the other islands of the atoll, concentrating them on Ebeye, and it had restricted the people's use of the atoll's lagoon for fishing and other uses. It needed the islands for intercontinental ballistic missile testing, for radar and for anti-ballistic missile testing facilities.

145. Mr. Balos stated that the United States had arranged for the Trust Territory Government to pay the Kwajalein people a token amount for a 99-year lease for Kwajalein Island which was rather similar to the many unequal treaties the United States had entered into with its own Indian tribes in the frontier days of the eighteenth and nineteenth centuries. The only difference was that in the twentieth century the United States had allowed the Indian tribes to obtain true value compensation but had left the Kwajalein people to their fate.

146. Mr. Balos said that virtually all the land on Ebeye was taken up with extremely rundown and inadequate housing for the 8,500 inhabitants. The streets were completely unpaved and the water supply was grossly inadequate. There was no adequate sewage treatment. There were school facilities for only a third of the over 3,000 children and there was no high school. Jobs were scarce and because of restrictions imposed by the United States, the people of Kwajalein were unable to engage in normal economic contacts with the outside world. Because of the extremely high population density, most families slept in shifts, with as many as 10 people per room. Basic items such as health care were in a primitive state and the people were denied emergency use of the modern United States facilities in Kwajalein.

147. Mr. Balos stated that because of restrictions on movement, there was no direct transportation for the people between the islands of Kwajalein Atoll and in order to travel outside the atoll, they had to go through Kwajalein Island, where the United States military authority maintained a rigid and strictly enforced set of rules that had included actual searches of the people as they arrived and departed. Not only did they suffer a degrading condition of life, but they were

humiliated by the ostentatious display of luxury that their trustee, the United States, had provided for its own citizens on Kwajalein Island.

148. Mr. Balos believed the officials of the United States Government had failed almost totally to understand the desperate social and economic problems of the people of Kwajalein. They had suffered from the dislocational impact of the activities of the United States that was equal to, if not greater than, that experienced by the peoples of Bikini and Enewetak.

149. Mr. Balos pointed out that in 1979, after the people of Kwajalein had physically reoccupied one of their islands, Roi-Namur, the United States had agreed to make a significant rental payment to the people of Kwajalein. Since 1979, the Kwajalein people had received \$5.2 million a year, or about \$1,000 a year per person. That payment, although inadequate, had been the first compensation of any note that they had received in many years. Now the issue was whether they would accept their lot for another 30 years without their full due and the answer was no. No agreement extracted from the Marshall Islands Government without the people's consent could change that simple human reality.

150. Mr. Balos said that the people of Kwajalein had asked the United States for a one-time capitalization payment of \$30 million to the Kwajalein Atoll Corporation. They had asked for improvement funds, the amount to vary with the period the United States intended to stay, ranging from \$45 million for 15 years to \$125 million for 30 years. They had also requested not less than 500 additional jobs at the missile range. The Kwajalein people currently held only 130 jobs there.

151. Mr. Balos said that the people must have access to the United States emergency medical facilities. In 1982, one of their people had been taken in serious condition to Kwajalein by air from one of the outer islands. Although the hospital was adjacent to the airfield, he had been taken to the dock and put on a boat to Ebeye, where he died shortly thereafter. The United States, in the course of its negotiations, had refused to agree to rehabilitate their land when it left and had made the demand that the Kwajalein people pay for anything it chose to abandon. A lessee in the Marshall Islands, as in the United States, had an obligation to return the premises in good order, and fixtures were the property of the landowners, not the tenant. The people of Kwajalein asked that the United States provide the conditions necessary for the Kwajalein Atoll Corporation to function efficiently which would require normal office space on Kwajalein Island, access to the Island and respectful treatment of the Corporation's directors, officers and employees.

152. Mr. Imada Kabua, speaking on behalf of the landowners of Kwajalein Atoll, represented by the Kwajalein Atoll Corporation, stated that the Corporation was the formal body by which the Kwajalein landowners dealt with the outside world and handled the distribution of the money paid for the use of Kwajalein.

153. Mr. Kabua said that beginning with United States intercontinental ballistic-missile testing in the early 1960s, thousands of Kwajalein's landowners had been required to live on Ebeye, a very small island in the Kwajalein Atoll where more than 8,000 people now made their homes, rather than on any of the other 90 islands of the Atoll.

154. Mr. Kabua pointed out that because of the control asserted by the United States Army overmovement on the Kwajalein lagoon, the people were not free to go

about the lagoon to visit other islands, to fish for food for their families or to obtain any relief from the overcrowding and the inhospitable conditions of Ebeye. There was no hope for a resolution of that intolerable situation in the subsidiary agreements to the compact of free association as they were presently drawn. Nor had they had any concrete reply to their proposal for compensation for the past use of Kwajalein and for the provision of adequate funds to develop business and to create a viable Marshallese community on the atoll.

155. Mr. Kabua stated that although the United States had used Kwajalein from the date of its conquest in February 1944, no money had actually been paid for its occupancy until 1963. In that year, the landowners of Meck Island had made an agreement by which they had agreed to accept \$5 per acre per year under the terms of a 99-year lease to the Trust Territory Government. That Government had then made Meck available to the United States Army as a launch site and logistic support facility for missile testing.

156. Mr. Kabua said that in 1964, the Kwajalein Island Agreement had been made, by which \$750,000, or \$10 per acre per year, had been paid for the 750 acres of Kwajalein Island for 99 years from 1944 to 2043. The first mid-atoll corridor agreement, reached in 1970, provided for the payment of \$420,000 per year to displaced landowners. The agreement had been renegotiated in 1976 to provide for the payment of \$704,000 per year.

157. According to Mr. Kabua, the landowners had filed a case in 1975 in the United States courts regarding the use of Roi-Namur, but that case had been lost. The United States courts had reasoned that while Roi-Namur had clearly been private land, the owners could not successfully assert their claim in litigation since they had not made a claim in time under the applicable United States Statute of limitations. Thus, the United States had used Roi-Namur without any payment to the landowners from 1960 onward.

158. According to Mr. Kabua, Mr. Handel Dribo's islands of Omelek, Gellinam and Enewetak of the Kwajalein Atoll, which had a total land area of 29 acres and had been used by the United States for missile testing activities, had been sought for condemnation in 1966. The action to condemn those islands had been delayed in the courts and in 1979, Mr. Dribo had been awarded \$192,000. The condemnation award had expired on 31 December 1981.

159. Mr. Kabua stated that in 1979, the United States had agreed to boost the level of Kwajalein compensation under the mid-atoll corridor agreement from \$704,000 per year to approximately \$US 9 million. The 1979 interim use agreement had been set up as a dual agreement: the first between the landowners (the Kwajalein Atoll Corporation) and the Government of the Marshall Islands and the second between the Marshall Islands Government and the United States. The agreement had initially covered the period 1 October 1979 to 30 September 1980, and had been renewed by the Marshall Islands Government in 1981, as was the corresponding agreement between the Kwajalein Atoll Corporation and the Government of the Marshall Islands. Although the agreement between the Marshall Islands Government and the United States Government had been renewed for the period 1 October 1981 to 30 September 1982, the Kwajalein landowners had refused to sign the new agreement with the Government of the Marshall Islands since their claims for the past use of Kwajalein from 1944 to 1979 had not been satisfied. When the Government of the Marshall Islands signed the new interim use agreement, it had informed the United States Secretary of Defense that the landowners had not signed an agreement giving the Government of the Marshall Islands the right to make Kwajalein available to the United States.

160. Mr. Kabua pointed out that because the Trust Territory Government had transferred its law enforcement capacity to the Marshall Islands Government in 1979, it no longer had the ability to enforce the Kwajalein Island Agreement of 1964 (see para. 156 above). Even if it had, the landowners took the view that the agreement was grossly inadequate and not enforceable. When the trusteeship ended in the Marshall Islands, the Trust Territory Government would cease to have any further existence relevant to the Marshall Islands. Under generally accepted principles of international law regarding State succession, the 99-year lease was the kind of agreement not enforceable on behalf of the Administering Authority against a successor State, the Republic of the Marshall Islands.

161. Mr. Kabua stated that the mid-atoll corridor agreement, negotiated in 1976, had provided for a mandatory 1981 review. After the inception of the interim use agreement form of payment for Kwajalein land use in 1979, payments under the mid-atoll corridor agreement had ceased and no review of that agreement had been conducted in 1981. The mid-atoll corridor agreement was no longer a viable document.

162. Mr. Kabua said that there had never been any documents relating to United States use of Roi-Namur, other than the interim use agreements executed between the landowners and the Marshall Islands Government. There was no such agreement for 1982. Thus, the landowners of Kwajalein Atoll had now reached a point at which it was clear that the lands, waters and airspace of Kwajalein were theirs to control.

163. Mr. Kabua stated that under the circumstances, and given the apparent prospect of termination of the Trusteeship Agreement in the very near future, the Board of Directors of the Kwajalein Atoll Corporation thought appropriate to conduct a referendum to ascertain the desires of the members of the Corporation regarding further nuclear-weapon delivery system testing by the United States at Kwajalein. The referendum should take place on the same day as the plebiscite in the Marshall Islands on the question of whether to go forward with a compact of free association or with a status of independence for the Marshall Islands. The landowners believed that Kwajalein was privately owned land and that the evidence was overwhelmingly clear that there was no currently enforceable agreement by which they were obligated to provide it for use by the United States.

164. Mr. Richard Gery said that he and several of his colleagues in the United States had joined together in a project called the Marshall Islands Atomic Testing Litigation Project in order to represent individual Marshallese in their claims against the United States Government for damages arising out of the nuclear testing in the Marshall Islands between 1946 and 1958.

165. Mr. Gery pointed out that an Administering Authority, a trustee, owed a fiduciary duty to the appointing authority and to the beneficiaries of that trust. Under United States law, that duty was one of the highest duties a person could accept and those who did were held strictly accountable for their actions. When they had taken over the Trust Territory, those concerned had agreed to protect the inhabitants against the loss of their resources, to promote their social advancement and, to that end, to protect the rights and fundamental freedoms of all elements of the population without discrimination. They had not only failed to do so but had created a monstrous condition in the Marshall Islands.

166. Mr. Gery stated that the great injury done to the Kwajalein lagoon and the islands had not been done by guns but by creating what was one of the worst slums

that he had seen in his travels around the world. The difference between that slum, which members had heard inadequately described, and slums in other parts of the world was that the trustee with a fiduciary duty had created it in a tropical paradise and had maintained it, and had refused to do anything to correct it.

167. Mr. Gery stating that he represented, among others, the people of the atolls of Rongelap and Utirik in the Marshall Islands, pointed out that the United States Congress had recognized that those atolls had suffered from fall-out from at least one nuclear blast, "Bravo" of 1 March 1954. The United States delegation to the Micronesian Status Negotiations had refused to recognize that other atolls and other islands had also been damaged. The children on Rongelap had received from 1,000 to 2,000 times the permissible dose of radiation of their thyroid glands. Thus far, about 150 Marshallese had been brought to the United States to have their thyroids removed. The United States still refused to turn over the medical records of those Marshallese to the Government of the Marshall Islands or to their attorneys so that those affected could obtain a second opinion and good medical attention in the future from people of their choice.

168. According to Mr. Gery, although there were disputes about the results of radiation, there was little dispute that that radiation illness was a latent disease, manifesting itself, after the passage of many years. Dr. John Gofman, Professor Emeritus of Medical Physics at the University of California, Berkeley, one of the co-discoverers of uranium-232 and uranium-233, had suggested that the peak period for such illness was 40 years after the exposure, so that for those exposed to radiation in the subsequent and prior tests the peak period would be 1990 to 1994.

169. Mr. Gery said that among the additional manifestations of the problems caused by the United States testing in the Northern Marshall Islands were hydrocephalous, microcephalous, mental retardation, a large number of deformities at birth, numerous stillbirths, and the hydathorm mole condition which caused women to abort spontaneously. In the United States, the latter condition occurred in approximately one birth in every 100,000 which meant that in the Marshall Islands such an event might be expected to occur once every 120 years. There were 40 or 50 known cases of the condition in the Marshalls.

170. Mr. Gery said that his group had asked for the raw data of the radiological surveys and the food-chain studies undertaken by the United States, in order to turn them over to their own scientists for analysis. To date they had not received any of them. The most cursory look at some of the reports showed that they were not of any great validity. A radiological survey had been done on only some atolls and the dosage levels that had been assigned as permissible were artificially high acceptable doses. The food-chain studies that were just being published assigned a diet for the Marshallese people that they had never eaten.

171. Mr. Gery said that he had read with pride section 177 of the compact, which stated that the Government of the United States accepted responsibility for compensation owed to citizens of the Marshall Islands for loss or damage. The process established to negotiate the compensation, however, had been that of pressuring the Marshall Islands Government in such a manner that any meaningful compensation to the Marshallese would be lost.

172. Mr. Gery stated that his clients had asked to go to a United States Court, but the United States Government had denied the request. It seemed to him that the

Trusteeship Council should demand that the United States: (a) turn over all the data that they had so that it could be examined by independent scientists; and (b) provide the funding for an independent radiological survey, not only as they had done in the northern Marshall Islands, but in all of the islands. The Council should recommend to the United States that it pay just compensation as stated in section 177. It should also demand that the United States provide the forum requested, a United States court; and that it cease threatening, as it had, to use procedural defences.

173. Mr. George Allen, legal counsel for the landowners of Kwajalein Atoll, stated that the social and economic circumstances of the people of Kwajalein had been quite stable since he became involved in 1975. The over-all population had remained about the same, the number of jobs had remained about the same and the social and economic circumstances were very little different from those which had obtained six or seven years ago. The \$6.5 million in capital improvements to which reference had been made represented money referred to in budgeting documents of the Trust Territory as early as 10 years ago, most of which had been submitted in documentation executed in Washington, D.C., on 27 September 1979. The relative inadequacy of that level of funding to the very great need of the affected population should be mentioned. Statements had been made in the Trusteeship Council about Kwajalein's social and economic problems being a product of people having moved in from elsewhere. The number of persons employed as a result of the Kwajalein Missile Range was approximately 1,100, out of a total population of 8,000. The ratio of unemployed people to those employed was about 6 to 1, by far the lowest ratio in the entire area. The impression that Kwajalein was a product of large, extended families dependent on a few cash jobs was one that was given widely but which did not withstand close scrutiny.

174. Mr. Allen welcomed the news of the planned construction of a causeway from Ebeye Islands to Guguegue Island. He pointed out that Guguegue had been used in the missile-testing operations for many years, terminating in 1975, without any compensation being paid to the landowners of Guguegue and, because documentation had never been executed for its return to them, they could not undertake development of it. Without that documentation, it was virtually impossible for them to go ahead with any kind of project. To date, all attempts to return to Guguegue had been based on a pre-condition that the landowners should waive or give up any claim they might have to compensation for the past military use of the island.

175. Mr. Allen stated that the landowners of Kwajalein Atoll stood completely by the statements made by Messrs. Balos and Kabua on their behalf, which they believed to be factual and accurate and capable of withstanding the closest scrutiny by the Trusteeship Council.

176. At the same session, the Trusteeship Council examined the following written petitions circulated in accordance with rule 85, paragraph 1, of its rules of procedure.

177. Petition T/PET.10/186 from the House of Representatives, Second Northern Marianas Commonwealth Legislature, contained the text of House resolution No. 128. By that resolution, the House requested the Trusteeship Council to ask the Government of the United States of America to honour its moral commitment and legal obligation to the Government and citizens of the Northern Marianas Commonwealth immediately to commence implementation of the food stamp programme in the Northern

Marianas. It resolved to support any legal recourse by the Government of the Northern Marianas to force the United States Government to implement the programme.

178. In its observations concerning this petition, circulated in document T/OBS.10/53, the Administering Authority reported that the United States Department of Agriculture had published regulations for such a programme in the 9 April 1982 issue of the Federal Register (Vol. 47, No. 69). The Administering Authority also reported that that long-awaited programme had been realized through the determined efforts of the Northern Mariana Islands Government.

179. In petition T/PET.10/187, Mr. Jose C. Tenorio, President, United Micronesia Development Association (UMDA), expressed his concern regarding the recent decision of the Civil Aeronautics Board (CAB) to recommend that Texas International Airlines be allowed to acquire control of Continental Airlines. He had deep misgivings about the implications of that decision on the growth and economy of Micronesia and was concerned about the consequences that presidential approval of the CAB decision would have on the many thousands of Micronesian citizens who had invested their hard-earned savings in UMDA.

180. UMDA owned 60 per cent of the stock in Air Micronesia, a joint venture with Continental Airlines. The objective of UMDA was eventually to make Air Micronesia an independent, self-supporting airline which would enhance the growth of tourism in Micronesia and have a positive impact on the economy of the region. Changing the present Continental/UMDA relationship would seriously hurt the attainment of that objective. They were particularly concerned about Texas International's lack of commitment to serve that strategic area. UMDA was in receipt of Texas International planning documents, in which it was suggested that, if given control, it would suspend service and sell Continental's aircraft assets. UMDA was less than reassured by CAB's assurance of section 419 (Essential Air Service Protection) in its recommended decision. Such protection pertained to domestic points in the United States. When Micronesia attained its future political status in the near future, it was questionable if section 419 would be applicable. Texas International had assured CAB that service would be maintained "until a replacement carrier could be found". That was less than reassuring to UMDA's investors and employees.

181. The United States had obligations under the 1947 Trusteeship Agreement to improve the economic well-being of the people of Micronesia and to improve the means of transportation in the Trust Territory. The implications of a Texas International take-over would place the United States in jeopardy of violating its treaty commitments, aside from the devastating effect the take-over could have on the economy of Micronesia and UMDA's Micronesian investors.

182. He strongly urged the Trusteeship Council to convey his concerns to the President of the United States and to urge him to disapprove the recommended decision of CAB. The well-being of Micronesia and the honour of the United States would require no less. Mr. Tenorio stated that the petition was submitted in the name of over 10,000 UMDA shareholders.

183. In petition T/PET.10/188, Mr. Lawrence H. Schlang, representing the Continental Airlines and Air Micronesia employees working in the Trust Territory, conveyed the misgivings of those workers concerning their employment and the continuation of commercial airline service within the Trust Territory. Those concerns were based on the recent CAB decision, which could have an adverse impact

on the means of transportation and the economic advancement of the people of the entire region. In its recommendation to the President of the United States, CAB did little to assure the long-term continuation of commercial airline service in Micronesia. The Board had agreed to provide "essential air service" protection to the Pacific Island communities. Since the United States, as the Administering Authority, was legally bound under its obligations to the United Nations to promote the economic advancement and self-sufficiency of the inhabitants, providing minimum essential air service, by its very definition, would place the United States in jeopardy of violating its treaty obligations should the President of the United States approve the CAB decision. Those communities within the Trust Territory were totally dependent upon commercial airline service for inter-island and interregional transportation. Severance or diminution of those links, according to Acting High Commissioner Daniel High, would "put [Micronesia] back 15 years".

184. Mr. Schlang said that the acquiring owner of the Air Micronesia route system had stated that it would consult CAB before it made more than "minor" changes to its service in the region and would find a replacement carrier before it abandoned service on the routes. Such guarantees provided little solace for the citizens of the region, as no United States carrier had applied to serve those routes since Continental Airlines formed Air Micronesia 13 years ago. That lack of commitment on the part of the acquiring carrier had created serious misgivings in the minds of the Air Micronesia employees as to their livelihood, and among the more than 10,000 Micronesian citizens who had invested their money in Air Micronesia and UMDA.

185. He requested the Trusteeship Council to convey to the Government of the United States the apprehension and misgivings of the employees of Air Micronesia, the Micronesian citizens who had invested their savings in that worth-while venture in economic self-improvement and the government leaders of the Micronesian communities. The Administering Authority should be aware of the concern of the world community in the questionable wisdom of the CAB decision and its potential for economic disaster to the Trust Territory.

186. In its observations concerning petitions T/PET.10/187 and T/PET.10/188 circulated in document T/OBS.10/54, the Administering Authority stated that the President of the United States had determined on 12 October 1981 not to disapprove the CAB decision but that in so doing he had reaffirmed the commitment of the United States to the economic development of the islands of the Trust Territory and had recognized the importance of commercial air service to that development. The CAB decision approving the acquisition, had included safeguards designed to prevent unilateral reduction of air service to the islands. Consistent with the Board's action and sharing its concern, the President had encouraged efforts by the interested executive departments to develop, as appropriate, additional safeguards to assure that the islands of the Trust Territory would continue to receive adequate air service. In mid-January 1982, Continental/Air Micronesia had added a third aircraft, a Boeing 727 to its Micronesian fleet. That addition had allowed the company to add three weekly round trips between Saipan and Tokyo, five between Guam and Saipan and one between Guam and Honolulu, via Truk, Ponape, Kwajalein and Majuro. The company had also asked CAB for permission to operate four weekly flights between Tokyo and Guam and permission to begin twice-weekly, round-trip flights between Manila and Guam.

187. In petition T/PET.10/192 and Add.1, Mr. Pedro R. Guerrero stated that his request to make a presentation before the Trusteeship Council was to inform the

Council of the nationalization, expropriation and ultimate destruction of the Micronesia Inter-oceanic Line, Inc. (MILI), the Trust Territory Government's former franchise carrier within the Trust Territory of the Pacific Islands. He said that the destruction of that company by the Trust Territory Government had resulted in the total loss to all of its investors, most of whom were Micronesian, of their investment. It had also had a markedly adverse effect on the economic, social and political development of the Trust Territory which the Administering Authority was required to promote (see also paras. 76-83 above).

188. Concerning T/PET.10/192 and Add.1, the Special Representative of the Administering Authority stated at the 1530th meeting of the Trusteeship Council on 21 May 1982, that the questions raised in Mr. Guerrero's petition were currently before the courts and it would be inappropriate to comment on the merits of that case.

189. With respect to the written petitions contained in document T/PET.10/186 to 188, the Council at its 1536th meeting on 1 June 1982 decided, without objection, to draw the attention of the petitioners to the observations of the Administering Authority contained in documents T/OBS.10/53 and 54 as appropriate (see paras. 178 and 186 above).

190. With regard to the petition contained in document T/PET.10/192 and Add.1, the Council at the same meeting decided, without objection, to draw the attention of the petitioners to the observations of the Administering Authority made at the Council's 1530th meeting (see para. 188 above).

191. The Trusteeship Council also examined the following communications, which had been circulated in documents T/COM.10/L.304 to T/COM.10/L.309 under rule 24 of the rules of procedure of the Trusteeship Council.

192. Communication T/COM.10/L.304 from the Truk Legislature contained the text of resolution No. 1-151, adopted on 14 October 1980 by the First Truk Legislature. By that resolution, the Legislature protested the plans of the Japanese Government to dump radioactive wastes in the north-west Pacific Ocean.

193. At the 1526th and 1529th meetings of the Trusteeship Council, on 19 and 21 May, respectively, the representative of the United States explained the position of his Government on the proposed dumping of nuclear waste in the Pacific region (see paras. 318-319 below).

194. The Permanent Representative of Japan to the United Nations in a letter dated 2 June 1982 addressed to the President of the Trusteeship Council, communicated the position of his Government on the above subject. 9/

195. Communication T/COM.10/L.305 from the House of Representatives, Second Northern Marianas Commonwealth Legislature, contained the text of House resolution No. 138, adopted on 21 August 1981. By that resolution, the House requested the Governor to direct the Attorney General to protect the rights, privileges, resources and welfare of the people of the Northern Mariana Islands by instituting appropriate legal action against the Government of the United States and the Government of the Trust Territory of the Pacific Islands to obtain an equitable distribution of ships for the Government of the Northern Mariana Islands.

196. At the 1533rd meeting on 26 May 1982, the Special Representative of the Administering Authority stated that a shipping conference had been held in which

all of the Micronesian Governments had participated, to decide how the ships would be allocated, based on the needs of the individual Governments. It had been decided at that conference that the needs of the Northern Mariana Islands did not warrant a ship and that it could charter one as needed to service the outer islands. The executive branch of the Northern Marianas Government had subsequently decided that the cost of operating a ship would be too high for the Government at that time.

197. Communication T/COM.10/L.306 from the First Olbiil Era Kelulau (Congress), Palau, contained the text of Senate joint resolution No. 37, SD1, SD2. By that resolution, the Senate, the House of Delegates concurring, requested the President of the Republic of Palau to conduct or initiate another round of negotiations regarding fees and rental arrangements for proposed sites for military use in Palau.

198. Communication T/COM.10/L.307, from the House of Representatives, Second Northern Marianas Commonwealth Legislature, contained the text of House resolution No. 134, HDL. By that resolution, the House requested the United States Congress to appropriate an adequate and equitable amount to compensate the approximately 128 landowners in the Northern Mariana Islands for the failure of the United States Government to provide adequate compensation for land taken and land exchanges between 1944 and 1963.

199. Communication T/COM.10/L.308, from Senator Victor Rehuher, Senate, First Olbiil Era Kelulau, Palau, contained the text of a letter dated 12 January 1982 addressed to the Chairman, Subcommittee on Public Lands and National Parks, House of Representatives, United States Congress. In that letter, the Senator directed the Chairman's attention to subparagraph 2, article 6 of the Trusteeship Agreement which stated that the Administering Authority shall "promote the economic advancement and self-sufficiency of the inhabitants, and to this end shall regulate the use of natural resources; encourage the development of fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communication".

200. The Senator said that a one-day visit to those islands could not do justice to their natural beauty, offer more than a superficial exposure to the richness of their culture or indicate either the success or failure of the United States administration over the past 34 years. His concern was whether the United States was sincere in carrying out the mandate of article 6 of the Trusteeship Agreement, specifically the subparagraph quoted above. If the First Olbiil Era Kelulau could determine that the United States was content to end the Trusteeship without adequate attention being directed toward their economic development, it would be violating its duty to the people of Palau if it failed to look elsewhere for development assistance. For the United States Government to "block grant" Palau, as it would an economically well-developed State, was extremely confining in terms of development opportunity. If the United States policy in carrying out obligations under the Trusteeship Agreement could not be guaranteed perhaps their concerns and desire to seek additional, supplemental foreign assistance could be understood.

201. Communication T/COM.10/L.309 from Senator Joshua Koshiba, Senate, First Olbiil Era Kelulau, Palau, contained the text of a letter dated 12 January 1982, addressed to the Chairman, Subcommittee on Public Lands and National Parks, House of Representatives, United States Congress. The Senator stated in the letter that he felt it necessary to detail in writing basic fundamental problems which

threatened the future livelihood of the Palauans and which might not be readily apparent to the Chairman. Virtually all of those problems related to the creation and maintenance of a basic economic infrastructure capable of supporting meaningful growth in their economy.

202. The electric power situation in Palau was bleak and the water situation was poor. Water hours were in effect year round, with most people receiving water only two or three hours a day. Even when the water was running, it was not drinkable. Communications both within Palau and between Palau and the outside world were sadly outdated. Palau was served by only one airline because no other airline was allowed to service Palau on a regular basis. In order to promote tourism, increased, competitive air services were needed. The combined effect of these deficiencies was not only an inconvenience for the people of Palau, it created the worst possible climate for encouraging the investment of foreign capital.

203. After 40 years of creating a massive governmental bureaucracy and dependency on financial assistance from the United States, Palau's budget had been cut and the Palauans could no longer afford to pay salaries and buy fuel for their power plant. Most tragic of all was that they had no private sector to fall back on because of the lack of a basic economic infrastructure. Funds for capital improvement projects had been cut off, thereby reducing the chance that such an infrastructure would ever exist. All the Senator hoped to accomplish was to advise the Chairman of the problems and the dilemma of the Palauans and to request some indication of what they could expect.

204. At its 1536th meeting, on 1 June 1982, the Council decided, without objection, to take note of the communications contained in documents T/COM.10/L.304 to 309.

D. ARRANGEMENTS FOR THE DISPATCH OF A PERIODIC VISITING MISSION TO
THE TRUST TERRITORY OF THE PACIFIC ISLANDS

205. Since 1950, the Trusteeship Council has dispatched 11 periodic visiting missions to the Trust Territory of the Pacific Islands. 10/

206. At its 1521st meeting, on 10 June 1981, the Trusteeship Council decided to send a periodic visiting mission to the Trust Territory of the Pacific Islands in either 1982 or 1983 and that the specific arrangements for the dispatch of that mission should be decided by the Council not later than at its forty-ninth regular session.

207. At the 1523rd meeting, on 17 May 1982, the representative of the United States suggested that the Council consider dispatching a periodic visiting mission to the Trust Territory in 1982. He said that his Government was making that suggestion after consultations with the Governments of Palau, the Marshall Islands, the Federated States of Micronesia and the Northern Mariana Islands.

208. At its 1539th meeting, on 11 June 1982, the Trusteeship Council considered a draft resolution (T/L.1231), introduced by the representative of France, concerning the dispatch of a periodic visiting mission to the Trust Territory in 1982.

209. At the same meeting, the Council adopted the draft resolution without objection (resolution 2173 (XLIX)). By that resolution, the Council decided to dispatch a periodic visiting mission to the Trust Territory in 1982. The Council

further decided that the Mission should be composed of members of the Council wishing to participate, except the Administering Authority, which would provide an escort officer.

210. In the same resolution, the Council set forth the terms of reference of the Visiting Mission, and directed the Mission: (a) to investigate and report as fully as possible on the steps taken in the Trust Territory of the Pacific Islands towards the realization of the objectives set forth in Article 76 (b) of the Charter and to pay special attention to the question of the future of the Territory, in the light of the relevant articles of the Charter and the Trusteeship Agreement; (b) to give attention, as appropriate, in the light of discussion in the Trusteeship Council and of resolutions adopted by it, to issues raised in connection with the annual reports on the administration of the Territory, in the petitions received by the Council concerning the Territory, in the reports of the previous periodic visiting missions to the Territory and in the observations of the Administering Authority on those reports; and (c) to receive petitions, without prejudice to its action in accordance with the rules of procedure of the Council, and to investigate on the spot such of the petitions as, in its opinion, warranted special investigation. Finally, the Council requested the Mission to submit to the Council as soon as practicable a report on its visit to the Trust Territory of the Pacific Islands containing its findings, with such observations, conclusions and recommendations as it might wish to make.

211. At the same meeting, the representative of the Soviet Union stated that his delegation had not objected to the adoption of the resolution, on the understanding that the Visiting Mission referred to in it would be a periodic visiting mission such as those dispatched in the past to the Trust Territory of the Pacific Islands for the purpose of appraising the situation in the Trust Territory and that the Visiting Mission would not have any additional terms of reference beyond the regular mandate of such missions.

E. ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY 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

212. At its 1535th meeting, on 28 May 1982, the Trusteeship Council decided, without objection, to consider items 11 and 12 of its agenda together.

213. At the same meeting and at its 1537th to 1539th meetings on 8, 10 and 11 June 1982, the Council considered those two items. During the discussion, the representative of the United States said that as other delegations were well aware, his Government took the position that co-operation between the Trusteeship Council and a committee of the General Assembly with regard to strategic Trust Territories such as the Trust Territory of the Pacific Islands was simply not appropriate. The Charter was abundantly clear in that regard. That particular issue had been raised in the Fourth Committee of the General Assembly and, despite efforts by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to place a draft resolution concerning the Trust Territory on the Assembly's agenda, a majority of Member States in the Fourth Committee had voted otherwise.

214. The representative of the United States believed that the Charter, particularly Article 83, was explicit in regard to those functions exercised by the Security Council in regard to strategic Trust Territories. The Trusteeship Council reported only to the Security Council, not to the General Assembly, with regard to such strategic Trust Territories, and accordingly, the Council was under no obligation to assist the Special Committee.

215. In the view of the French delegation, the Trusteeship Council did not have a responsibility, with regard to the Trust Territory of the Pacific Islands, to study questions in co-operation with the General Assembly or its subsidiary bodies. The Charter was quite clear on that question. Under Article 83, all functions of the United Nations relating to strategic areas were exercised by the Security Council.

216. The representative of the United Kingdom stated that the Trusteeship Council had in the past worked closely with the General Assembly in the case of the non-strategic Trust Territories. But in the case of Micronesia, a strategic Trust Territory, the Council reported to the Security Council, having regard in particular to Article 83 of the Charter which conferred all functions of the United Nations in that case on the Security Council.

217. The representative of the United Kingdom said that the Special Committee was a subsidiary body of the General Assembly. It was true that by resolution 1654 (XVI), the Assembly had requested the Council to assist that Committee in its work, and such assistance had been extended in relation to the former non-strategic Trust Territories. Now that there were no longer any such Trust Territories, the Trusteeship Council reported only to the Security Council and not to the Assembly. In those circumstances, his delegation continued to hold that the Trusteeship Council was no longer called upon to assist the Committee in its work.

218. The representative of the Soviet Union said that his delegation attached great importance to the consideration by the Council of the item concerning the attainment of self-government or independence by the Trust Territories. More than two decades had passed since the United Nations had approved the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, which had been adopted on the initiative of the Soviet Union and other socialist States with the support of all progressive peoples, despite fierce opposition by the colonial Powers. The Declaration and the subsequent decisions of the United Nations further developing that Declaration had called for an end to all colonial régimes, proclaimed the legitimacy of the struggles of the colonial peoples for national liberation and had called upon all States to provide them with material and moral support in that struggle.

219. The representative of the Soviet Union pointed out that as the General Assembly had noted in its resolution 35/118 of 11 December 1980, the Declaration had played and would continue to play an important role in providing assistance to peoples still under colonial domination in their struggle for freedom and independence. It had called for the mobilization of world public opinion with a view to the complete elimination of colonialism. The Soviet representative also said that the Declaration had clearly proclaimed that immediate steps should be taken in Trust and Non-Self-Governing Territories or all other Territories which had not yet attained independence, to transfer all powers to the peoples of those Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

Accordingly, the Trusteeship Council had been called upon to consider very carefully the question of the situation relating to the implementation of that Declaration in the Trust Territory of the Pacific Islands.

220. The representative of the Soviet Union said that unfortunately, the Administering Authority in its annual report to the Trusteeship Council on the situation in Micronesia over the past year (T/1837) and in its statements at the forty-ninth session of the Council had not mentioned a word on that subject. It could be seen that the United States was violating the Charter and was acting completely in contradiction of the provisions of that Declaration. It continued to follow a policy of fragmenting Micronesia and was imposing on separate parts of the Territory a neo-colonialist status called "free association". What that meant in fact was to return those islands to United States ownership.

221. The representative of the Soviet Union said that paragraph 6 of the Declaration, contained in General Assembly resolution 1514 (XV), stated that any attempt "at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations". The Declaration also stated that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter ... and is an impediment to the promotion of world peace and co-operation".

222. The representative of the Soviet Union stated that the policy followed by the Administering Authority in the Trust Territory was a denial of those provisions of the Declaration. The people of Micronesia were virtually under United States domination and, at the present time, the United States was undertaking efforts to present the world with a *fait accompli* by completely possessing Micronesia. It was also violating other provisions of the Declaration, in particular, the provision referring to the right of peoples to self-determination and their right freely to determine their own political status. Members of the United States delegation had stated that free association and other forms of a new political relationship between that Territory and the United States, which were now being prepared in Washington, D.C., were allegedly being undertaken with the full consent or the freely expressed will of the people of Micronesia. He asked what freedom of choice relating to the future political status of the people of Micronesia could there be when such choice was being carried out under the constant control and pressure of the United States Administration and also when cash subsidies had been made and when it had been difficult to reach agreement for many years. Such actions by the United States in Micronesia not only did not improve the situation in that Territory but they even made it worse. After the conclusion of the so-called compact of free association, the prospects for the people of Micronesia to attain independence would be worse than they were now.

223. The representative of the Soviet Union pointed out that at its twenty-fifth session, the General Assembly had adopted a Programme of action for the full implementation of the Declaration (resolution 2621 (XXV)) and at its thirty-fifth session it had approved the Plan of Action with a view to achieving the full implementation of the Declaration (resolution 35/118, annex). Those actions clearly confirmed that all peoples were entitled to self-determination and independence. The Assembly had instructed the Special Committee to continue to study the matter to see how fully all States had been implementing the Declaration and other relevant resolutions on decolonization. In the Plan of Action the Assembly stated that in those cases where the Declaration had not been fully

implemented in respect of any given territory, the Assembly would then, as in the past, continue to bear responsibility for that Territory until all power had been transferred to the people of the Territory.

224. The representative of the Soviet Union said that in 1981, the Special Committee had submitted its conclusions and recommendations to the thirty-sixth session of the General Assembly, in which it had reaffirmed the inalienable right of the people of the Trust Territory to self-determination and independence in conformity with the Charter and with the Declaration. 11/ It had also taken note of the Trusteeship Agreement concluded between the Administering Authority and the Security Council with regard to that Territory and had once again reaffirmed the importance of ensuring that the people of the Trust Territory fully and freely exercised their rights and that the obligations of the Administering Authority had duly been discharged. The Special Committee had noted with regret the refusal of the Administering Authority to co-operate with it on that matter by declining to participate in the examination of the situation in the Trust Territory. Recognizing that it was ultimately for the people of the Trust Territory themselves to decide their political destiny, the Committee had once again called upon the Administering Authority to preserve the unity of the Trust Territory until the people had exercised their right to self-determination and independence in accordance with the Declaration.

225. The representative of the Soviet Union said that when the people of Micronesia had achieved complete independence they would be able, on the basis of their sovereign rights, to conclude any agreement with any country, including the United States, but that that must be done on the basis of the independence acquired by those people and not before they attained their independence.

226. The Soviet delegation considered that the refusal of the Administering Authority to co-operate with the General Assembly and the Special Committee was contrary to the Charter and the established practice of the United Nations. It had for a number of years participated in the work of the Assembly and had provided information to it about the Trust Territory. The Assembly, in accordance with the Charter, exercised a certain function in respect of the Trust Territory and the Administering Authority was obliged to co-operate with it and its subsidiary bodies, including the Special Committee.

227. The Soviet delegation once again confirmed its consistent position of support for the Charter, in particular Article 83, which stated that changes in the status of a Trust Territory could be made only by the Security Council. It followed that they could not be undertaken by the Administering Authority on a unilateral basis.

228. The representative of the United States said that it had been said by a delegation more concerned with propaganda than with progress for and by the peoples of Micronesia that the United States was fragmenting what should be one political unit and imposing its political will upon the population of the area. The United States lacked the rich experience of some other States in enforcing geopolitical cohesion and imposing certain political systems on other peoples. The peoples of Micronesia were negotiating and would then vote upon their own political future. They, and they alone, would determine in favour of which new political status they wished the Trusteeship to be terminated. The United States delegation would not tolerate any belittling of the democratic political development skills, institutions and processes of the people of Micronesia, from whom others, should they choose to come and observe a real, democratic, open vote on political options, could learn much.

229. The representative of the Soviet Union stated that the international community and the General Assembly, expressing the views of the world community, had been saying very clearly and definitely for a long time now that colonialism and all the consequences of colonialism must be eliminated. Considerable progress had been made in the past decade in that direction and colonial Territories were now very few in number. That was shown by the number of States with very small populations that had achieved independence.

230. The delegation of the Soviet Union was convinced that many delegations other than his own found it very difficult to understand why such a large and significant Territory as Micronesia had not yet attained independence when so many small island Territories in the Pacific had already done so. So far the Administering Authority had made no attempt to prepare the Trust Territory, in which there was still little economic and social development and which could not subsist without United States financial assistance, for independence. That situation was so anachronistic and so contrary to the general trend of political development in the world today that it would be very difficult to explain it. The policy being pursued by the Administering Authority in Micronesia was clearly contrary not only to decisions of the United Nations and the will of the overwhelming majority of its Members, but to the spirit of the times.

231. The representative of the United States pointed out that a majority of Member States had contradicted the statement of the representative of the Soviet Union when, during the thirty-sixth session of the General Assembly, despite efforts by the Special Committee to place a resolution concerning the Trust Territory on the Assembly's agenda, they had voted otherwise. They had wisely and properly chosen to leave the question of the Trust Territory to the Trusteeship Council.

232. At its 1539th meeting, on 11 June 1982, the Trusteeship Council decided to draw the attention of the Security Council to the conclusions and recommendations adopted by the Trusteeship Council at the end of the forty-ninth session concerning the attainment, in accordance with the relevant provisions of the Charter, and in particular Article 83, of self-government or independence by the Trust Territory and to the statements made by the members of the Trusteeship Council on that question.

F. CO-OPERATION WITH THE COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION; DECADE FOR ACTION TO
COMBAT RACISM AND RACIAL DISCRIMINATION

233. At its 1535th meeting, on 28 May 1982, the Trusteeship Council decided, without objection, to consider items 9 and 10 of its agenda together.

234. At the same meeting, the Council considered those two items. During the discussion, the representative of the United States said that his Government abhorred and deplored every form of racial discrimination. Within the Trust Territory, by law and by practice, there was no racial discrimination. There was an abiding belief in the protection of human rights. With regard to co-operation with the Committee on the Elimination of Racial Discrimination, the representative of the United States said his Government strongly supported the role of that Committee in overseeing the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and it took pleasure and pride in noting the favourable treatment the Committee had given to information on the human

rights situation in the Trust Territory. The representative of the United States asked the Secretariat to continue to keep the Committee informed of developments in the Trust Territory. He noted that his Government continued not to participate in the activities of the Decade for Action to Combat Racism and Racial Discrimination for reasons well known to all. He further stated that the Government of the United States would continue to participate, in the Trust Territory and elsewhere, in all genuine efforts to end racism and racial discrimination.

235. The representative of the Soviet Union stated that the struggle against racism and racial discrimination, designed to eliminate colonialism in all its forms and manifestations, was one of the most important aspects of the work of the United Nations. In recent years, the Members of the United Nations had worked out measures designed to eradicate racial discrimination, an important measure being the proclamation by the General Assembly at its twenty-eighth session of the Decade for Action to Combat Racism and Racial Discrimination (resolution 3057 (XXVIII) of 2 December 1973). By that resolution, the Assembly, inter alia, called on the bodies of the United Nations "to participate in the observance of the Decade by intensifying and expanding their efforts towards ensuring the rapid eradication of racism and racial discrimination". The representative of the Soviet Union said his Government actively supported the work of the United Nations in that area. The Trusteeship Council, under the Charter, had been entrusted by the Security Council with the functions of observing the political, social and economic development and educational progress in the Trust Territory of the Pacific Islands. He felt it must actively participate also in activities of the international community for the full elimination of racism and racial discrimination, in particular, in the Decade's programme of action. Direct responsibility for preventing and prohibiting racism and racial discrimination and ensuring the basic rights and freedoms of the people of the Trust Territory was delegated to the United States, as the Administering Authority. He emphasized the principle stated in Article 73 of the Charter that the interests of the inhabitants of Non-Self-Governing Territories were paramount.

236. The representative of the Soviet Union stated that under Article 76 c of the Charter, the Administering Authority must encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. His delegation deeply regretted and had frequently stated that the Trusteeship Council, in view of the positions taken by the Western members of the Council, was refusing to participate in measures taken by the United Nations and carried out within the context of the Decade for Action to Combat Racism and Racial Discrimination. He cited, in particular, the Trusteeship Council's refusal in 1981 to participate in seminars relating to that matter held under the auspices of the United Nations Commission on Human Rights.

237. The representative of the Soviet Union further stated that in its report to the General Assembly, at its thirty-sixth session, the Committee on the Elimination of Racial Discrimination had drawn the attention of the Assembly, the Trusteeship Council and the Special Committee to its views and recommendations in which it, inter alia stated its regret that, despite repeated requests, no information directly related to the principles and objectives of the Convention had been forthcoming and that no positive response to its requests for information had been received. 12/ In a further section of the report, entitled "Trust Territory of the Pacific Islands", the Committee reiterated its request to receive more detailed information on the human rights situation in the Territory, including the contents of petitions as far as they related to the principles and objectives of the Convention. 13/

238. The Soviet delegation considered that the views and recommendations of the Committee were fully justified. It insisted that the Trusteeship Council should co-operate fully with that Committee, inter alia, on matters relating to the provision of all relevant materials, including petitions and communications concerning the situation in the Territory and fundamental rights and freedoms, and actions of the Administering Authority, as called for in the basic provisions of article 15 of the Convention.

239. The representative of the Soviet Union felt it was indeed regrettable that during consideration of those important matters, the Trusteeship Council had so far confined itself merely to taking note of statements made by its members and had not taken or adopted any other measures, views or recommendations, a point also mentioned in the report of the Committee. His delegation expressed the hope that at the forty-ninth session, the Trusteeship Council would change its approach and would devote more attention and concern to the protection of human rights in the Trust Territory.

240. The Soviet delegation expressed its serious concern at the continued refusal of the United States to provide the Trusteeship Council with information relating to the implementation of the provisions of the Charter and the international instruments prohibiting racial discrimination and protecting human rights in Micronesia. Even the information available to the Trusteeship Council showed that Micronesia had many problems in that area.

241. The representative of the Soviet Union referred to the problems which had arisen from the many years of testing nuclear weapons on land and sea, the consequences of which represented a heavy burden on the people of Micronesia, and which had had an adverse effect on the economic and social situation in the islands. The Soviet delegation had often emphasized in the Trusteeship Council that none of the provisions of the Charter or the Trusteeship Agreement permitted transforming the Trust Territory into a testing range for nuclear weapons which were not only harmful to the environment but had also damaged the health and well-being of the indigenous population of the Trust Territory. The representative of the Soviet Union considered that those actions by the Administering Authority constituted a serious and continuing violation of the rights of the Micronesian people. In driving the indigenous population from their land and using it as a nuclear testing range, the Administering Authority was only considering its own military interests, which were in direct conflict with the interests of the indigenous population.

242. The representative of the Soviet Union recalled that at earlier sessions of the Council, his delegation had dealt in detail with the impasse in which the inhabitants of Enewetak, Bikini, Kwajalein and Ebeye atolls had found themselves. Data had been provided about the continuing alienation of land from the Micronesians by the Administering Authority for its own military purposes and he felt that those examples showed in what fashion the rights and freedoms of the Micronesian people were being respected in practice. It could only be concluded that the Administering Authority was defending its own interests, which were detrimental to the interests of the local inhabitants. Thus, Article 73 of the Charter, which stated that the interests of the inhabitants of those Territories whose peoples had not yet attained a full measure of self-government were paramount, was not being implemented, nor was the provision that the Administering Authority accepted as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants of those Territories.

243. The representative of the Soviet Union considered that the Trusteeship Council should strongly urge the Administering Authority to take immediate measures to implement in the Trust Territory the provisions of the Charter and the International Convention on the Elimination of All Forms of Racial Discrimination. Although the representative of the Administering Authority could invoke article 5 of the Trusteeship Agreement, under which "the Administering Authority shall be entitled ... to establish naval, military and air bases and to erect fortifications in the Trust Territory", what was essential was the Administering Authority's obligation under the Charter to recognize that the interests of the inhabitants of the Trust Territory were paramount. Unfortunately, that Charter provision was not being respected; in fact it was being violated by the Administering Authority. He also stated that in view of some alarming reports from the Trust Territory, there should be greater co-operation between the Trusteeship Council and the Committee as called for by the General Assembly in paragraph 4 of resolution 36/12. In the light of that resolution, the Trusteeship Council must demand from the Administering Authority all necessary information on that matter, and must also itself actively co-operate with the Committee.

244. The representative of the Soviet Union stated that the Trusteeship Council must also take the necessary measures in connection with the appeal by the General Assembly to all Governments and bodies of the United Nations to participate actively in implementing the Programme for the Decade for Action to Combat Racism and Racial Discrimination. He considered that particularly important, on the eve of the convening of the Second World Conference to Combat Racism and Racial Discrimination. The Trusteeship Council should take measures to transmit to the Committee all the documents of its forty-ninth session, including the petitions and communications, both oral and written, relating to the situation concerning human rights in Micronesia, as requested by it in its report to the Assembly (see para. 237 above).

245. The representative of the United States pointed out that there was no racial discrimination in the Trust Territory of the Pacific Islands and that there was an abiding belief on the part of the peoples of Micronesia and the people and Government of the United States in the protection of human rights. That could be confirmed during the next visiting mission. It was also consistent with the statement made by the French representative in the general debate, in which the Administering Authority had been congratulated on its human rights record in the Trust Territory. As the representative of France had pointed out, the record of the United States Government with respect to human rights generally, including the right of self-determination, was beyond reproach and was such that others would do well to emulate it.

246. As regards reporting to other bodies, the Administering Authority took pleasure and pride in noting the favourable treatment that the Committee on the Elimination of Racial Discrimination had given to information on the human rights situation in the Trust Territory. The sudden but no doubt serious concern of other delegations for human rights was noted and appreciated, but his delegation would not be lectured by others on subjects of which they had little first-hand experience.

247. At its 1535th meeting, on 28 May 1982, the Trusteeship Council decided, without objection, to take note of the statements made at that meeting.

G. DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES

248. The annual report of the Secretary-General on the arrangements undertaken in co-operation with the Administering Authority for disseminating information concerning the aims and activities of the United Nations and the International Trusteeship System in the Trust Territory was submitted to the Council at its forty-ninth session, 14/ in accordance with the provisions of Trusteeship Council resolution 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953.

249. The report, covering the period from 1 May 1981 to 30 April 1982, set out the activities carried out by the Department of Public Information of the Secretariat through its information centres at Tokyo and Washington, D.C., in disseminating information on the United Nations.

250. The report indicated that during the period under review, as in the past, the Department of Public Information had transmitted by airmail directly from New York to the Trust Territory of the Pacific Islands relevant mimeographed documents, the United Nations Weekly News Summary, Official Records of the Trusteeship Council (verbatim records of the meetings, annexes and supplements, including resolutions of the Council), and the most recent report of the Trusteeship Council to the Security Council. The mailing list had been supplied by the Administering Authority and included legislatures, libraries, offices of administrators and the information media in the Trust Territory. The report stated that the United Nations Information Centre at Tokyo had continued its distribution to the Trust Territory of a large number of publications of the Department of Public Information and other organs and agencies of the United Nations.

251. The report stated that the Centre selected materials in accordance with the particular needs of the region. Particular attention was paid to the distribution of materials relating to the International Trusteeship System, decolonization, disarmament and economic and social development.

252. The report indicated that the United Nations Information Centre at Washington, D.C. had provided the people of the United States with updated information on developments concerning the Trust Territory. It had distributed documents of the forty-eighth session of the Trusteeship Council to key members of the United States Congress and staff of the relevant congressional committees. The Centre had kept the non-governmental organizations abreast of the proceedings in the Trusteeship Council and had provided them and the news media with relevant press releases and documents.

253. Furthermore, it was stated in the report that during the period under review, the United Nations Information Centre at Tokyo had sent two missions to the Trust Territory. During those trips further arrangements had been made with the local authorities to disseminate information about the United Nations in the region. In August 1981, the Director of the Tokyo Centre had visited Palau, Saipan and Yap. In December 1981, an information officer from the Centre had visited Saipan and Ponape. In both cases, they had made extensive contacts with the local authorities, education officials and media personalities to ascertain and update the information requirements of the people of the Trust Territory.

254. According to the report, the visits enabled the Centre to update its mailing lists and contacts for dissemination of information from the United Nations. They had also assessed the usefulness of such information. Senior government leaders of the Trust Territory had expressed to the Director of the Centre their support for the United Nations and its public information activities.

255. The report also stated that arrangements made for the distribution of Trusteeship Council documents directly from New York appeared to be working satisfactorily. The Administering Authority had begun establishing archives in the Trust Territory by classifying and microfilming 10,000 cases of documents which included United Nations materials on the Trust Territory.

256. The report of the Secretary-General stated that the radio stations in Palau, Ponape, Saipan and Yap had confirmed to the Director and the information officer that the United Nations tapes were being received and used regularly and extensively. Local radio stations were eager to receive special programmes or round-ups of the Trusteeship Council's sessions and had expressed special interest in programmes on the subjects of health, energy, development and nuclear waste. WHO had agreed to distribute tapes and scripts of WHO radio programmes to radio stations in the Trust Territory. It was stated in the report that that was a welcome development in view of the keen interest in the Territory in development matters, particularly in relation to Asia and the Pacific, and on the kind of assistance which might be received from the United Nations and its specialized agencies.

257. Furthermore, it was stated in the report that United Nations films were kept at the library of the College of Micronesia in Ponape for loan throughout the Trust Territory. A film catalogue, in which the United Nations films were incorporated, was issued every year. During 1981, 20 loans were made, 10 of them to Ponape and the rest to Kosrae, Truk and Yap, as well as to the Marshall Islands, Palau and the Northern Mariana Islands. Borrowers were schools, departments of education and religious missions.

258. The report also stated that United Nations Day messages from the President of the Trusteeship Council and the Secretary-General were distributed to the radio stations, weekly newspapers, government officials and schools throughout the Trust Territory.

259. The Trusteeship Council considered the report of the Secretary-General at its 1532nd, 1533rd, 1534th and 1537th meetings held on 25, 26 and 27 May and 8 June 1982 respectively.

260. During the consideration of the report, a representative of the Department of Public Information appeared before the Council and provided information on the dissemination of information on the United Nations in the Trust Territory.

261. The representative of the Department of Public Information stated that the report of the Secretary-General on the dissemination of information in the Trust Territory had been submitted with a view to describing in a succinct manner the activities that the Department had undertaken and the services that it had rendered during the period under review, in compliance with the mandate entrusted to it by the General Assembly to disseminate information among the peoples in the Territory about the activities and objectives of the United Nations and the principles of the International Trusteeship System.

262. He stated that the closure of the Public Affairs Office in the Office of the High Commissioner on 30 September 1981 had formally ended many years of close co-operation between the High Commissioner's Office and the Department of Public Information. The closure of the office had not affected arrangements for the dissemination of United Nations information materials, which for the past three years had been sent directly from the Tokyo Centre and from United Nations Headquarters to government officials, radio and television stations, non-governmental organizations and schools throughout the Trust Territory and the Department of Public Information would continue to co-operate with the public affairs offices of the individual Micronesian Governments.

263. The representative of the Department of Public Information stated that 100 copies of the Declaration on the Granting of Independence to Colonial Countries and Peoples had been sent to the Territory and distributed among state government offices, public affairs offices, radio stations, weekly newspapers, libraries, schools, colleges and the Office of the High Commissioner. The representative further stated that the Department has not lessened its tempo in providing material and information to the Territory, particularly with respect to radio programmes.

264. With respect to the observance of United Nations Day in the Territory, Mrs. McCoy, Special Representative of the Administering Authority, pointed out that United Nations Day was a legal holiday throughout the Trust Territory and that it was one of the most deeply appreciated and widely observed holidays in Micronesia. She assured the Council that it was celebrated in the whole Territory.

265. Mr. Victorio Uherbelau, Adviser, stated that United Nations Day was not only a legal holiday for government employees, but was also celebrated throughout the area with festivities.

266. Mr. Asterio Takesy, Special Representative, said that United Nations Day had been included in the list of national holidays and had been formally so declared by the President of the Federated States of Micronesia.

267. Mr. Sam McPhetres, Adviser, stated that the Department of Public Affairs of the Trust Territory Government had been responsible for the redistribution of United Nations materials. With the transfer of functions to the new governments, it had become impossible for the Department to continue that operation. It had worked very closely with the Director of the United Nations Information Centre at Tokyo to establish a means by which the information could be transmitted directly to the proper recipients throughout the islands. As part of that process, the Administering Authority had provided him with a complete distribution list which included all the schools, radio and television stations, executive and legislative branches of Government and major civic organizations. The Department had also assisted in the establishment of an official lending library for United Nations films within the College of Micronesia. In addition, the Department had acquired a large amount of information regarding the United Nations and the Trusteeship Council which, through the current archives programme, was also being redistributed to appropriate government agencies throughout the Territory.

268. At its 1534th meeting, on 27 May 1982, the Council decided, without objection, to take note of the report of the Secretary-General. 15/

269. At the same meeting, the representative of the Department of Public Information furnished the Trusteeship Council with a list of publications and films

distributed in the Trust Territory. At the same meeting, the Council decided, without objection, to have that list published as an annex to the report of the Secretary-General. 16/ At its 1537th meeting, on 8 June 1982, the Council decided to take note of that document which formed part of the Secretary-General's report.

H. OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES

270. The United Nations programme of scholarships for inhabitants of Trust Territories was initiated pursuant to General Assembly resolution 557 (VI) of 18 January 1952. Under the procedure approved by the Trusteeship Council for the administration of this programme, the Secretary-General was invited to submit to the Trusteeship Council at least once a year a report containing all appropriate details of the programme.

271. The report of the Secretary-General submitted to the Council at its forty-ninth session covered the period from 25 May 1981 to 13 May 1982. 17/ Up-to-date information concerning the scholarships made available under the programme, as well as the extent to which awards had been made to, and utilized by, students from the Trust Territory of the Pacific Islands, was requested by the Secretary-General in a note dated 6 April 1982, addressed to each of the 11 Member States that had offered scholarships in the past under the programme.

272. In a note dated 6 May 1982, the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations informed the Secretary-General that, at present, no inhabitants from the Trust Territory were studying in the Soviet Union.

273. The Permanent Mission of the Republic of Indonesia to the United Nations, in a note dated 17 May 1982, informed the Secretary-General that at present Indonesia did not provide scholarships and/or fellowships to students from the Trust Territory.

274. In a note dated 31 May 1982, the Permanent Representative of the Czechoslovak Socialist Republic to the United Nations informed the Secretary-General that Czechoslovakia made available 20 university and college scholarships annually for inhabitants of Trust Territories, including the Trust Territory of the Pacific Islands. In the past, however, all the applicants had been from southern Africa. Of the total, four were reserved for the Economic Commission for Africa. The scholarships offered by Czechoslovakia were not fully utilized. In the academic year 1981/82 only one scholarship holder had been enrolled.

275. At its 1534th and 1537th meetings, on 27 May and 8 June 1982, the Council considered the report of the Secretary-General on the scholarship programme. During the consideration of the report, the representative of the United States said that offers by Member States of educational and training programmes had been disseminated in the Trust Territory. Each of the Micronesian Governments was responsible for educational programmes within its jurisdiction, and he understood that that information was made available through student assistance programmes. Many Trust Territory students were enrolled in programmes in States Members of the United Nations, including those in the Western and South Pacific. Because of language barriers, offers from non-English-speaking States had not been more fully utilized. Most of the Micronesian students at university level continued to enrol in United States educational institutions.

276. Mr. Takesy, Special Representative, said that several scholarships had been offered to the Federated States of Micronesia by various organs of the United Nations. Most of the students who had received such scholarships or grants were now enrolled in the University of the South Pacific in Suva, Fiji; others were enrolled in schools in Papua New Guinea. In addition, some students were participating in short-term training programmes in other areas. He expressed gratitude to the United Nations and to the Government of the Netherlands for extending its assistance to the Federated States by providing educational opportunities in its programmes in the Philippines and in the Netherlands itself.

277. The Special Representative pointed out that local sources of scholarships and grants, mostly financed by the national Government and State legislatures as student-loan programmes, were also available to students from the Federated States. A large number of educational grants were also available through the Basic Educational Opportunity Grants and Supplemental Educational Opportunity Grants programmes of the United States as well as college work-study programmes. The number of students from the Federated States attending institutions of higher education was approximately 1,500, about 90 per cent of whom were studying in the United States, mainly for language reasons.

278. Students from the Federated States had received training in Japan as mechanics under the sponsorship of the Japanese Government and private Japanese companies. Eleven students were attending school in Papua New Guinea, 4 in Fiji and 2 in the Philippines. A total of 38 students were undertaking graduate studies. Other students receive financial assistance from private sources or their parents.

279. Mr. Uherbelau, Adviser, said that he had participated in a graduate student training programme at the United Nations when he was in the third year of law school in August 1973. He said that in 1981/82, the Palau Legislature had appropriated the sum of \$125,000 for its scholarship programme, under which 4 medical, 3 law, 10 graduate and 242 undergraduate students were receiving assistance. Other students were supported financially by their parents.

280. The Adviser said that federal scholarship grants from the United States were also available for Palauan students. Many of the students were pursuing secondary school, college and graduate studies in Hawaii and other parts of the United States, as well as in Guam. Of those attending educational institutions in other countries, two students were in Japan, one in Papua New Guinea and one in New Zealand.

281. Mr. Robert Garland, Adviser, stated that of the approximately 400 students studying outside the Northern Mariana Islands, virtually all were in the United States. In addition to local scholarship resources, funds were provided under the Covenant to establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America. 18/ The students of the Northern Mariana Islands were eligible for federal assistance programmes. Some of the students from the Northern Mariana Islands who had participated in United Nations programmes had become the political leaders of their islands.

282. At the 1534th meeting, on 27 May 1982, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General on the scholarship programme contained in document T/1839 and Add.1.

283. At the 1537th meeting, on 8 June 1982, the representative of the Soviet Union stated that at an earlier meeting his delegation had asked the Administering

Authority how the offers of States were used to enable Micronesian students to study in various countries. The Administering Authority had provided the Council with a list of the countries where those students studied, which did not answer the question which his delegation had asked - namely, how the offers of States were used. For example, although Czechoslovakia offered a large number of fellowships to students from the Trust Territories, the offers had not been fully utilized. The Council should take note of the fact that although there were only two Micronesian medical doctors in Micronesia, the people of that Territory were not able to fully utilize the fellowships offered by other States, aside from the United States and a small number of other States.

284. At the same meeting, the Council decided, without objection, to take note of the addendum to the report of the Secretary-General contained in document T/1839/Add.2.

PART II: CONDITIONS IN THE TRUST TERRITORY
OF THE PACIFIC ISLANDS

A. GENERAL

1. Outline of conditions

Land and people

285. The Trust Territory of the Pacific Islands consists of three archipelagos: the Marshalls, the Carolines and the Marianas. The island of Guam in the Marianas is not a part of the Trust Territory but is an unincorporated Territory of the United States. The three archipelagos include more than 2,100 islands and atolls scattered over an area of some 7.8 million square kilometres of the western Pacific, north of the equator. The islands and atolls of the Trust Territory have a combined land area of approximately 1,854 square kilometres.

286. In its annual report (T/1837), the Administering Authority states that the results of the 1980 census in the Trust Territory became available in March 1982 and that preliminary statistics showed a total population of 117,018, excluding the Northern Mariana Islands. According to the annual report for the preceding year (T/1830), the population of the Northern Mariana Islands totalled 15,970.

287. The people of the Trust Territory are broadly classified as Micronesians, except for about 1,000 inhabitants of the outlying islands of Kapingamarangi and Nukuoro and a scattering of individuals of other racial groups. Language differences exist in the Territory, although each island language has a common Malayo-Polynesian source. Nine major languages, with dialect variations, are spoken in the Trust Territory: two in Yap, two in Ponape and one each in the Marshall Islands, Palau, Truk, Kosrae and the Northern Mariana Islands.

288. At its forty-eighth session, the Trusteeship Council noted the Administering Authority's assertion that title to property held by the Trust Territory Government but physically located in the jurisdiction of the new Governments was being transferred to the latter.

289. The Council noted the provision which had been made by the Administering Authority for architectural and engineering work to be carried out in Ponape, in response to concern voiced by the President of the Federated States of Micronesia.

290. The Council took note of the continuing concern expressed by representatives of the Trust Territory about the possible dangers of the dumping of nuclear waste in the Pacific region. The Council noted in particular the appeal of the Special Representative of the Administering Authority from the Northern Mariana Islands, made at the forty-eighth session of the Council. In that connection, the Council noted the observations of the Administering Authority contained in document T/OBS.10/50 concerning the communication contained in document T/COM.10/L.286.

291. The Council welcomed the steps taken towards upgrading the high-frequency telecommunications system and noted that agreements had been signed for the installation of a satellite communications system throughout the Territory.

292. The current annual report states that as of February 1982, it was expected that \$65 million worth of real property, including buildings, facilities and

structures, would be transferred to the constitutional Governments of the Northern Mariana Islands, Palau, the Marshall Islands and the Federated States of Micronesia.

293. The annual report points out that a total of \$2 million has been made available for 1981/82 for the architectural and engineering work for the new capital of the Federated States of Micronesia in Ponape.

294. The annual report indicates that the Administering Authority is thoroughly cognizant of the concerns expressed by the representatives of the Northern Mariana Islands and the Federated States of Micronesia concerning possible nuclear dumping in the Pacific region.

295. According to the annual report, progress is continuing on the establishment of the ground stations for satellite communication throughout the Territory. An agreement has been signed between Palau and the Communications Satellite Corporation (COMSAT). Similar agreements for the Marshall Islands and the Federated States of Micronesia are in the final stages of approval.

Population movements

296. At its forty-eighth session, the Trusteeship Council took note of the statement made by the Acting Deputy High Commissioner of the Trust Territory that work would continue towards improving conditions for the displaced people of Enewetak and Bikini and towards strengthening the health and food programmes applying to those areas and other areas in the Marshall Islands affected by the nuclear problems.

297. The Council noted with regret that the health programme proposed under recent United States legislation had not yet been implemented. The Council noted that there was some doubt as to who would be covered by the programme and urged the parties concerned to find a speedy solution to that question. In that connection, the Council wondered if a sample survey might be conducted among the people of the Marshall Islands without prejudice to the immediate implementation of the health programme for the peoples of Bikini and Enewetak.

298. The Council noted with regret that not all of the people of Enewetak Atoll had been able to re-establish their homes as they had hoped. However, the Council noted that interim measures had been taken, in close consultation with the people of Enewetak themselves, for their resettlement. The Council reiterated its concern that any resettlement proposal should take fully into account any remaining health hazards.

299. The Council noted that a master plan for the relocation of the Bikinians was currently under review. The Council welcomed the steps taken to improve the temporary conditions of the people of Bikini on Kili and Ejit islands, while recognizing their ultimate intention to return to Bikini Atoll when it was safe to do so. The Council welcomed the decision which had been taken to construct an airstrip on the island of Kili.

300. The Council reiterated its view that urgent attention should be given to the social, cultural and economic difficulties of the people living on Ebeye arising from the over-population of that island. In that connection, the Council noted the completion of the sewerage project on Ebeye and took note of the suggestion that

Ebadon Island might be developed with a view to relocating some of the population from Ebeye.

301. The current annual report states that at present, 2,139 persons on islands affected by radiation are benefiting from a feeding programme. In addition, there are special feeding programmes operating on Enewetak pending agricultural production from plants there. The Administering Authority is providing full support towards the rehabilitation of local food production on Enewetak and the other affected islands.

302. The question of long-term health care for the people affected by radiation is now under discussion by representatives of the Governments of the United States and the Marshall Islands and the peoples themselves. The parties are determined to develop a comprehensive and mutually acceptable solution to the problem.

303. The annual report points out that the people residing on Enewetak are being constantly monitored for radiation dosage and the surveillance programme is functioning well. The people of Enjebi have not been relocated to that island since there are certain restrictions that must be adhered to there for the next 25 to 30 years. All of the Enjebi residents have been provided with new homes in communities in the three southern islands of Enewetak.

304. According to the annual report, the airstrip on Kili Island was completed in 1981 and officially opened in March 1982. The Government of the Marshall Islands is providing regular air service to the island.

305. The annual report states that a master plan for the development of Guguegue and Carlson islands and for the redevelopment of Ebeye was drawn up by the Trust Territory Office of Planning and Statistics in 1978. It proposes to relocate some of the population from Ebeye to the nearby islands of Guguegue and Carlson, thus easing the pressures on Ebeye. Long-range planning for Guguegue and Carlson islands is now under review by the Government of the Marshall Islands.

War and post-war damage claims

306. War damage claims by the inhabitants of the Trust Territory fall into two broad categories: claims against the Japanese Government, mainly for damages sustained by the indigenous inhabitants during the Second World War, and post-war claims against the Government of the United States.

307. On 18 April 1969, the Governments of the United States and Japan signed an agreement providing for the settlement of Micronesian war claims, under the terms of which the two Governments joined in an ex gratia arrangement to make a contribution towards the welfare of the inhabitants of the Territory. Japan agreed to make available in grants to the United States, in its capacity as Administering Authority, 1.8 billion yen, then computed at the equivalent of \$5 million. The United States, for its part, agreed to establish a fund in the amount of \$5 million.

308. The Micronesian Claims Act of 1971 (United States Law 92-39) established a Micronesian Claims Fund to consist of the contributions of the United States and Japan pursuant to the agreement referred to above. The act also established a Micronesian Claims Commission with authority to receive, examine, adjudicate and render final decisions with respect to: (a) claims for damage directly resulting

from the hostilities between the United States and Japan between 7 December 1941 and the dates of the securing of the various islands of Micronesia by the United States (Title I claims); and (b) claims arising as post-war claims between the dates of securing of the various islands by the United States and 1 July 1951 (Title II claims).

309. The Act authorized an appropriation of \$20 million for the settlement of post-war claims by Micronesian inhabitants against the United States or the Government of the Trust Territory because of personal injury or material damage, including claims for the acquisition, use or retention of property without adequate compensation, provided that the accident or incident out of which the claim arose occurred prior to 1 July 1951.

310. The Micronesian Claims Commission completed its work on 30 July 1976 and issued its final report shortly thereafter. In that report, the total amounts awarded and certified by the Commission were \$34,349,509 under Title I and \$32,634,403 under Title II, leaving unpaid balances of about \$24.3 million and \$12.6 million respectively.

311. At the forty-fifth session of the Trusteeship Council, in 1978, the representative of the United States stated that article III of the 1969 agreement between the United States and Japan concerning the settlement of war claims provided that all claims against Japan had been fully and finally settled, and that in the accompanying exchange of notes the United States had confirmed that Japan and its nationals were fully and finally discharged from all liability for Micronesian claims falling under article III of the agreement, including claims arising out of the involvement of the Trust Territory in the Second World War. Accordingly, the United States did not consider that Japan was legally obliged to provide further payment.

312. At its forty-eighth session, the Trusteeship Council reiterated its concern that war damage claims had not yet been fully settled as determined by the Micronesian Claims Commission and called upon the parties concerned to make further efforts to resolve that long-standing issue in the best interest of the innocent victims.

313. According to the current annual report, the President of the Federated States of Micronesia has appointed a task force to review the question of war damage claims under Title I totalling \$24.0 million.

314. The annual report reiterated that \$11.0 million of the \$34.0 million awarded by the Claims Commission under Title I has been paid. Both diplomatic and legislative avenues are being explored by all parties to settle the question of claims under that Title.

2. Discussion in the Council and opinions expressed

Land and people

315. At the forty-ninth session of the Trusteeship Council, Mr. Tenorio, Special Representative of the Administering Authority, stated that the Government of the Northern Mariana Islands felt that the issue of the dumping of nuclear wastes in the Pacific Ocean was a matter of international importance. The position taken by

the Commonwealth of the Northern Mariana Islands was one of total opposition; nations benefiting from nuclear energy should be the ones to assume whatever dangers existed from the disposal of nuclear wastes. The people of the Northern Mariana Islands would like to preserve its environment and its living resources not only for themselves but for future generations.

316. Mr. Borja, Adviser, said that the people of the Northern Mariana Islands faced a very grave danger from the threatened pollution of their marine environment by the dumping of nuclear waste into their nearby sea recently proposed by the Government of Japan. That threat was particularly significant because of the traditional importance of the ocean to the people of the Northern Mariana Islands and their great reliance upon it for food and other materials. Radioactive waste in the Northern Pacific Ocean would damage their environment because of the probable leakage of radioactive materials which could be transported by ocean currents or migratory fish to the waters of the Commonwealth. Many other areas of the Pacific had opposed that plan. He called upon the Council, the United Nations and all States sharing their concern to use their influence to persuade the Government of Japan to declare that it would refrain permanently from placing his people and their marine resources in danger. He also called upon the United Nations to declare the Pacific Ocean an area permanently free of nuclear wastes.

317. Mr. Garland, Adviser, reaffirmed the total opposition of the Commonwealth of the Northern Mariana Islands to the dumping of nuclear waste in the Pacific Ocean. He would welcome a statement from the Government of Japan allaying the fears of the people of the Northern Mariana Islands with regard to its plans for the disposal of its nuclear wastes.

318. Referring to Japan's proposed dumping of nuclear waste in the Pacific region, the representative of the United States said that the proposed dumping site was part of the high seas, as defined by international law and the draft Convention on the Law of the Sea. Japan was a party to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, and intended to become a party to the consultations and surveillance mechanism of the Nuclear Energy Agency (NEA), which monitored ocean disposal activities in accordance with international standards. So long as Japan abided by those international standards, the United States had no basis on which to oppose the test dumping.

319. The representative of the United States further said that his Government did not intend to dispose of nuclear wastes in the Trust Territory of the Pacific Islands or in the waters adjacent to it. The United States was also a party to the latter Convention and participated in the consultation and surveillance mechanism of NEA. The United States position was that those international standards should govern the dumping of all nuclear wastes in the oceans.

320. The Permanent Representative of Japan to the United Nations, in a letter dated 2 June 1982 addressed to the President of the Trusteeship Council, stated that like other forms of energy, nuclear power generation produced wastes. There were two categories of nuclear waste, each of different radioactivity: low-level radioactive wastes and high-level radioactive wastes. The Atomic Energy Commission of Japan had already determined that the disposal of low-level radioactive wastes in the sea and on land should be carried out by taking fully into account the results of safety assessments and experimental disposals. The Government of Japan did not propose to dispose in the sea of high-level radioactive wastes and "spent nuclear fuel", the sea disposal of which was prohibited by the provisions of the Convention.

321. The Permanent Representative further stated that the disposal of low-level radioactive wastes in the sea was not something new. Some European countries had carried out such disposal in the Atlantic since 1967 within the framework of the multilateral consultation and surveillance mechanism of NEA and no harmful effects either on marine life or human health had been reported as a result of such disposal.

322. In dealing with disposal in the sea, the primary concern of Japan was to ensure a maximum degree of safety and strict safety standards and procedures would be observed for that purpose. To ensure maximum safety, Japan had already proceeded with extensive and exhaustive experiments on packages to be disposed of. At the same time, it had conducted surveys at the proposed disposal sites. Based on the results of those experiments and surveys, the Government of Japan had assessed the safety of sea disposal. The resulting safety assessments had fully convinced it of the environmental safety of its proposed disposal. The selection of the disposal site was limited to certain specific sea areas according to international standards established by the International Atomic Energy Agency (IAEA). Consequently, the proposed site was situated at 147 degrees East and 30 degrees North, or about 900 kilometres south-east of Tokyo, and the nation nearest to the proposed site was Japan.

323. The Permanent Representative said that his Government had made sincere efforts to convince its Pacific neighbours as to the safety of its programme. Since August 1980, it had dispatched five missions for that purpose. Regrettably, despite such efforts, it had not yet been successful in gaining the full understanding of those countries. The Government of Japan would continue its efforts to obtain the understanding of the countries and Territories concerned. In so doing, it would continue to take fully into account their sentiments and sensitivities on that issue. His Government wished to emphasize that there had been no change in its basic position that the proposed sea disposal programme would be carried out with the understanding of the countries and Territories concerned.

324. The representative of the Soviet Union stated that the United States had not carried out the main objective of the Trusteeship System which was the furthering of international peace and security in accordance with Article 76 of the Charter. Instead of strengthening international peace and security in that part of the Pacific Ocean, the United States had actively engaged in activities that represented a serious threat to the security, not only in the Trust Territory, but also in the neighbouring countries and in Oceania. It was using the Trust Territory as a testing ground for atomic and nuclear weapons, which had resulted in serious damage being done to the well-being and health of the indigenous people, as well as to the environment.

325. The representative of the Soviet Union further stated that special concern was caused by the fact that the United States was using Micronesia, including Palau, Tinian, Kwajalein, Enewetak and other islands to deploy its military and support bases. New testimony on the use of the Trust Territory by the United States to expand its military activities was to be found in the proposed additional military agreements to be imposed upon the Micronesians as an integral part of the compact of free association.

326. The representative of the Soviet Union said that through those additional military agreements, the United States would be able to use the Trust Territory not only for its own air and naval bases, but also for transporting, deploying and

maintaining nuclear, chemical and bacteriological weapons as well as for carrying out specific tests of such weapons in the Territory. The provisions for the military use of the Territory were intended to remain in effect for a period of from 30 to 100 years.

327. The representative of the Soviet Union stated that the testing ground for anti-missile and intercontinental missile testing constructed on Kwajalein Atoll at a cost of \$2 billion would play a unique role in the modernization of the United States strategic missile system. Sea-bed missiles and MX-missiles could also be launched and tested in that area in the future. The construction of that strategic military complex had caused the removal of the local population from other islands and created an over-populated ghetto on Ebeye Island where almost one third of the population of the Marshall Islands was concentrated.

328. With regard to Ebeye, the representative of the Soviet Union quoted from a book written by the former Permanent Representative of the United States to the United Nations, Mr. Donald F. McHenry, who had stated: "Problems of overcrowding, pollution, juvenile delinquency - all the problems of decayed urban communities - are multiplying there at an astounding rate." 19/

329. The representative of the Soviet Union said that in expanding its military presence in Micronesia, the United States intended to establish on Palau a test ground for carrying out military training manoeuvres, and for that purpose the local inhabitants would be deprived of 12,000 hectares of land, including Babelthuap Island. Moreover, the Pentagon was to have made available to it the airports on Airai and Angaur, which after modernization would be used as a base for United States strategic aviation.

330. The representative of the Soviet Union stated that the United States Deputy Secretary of Defense had expressed himself very clearly and openly with regard to Micronesia's place in the strategic plans of the United States. He had stated that the assessment by the new United States Administration of its policy with regard to Micronesia, in which the Department of Defense and the Joint Chiefs of Staff had fully participated, had once again confirmed the nature and scope of the strategic interests of the United States in Micronesia and had shown the importance of that region for the long-term security interests of the United States itself. The Deputy Secretary had further stated that the assessment had confirmed the need for secure and strategically located bases for United States military operations. He had also pointed out that the central and western regions of the Pacific Ocean contained only a few such places, almost all of which were in the Northern Mariana Islands, the Carolines and the Marshall Islands. He had further said that the United States needed to ensure guaranteed rights of access, transit and overflight across the Micronesian region to reach the Philippines, Indonesia, Australia and the Indian Ocean by the shortest possible routes.

331. The representative of the Soviet Union said that the statement of the Deputy Secretary of Defense made it quite clear that the United States intended not only to maintain and strengthen its military-strategic position in the Pacific Ocean but also to extend its control over a large area of that part of the world. That military activity by the United States was not in keeping with the interests of the population of Micronesia and it did not promote the task of strengthening international peace and security.

332. Referring to his Government's use of Kwajalein Atoll as a testing and recovery site for missiles, the representative of the United States said that the United

States was entirely within its rights under the Trusteeship Agreement in utilizing portions of the Trust Territory for strategic purposes. It had done so for many years, and it had made no secret of that fact. As to the necessity of testing delivery systems, if the Government whose delegation had raised that issue were to abandon its aggressive designs and to comply sincerely with the principles of the Charter by maintaining international peace and security, refraining from the use of force in international relations and advocating the peaceful settlement of disputes, there would be little need for such weapons.

333. The representative of the United States pointed out that so long as present international circumstances continued, the United States would take whatever steps were necessary to prepare realistically for unwanted but undeniable contingencies and, to that end, it intended to continue to use the Kwajalein Missile Range in co-ordination with related defence facilities in the United States itself. That use was in accordance with leases and agreements with individual landowners and with the Government of the Marshall Islands, leases and agreements which the United States intended to continue to respect fully. The Government of the Marshall Islands recognized that the existence and operation of the Kwajalein Missile Range on its territory was a contribution to the security not only of the Pacific region but of the entire world.

Population movements

334. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative of the Administering Authority, stated that with regard to the question of Ebeye it should be understood that arrangements for the use of Kwajalein Atoll had been made with the landowners of those islands in the 1960s, with compensation totalling \$750,000.

335. With respect to the specific issues of discrimination, real or alleged, against the residents of Ebeye, Mrs. McCoy stated that the Kwajalein lagoon was accessible to all residents of Ebeye, except during actual missile testing exercises. The question of Roi-Namur land use had been settled in court in 1980. Compensation for the use of the mid-corridor lagoon was approximately \$704,000 per year. In addition, funding for the last several years had been based on the interim-use agreement of 1979, based on funding under the compact of free association amounting to approximately \$9 million per year, representing both money and services. The agreement had been made between the Governments of the United States and of the Marshall Islands, which had then compensated the individuals concerned.

336. The Special Representative said that any resident of Ebeye or of any other island might be admitted to the hospital on Kwajalein if he or she were referred by the health services officer on Ebeye or by the Government of the Marshall Islands. To her knowledge, patients had never been turned away under the referral regulation. While conditions on Ebeye were not the best of all possible worlds, many of the allegations of hardship made by petitioners were not based on fact. As noted by one of the petitioners, 2,000 of the residents of Ebeye were of non-Kwajalein origin and came from other parts of Micronesia. She said that her comments on the conditions on Ebeye therefore remained valid and were reinforced by the statement of the petitioner.

337. The representative of the United Kingdom particularly noted the concerns expressed by petitioners who had spoken about the problems faced by the people of

Bikini. His delegation accepted that the Bikinians had a genuine cause for concern and hoped that the Administering Authority would continue to do its utmost to allow those displaced people to return safely to their homes at the earliest possible date. While accepting that that could not happen in the immediate future, the United Kingdom representative expressed the hope that, in the intervening period, every effort would be made to improve living conditions for the people of Bikini and further consideration would be given to the problems of their present location in Kili Island.

338. The representative of the United Kingdom expressed concern about the description of living conditions on Ebeye Island. A stark contrast had been drawn between conditions there and the facilities available to the United States personnel on neighbouring Kwajalein Island. He considered that a good case had been made for special attention being given to the needs of the people of Ebeye. Noting that the Administering Authority had been making various efforts to improve those conditions, he hoped that it would give a very high priority to the situation on Ebeye.

339. With regard to the damage caused by experiments and facilities set up for military purposes, the representative of France noted the progress achieved in recent years due to an increased effort on the part of the Administering Authority. However, in the view of his delegation, that progress must be continued. A more exhaustive and a more generous assessment ought to be made. The inhabitants of Bikini, Enewetak, Kwajalein and other areas had, for the most part, been deprived of their most precious and invaluable right - to live and work in one's native land. While displacements of populations were doubtless necessary and had been useful to the United States, that was all the more reason for the Government of the Administering Authority to provide equitable compensation to the population that had been a victim of those displacements. In that regard, he noted that the Trusteeship Council at the current session had again heard comments from certain petitioners regarding the medical condition of the former inhabitants of Bikini and the way in which prevention was ensured and treatment carried out. His delegation had been very moved by accounts of the situation of the inhabitants of Kwajalein, as presented by the petitioners and not contradicted by the Administering Authority, and felt that it could be substantially improved. Measures should be taken without delay, not only to provide satisfactory financial compensation, but also to enable the inhabitants of the atoll to move about more easily, to have access to a wider area of the lagoon and, above all, to be able to take advantage of the material facilities of the base, particularly its hospital. The solution of those problems would redound to the honour of the United States. It would enable the Administering Authority, on the eve of the forthcoming termination of the Trusteeship Agreement, to give a widely positive account of its actions.

340. The representative of the Soviet Union stated that the tragic fate of the Bikini and Enewetak Atolls, which the United States had turned into nuclear-testing grounds, was well known to the entire world. The representatives of Micronesia had spoken of the very harmful results of that testing. The Administering Authority had abandoned to the vagaries of fate the peoples it had deprived of their native land. The inhabitants of those atolls and their descendants had become life-long victims of the nuclear experiments and military plans of the United States.

341. The representative of the Soviet Union stated that the Administering Authority was not taking urgently needed measures to eliminate all the results of nuclear

testing for the Micronesian people, in particular, to ensure appropriate medical care for the inhabitants of the Bikini and Enewetak Atolls, to determine the existing level of radiation in that region and to ensure normal living conditions for the population. All that testified to the fact that the United States was crudely violating the fundamental rights and freedoms of the population of the Trust Territory. The Trusteeship Council and other organs of the United Nations should draw special attention to the difficult situation in which the victims of United States nuclear testing were living in the Trust Territory and should demand that the Administering Authority carry out the obligations ascribed to it by the Charter and the Trusteeship Agreement.

342. The representative of the United States said that in March 1980, the United States Congress had passed Public Law 96-205 which amended Statute 91-1159 of Public Law 95-134 with a new section requiring the Secretary of the Interior to provide for the victims of the nuclear tests the following: (a) an integrated, comprehensive health-care programme; (b) a schedule for a periodic comprehensive survey and analysis of the radiological status of the atolls; and (c) an education and information programme for people of such atolls to understand fully nuclear radiation and its effects. The Secretary of the Interior, in the discharge of his responsibility under the law, had not directed the High Commissioner to assume any of the above responsibilities. Lomelinda University had been contracted to develop the comprehensive health programme for primary, secondary and tertiary health care. The Department of Energy had been requested to develop plans to implement the education and information mandate and Brookhaven National Laboratory continued to be responsible for the analysis of radiological status for the atolls.

343. Aside from the continued monitoring by the United States Government and the compensation payments made or being negotiated between the Marshall Islands and the United States, the United States representative said that the following developments had occurred during the year under review: (a) the new air strip on Kili, home of the displaced Bikinians, was now open and regularly serviced by the Airline of the Marshall Islands; (b) an expert agriculturalist had been assigned to Enewetak to assist in the agricultural rehabilitation of that island; (c) the Enewetak agricultural and facilities maintenance contract with a private organization had been renewed, so that housing and public facilities both for the people and the agricultural programme for the atoll continued to be well maintained and to grow; and (d) special feeding assistance from the United States Department of Agriculture was being maintained for the affected islands of Ejit, Kili, Enewetak, Utirik and Rongelap. The total number of persons benefiting from the latter programme was 2,139, in addition to victims of typhoons on Namorik, Wotho, Ujae, Lae and Ebon and displaced persons from Kwajalein. The total cost of the programme was estimated at \$190,000, all of which was provided by the United States Department of Agriculture. An additional programme was funded by the Department of the Interior to supply food items not included in the United States Department of Agriculture programme but necessary because no other food source was at present available. Health maintenance continued to be carried on directly by United States agencies and not by the Trust Territory Administration.

344. The representative of the United States also noted that the views of the petitioners from Bikini and Enewetak with regard to the evacuation of the inhabitants from their atolls in the mid-1940s were amply on record. He stressed that the United States through legislation in earlier years and now in the initial compact of free association, had acknowledged its obligations towards both groups of people, as well as towards others in the Northern Marshall Islands,

notably the inhabitants of Rongelap and Utirik atolls, who had suffered personal injury and damage to property. It was the intent of the United States to meet those obligations; to improve the living conditions of those who might not yet return to their home atolls, or their home islands within given atolls, due to continuing high levels of radiation in the soil and the food-chain; and to provide ultimately for the resettlement of those who had been displaced at such time as resettlement became prudent according to accepted safety standards. He reported that the President of the Marshall Islands and the Personal Representative of the President of the United States for Micronesian Status Negotiations had signed, in Honolulu on 30 May 1982, an agreement subsidiary to section 177 of the compact of free association dealing with those issues and others resulting from the United States testing programme of 1946 to 1958. The United States Government would go far towards resolving many of the issues raised by petitioners in that regard.

345. Concerning Ebeye, Mrs. McCoy, Special Representative, pointed out several relevant factors which she said would assist in understanding the situation better. The Administering Authority was in the course of providing assistance for the rehabilitation of the island and of several nearby islands in order to relieve the population pressures on Ebeye. Of the 7,000 or so inhabitants of the island, only about 500 were employed at the missile range. Those 500 earned wages based on the United States minimum wage, which was about five times higher than the former Trust Territory wage. A result of that high pay was the tendency of the extended family to move into the home of the employed person, who was expected to provide for the unemployed. Many of the people attracted to Ebeye from other parts of the Trust Territory, including Kosrae and Ponape, because of the wage scale and despite the living conditions were therefore there by choice. A few years ago, the Trust Territory Government had attempted to provide a solution to the over-population problem by providing field trip ships and free transportation to any one who wanted to return to his or her home island. Only a very few had responded to the invitation, and because of the Administering Authority's responsibility to support the principle of freedom of migration and settlement for all Trust Territory citizens, it could not force a reduction in the population. The situation on the island was as much a result of traditional family customs as it was the inability of the Administering Authority to keep the infrastructure ahead of the continuing increase in population.

346. The Special Representative stated that under a very full programme of rehabilitation being carried out by the Government of the Marshall Islands on Ebeye, some \$6 million had been allocated for public works improvement, including water, power, roads and hospital work. The contracting firm and the landowners of the Kwajalein Atoll Corporation had met and discussed the priorities, design and scope of the projects. In addition, \$1.3 million had already been received from the United States Environmental Protection Agency (EPA) for the waste-water sewer project now underway, with the possibility of \$700,000 becoming available at a later date. The sum of \$2.5 million had been allocated from capital improvement programme funds for a container yard and a warehouse facility.

War and post-war damage claims

347. At the forty-ninth session of the Trusteeship Council, Mr. Tenorio, Special Representative, stated that the question of war-damage claims was an important matter affecting the Northern Mariana Islands and other Micronesian entities and one which should be settled as soon as possible. The Micronesian Claims Act of

1971 had created a Commission which had awarded about \$67 million to the Micronesian people. There remained outstanding a sum of \$12 million, for half of which the Government of Japan was responsible. The Micronesians had waited 35 years for settlement of the latter amount, and he asked the good offices of the Council to urge the Governments of Japan and the United States to settle that outstanding war claim.

348. Mr. Borja, Adviser, said that the Council's support for the resolution by the United States of the outstanding claims under Title II of the Micronesian Claims Act was appreciated. Despite efforts to persuade the Governments of Japan and the United States to pay their share, the claims under Title I remained unsettled. It was hoped, however, that further negotiations would solve that problem. The unwillingness of the Government of Japan to pay its share had compounded the frustrations of the people. Both Japan and the United States had a moral obligation to resolve that issue. In 1969 both Governments had signed an agreement which had absolved the Government of Japan from any further responsibility. The Micronesians maintained, however, that that issue could be settled amicably with the assistance of the Trusteeship Council.

349. The Adviser said that the people of the Northern Mariana Islands applauded the realistic approach of the Committee on Interior and Insular Affairs of the United States House of Representatives, which had sought authorization to pay 50 per cent of the claims under Title I without it being contingent on the Government of Japan paying its share. They hoped to bring that issue again to the two Governments, specifically to the Government of Japan, and to urge them to bring justice to the Micronesian people and to resolve that issue once and for all. There remained a balance of about \$24 million under Title I. He asked for the assistance of the Trusteeship Council to resolve that issue as expeditiously as possible.

350. Mr. Garland, Adviser, said that the people of the Northern Mariana Islands encouraged the Governments of the United States and Japan to expedite the resolution of the remaining war-damage claims in Micronesia.

351. The representative of France observed that certain problems of compensation affecting the inhabitants of certain atolls had not yet been fully settled. His delegation had taken note of the good will of the Congress of the United States in that regard and hoped that, in co-operation with the Government of Japan, a solution could be found so that the funds claimed could be released speedily.

B. POLITICAL ADVANCEMENT

1. Outline of conditions

General political structure

352. Executive and administrative authority for the Government of the Trust Territory and responsibility for carrying out international obligations undertaken by the United States with respect to the Territory are vested in a High Commissioner appointed by the President of the United States and confirmed by the United States Senate.

353. In the annual report under review, the Administering Authority confirms that the constitutional Governments are now in place and fully functioning in Palau, the

Marshall Islands, the Northern Mariana Islands and the Federated States of Micronesia. The United States retains the necessary authority to comply with its responsibilities under the Trusteeship Agreement, the Charter of the United Nations and applicable United States laws and treaties.

354. The current annual report states that over the past year, the exercise of suspension power granted to the High Commissioner by Secretarial Order No. 3039 has been used sparingly. The Administering Authority considers that this represents a recognition on the part of the Trust Territory Administration and the new Governments of their mutual responsibilities pending termination of the Trusteeship Agreement.

355. According to the current annual report, representatives of the Trust Territory attended the annual planning and evaluation meeting of the South Pacific Commission (SPC) held at Noumea, New Caledonia, during the period under review.

Representatives of the Territory also attended the twentieth South Pacific Conference held at Port Moresby, Papua New Guinea. The Governments of the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands were separately accepted as members of SPC in their own name and right. Further, as an associate member of the Economic and Social Commission for Asia and the Pacific (ESCAP), representatives of the Trust Territory attended the thirty-seventh session of the Commission and participated in a number of conferences and training programmes sponsored by it.

Territorial government

Legislatures

356. The Congress of the Federated States of Micronesia is a unicameral body. The Congress consists of one member elected from congressional districts in each state apportioned by population. Members elected on the basis of state equality serve for four years and all other members for two years. A state may provide for one of its seats to be set aside for a traditional leader. Members of the Congress are elected by residents of the Federated States who are 18 years of age or older. The first general election under the new Constitution took place on 27 March 1979.

357. The Northern Marianas Commonwealth Legislature is a bicameral body consisting of a Senate and a House of Representatives. The Senate has nine members elected at large for four-year terms from the three senatorial districts. The House of Representatives has 14 members elected for two-year terms. Members of the Legislature are elected by residents of the Commonwealth 18 years of age or older, who are registered voters. The second general election took place on 4 November 1979.

358. The legislative power in the Marshall Islands is vested in the Nitijela, consisting of 33 members. A general election is held every four years. The President of the Marshall Islands may, however, dissolve the Nitijela at any time if a motion of no confidence in the Cabinet has twice been carried and has twice lapsed, and if no other president has held office in the interval between the two votes of no confidence. He may also do so if no cabinet has been appointed within 30 days after the date on which the Nitijela has proceeded to elect a president for any reason other than the resignation of the president following a vote of no confidence. Members of the Nitijela are elected by citizens of the Marshall

Islands, 18 years of age or older, who are qualified voters. The first general election under the new Constitution took place on 10 April 1979. There is also a Council of Iroi (traditional leaders) of the Marshall Islands consisting of 12 eligible persons. It considers, inter alia, bills affecting customary law, any traditional practice, land tenure or any related matter adopted by the Nitijela.

359. The legislative power in Palau is vested in the Olbiil Era Kelulau, consisting of a House of Delegates and a Senate, the members of which are elected for a term of four years. One delegate is elected from each state and the delegation so elected composes the House of Delegates. The Senate is composed of the number of senators prescribed from time to time by a reapportionment commission as provided by law. The enactment of laws requires adoption of bills by each house. The President is empowered to veto a bill, but the veto may be overridden if the vetoed bill is subsequently approved by a two-thirds majority of each house.

360. At its forty-eighth session, the Trusteeship Council noted that there was a jurisdictional dispute between the Marshall Islands Government and the Nitijela on the one hand, and the High Commissioner's office on the other, on the procedure associated with the forthcoming plebiscite on future status. The Council noted that the case was under review by the United States Department of the Interior and hoped that a speedy solution would be found to that question.

361. The current annual report states that during the political status negotiations held on Maui, Hawaii, in October 1981 the United States announced that the Governments of Palau, the Marshall Islands and the Federated States of Micronesia should each enact legislation for the plebiscite information programme and the plebiscite itself in their respective jurisdictions. Past differences of view between the Governments of the United States and the Marshall Islands are expected to be resolved through such legislation.

Executive

362. According to the current annual report, all chief executives of the constitutional Governments are Micronesians and almost all of the key administrative posts in the new Governments are held by Micronesians.

363. The executive power of the Government of the Federated States of Micronesia is vested in a President elected by the Congress for a term of four years and not more than two consecutive terms. The Vice-President is elected in the same manner as the President and serves for the same term of office. He may not be a resident of the same state as the President. The President appoints his four-member Cabinet with the advice and consent of the Congress.

364. The executive authority of the Government of the Northern Mariana Islands is vested in a Governor elected for a four-year term who must be at least 30 years of age, qualified to vote and a resident and domiciliary of the Commonwealth for at least seven years immediately preceding the date on which he takes office. In the performance of his duties, the Governor is assisted by a jointly elected Lieutenant Governor and by heads of executive departments.

365. In the Marshall Islands, executive authority is vested in the Cabinet, whose members are collectively responsible to the Nitijela. The Cabinet consists of the President, who must be a member of the Nitijela, and from 6 to 10 other members of the Nitijela, appointed as ministers by the Speaker on the nomination of the

President. The President is elected by the Nitijela following each general election. The President is the head of State of the Marshall Islands. He is required to resign whenever a vote of no confidence is carried by the total membership of the Nitijela. His resignation might lapse, however, if no successor has been elected within 14 days following his resignation.

366. The executive power in Palau is vested in a President, elected in nation-wide elections, together with a Vice-President, for a term of four years and not more than two consecutive terms. The Vice-President serves ex officio as a member of the Cabinet, and succeeds the President if his office becomes vacant. The members of the Cabinet are appointed by the President with the advice and consent of the Senate. A Council of Chiefs advises the President on matters concerning traditional laws and customs. The President or Vice-President may be impeached and removed from office for serious crimes by a vote of not less than two thirds of the members of each house of the Olbiil Era Kelulau. The President or Vice-President may be removed from office by a recall, if it is so decided by a recall referendum held pursuant to a resolution to that effect adopted by not less than two thirds of the members of the state legislatures of Palau in not less than three fourths of the States.

367. The annual report under review states that the policy of the Administering Authority is to support and encourage the assumption of greater responsibility by the new Governments by vesting in them all functions of administration which could be delegated according to the provisions of the Trusteeship Agreement and applicable laws and treaties of the United States. Most of these functions have already been transferred to the Federated States of Micronesia and the Marshall Islands. A similar effort is under way for Palau to assume greater responsibilities.

State governments

368. In 1980, the Administering Authority reported that the new state governments of the Federated States of Micronesia (Truk, Ponape, Kosrae and Yap) were carrying out their functions in accordance with the terms of their charters with fully elected executive and legislative branches of government. They exercised those authorities granted by their charters, the Constitution of the Federated States and Territory-wide laws which were applicable.

369. The current annual report states that state national leadership conferences were held in the Federated States of Micronesia to resolve jurisdictional disputes between the states and the national Government, to discuss transitional problems and to formulate the use of funds to be provided under the compact of free association.

State administrators

370. The four states constituting the Federated States of Micronesia (Yap, Truk, Ponape and Kosrae) are headed by elected governors. Each of the states installed its first elected Governor during 1979 except Truk, which did so in 1978.

State legislatures

371. All the entities of the Trust Territory have popularly elected legislatures. The powers of the state legislatures in the Federated States of Micronesia are

defined by the Constitution of the latter. In the Marshall Islands, the Nitijela has all legislative powers delegated to it by its Constitution. The qualifications for membership in the legislative bodies are defined in the relevant charters and constitutions.

Municipal governments

372. According to the current annual report, the Constitution of the Marshall Islands specifically recognizes the right of each populated atoll, or island not a part of an atoll, to a system of local government.

373. Seven of the 25 local governments in the Marshall Islands possess charters granted during the Trust Territory administration, which automatically became their first constitutions. Most local governments have chosen to draft new constitutions. Power to amend former charters is now exercised by the Cabinet and will continue after the new constitutions become effective.

374. The current annual report states that the Commonwealth of the Northern Mariana Islands is divided into four municipal jurisdictions, each headed by an elected mayor.

Civil service

375. The Constitution of the Federated States of Micronesia provides for the establishment of executive departments by statute. The President, with the advice and consent of the Congress, appoints the principal officers of those departments and such other officers as may be provided for by statute.

376. The Constitution of the Northern Mariana Islands provides for a civil service system which operates under a Civil Service Commission. The Commission administers personnel policies for the Government.

377. Under the Marshall Islands Constitution, the civil service, headed by a Chief Secretary, comprises the employees necessary to assist the Cabinet in exercising executive authority and to perform other duties as required. The Constitution also contains provisions for the establishment of a civil service commission.

378. The Constitution of Palau provides for the appointment of national officers by the President with the advice and consent of the Senate.

379. At its forty-eighth session, the Trusteeship Council recalled its concern that the Administering Authority should provide all possible intensive training programmes to prepare Micronesians to take on new responsibilities and hoped that specialists could be made available in technical and other specialized fields where necessary until qualified Micronesians had been trained to replace them.

380. The Council also reiterated its conviction that the size of the civil service throughout the Trust Territory remains a cause for concern, placing a heavy burden on territorial budgets and absorbing a disproportionate share of trained personnel. The Council urged the Administering Authority to give all possible assistance in creating jobs in the private sector, so that the civil service might be rationalized and reduced without exacerbating the unemployment problem.

381. The current annual report states that the Administering Authority is aware of the uneven employment situation between the government and private sectors. In its training programmes funded under the Comprehensive Employment and Training Act (CETA), the United States has emphasized training to meet shortages in trades and to develop skills for the private sector. A major objective of the various economic development programmes is expansion of the private labour market.

382. During fiscal year 1981, there was a decrease of more than 7 per cent in civil service employment in the Trust Territory Government. The developing private sector should reinforce this trend. Under the decentralization programme there is no longer a territory-wide civil service. Employment practices are now within the responsibility and authority of the constitutional Governments.

Political education

383. At its forty-eighth session, the Trusteeship Council expressed its concern at the slow pace of the political education programme in preparation for the plebiscite due to be held in the imminent future. The Council insisted that the people of Micronesia must be made fully aware of the options open to them and noted the assurances of the Administering Authority that such a programme would be set in train, in co-operation with the constitutional Governments, in good time.

384. The current report states that the Administering Authority has sponsored and paid for the translation of the text of the compact of free association into 12 local languages. The Administering Authority will support and assist in conducting a programme when the negotiations are completed to help the voters of the Territory to understand the implications and alternatives available to them on the ballot.

Decentralization

385. At its forty-eighth session, the Trusteeship Council welcomed the reduction in staff of the Administering Authority's establishment at Trust Territory headquarters on Saipan, and noted the statement by the Special Representative of the Administering Authority that Trust Territory headquarters would function in the future as a technical and management assistance institution, handing over the responsibility for direct administrative tasks to the new constitutional Governments.

386. The current annual report states that during the reporting year, the constitutional Governments of Palau, the Marshall Islands and the Federated States of Micronesia consolidated their operations and that most of the functions and responsibilities of the Trust Territory Government were turned over to them. During the period 1 October 1980 to 31 September 1981, the number of employees of the Trust Territory Government at headquarters was reduced by 59.

387. During the past year, several Trust Territory headquarters activities were dissolved, including resources and development, public affairs and several small offices. Most of the other departments were also reduced substantially.

Judiciary

388. The judicial power of the Federated States of Micronesia is vested in a Supreme Court and subordinate courts established by statute. The annual report states that in October 1980, the Congress of the Federated States of Micronesia confirmed Mr. Edward King as Chief Justice of the Federated States of Micronesia Supreme Court. It also confirmed Mr. Richard Benson as Associate Justice in January 1981. On 12 July, the Supreme Court was inaugurated at a ceremony in Truk held in conjunction with the opening of the first special session of the Second Congress of the Federated States. Yap was the first State in the Federated States to enact legislation establishing a state court to take over the functions of the Trust Territory District Court.

389. In the Marshall Islands, judicial power is vested in a Supreme Court, a High Court, a Traditional Rights Court, district courts, community courts and other subordinate courts. During the period under review, the Marshall Islands took steps to establish and make operational its court system. The Chief Justice of the High Court of the Marshall Islands has been appointed and has promulgated rules of procedure for civil and criminal cases. Transfer of judicial functions to the new Government is expected to occur as soon as the appointment of the Chief Justice of the High Court has been confirmed.

390. Judicial power in Palau is vested in a unified judiciary consisting of a Supreme Court, a National Court and such inferior courts of limited jurisdiction as may be established by law.

391. Judicial authority in the Northern Mariana Islands is vested in the Commonwealth Trial Court, which has original jurisdiction over matters involving land in the Northern Mariana Islands and other civil actions.

2. Discussion in the Council and opinions expressed

General political structure

392. At the forty-ninth session of the Trusteeship Council, Mr. E. Ilon, Adviser, said that the people of the Federated States of Micronesia believed that the overall situation in the Federated States was in many ways an encouraging one, particularly with regard to political development. They now had full self-government. As indicated in 1981, the Constitution of the Federated States of Micronesia gave the people the basis for the formation of a functioning state and national government system. During the past two years they had built upon that foundation and could today report a feeling of confidence, reflected in the enthusiastic support the constitutional government enjoyed from all levels of society in the Federated States. That growth in confidence had developed further among the people because they recognized that the relationship of free association now being negotiated with the United States was the one that best suited their needs.

Legislature

393. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that two decades ago, the United States had spoken with pride about the creation of the Council of Micronesia - a group of elected

Micronesians selected to advise the High Commissioner. That Council had replaced an earlier appointed inter-district advisory committee. Since that time, there had been the creation of a territory-wide Congress of Micronesia with law-making authority, constitutional conventions, a plebiscite and referendums, as well as the creation and installation of freely chosen and locally designed governments operating throughout the Trust Territory of the Pacific Islands and managing all phases of self-government - executive, legislative and judicial.

394. Mr. Oiterong, Special Representative of the Administering Authority, noted that the Palau National Congress had recently concluded its sixth regular session. He was proud to say that the quality and quantity of legislative measures which it had considered and enacted would set the course and direction of the future economic and social development of the Republic of Palau. Among significant legislative measures had been the sanctioning of a development bank and of off-shore banking, the enactment of a usury law, ratification of agreements with other Pacific island countries on fisheries and Japanese foreign aid, control of the 200-mile economic zone and other legislative measures intended to encourage and facilitate investment and to expand economic development opportunities. Still pending before the Palau National Congress for further study and deliberations were measures aimed at easing restrictions on foreign investments in Palau, banking regulations, a comprehensive and long-range economic developmental plan, a public service system, legislation on air and sea transportation and on labour and immigration and other basic laws intended to implement the various mandates of the Palau Constitution.

Executive

395. At the forty-ninth session of the Trusteeship Council, Mr. Oiterong, Special Representative, remarked that the Palau Government had taken office at a time when the Government of the Trust Territory of the Pacific Islands had not completely achieved its programme goals and objectives. That action had unwittingly forced upon the newly emerging young Republic a legacy of unresolved problems, shortfalls and a need to reorganize and streamline the Government, to redefine its goals and to modify the aspirations of the people of Palau in terms of their resources capabilities. That had not been an easy task and, while efforts were continuing, the people of Palau had succeeded in some areas and failed in others and were still exploring ways and means to resolve many other problems.

Civil service

396. At the forty-ninth session of the Trusteeship Council, Mr. Oiterong, Special Representative, referring to the government employees' strike in Palau in September 1981, stated that the Government had employed all available means within its power to reason with the disgruntled employees, but to no avail. Because of budgetary constraints, provisions for a salary increase had not been included in the operational budget for 1981/82, and the Government had had no choice but to deny them their demand of a 100 per cent salary increase. It had met them half-way, however, in order to safeguard against further destruction of government property, to maintain order and recognize legitimate complaints.

397. The Special Representative pointed out that the employees' cost-of-living allowance, on which agreement had been reached, was not without merit. Until October 1980, the minimum hourly wage had been 85 cents, although the price of

basic commodities had risen sharply because of inflation far beyond the point where that minimum wage made any sense.

398. The Special Representative pointed out that one of the primary complaints, even from government employees, had been the size of the Government and the cost of running it. Palau, with a limited budget and a lack of well-planned transition programmes, had inherited from the Administering Authority an inefficient government system. When the inefficiency had been a part of the United States Government, budget over-runs had been accepted and covered by the Trust Territory Government and the Department of the Interior. However, Palau's constitutional Government, which had not yet been able to shed the inherited inefficiencies, had been admonished by officials of the Department of the Interior to keep Government expenditures down and had been warned that, beginning in fiscal year 1982, any deficits would be its own responsibility. Moreover, Palau, from its inception, had been saddled with executive functions previously performed by the Trust Territory Government without receiving any additional funds over and above the district government level of financing to cover its start-up costs.

Political education

399. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, said that any formal programme of public education leading to the plebiscite would have the support of the Administering Authority and she expected that any United Nations observation mission would find the programme to be at least as effective as the 1978 mission had found the programme preceding the constitutional referendum that had taken place throughout the Territory on 12 July 1978. 20/ She was confident that when the appropriate time came, the political education of the peoples of the Marshall Islands, Palau and the Federated States of Micronesia would meet any standards set by the United Nations. The Administering Authority stood ready to assist those efforts within its resources and as requested by the Governments.

400. The representative of the United States assured the Trusteeship Council that his Government believed that it had an obligation under the Trusteeship Agreement to ensure that any act of self-determination, particularly a plebiscite on future political status, was preceded by a fair, open and comprehensive public information programme covering the alternatives. The Administering Authority was prepared to fulfil that obligation in consultation and co-operation with the Governments of Palau, the Marshall Islands and the Federated States of Micronesia.

401. Mr. Takesy, Special Representative, stated that the Federated States of Micronesia viewed an informed choice as a very critical one and so they had submitted a carefully worked out programme to the Administering Authority for consideration and for funding. They had begun the process of political education by asking the various states to submit their views on the parameters of a political education programme appropriate for the people of the Federated States.

402. The Special Representative pointed out that although his Government had finished the translation of the compact of free association itself, it was not possible to predict how soon they could complete translation of the subsidiary agreements which had not yet been finalized. However, he assured the Council that his Government would do everything possible to ensure that a fair and soundly based political education process took place throughout the nation. He hoped that the

Administering Authority would consider their request for funding and a time schedule seriously and sympathetically so that they could obtain the necessary personnel and financial assistance to carry out the programme as they envisaged it.

403. Mr. DeBrum, Special Representative, said that the operations of the Government of the Marshall Islands and the deliberations of the Nitijela and its committees had been public since the formation of the Government. The sessions were broadcast live to all corners of the Marshall Islands, and important discussions of the Government were listened to by the people. The Marshall Islands had had the compact translated and had distributed it as widely as possible.

404. Mr. Uherbelau, Adviser, stated that in March 1981, copies of the compact had been distributed, in English, to schools, religious organizations and state governments. In Palau it had been translated into three languages and sent to headquarters for reproduction in August 1981. In April 1982, they had been given permission to have the translations reproduced.

405. The Adviser said that although he had been closely involved with the status negotiations on the side of Palau, he had not been able fully to understand the compact itself. If a political education programme were to be conducted on both the compact and independence as choices, he thought that the people would be confused by the issues. He did not want to give the impression that the Administering Authority was to blame in the area of political education. He thought that it was incumbent upon the people of Palau to take the political education programme seriously and to use whatever means were at their disposal to learn more about the issues. The Government of Palau had broadcast sessions of its legislature as well as cabinet meetings.

406. The representative of the United Kingdom underlined the importance which his delegation attached to a political education programme clarifying the options for Micronesians. He recalled the Council's view that it wished a programme of political education to be undertaken seriously and speedily. He noted that the Administering Authority had invited each of the Governments of Palau, the Marshall Islands and the Federated States of Micronesia to enact legislation for such a programme and for the holding of the plebescite in their area of jurisdiction. His delegation welcomed the statement by the representative of the Federated States that his Government had consulted with the United States on a broad public education programme, that it had prepared tentative plans for that programme and that it would continue to search for new ways to get information to the people. He hoped that the various island communities throughout the Territory would be consulted on the form and the scope of any programme, so that its implementation met the wishes of the people.

407. The representative of France stated that his delegation had taken note of the efforts made to inform the people of the various entities on the negotiations under way in respect of the compact of free association.

Decentralization

408. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that the new United States Administration had concurred with the draft compact of free association as it had been initialled and that the Administering Authority was continuing its efforts to phase out operations of the

Trust Territory Administration which could be performed by the constitutional Governments without infringing upon the responsibility still incumbent on it as a result of the Trusteeship Agreement. She recalled that the Acting Deputy High Commissioner had reported at the Council's forty-eighth session on the transfer of many functions and the related reduction of personnel at headquarters. The Special Representative noted that in 1982, headquarters personnel had been reduced to 300 and would be further reduced by 1982/83. The only personnel remaining at headquarters would be those necessary to carry out the functions still required by the Trust Territory Administration.

409. Mr. Takesy, Special Representative, said that progress had been made in the transition from Trusteeship to freely associated state. The United States had now transferred most internal governmental functions from the Trust Territory headquarters to the Government of the Federated States of Micronesia. That had given them an opportunity to exercise self-government, which they had sought for many years.

410. The representative of the United Kingdom stated that it was evident that the major concern of the representatives of the four constitutional Governments had been to complete that process of the transfer of power as soon as possible so that they could get on with their work. They wanted to develop and take responsibility for the future of their respective communities. It was right that the Council should do everything in its power to enable them to do so as quickly as possible.

Judiciary

411. At the forty-ninth session of the Trusteeship Council, Mr. Oiterong, Special Representative, said that a judicial system had been established in Palau, consisting of the Supreme Court and the Court of Common Pleas. The Supreme Court, which now had a Palauan Chief Justice and three part-time justices, would soon have three additional full-time associate justices to make up a full branch.

412. Mr. Takesy, Special Representative, reported that the Supreme Court of the Federated States of Micronesia had begun functioning in July 1981. The Chief Justice and Associate Justice had been appointed and confirmed and the Court was now certified to handle all legal issues that arose within the Federated States. They were now able to handle all aspects of self-government.

C. ECONOMIC ADVANCEMENT

1. Outline of conditions

General economy

413. At its forty-eighth session, the Trusteeship Council noted with regret that the Territory's economy was such that it could not produce sufficient funds to cover the administrative and social expenditure of the constitutional Governments. In particular, the structural imbalances in the economy appeared not to have been significantly reduced. Under the circumstances, it felt that now that the Micronesians were on the verge of choosing their future status, economic assistance to the Territory should be maintained at least at its present level to enable the people to achieve a certain measure of economic independence.

414. The Council noted in that connection that the Micronesian economy continued to feel the effects of inflation and energy price rises. However, it noted the efforts that had been made to find and develop alternative sources of energy, in particular solar energy and wind power.

415. The Council noted that the Territory's exports amounted in value to only one fifth of its imports and that the income derived from copra and tuna fish had declined in 1981. Inasmuch as the funds now derived from agriculture, handicrafts, fishing and tourism were not expected to increase to any significant degree, the Council urged the Administering Authority to promote the development of the kinds of production that could satisfy local needs, especially for food. It noted that the Administering Authority was providing assistance to the constitutional Governments if requested, in order to develop local products and thereby discourage purchases of similar products abroad.

416. The Council noted with satisfaction that the Administering Authority would provide the funds needed for the attainment of the goals of the five-year capital improvement plan ending in 1981. It hoped that the final contracts could be awarded speedily.

417. The Council regretted that the second phase of the capital improvement programme, which was designed to ensure the development of the outer islands, was currently seen by the Administering Authority as being a list of projects which might be implemented at a later stage. It none the less hoped that some parts of the second phase of the capital improvement programme would be implemented before the termination of the Trusteeship Agreement.

418. The Council noted that water and electricity supplies continued to be erratic in certain parts of the Territory. Pending the implementation of projects relating to alternative sources of energy, it felt that modernization of the diesel generators should be undertaken as a matter of priority.

419. According to the current annual report, economic assistance is continuing at a substantial level. With the transfer of functions, responsibilities and property, it is within the purview of the new Governments to select economic activities within the resources available and to support them through the Economic Development Loan Fund, local resources and funds provided by the Administering Authority's appropriations and federal programmes.

420. The annual report states that the Administering Authority is continuing to support the new Governments in the search for viable alternate energy sources. The United States Government has completed a comprehensive energy source inventory and assessment, which it has made available to the Governments. The Administering Authority's efforts are now directed to follow-up work on this study and to support and assist the efforts initiated by the new Governments.

421. The Administering Authority is continuing to provide assistance when requested and is looking forward to the development of viable, locally controlled efforts to resolve many of the imbalances in exports and imports.

422. The annual report states that the capital improvement programme is a multi-year programme initiated in 1976. While funding for the programme has been made available, actual construction of all projects will extend beyond the five-year period originally projected. By 31 January 1982, 18 projects had been

completed at a cost of approximately \$25 million. A total of 70 per cent of all the projects have either been completed or are under construction. The remaining projects are in various stages of planning or are being replanned to accommodate changes in local preference or priority.

423. Various grants from other United States agencies are being utilized to address some of the needs of the outer islands. Specifically, \$555,000 is being utilized to develop renewable energy sources, \$430,000 to provide facilities for health care, \$469,700 to improve communications and \$3,250,500 for other related projects.

424. The annual report points out that in addition to the capital improvement programme, energy related projects and the development of alternate energy projects in the outer islands, the Administering Authority has initiated a \$1.9 million generator rehabilitation programme. The programme will be carried out during 1981/82 and is intended to bring existing diesel generators back into operation. This activity has a high priority, and the Administering Authority has recruited an additional expert to implement the programme.

425. In the current annual report, the Government of the Federated States of Micronesia states that it has begun to feel the squeeze from the new United States Administration's budget cuts. It expresses concern that further cuts proposed by the present Administration could mean that the Administering Authority would not fully comply with its commitment to provide the necessary economic infrastructure as well as the political development in the Federated States of Micronesia before the compact of free association becomes effective.

426. There were no new economic development programmes initiated with the support of the Administering Authority. United States authorized funds were mostly used for preparation of state and national five-year development plans. Future economic development in the Federated States of Micronesia is tied largely to construction programmes. During the year under review, construction was under way on the Yap airport and the Kosrae airport and dock. The Truk airport and dock were near completion; and the Yap dock had been completed.

Public finance

427. The costs of Trust Territory operations are met by grants from the Administering Authority in the form of annual appropriations and federal programme grants, as well as by local reimbursable revenue collections.

428. The grant from the Administering Authority to the Territory (excluding the Northern Mariana Islands) for 1981 was \$94.5 million. In addition, the Trust Territory received approximately \$25.6 million in federal grants from United States Government agencies for the execution of various programmes. In 1981, tax revenues raised within the Territory totalled \$17.7 million. Reimbursements earned from services provided to the public and agencies amounted to \$7.0 million. In 1981, the Northern Mariana Islands received from the Administering Authority \$14.4 million for operations and \$7.0 million for the capital improvement programme. Local tax revenue totalled \$8.0 million and revenue from various services and other fees amounted to \$3.3 million.

429. At its forty-eighth session, the Trusteeship Council noted that the constitutional Governments had been given the opportunity to determine their

programme priorities for the 1982 budgetary year on the basis of certain budgetary guidelines.

430. The Council noted with interest that the constitutional Governments had been provided with additional funds to cover the expenses they would have to incur during the transitional period. It hoped, however, that if federal programmes were cut, the level of assistance given to the Territory would not be affected, particularly in the social field.

431. The Council hoped that the views of the Governments concerned would be taken into account in rationalizing the financial management system and facilitating budget preparation and accounting.

432. The Council reiterated its view that the Territory's system of taxes and duties should be designed to discourage the import of goods and products which could be obtained locally.

433. According to the current annual report, the Administering Authority confirms that the new Governments have had the opportunity to determine their own priorities within certain budget ceilings. The Administering Authority has provided a total of \$7.4 million to help defray the costs of transition to full self-government. This amount is in addition to funds provided under various federal programmes.

434. The annual report states that the Administering Authority has been consulting the Governments on the future directions and operations of their financial management systems, as well as on budget preparation procedures and accounting functions. Programmes to rationalize the various financial systems are being developed. The system of taxes and duties is under the jurisdiction of each constitutional Government subject only to limitations under the Trusteeship Agreement relating to the protection of free trade within the Territory.

435. The annual report further states that orders of the Administering Authority, in effect after 1979, require that the budgets of the Federated States of Micronesia, the Marshall Islands and Palau be submitted to the Secretary of Interior through the High Commissioner who will review the budgets and make recommendations.

436. The annual report further states that as of 1 October 1981, the Finance Office at Trust Territory headquarters has separated the financial management and payroll systems to allow each Government to control its own data processing and to request special reports or changes to the system which do not affect the other Governments. Virtually all functions of programme management and financial administration are performed by the Governments. The Finance Office is now responsible only for ensuring proper operation of the standardized accounting system, for oversight review of the accounting system and for preparation of consolidated accounting reports to higher authority.

Assistance from international institutions and other countries

437. At its forty-eighth session, the Trusteeship Council strongly encouraged the leadership of the Territory to develop relations with the various regional and international programmes.

438. The Council noted with satisfaction the assistance provided by WHO under the three-year health development programme launched in 1979, with particular reference to the training of medical and paramedical personnel and the granting of fellowships. The Council also noted with satisfaction the efforts undertaken by the Governments of the Territory to forge links and develop co-operation with the other States in the region.

439. The current annual report states that all four Governments have attained full membership in SPC, as well as associate membership or observer status in a variety of other regional and international groups. The Northern Mariana Islands is also a member of the Pacific Basin Development Council.

440. The Administering Authority will continue to support the efforts of the constitutional governments to join in organizations and to establish relations with other nations of the Pacific.

441. According to the annual report, a demographer, who was recruited and will be paid by the United Nations Fund for Population Activities, has been assigned to the Trust Territory. The expert will, among other things, analyse and disseminate data for population planning and projections. He will also conduct in-service training in analysis and use of population and related statistics in the Federated States of Micronesia, the Marshall Islands and Palau.

442. The annual report states that several experts from the United Nations Development Programme (UNDP) work closely with the Department of Resources and Development of the Federated States of Micronesia.

443. The annual report further states that the Federated States of Micronesia received aid from Japan amounting to \$1.5 million, to be used for the purchase of heavy road-building equipment. It also received \$2.5 million in cash, goods and services from Japanese fishing companies for rights to fish in the waters of the Federated States.

444. The annual report points out that the International Labour Organisation (ILO) provides expert and other services to the co-operatives and credit union organizations of the Northern Mariana Islands. Similar services are also provided to those organizations by SPC.

Credit

445. At its forty-eighth session, the Trusteeship Council was pleased to note that the constitutional Governments would be able to apply for loans from the Economic Development Loan Fund once they had established their banking systems.

446. The current annual report states that the last remaining obstacle to full implementation of the Economic Development Loan Fund programme is the establishment of a national bank in Palau. Banks in the Marshall Islands and the Federated States of Micronesia have been established and are operational. The transfer of lending responsibilities from Trust Territory headquarters to the constitutional Governments will assure participation of the local boards of directors and the loan credit committees of the respective Governments in any lending decisions. Approximately \$5.5 million is available for loans.

447. According to the current annual report, the Economic Development Loan Fund of the Northern Mariana Islands became active in the early part of 1979 and the first loan was granted in July 1979. Between 1977/78 and 1980/81, the Northern Mariana Islands received \$7.7 million as guaranteed by the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.

448. The current annual report states that in 1981, four chartered credit unions were operating in the Marshall Islands, with 2,130 members. Loans granted by them aggregated \$3.3 million. There are 20 chartered credit unions in Palau with total assets of \$1.5 million.

449. The annual report points out that in 1981 the Northern Mariana Islands granted 66 loans which aggregated \$8.9 million. In addition, the Northern Mariana Islands also administered 83 loans, which aggregated \$1.4 million, committed to it before its administrative separation from the rest of the Trust Territory.

450. According to the annual report, the operation and lending activities of the Economic Development Loan Fund programme in the Marshall Islands, which were frozen by the High Commissioner for the past four years, have now been reorganized by the Trust Territory and Marshall Islands Governments. More than 30 businesses and institutions have borrowed approximately \$360,000 since the creation of the Fund.

Land

451. At its forty-eighth session, the Trusteeship Council noted with satisfaction that all public land had been transferred to the local authorities, with the exception of small areas of Palau where there were still some administrative difficulties. The Council noted that the weather stations and adjoining housing still held by the Government of the Territory would be handed over to the constitutional Governments before the termination of the Trusteeship Agreement. The Council also noted that funds were available to finance the purchase or leasing of land which the Administering Authority currently held under indefinite use agreements and that negotiations were under way. In that connection, it observed that the Administering Authority planned to complete most of the payments before the end of 1981.

452. According to the current annual report, local administrative difficulties continue to inhibit the transfer of land on Palau; the Administering Authority is prepared to finalize all transfers as soon as these are resolved. The Administering Authority has completed payment for past use of land held under indefinite use agreements. There are approximately 20,000 land parcels in Palau, of which 16,000 have been surveyed, documented and registered by the Land Commission. It is estimated that it will take five or six years to complete the survey and registration of land parcels in Palau.

453. The annual report states that land disputes are fairly common in the Marshall Islands. Most of the disputes are between members of a family or families controlling land rights in a given parcel of land. Lack of written records and failure to record transactions involving land are the principal causes of land disputes.

454. The annual report points out that in Kosrae, there are 4,000 land parcels, both private and public, of which 1,443 have been surveyed, documented and mapped by the Land Commission.

455. The annual report states that during the period under review, 50 hectares of public land were surveyed and mapped in the Northern Mariana Islands. Further, determination of ownership was established in respect of 56 village lots and 19 agricultural lots and certificates of title were issued for 306 village lots and 389 agricultural lots.

Agriculture and livestock

456. In the current annual report, the Government of the Federated States of Micronesia states that agricultural development, for which there is great potential, remains unexploited. Production of agricultural products for export could well be the main factor in the balance of payments, particularly since production of copra, the major export item, has remained nearly static for the past few years. If a serious promotional and developmental plan could be executed, the production of agricultural export crops could help to promote greater economic stability.

457. The annual report states that subsistence farming is pursued in the Federated States of Micronesia by most of the population with access to land. This involves growing coconuts, bread-fruits, bananas, taros, sweet potatoes, cassavas, yams, vegetables and various other fruits and minor crops. The Government of the Federated States of Micronesia estimates that approximately 18,000 hectares is devoted to tree crops and 6,500 hectares to root crops. The Federated States of Micronesia receives approximately \$3 million in export revenues annually, mainly from copra (the chief export crop), black pepper, handicrafts and marine products. A coconut rehabilitation scheme to increase copra production has been progressing at a slow but steady pace for the past few years.

458. The agricultural sector has been emphasizing production of traditional food crops and the initiation of vegetable and fruit production to meet local demands and to reduce imports. Dependence on imports has been increasing due to population growth combined with limited development.

459. The annual report points out that farmers have been encouraged to expand existing operations in the production of livestock, poultry, eggs and various dairy products in order to retain capital in the Federated States of Micronesia. Swine, cattle and goat products have been experiencing increased demand. The Federated States has obtained improved breeds.

460. Two training courses in the technology of root and tuber crop production, to be held in Nigeria and Hawaii, were authorized. Three participants from Truk and Ponape were designated for the Nigerian training programme. Three states will participate in a forestry training programme.

461. During the period under review, two staff members of the Division of Plant Industry and Extension Services of the Northern Mariana Islands attended a five-day workshop at the University of Guam on soil science and plant pathology. In addition, an expert from the University of Hawaii conducted a workshop at the Kagman Agriculture Station.

462. The principal livestock in the Marshall Islands are swine and poultry. In 1981, 200 pigs were imported from New Zealand and 1,780 chickens were imported from Hawaii. It is the intention of the Government to improve the production and marketing of both poultry and swine.

463. Under the direction of the Resources and Development Department, the Marshall Islands Farmers Market provides a retail outlet for locally produced vegetables. Since the Government focuses on vegetable production in the outer islands, the services of the Farmers Market are expected to expand and grow in the coming years.

464. In Palau, the Agriculture Division is providing extension services to assist the farmers and livestock owners in all 16 states by visiting farm sites and performing demonstrations on proper agricultural cultivation. In 1981, there were 4 poultry farmers and 30 vegetable and root crop farmers.

465. The Palau Feedmill began operating in January 1981, utilizing locally available feedstuff mixed with other imported ingredients to manufacture hog and chicken feed.

466. The annual report states that the UNDP/Palau joint venture in livestock development had 55 head of cattle on 30 hectares of improved pastures in 1981.

467. Sales of agricultural products in the Northern Mariana Islands for 1981 totalled \$312,692, of which export sales amounted to \$57,674. The principal livestock in the Northern Mariana Islands is cattle. In 1981, livestock sales totalled \$2.7 million, \$550,174 more than in 1980. The beef industry produced \$463,305 in cash receipts, 42 per cent more than in 1980.

468. At its forty-eighth session, the Trusteeship Council stressed that the expansion of agricultural and livestock production to meet the needs of the population should continue to be a matter of priority. In addition, it requested the Administering Authority to promote export-oriented agriculture. The Council reiterated its hope that the study on the development of pepper plantations on Ponape and the Truk broiler project, which was 70 per cent done, would soon be completed. The Council noted the distribution of a new variety of coconut trees and urged the Administering Authority to continue its effort to improve the yield of coconut plantations in order to guarantee supplies for the two copra processing plants in the Territory.

469. The current annual report states that, as part of its general reduction, the Trust Territory Administration has dissolved the Department of Resources, comprising the divisions of agriculture, tourism, marine resources, economic development and lands and surveys, and transferred its functions to the new Governments. The Administering Authority will continue to provide technical assistance to the new Governments from other agencies of the United States Government, as available and when requested.

Marine resources

470. In its current annual report, the Administering Authority states that the Micronesian Maritime Authority continues to handle all matters concerning the 200-mile fishery zone of the Federated States of Micronesia. In 1981, the Government of the Federated States contributed \$50,000 to Yap for its fishing

programme but could not, due to lack of funds, provide the \$7,500 requested by Truk for a fisheries training programme.

471. The current annual report states that it is the goal of the Government of the Marshall Islands to assist and encourage the development of marine resources for home consumption and export.

472. In 1981, the Republic of China conducted a survey to determine the capacity of the bait-fish population to support the local fishing operations. Three fishing vessels, including the crews, were provided by the same Government. Results are yet to be reported.

473. During the period under review, the United States Pacific Tuna Development Foundation (PTDF) conducted a "troll survey project" to determine the availability of tuna during a one-year period and provided technical and financial assistance to support the project. An average catch of 2,000 kilograms per month was reported.

474. In 1981, the Majuro Fishermen's Co-operative Association received goods and services valued at \$170,000 from the Government of Japan through the Government of the Marshall Islands to develop the fishing industry. In the same year, the Association purchased 58,134 kilograms of fish for \$87,313 and sold 52,257 kilograms for \$103,322.

475. The administration and management of the Mariculture Demonstration Center in Koror has been transferred from the Trust Territory Administration to the Government of Palau. The Center, which develops programmes in trochus reseedling, reef fish and rabbit-fish farming, is attempting to make commercial mariculture productive in Palau. Special efforts are being made to promote technology for the development of commercial tuna and deep-bottom fishing by Palauans.

476. In 1981, tuna/skipjack production in Palau amounted to 7.4 metric tons and reef fish to 2.6 metric tons. Exports of frozen fish were valued at \$1.5 million.

477. In the Northern Mariana Islands, the domestic catch of reef, deep-bottom and pelagic fish in 1980/81 was approximately 110,000 kilograms. Three large commercial vessels were added to the fishing fleet of the Northern Mariana Islands, bringing the total to eight large vessels and 130 skiffs. The Government is building a centralized fishery complex in Saipan, which will provide some of the basic needs of the local fisherman. The facility was scheduled to be completed in 1981.

478. The annual report states that PTDF has awarded \$50,000 to the Northern Mariana Islands to conduct a feasibility study on small-scale shark fishing. Several companies have indicated their desire to purchase dried shark fins at prices ranging from \$4 to \$24 a kilogram, depending on size and quality.

479. At its forty-eighth session, the Trusteeship Council noted with satisfaction that the three maritime authorities of the Federated States of Micronesia, the Marshall Islands and Palau were working to strengthen their legislation on the protection of the 200-mile zones. It took note of the Administering Authority's intention of extending assistance to ensure respect for the rights of the Micronesians over the 200-mile zones.

480. At the same session, the Council noted with interest that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau had entered into

a licensing agreement with the American Tuna Boat Association. It also observed with interest that the Government of the Marshall Islands had signed a fisheries agreement with the Government of Japan. The Council also noted with satisfaction that the Administering Authority was paying constant attention to projects for improving the exploitation of marine resources. It particularly welcomed the services of the Research Center set up in Palau.

481. The current annual report states that the Administering Authority has been co-operating with the Governments of the Federated States of Micronesia, the Marshall Islands and Palau with respect to the development of suitable legislatively-based régimes of maritime jurisdiction. The initialed compact of free association, and two of its related agreements deal directly with the maritime jurisdiction issue in a manner acceptable to all parties. Prior to and after termination of the Trusteeship Agreement, the United States will continue to support measures and activities which ensure that the benefits of the maritime zones surrounding the Federated States of Micronesia, the Marshall Islands and Palau are preserved for those jurisdictions.

Third United Nations Conference on the Law of the Sea

482. At its forty-eighth session, the Trusteeship Council noted that the Trust Territory delegation to the Third United Nations Conference on the Law of the Sea during 1981 had been composed of representatives of the Federated States of Micronesia, the Marshall Islands and Palau. In that respect, it noted that the question of their possible participation in a convention on the law of the sea had been raised in a positive manner at the 1980 session of the Third United Nations Conference on the Law of the Sea.

483. In the current annual report, the Administering Authority notes that participation by the Governments of the Federated States of Micronesia, the Marshall Islands and Palau in any final law of the sea convention has not yet been fully resolved by the Conference. The United States has made clear its position of support for participation by those Governments after the compact of free association comes into effect.

Industry and tourism

484. According to the current annual report, the Tourism Officer of the Government of the Federated States of Micronesia was active in the tourism promotion programmes of the various states within the Federated States of Micronesia. He attended the Micronesian Regional Tourism Council in Koror and Saipan in 1981. He also participated in a seminar on tourism in Honolulu which was sponsored by the Pacific Area Travel Association (PATA).

485. The annual report indicates that a total of 1,906 visitors entered Ponape in January and February 1981.

486. The total number of visitors to the Marshall Islands in 1981 was 1,242 and expenditures by those visitors totalled \$323,456. There are three hotels on Majuro with a total of 80 rooms. A ground-breaking ceremony was recently held for a proposed 150-room hotel to be constructed on Majuro by the Government of Nauru. There are also 10 motel rooms on Mili.

487. The number of visitors to the Northern Mariana Islands totalled 116,375 in 1981 and estimated expenditures by those visitors amounted to \$59.4 million. There were 741 hotel rooms during the period under review. The Northern Mariana Islands' Visitors Bureau, established by the Northern Marianas Legislature in 1976, employs 17 people and operates under a board of directors, mandated by law to oversee the total development of the industry.

488. At its forty-eighth session, the Trusteeship Council reiterated its concern at the absence of small industrial enterprises in the Territory.

489. The Council stressed that Micronesia could be considered to be an attractive region for tourism. It noted the remarkable growth of the tourist industry in the Northern Mariana Islands and the more modest progress achieved in other parts of the Territory. In that connection, it noted the tourist hotel projects in Palau and the Marshall Islands. The Council considered that tourism could only be developed gradually, with a carefully prepared overall plan. It noted in that respect that in order to set up a tourist industry there would have to be a well-developed infrastructure (roads, water supply, electricity, hotels) as well as a potential tourist market. While welcoming the expansion of the tourist industry, the Council reiterated the hope that the interests of the population and the existing social structures would be safeguarded and the environment preserved.

490. The current annual report states that the Administering Authority continues to endorse the development of small industries. Resources and development functions related to industrial development have been transferred to the new Governments.

491. The Administering Authority has also transferred the functions related to tourism to the new Governments. The establishment of an infrastructure noted by the Council will occur with the completion of the capital improvement programme. In the annual report, the Administering Authority expressed its confidence that the tourism development programmes of the constitutional Governments were adequately sensitive to the importance of cultural preservation.

492. In the annual report, the Government of the Marshall Islands states that growth and development of its tourist industry must involve formulation of a comprehensive and well-conceived plan. The goal for tourism development is to increase local tourist expenditures in the Marshall Islands by substituting local products for imported products. Greater efforts should be made to improve the quality of the existing infrastructures and services and to employ Marshallese instead of foreigners. The Government's strategy is to develop tourism gradually because of the need to build the necessary infrastructure and production base.

Transport and communications

493. The current annual report states that during 1981, the Division of Communications made a concentrated effort to upgrade and expand the telecommunications systems within the three emerging Governments. While much has been accomplished already, completion of the remaining work is expected to take place during 1982 or early 1983. The goal of the telecommunications projects is to expand, upgrade and modernize the telecommunications facilities and services so that there will be an effective and efficient system of telecommunication for the emerging Governments which will enable them to communicate between themselves and with other parts of the world.

494. The annual report further states that the maritime transportation system in the Trust Territory serves two primary functions: interisland field trip service and international/interstate trade or logistic shipping service. The interisland field trip service provides for the movement of cargo, passengers, administrative services and logistic support from the administrative centre to all inhabited outer islands. The service is provided by a fleet of 10 steel-constructed, diesel-powered cargo/passenger ships operated by the three new constitutional Governments.

495. The annual report under review states that provision of air transportation is an integral part of the Marshall Islands Government's commitment to provide adequate health care for all outer-island residents, through both service delivery and medical evacuation. Following the advent of the Airline of the Marshall Islands, presently consisting of a 14-seat and a 16-seat Nomad, a project of outer-island airstrip construction was undertaken. The goal is to provide every populated atoll, or island not part of an atoll, with air service capability.

496. Air Micronesia continues to operate in Micronesia, Saipan being the northern gateway, with 11 weekly B-727 jet flights direct from Tokyo. Japan Air Lines (JAL) also provides service with four weekly flights from Japan using B-747 jets. Commuter flights provide service between the Northern Mariana Islands and Guam.

497. At its forty-eighth session, the Trusteeship Council stated that it shared the view of the representatives of the constitutional Governments that transport and communications continue to be a serious problem in the Territory. In that connection, it hoped that the legal problems resulting from the transfer of ownership of ships and aircraft to the constitutional Governments would be solved rapidly. It noted in that respect the negotiations undertaken by the Governments of the United States and of the Marshall Islands for the registration of the two aircraft belonging to the Airline of the Marshall Islands.

498. The Council noted with satisfaction that the work on the Moen (Truk) and Kosrae docks was nearing completion. It noted with satisfaction the opening of the new Rota airport, the expansion of the Truk airport and the improvements made to the Ponape airport. It hoped that the new airports in Palau and Kosrae would be completed soon. The Council noted with regret that the road network remained inadequate in certain parts of the Territory and that some of the work carried out was hardly consistent with the local situation.

499. At the same session, the Council noted that the Territory's inhabitants wished to see the development of a satellite communications system to improve communications within Micronesia and with the outside world and also noted the studies conducted by the Administering Authority in that respect. In that connection, it welcomed the signing of the agreements concluded between the Governments of the Federated States of Micronesia, the Marshall Islands, Palau and the Northern Mariana Islands and the Communications Satellite Corporation.

500. The current annual report states that completion of the capital improvement programme and the communications projects now under way will greatly alleviate the problems of transportation and communications.

501. The annual report further states that in September 1981, the High Commissioner and the Governments of the Federated States of Micronesia, the Marshall Islands and Palau concluded formal agreements to transfer to the three Governments title of

ownership of vessels operated by each of them. The transfer of ownership titles of the vessels affords the three Governments the full responsibility and complete control of management and operation of their interisland shipping services.

502. The Trust Territory Government still retains the title of ownership, management and operations control of two logistic vessels, the M.S. Herkimer and the M.S. Fentress. At the request of the Governments of the Federated States of Micronesia and the Marshall Islands, arrangements are being worked out to transfer the M.S. Herkimer to the former and the M.S. Fentress to the latter.

503. According to the annual report, the concerns regarding the two Marshall Islands aircraft have been resolved to the satisfaction of all parties.

504. The report states that work on the airport and road network projects has either been completed or is in its final stages. The Moen (Truk) dock was completed in July 1981.

505. According to the annual report, progress continues to be made in the planning and installation of a satellite communications system. Palau has recently received approval from the United States Federal Communications Commission (FCC) for its earth station. The Governments of the Marshall Islands and the Federated States of Micronesia have signed similar agreements and expect FCC approval during 1982.

Proposal for a super-port in Palau

506. At the forty-eighth session of the Trusteeship Council, the representative of the United States, referring to the proposal for a super-port in Palau, said that the position of his Government was that a feasibility study was a necessary first step and the environmental impact of the proposal should be thoroughly and objectively assessed. Any request for a super-port would have to comply with Palauan law, the Trust Territory code and relevant United States laws. He pointed out that no action was being taken with regard to the proposed super-port and that it did not seem to be an active issue at the present time.

507. At the same session, the Adviser of the Administering Authority from Palau recalled that the former Chairman of the Palau Political Status Commission had declared during the forty-fifth session of the Trusteeship Council in 1978 that the super-port was at that time no longer feasible as a project for construction in Palau. The Adviser said that he had no further information to provide to the Council on the question.

Co-operatives

508. In its annual report to the forty-eighth session of the Trusteeship Council, the Administering Authority stated that, at 30 September 1980, eight co-operatives were active in Palau with 853 members and aggregate assets of \$230,449. Although complete information was not available for the number of co-operatives in Truk, four were listed as operating in the states with 24,566 members and assets totalling \$1.5 million. Kosrae had one co-operative with 666 members and assets of \$457,979.

509. The current annual report states that in the Marshall Islands, the co-operatives are organized as producer-consumer organizations. In the outer

islands, copra is the main staple purchased from members. However, some handicrafts and seafoods are also purchased. In 1981, six co-operatives were in operation with a total membership of 793 persons and a share capital of \$136,570.

2. Discussion in the Council and opinions expressed

General

510. At the forty-ninth session of the Trusteeship Council, the representative of the United States noted that the majority of the members of the Trusteeship Council had acknowledged the positive situation in the Trust Territory, although his Government recognized that additional efforts were needed to improve the economic situation in the Territory. That had been a high priority concern for many years, and the Administering Authority intended to work closely with the constitutional Governments to continue programmes already under way to install the basic infrastructure that would make self-sustaining economic growth possible. Stringent budgetary constraints required careful work to ensure that the funds available were spent wisely and efficiently.

511. The representative of the United States also stated that the five-year capital improvement programme would be almost completed in 1982. Some of the projects concerned: repairing the water catchment area at the airfield in Majuro; a water system at Ebeye; improving the water quality in Majuro; a sewer system in the Marshall Islands; emergency sewer rehabilitation in Ebeye; an electrical system in Majuro; the electrical system at the Ebeye power plant; a cafeteria-kitchen-auditorium; building, repairing and extending existing docks in Ebeye and Jaluit; and a hospital in Majuro. Most of the projects had been completed or would have been contracted before the end of 1982.

512. The representative of the United States, in making some general observations with respect to economic and social conditions in the Trust Territory, stated that under the Trusteeship Agreement, the United States as Administering Authority had undertaken some very broad obligations and had done so in a most sincere and solemn fashion. The record in economic development and in the improvement of social conditions no doubt left more to be desired, as his Government had never hesitated to acknowledge. Among the many problems confronting it was the staggering geographic dispersion of Micronesia and its peoples. It had proven exceedingly difficult to establish reliable and efficient means of transportation and communications among the larger and most heavily populated islands, much less to include the smaller and less populous outer islands in those same networks, or to build and maintain the physical infrastructure - roads, docks, airfields, schools, hospitals, government buildings and transmitters - in a climate where construction of any sort had a relatively short life. The growth of industry, agriculture and fisheries would be enhanced by the greater development of such facilities.

Although Micronesia had not attained, after 35 years of United States administration, the level of economic development which either the United States or Micronesia's own inhabitants would have desired, economic conditions had greatly improved over that period. In that regard, United States appropriations and programmes for the Trust Territory had increased rapidly over the last two decades, and the Administering Authority fully intended to continue to assist Micronesia in the post-Trusteeship period in order to promote further its economic development and its efforts to attain self-sufficiency. Since political development had been fostered with great success and the Micronesians had achieved a significant level

of self-government, they had by now assumed a considerable role in charting their economic development. The United States had authorized and encouraged that trend in the current period before the Trusteeship ended to the extent that Trusteeship obligations would permit. Free association, as it was now envisioned, would allow the peoples of Micronesia, through their elected Governments, to assume even greater responsibility. They would establish their own priorities for development. Each Government would have available substantial financial and other resources, which it would be able to direct as it saw fit to deal with social problems in its own fashion and in consonance with local culture and traditions. Even before free association came into effect formally, the United States was taking still further steps to improve communications and transportation in the Trust Territory, through the provision of seven satellite earth-stations in the jurisdictions and through the turnover to local Governments of all interisland vessels heretofore controlled by the Trust Territory Government.

513. The representative of the United States further stated that how Micronesia and its people adjusted to the contemporary world should be their decision. The United States was eager to see them assume that responsibility and was prepared to make available to them very substantial resources with which to accomplish that task.

514. Mrs. McCoy, Special Representative, stated that the Administering Authority was endeavouring to lessen the impact of the severe world-wide economic and fiscal situation, which was also affecting the Trust Territory. It was doing so through its technical assistance programme and by providing advice and assistance when requested. The Administering Authority was aware of the need to establish the best possible infrastructure for economic development prior to the termination of the Trusteeship Agreement. The capital improvement programme was in its final phases. Runways at Truk and Ponape had been completed and work on similar projects was progressing on schedule in Yap, Kosrae and Palau. Substantial gains in power production and water distribution programmes were being made. By the end of 1982, all major power-generating equipment in use in the Territory would have been overhauled. New generators were operating in Palau, and the Government of the Marshall Islands was about to complete a new and elaborate power plant with the assistance of the United Kingdom and the concurrence of the Administering Authority. Palau was exploring the possibility of doing the same. Work on road paving and sewer hook-up was progressing rapidly in all areas.

515. The Special Representative pointed out that the Administering Authority had recognized that the level of economic development of the islands had been less than desirable. It had also noted that it was rightfully for the new Governments to determine the priorities for their economic development consistent with their cultures, customs and resources. She cited as a practical application of that principle a recent announcement by the Federated States of Micronesia indicating that the President had presented to the Congress of the Federated States a 15-year development plan with a 5-year focus on reconstruction of the economy and the development of primary industries that would support human development. Funds had been approved under that programme totalling \$18,000 for agriculture in Yap; \$19,980 for handicrafts and a breadfruit-flour mill in Truk, and \$25,000 for a manufacturing plant in Ponape. The Special Representative reiterated the confidence of the Administering Authority that the new Governments had the ability and talents, now that the authority was theirs, to determine their own economic directions and actually to do something about them. Hoping that the Council, in its deliberations, would keep that in mind, she was certain that more of that type of economic activity would occur which was best suited to the conditions of the islands.

516. Mr. Takesy, Special Representative, stated that the Federated States of Micronesia was seeking an understanding with the United States on a number of transitional issues which consisted mainly of capital construction and infrastructure development programmes essential to future political and economic stability. To that end, the Federated States had identified water, sanitation, road, school and airport projects. The Government of the Federated States had assigned high priority to construction of new capital facilities and a campus for the Community College of Micronesia in Ponape. The United States Government had previously agreed to most of those projects, which were included in the five-year capital improvement programme. The programme had been plagued by delay and many of the projects had been scaled down to a point where they could not serve the original purpose for which they were conceived. There was a critical need for a comprehensive maintenance programme to ensure that the projects constructed under the capital improvement programme plans did not deteriorate. In particular, considerable technical and training assistance for local personnel was needed. While recognizing that the United States economic situation required that hard choices be made by both Governments, the Federated States also recognized that much remained to be accomplished and it hoped that equitable arrangements for both countries could be reached.

517. The Special Representative indicated that national and State five-year development plans were nearing completion. An energy plan to lessen the dependence of the Federated States of Micronesia on oil had been completed and a bulletin of statistics, the first comprehensive statistical review prepared internally in Micronesia and of importance to planning and future development, had also been completed. Work on sewerage and water systems was being carried out and would be followed by the paving of the primary roads on Moen. The United States Army Corps of Engineers was carrying out a feasibility study on a hydro-electric site in Ponape.

518. The Special Representative further stated that in Yap, efforts were being concentrated on completing water and sewer systems for Colonia. Work had begun to raise the water reservoir and wells were being dug in the southern part of Yap to supplement existing systems.

519. Mr. Iion, Adviser, stated that he was unable to report that the economic development of the Federated States of Micronesia was as well established as its political development. During the last several sessions of the Trusteeship Council, his Government had repeatedly raised the numerous problems confronting it which could only be overcome with the expenditure of significant funds beyond that already spent, and which remained far beyond its own present means.

520. The Adviser pointed out that although great and fundamental needs for future growth existed, the Federated States of Micronesia was prepared to enter into free association while continuing to discuss those needs with the United States. Yet eagerness for free association should not be misinterpreted. The Trusteeship Council had repeatedly recognized, as had the United States, that Micronesia lacked many of the basic elements of self-sufficiency in both infrastructure and economic development. While the United States had made a number of commitments concerning development in those areas which would aid in the quest for that self-sufficiency, the Federated States urged the Council to give its full support in calling upon the United States to fulfil all of its Trusteeship obligations, particularly in such areas as capital infrastructure.

521. His Government understood that not all needs could be met in a single year, yet that did not mean that the United States would not have a continuing obligation to provide the necessary infrastructure, even if it did so after free association had been initiated. While grateful for what the United States had already done in promoting self-sufficiency and for the completion and near completion of many projects, Mr. Ilon stated that others were either only partially completed, with no further appropriations being sought, or had not yet been started. While agreeing with the High Commissioner that progress had been achieved, Mr. Ilon felt that a better comparison was between where Micronesia was today and what was required to ensure its economic self-sufficiency in the future. Without criticizing the significant improvements over the past 20 years, he pointed out that the United States had committed itself to providing an adequate infrastructure, and those commitments must be honoured. Indeed, it was on the basis of those commitments that the Federated States of Micronesia had initialled the compact of free association.

522. The Adviser stated that internal economic stability was the basis for political stability. The Trust Territory of the Pacific Islands, the only strategic Trust, was so denominated because of its strategic location in the Pacific Ocean. Important interests were served by maintaining stability in the new nations and the Federated States of Micronesia believed that a viable economic base and completed capital infrastructure were key elements in ensuring that stability.

523. The Adviser further stated that at its previous session, the Trusteeship Council had asked the United States to continue its assistance at the levels then in effect. That call had not been heeded and substantial cuts in the scope and extent of infrastructure development had been made. The Federated States of Micronesia sought the Council's assistance in ensuring that all United States commitments were honoured. While the Council might have gained the impression that the process of installation was now almost complete in the area of basic capital infrastructure and that, with only a little additional expense the equipment necessary to provide adequate social services and to conduct expanded economic activities would be possessed, that was not the current situation in the Federated States. In testimony before the Congress of the United States it had been made clear by the High Commissioner that a minimum of \$32 million should be spent in 1982 on projects critically needed in all of Micronesia. At the same time, the High Commissioner had reported that there were no funds available and that those critical projects had been shelved. The Adviser believed that the figure was much higher for the Federated States alone.

524. The Adviser said that as a result, water and sanitation systems, roads, schools, medical facilities and airports would again be far short of what was necessary. There was still no comprehensive maintenance system to support what was in place. Even upgraded communications facilities fell far short of what experts had agreed was the minimum to meet internal communication needs and the requirements of the earth satellite telecommunication stations, once installed. In addition, as the Federated States of Micronesia had reported before, one of its most critical needs for responsible fiscal management and self-government was a computerized fiscal management system co-ordinated between the states and their federal Governments. Despite commitments to provide that system, no funds were being sought by the United States Department of the Interior for the next fiscal year. The Federated States again urged the Trusteeship Council to assist it in obtaining assurance from the Administering Authority that its commitments would be honoured.

525. Mr. Oiterong, Special Representative, stated that for many years, Palau had suffered power outages and an inadequate generation of power. The rising cost of fuel and general world-wide inflation had further aggravated its plight. Palau was most pleased that besides the installation of three additional new power generators provided by the Administering Authority, under the five-year capital improvement programme, a new 3-megawatt gas turbine generator provided by the International Power System and Electric Company of the United Kingdom had also been installed and was operational. That addition had provided sufficient power generation to meet the existing demand in Koror. Additionally, Palau was in the final stage of negotiations with the International Power System and Electric Company based in the United Kingdom on a \$26 million long-term loan agreement for a 16-megawatt power plant to provide electricity for the entire main island of Babelthuap, in addition to providing power to business and residential communities in Koror. Efforts to seek alternative sources of energy were also continuing.

526. The Special Representative stated that despite past accomplishments, a major deterrent to the realization of Palau's objectives and achievement of further progress continued to be the inadequacy of the capital funds and technical expertise at its disposal. The United States annual grants, while appreciated, should be reviewed in the light of changed circumstances. These grants and quarterly allotments could no longer be deemed sufficient to meet Palau's national needs. Nor could it afford to continue to be part of the overall budgetary process of the United States Department of the Interior which had outlived its rationale and justification.

527. The Special Representative pointed out that Palau had unique developmental needs and circumstances and should not be subjected to the changing fiscal policies of the United States Government. Except for a few exceptional cases, Palau had not received capital improvement funds since 1980/81. The United States did not have any policy to assist Palau with financing additional capital improvement projects between then and when the compact of free association came into effect. Palau suffered most from the lack of a planned infrastructure. There were some improvements, but there were still no roads on power available to the majority of the people on the main islands of Babelthuap. Palau had urged the United States to make a pre-compact lump-sum financial commitment, so that it could make its own long-term development plans on the basis of available resources, financial constraints and manpower limitations. In Palau's budget submission to the United States Congress for 1982/83, capital improvement programme funds of \$14,650,000 were being requested although there was no certainty that those amounts would be received.

528. The Special Representative stated that in the past 37 years representatives had appeared before the Trusteeship Council bemoaning the fact that the Trust Territory of the Pacific Islands in general, and Palau in particular, had lacked a sound economic base. That fact still existed in Palau today, and it sought the Trusteeship Council's guidance in charting the course of its future political destiny, which depended to a great extent upon its economic well-being.

529. The Special Representative further stated that while the attainment of a constitutional Government was a significant step forward for Palau in the process of self-government, assumption of such a step brought additional government costs at a time when it still relied on the limited largess of the Administering Authority. It did not have another economic base from which it might draw financial support. In the exploration of solutions to resolve the financial

plight, the United States Government was apparently not prepared to assist Palau in meeting the increased administrative operational costs, specifically the proposed salary increase for government employees. While understanding that position, the Special Representative said that the ultimate responsibility of the United States for Palau was being overlooked and Palau had appealed directly to the Congress of the United States for financial assistance.

530. Mr. Salii, Adviser, stated that the recent strike of government employees in Palau showed that Palau's newly acquired political autonomy was vulnerable when economic conditions reflected complete dependence on foreign sources of income, particularly when the amount and application of such funds reflected political considerations not of Palau's making. If Palau had been economically independent, its capital infrastructure in place and its economic development fostered at the same pace as its political development, that strike and its underlying causes would never have occurred.

531. The Adviser further stated that as Ambassador for Status Negotiations and Trade Relations, his responsibilities reflected and encompassed the basic philosophical and governmental policy of his nation, which was that political independence must be accompanied by economic self-sufficiency. Without a stable economy capable of providing security and opportunity, political stability could not be assured. The failure of the Administering Authority to accept that self-evident concept had delayed the final ratification of the compact of free association.

532. The Adviser pointed out that for a nation of some 15,000 people, economic viability was an attainable goal if the Administering Authority would expend the same efforts in that area as it had expended in attending to Palau's political needs. The Administering Authority must be applauded for its contributions to the political development there. Only the United States was capable of moving a people, long accustomed to foreign bondage, to a fine appreciation of democracy, freedom and justice. For that achievement his people would be spiritually and politically linked to the United States for a long time to come. The failure of the Administering Authority to ensure the economic development of Palau, on the other hand, put in jeopardy the light of sovereignty so carefully nurtured by the Administering Authority in those long years. He was confident that the United States delegation to the status negotiations was blessed not only with the foresight to accept the necessity of Palau's true economic independence as an adjunct to true political independence but also with the time to develop that assistance unencumbered by the requisites of Trust Administration. Funds were needed to develop not only basic infrastructure, but also basic industries which capitalized on marine and agricultural resources. Equally important was the development of capital-intensive industries which could provide major revenue sources for Palau.

533. Mr. Tenorio, Special Representative, stated that during the year under review more emphasis had been placed on projects to equip the Northern Mariana Islands with the basic infrastructure for its social and economic development. The improved infrastructure would encourage potential investors to begin new industries besides enhancing its tourist industry, which remained the corner-stone of its economy. The Covenant between the Commonwealth of the Northern Mariana Islands and the United States ensured that financial and technical support would be provided to develop the essential economic resources and infrastructure programmes needed to achieve a progressively higher standard of living on a respectable level within the political family of the United States.

534. The Special Representative said that with substantial financial and technical aid from the United States, the power supplies were being upgraded with new power plants and more efficient generators; the quality and quantity of water supply were being improved through the addition of new wells and better management of water resources; basic sanitary services were being provided through the construction of sewers and sewage-treatment plants and through solid waste management; highways were being upgraded for safety, access and economic development; and airport and harbour facilities were being provided to promote commerce and industry, in particular tourism. There were modern airport terminals and new airstrips at Saipan, Tinian and Rota. With the advent of satellite communications, local telecommunications were being overhauled, and a memorial park for recreation, tourism and sports activities was being developed.

535. Mr. Borja, Adviser, stated that in the Northern Mariana Islands, efforts were geared towards building a sound economic base. Although the task ahead was monumental, after years of discussions on economic studies costing more than \$3 million, the Northern Mariana Islands had decided to identify the economic constraints that inhibited progress in efforts to achieve relative economic self-sufficiency. In that connection, good rapport had been established with the local business community and joint efforts to identify economic constraints retarding economic development programmes had begun. The Government of the Northern Mariana Islands intended to be an active participant in efforts to bolster the economy of those islands.

536. Mr. Garland, Adviser, stated that the Commonwealth of the Northern Mariana Islands was profoundly grateful to the United States for its generous contributions to the economic, social and educational advancement of its people and it was fully confident that that generosity would continue.

537. Mr. DeBrum, Special Representative, stated that in addition to the Van Kamp Company, a food processing and canning company which operated in Palau as a major United States investor in the Trust Territory, Continental Airlines operated the air service there as a joint venture with Air Micronesia. Mobil provided all the petroleum requirements of the Trust Territory at the present time. In addition, several large United States companies were involved in the Marshall Islands in support of the United States defence site at Kwajalein.

538. The representative of France stated that the scarcity of natural resources, the low population density, the dispersal of the population over vast areas and deficiencies in infrastructure made the economy of the Territory fragile and dependent. Several statements that had been heard in the Trusteeship Council deserved consideration in that regard. He noted that the archipelagoes still did not have enough ports, airports and roads to ensure their development. Some mining and basic processing had been abandoned, increasing outside economic dependence and making it impossible to create the number of jobs needed for young people entering the labour market. Furthermore, the supplies of drinking water and electricity still caused problems in certain islands, even among the most developed.

539. The representative of France stressed the impact produced on investments and on public service operations during the current fiscal year by budgetary restraints imposed by the Administering Authority on the Territory and on local Governments. Certain programmes had come to an end and had not been renewed. New responsibilities and therefore additional burdens had been placed on the Governments of the entities without additional financial means having been provided

to them. The potential wealth in the areas of fisheries, the exploitation of the sea-bed, solar energy and tourism, should be used. The people needed investments, infrastructure and a determination which was up to the Administering Authority to encourage, while at the same time protecting the natural balance and the particular values of the populations.

540. The representative of France was aware of the human and geographic features of the Territory which, in many cases, constituted obstacles to development. It appeared, however, that an additional effort could be made by the United States, not only to enable the administration to function and the public services to meet the needs of the people, but also, and above all, to create the conditions for balanced and harmonious economic development.

541. The representative of France considered that the United States had promoted the overall political progress of the Trust Territory. It would be desirable for that progress to be accompanied with greater economic and social progress and for a greater financial effort to be made by the Administering Authority so that the constitutional Governments might have the means to back up the present powers.

542. The representative of the Soviet Union stated that the United States had not met its obligations under the Charter and the Trusteeship Agreement whereby it must promote the economic progress of the Trust Territory and its economic self-reliance and to that end to regulate the use of natural wealth, to encourage the development of fisheries, agriculture and industry, to protect the population from loss of its lands and natural wealth and to improve transportation and communication. The social and economic situation in the Trust Territory continued to be very dismal. Thus far, Micronesia did not have a developed agriculture; there was almost a complete absence of industry; and there was no study of, and very little use being made of, ocean resources, in particular the potential of fishery industries to meet the needs of the people. The fishing industry was dominated by foreign fishing vessels, since Micronesia did not have its own fishing fleet.

543. The representative of the Soviet Union said that to the present the Territory had an acute need for various kinds of specialists. Representatives of Micronesia constantly stated in the Trusteeship Council that the Territory was currently less self-reliant than it had been at the beginning of the Trusteeship. The Administering Authority had not been paying attention to the development of a viable economy and to the reduction of the Territory's dependence on external financing. At the Council's forty-ninth session, the representatives of Micronesia had, with a single voice, stated that there was no infrastructure in the Territory. The Council had heard of unemployment and shortages of water, energy and transport and communications systems. Year in and year out there was a trade deficit.

544. The representative of the Soviet Union quoted from an article by Howard Hills contained in a publication entitled The Center Magazine of September/October 1980, in which it was stated:

"... After more than a century of foreign rule, Micronesians are on the threshold of self-government, but they do not have the economic power to achieve their social and political goals. Democracy will remain in limbo in Micronesia until economic realities and the social aspirations of the people are reconciled.

"All the usual problems associated with social development in emerging nations - rapid social change, rising expectations, impact of modern ideas on traditional life-styles - have been aggravated in Micronesia by the imbalanced and misconceived development programmes of the United States since the United Nations Trusteeship was created in 1947.

"The Americans created an elaborate administrative bureaucracy ... It now appears, however, that ... many of our policies have been based on certain economic and cultural misconceptions.

"... The people's dependence upon United States financial assistance undermines not only their new political freedoms, but also their traditional self-reliance and unique cultural heritage. ..." 21/

545. The representative of the Soviet Union stated that the question arose: was not the Administering Authority's entire policy with regard to Micronesia intended to keep Micronesia in an undeveloped state in economic and social terms so that it could be said that the Territory was not prepared for independence and should therefore live on a pittance given out of the United States budget?

Public Finance

546. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, informed the Council that 20 years ago the total annual Trust Territory budget had been funded at a little over \$6 million. During the past several years, the United States Government had averaged an annual appropriation of over \$150 million, including federal programmes.

547. The Special Representative pointed out that the 1982 budget, excluding the Northern Mariana Islands, amounted to \$76.1 million plus \$25.5 million in federal grants. In order to underscore frequent remarks that the Trust Territory budget was being reduced and causing hardships to the new Governments, and while the absolute dollar figure was less than that of the previous year, that reduction represented the closing down of many of the expensive functions previously carried out by the staff and offices of the Trust Territory Headquarters in Saipan and was not included in the amounts allocated to the constitutional Governments.

548. The Special Representative stated that in addition many figures used to demonstrate hardship included the elimination of the capital improvement programme funds which had been budgeted for a five-year period. That five-year period had come to a close, and the programme was in the final stages of completion. The lower budget would reflect the absence of that fund. Further, the programmes undertaken by the Administering Authority were those selected by the Governments, with a total investment of well over \$200 million. Given the wide dispersion of the population, the small size of the islands, and other unique factors in Micronesia, she believed that that was a very impressive sum, and a very ambitious set of programmes for the infrastructure of the islands. In addition, in 1981 and 1982 the Administering Authority had provided a total of \$7.4 million for meeting the costs of transition from the Trust Territory Government to local self-government under constitutional systems.

549. Mrs. McCoy, Special Representative, stated that with regard to the budget of the Trust Territory, \$150 million was the approximate annual amount for the

Territory-wide budget, which included the budget of the Northern Mariana Islands. Since the Northern Mariana Islands had become a Commonwealth, its budget no longer flowed through the Trust Territory Government. Therefore, the correct figures for the current Trust Territory budget were \$94 million for 1981 and \$75 million for 1982. The budget for 1983 was still being negotiated, but it should be very close to the 1982 figure.

550. The Special Representative pointed out that while those figures showed a decline in budget as far as the annual report was concerned, they reflected the cuts referred to in paragraph 548 above. She noted, for instance, that the Marshall Islands Government budget had been \$9.0 million in 1981, had risen to \$9.7 million in 1982 and was estimated at \$10.4 million in 1983; that of the Republic of Palau had been \$8.1 million in 1981, rising to \$8.9 million in 1982, and estimated at \$9.6 million in 1983; and that of the Federated States of Micronesia had been \$30.4 million in 1981, \$33.6 million in 1982, and estimated at \$35.1 million in 1983. With regard to the capital improvement programme, the total amount expended or expected to be expended by the end of 1982 in the Trust Territory under that programme was \$237.0 million, including funds from EPA and the Federal Aviation Authority (FAA).

551. Mr. Takesy, Special Representative, stated that the Department of Finance of the Government of the Federated States of Micronesia was now handling all facets of its pay-roll accounting. There was an immediate need to implement the financial management system for each of the state governments and for the Federated States Government itself. The Federated States had designed a computerized system which, if implemented, would enable it to keep close control of its limited resources. Without it, it was feared that resources would be wasted and opportunities lost.

552. Mr. Tenorio, Special Representative, stated that the Government of the Northern Mariana Islands was grateful to the United States Government for its continued financial support under the Covenant in providing over \$28 million in 1982/83 for government operations, capital improvement and economic development loan funds. Supplemental funding was now being considered for major projects such as health centres, power plants and the water supply system. Local revenues from taxes and fees amounted to over \$15 million.

Assistance from international its and other countries

553. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that in line with recent policy decisions of the Administering Authority in the area of foreign relations, the new Governments had increased their involvement with other nations of the Pacific and the world in general. In the past, the Trusteeship Council had expressed concern about the lack of that type of development. The demonstrable increase in regional and international activity, including participation in programmes sponsored by several United Nations agencies, spoke for itself.

554. Mr. Borja, Adviser, indicated that, as in the past, the Northern Mariana Islands was still receiving technical assistance from the United States to enhance its local economy, although the need for such assistance greatly exceeded the amount received. For that reason, the people of Northern Mariana Islands desired increased technical assistance from the United Nations, particularly in the areas of development banking, tourism, agriculture and fisheries, in addition to its need

for the assistance in scientific, health and educational matters in order to achieve its goal of economic self-sufficiency.

555. Mr. Oiterong, Special Representative, noted that, for the year under review, Palau had received most of its financial assistance from the Administering Authority although the achievement of several programme objectives had been made possible with contributions from other countries. Palau had also become a full-fledged member of SPC in its own name and right, and was looking forward to technical and other assistance becoming available through the Commission as well as through other regional organizations. The Olbiil Era Kelulau had recently become an associate member of the Asian-Pacific Parliamentary Union, and through such membership Palau hoped to share in contributing to the promotion of peace and mutual co-operation among the Governments of the Pacific and Asian regions.

556. Mr. Salii, Adviser, indicated that, on behalf of the Republic of Palau and with the assistance of the Administering Authority, he was attempting to seek partners in the development of the resources and economy of the Republic among the community of nations. Foreign investment and assistance, both public and private, were welcome in the Republic. He carried the assurance of his Government that economic development projects from any quarter would be pursued with vigour. The Republic sought those Governments and persons willing to invest in a future of friendship and prosperity. His office had at its disposal all the necessary authority to develop any bona fide commercial or diplomatic relationship that might benefit both parties. He hoped that the Trusteeship Council would provide assistance to the Republic and to his Government in the pursuit of that particular mission.

557. Mr. Uherlbelau, Adviser, indicated that, since the institution of its constitutional Government on 1 January 1981, Palau had not only assumed many, if not all, of the executive functions theretofore performed by the Office of the High Commissioner, but it had made progressive strides in the fields of foreign affairs and trade with nations other than the United States. With the blessing of the Administering Authority, the Government of Palau had sought foreign aid assistance from the Government of Japan on a government-to-government basis. It had reached the final stages of negotiations with a power company based in the United Kingdom for a long-term multimillion-dollar loan agreement. The United States Government had seen fit that the Republic of Palau, along with the Federated States of Micronesia and the Republic of the Marshall Islands, had competence to sign the Nauru Agreement with Kiribati, Nauru, Papua New Guinea and the Solomon Islands. That instrument called for regional co-operation in the management of fisheries resources within the 200-mile economic zones of the seven countries within the western Pacific subregion.

558. Mr. Takesy, Special Representative, indicated that he wished to commend Japan for its help. The Federated States of Micronesia had recently concluded a second foreign aid package, pursuant to which the Government of Japan would provide refrigeration equipment and cold storage facilities for fisheries development. In 1981/82, Japan had also provided much-needed road construction equipment to the Federated States. He hoped to encourage other countries to join in that type of assistance.

559. The Special Representative pointed out that the Federated States of Micronesia had just concluded negotiations with fishing associations in Japan providing for the licensing of Japanese fishing companies in the waters of the Federated States.

Other fishing agreements with a number of Taiwan fishermen's associations, the United States Tunaboat Association and Starkist had also been concluded. Surveillance of the 200-mile economic zone had been increased and unlicensed boats had been found fishing within the zone. That was one area where the co-operation of the international community was sorely needed to ensure respect for the jurisdiction of the Federated States so that its marine resources could be preserved and utilized for the benefit of its people.

560. The Special Representative stated that because the needs of the Federated States of Micronesia by far exceeded the aid which the United States could be expected to provide, the Federated States was therefore seeking the assistance of the United Nations and other international organizations. The United Nations had been helpful in the past in providing technical training in many areas of governmental services and economic development. Senior officials and staff members had greatly increased their exposure to the world community through the guidance and assistance of various United Nations agencies.

561. The Special Representative further stated that with technical advice from the United Nations Conference on Trade and Development (UNCTAD) and funding from the United States Congress, Truk had embarked on a well-drilling programme, and the first of a series of such wells was producing good water.

562. The Special Representative pointed out that as a prelude to free association, the Federated States of Micronesia had sought participation in governmental, regional and international organizations that it considered to be of economic, political and social importance. It was a member of the SPC and the South Pacific Bureau for Economic Co-operation (SPEC); an observer member of the South Pacific Forum and the South Pacific Forum Fisheries Agency; and an associate member of the Asia-Pacific Parliamentary Union (APPU), the Asia-Pacific Broadcast Union (APBU) and the Asia-Pacific Coconut Community (APCC). It was seeking associate membership in ESCAP and association with the Asia Development Bank through its Federal States Development Bank (FSDB), which was established in 1981.

563. Mr. Ilon, Adviser, appealed to the Trusteeship Council for its assistance in obtaining aid from the United Nations, its specialized agencies and interested Governments. Just as the United States had a special duty to promote the development of the Territory, so did the Trusteeship Council. Over the years, the Council had had a unique opportunity to develop a sense of the needs of the Micronesian people. That knowledge provided it both with a unique opportunity to be their advocate and to introduce them to the agencies and Governments that could provide the assistance they required in the coming years. The Federated States of Micronesia had already received assistance from the United Nations. They hoped that, with the Council's assistance, such aid was only the beginning of what would be made available to them.

564. The representative of the United Kingdom stated that the statements of all of the special representatives of the Administering Authority illustrated the important strides that had been made. His delegation welcomed particularly the growth in the Trust Territory's relations with its Pacific neighbours as evidenced by the signing of new agreements and participation in regional organizations and meetings.

Credit

565. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that 20 years ago \$100,000 had been requested for the establishment of a Micronesian development loan fund. Twenty years later, the Economic Development Loan Fund had a balance of approximately \$5.5 million as a result of additional appropriations. The Fund would make loans available through institutions created by each of the Governments. In 1962 there had been few commercial banks in the Trust Territory and two of the six major districts had been without banking facilities. Today banks and savings and loan institutions were operating throughout the Trust Territory. While industrial development had been exceedingly difficult, tourism was rapidly becoming a primary industry throughout the islands.

566. Mr. Takesy, Special Representative, stated that the Development Bank of the Federated States of Micronesia had recently been bonded and certified and was processing loan applications. The operational funds of the bank came from local revenues, while the initial money came from United States Economic Development Loan Fund grants.

Land

567. At the forty-ninth session of the Trusteeship Council, the representative of the United States said that most of the payments for past use of land subject to indefinite land-use agreements had been made to landowners before the end of 1981 and that the new Micronesian Governments were currently negotiating for future land rights. The funds which had been appropriated for such use would be made available to them when the negotiations were completed. The United States had provided \$4.1 million in 1980/81 and \$2.2 million had been disbursed during calendar year 1981. The United States Government fully agreed with the 1978 recommendations of the Land Study Group that the concept of indefinite land-use rights was not an acceptable system. It also agreed with Study Group recommendations that agreements for indefinite land-use rights be terminated if no longer needed or that, if needed, they be converted to term leases or acquisition of title if more appropriate. The United States Congress had appropriated \$4.1 million to settle those long-standing claims and the High Commissioner's office was in the process of making payments on those claims.

568. Mrs. McCoy, Special Representative, stated that 20 years ago land claims and homesteading had been major issues. Today, nearly all public land had been turned over to the constitutional Governments, and homesteading had met and continued to meet the needs of Micronesia's growing population.

569. Mr. Borja, Adviser, stated that an area of major interest to the Commonwealth of the Northern Mariana Islands related to the United States Government's right to exercise the lease option for various parcels of land in the Commonwealth, specifically land on Tinian, as spelled out under the technical agreement in the Covenant. Their records were replete with requests for a definitive word from the United States Government on its plans regarding the Tinian lease option, but to no avail.

570. The Adviser pointed out that the Administering Authority's indecision had left the Northern Mariana Islands Government in a precarious situation since it was not

able to formulate economic plans for Tinian. While that indecision continued, those fertile lands could not be put to good use. The sum agreed to under the technical agreement was not accruing interest since the funds were still to be appropriated by the United States Congress. The right of the Government to exercise the option to lease Tinian land would expire in 1983 and the Northern Mariana Islands wished to register disappointment at having been left without definite word on that matter. It was fully committed to advancing its economy before guaranteed funding under the Covenant became competitive in 1985/86.

571. The Adviser said that the Government of the Northern Mariana Islands requested the assistance of the Trusteeship Council in persuading the United States Government to issue a definitive position for or against the lease option on the lands in the Northern Mariana Islands. The people in Tinian were also mindful of their role in forming closer relationships with the rest of the islands in the Commonwealth.

572. The representative of the Soviet Union stated that the Micronesians had constantly raised the vital question of possession of their lands. It had been denied them by the Administering Authority, which used a significant amount of the land surface for its own military purposes. The fact that the reports of the Administering Authority to the Council contained a modest and pseudo-scientific mention of population movements indicated that it was an enforced deprivation by the Administering Authority of the Micronesian people's territory. This was a clear violation by the United States of its obligations under article 6, paragraph 2 of the Trusteeship Agreement. Enough had been said on that subject both at the current and earlier session of the Council by the representatives of Micronesia and by petitioners. That was the fate of the inhabitants of the atolls of Enewetak, Bikini, Kwajalein and others who, as a result of the americanization of the Territory, were deprived of shelter and to the present time remained refugees or displaced persons.

Agriculture and livestock

573. At the forty-ninth session of the Trusteeship Council, Mr. Oiterong, Special Representative, stated that a number of experts from Japan and Taiwan had inspected the small-scale livestock projects in Palau and had advised on their potential. Their proposal was under review, and it was hoped that soon beef and beef products could be commercially produced to meet local needs. The Japanese-based Organization for Industrial, Spiritual and Cultural Advancement had been running a successful training programme in vegetable and crop production. Under the auspices of that association, Palau was sending young Palauans to Japan for technical training.

Marine resources

574. At the forty-ninth session of the Trusteeship Council, the representative of the United States stated that his Government recognized that the peoples of Micronesia should be the beneficiaries of the resources of the surrounding ocean, and it had been working with them to ensure that that would be the case. The United States had co-operated with the legislatures of Palau, the Marshall Islands and the Federated States of Micronesia which had developed legislation creating fisheries management zones. It was pleased that they had enacted such legislation and it was doing its best to assist in the implementation of that legislation.

575. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that 20 years ago there had been discussion on the development of commercial fishing throughout the Territory. Progress in that particular area had been extremely slow, but each of the four Governments was at present expending great efforts in developing economic zones and the control of commercial fishing.

576. Mr. Takesy, Special Representative, informed the Council that phase one of a \$2-million fisheries complex on Dublon had just been completed.

577. Mr. Oiterong, Special Representative, stated that in April 1982, Palau had executed a small-scale fisheries development agreement with the Government of Japan valued at approximately \$1.3 million. Fishing gear, equipment and vessels, as well as fishing techniques made available under that agreement, would greatly promote the export and the marketing of fish and fish products from Palau. Efforts to negotiate new fisheries agreements and renegotiate the existing agreements on rights to fish within Palau's 200-mile economic zone were continuing with the Governments of Kiribati, Nauru, Papua New Guinea and the Solomon Islands. Such subregional fisheries treaties would co-ordinate efforts in the management of fisheries of common stocks by distant fishing nations within the seven countries' respective 200-mile fisheries jurisdiction.

578. Mr. Borja, Adviser, stated that an important subject of discussion among the leaders and people of the Northern Mariana Islands pertained to their Marine Sovereignty Act of 1980, which essentially declared their sovereign rights to all resources within 200 miles of their coast. That important law reflected genuine interest in protecting traditional rights to ocean resources in the seas surrounding their islands. There were questions and clarification needed of the effect of the Magnuson Act as opposed to the Marine Sovereignty Act. The Government of the Northern Mariana Islands were confident that an amicable understanding could be reached with the United States on that issue.

579. The Adviser said that in light of the fact that the Government of the Northern Mariana Islands was not equipped to exert strong pressures on the United States Government, it appealed to the Trusteeship Council to assist in its efforts to participate in appropriate forums so as to be given recognition respecting its sovereign rights to claim ownership of resources around its waters. The Marine Sovereignty Act had been rendered ineffective due to the lack of the definitive interpretation with respect to whether the Government of the Northern Mariana Islands could declare its own 200-mile exclusive economic zone.

580. The Adviser submitted to the Trusteeship Council that the greatest problem before the Government of the Northern Mariana Islands was the lack of sufficient financial resources, other than grant funds and what little revenue was now generated locally. While United States grant funds were guaranteed over a seven-year period, the guarantee would end in 1985/86. For that reason the Northern Mariana Islands must look elsewhere for additional sources of revenue to supplement budgetary shortfalls.

581. The Adviser further said that due to its small land area, it stood to reason that the Northern Mariana Islands would never be able to engage in any large-scale industrial production. Therefore, the alternative was to turn to the vast ocean, for they were aware that economic survival was and would be contingent upon reaping their share of the vast riches in their waters. Seeking the Council's agreement in

that area was legitimate, and the Northern Mariana Islands asked the Council to exert its influence on their behalf before the appropriate United Nations forums.

Third United Nations Conference on the Law of the Sea

582. At the forty-ninth session of the Trusteeship Council, Mr. Takesy, Special Representative, speaking on behalf of the Federated States of Micronesia requested the assistance of the Trusteeship Council in obtaining recognition by the Third United Nations Conference on the Law of the Sea of the signatory status of the Federated States before the termination of the Trusteeship Agreement. The right to sign the Convention on the Law of the Sea was essential to the very existence of the Federated States because of the importance of the ocean to that island nation and because its only known resource of significant commercial value was fish. Unless the Federated States were accorded the opportunity to sign the Treaty without delay, its ability to manage and protect its major resource would be severely handicapped.

583. Mr. Ilon, Adviser, sought the Council's assistance in a matter of immediate importance to the Federated States. The Trusteeship Agreement required the United States to protect and to encourage the development of fisheries. To that end, the Federated States had spent many years participating in the Third United Nations Conference on the Law of the Sea in an attempt to protect Micronesia's interest in its only known major resource, the vast fishing areas in the waters surrounding its islands. Signatory status with respect to the Convention on the Law of the Sea was a matter of primary national interest to the Federated States. They felt it was incumbent upon the Trusteeship Council to assure other nations that their rights to immediate participation in the Law of the Sea would not be withheld or delayed owing to misunderstanding. The Federated States had already signed a number of international agreements for foreign aid in the fisheries area. It had rightly been deemed competent for those purposes and should similarly participate as a signatory Government in the Convention of the Law of the Sea, as a Government responsible for islands that extended over almost 3,200 kilometres of the Pacific Ocean. The Government of the Federated States of Micronesia asked the Council to be its advocate in that matter.

584. Mr. Uherbelau, adviser, stated that over the years the Administering Authority had sponsored Palau's observer status to the Third United Nations Conference on the Law of the Sea. Palau, as well as the Federated States of Micronesia and the Marshall Islands, had followed the deliberations of the United Nations Conference on the Law of the Sea with great anticipation. They were pleased to learn from the text of the Convention on the Law of the Sea 22/ that they would be accorded signatory status pursuant to part XVII, article 305, paragraph 1 (e) of the Convention. Palau also sought the unqualified support and endorsement of the Trusteeship Council in that endeavour.

Industry and tourism

585. At the forty-ninth session of the Trusteeship Council, Mr. Tenorio, Special Representative, stated that the Northern Mariana Islands had over 100,000 tourists a year, despite the slowdown in the world economy. It hoped to improve that industry in the near future through the removal of existing restrictions on charter air service and through increased scheduled flights between Japan and the Commonwealth.

Transport and communications

586. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that there were three B-727s operating both within and outside the Trust Territory, in addition to several small feeder lines. A most significant contribution to transportation had been the creation and operation of the Airline of the Marshall Islands, serving the widespread atolls of the Marshall Islands. In addition, two international airlines provided additional scheduled service to and from the Trust Territory. Nearly all major airports were paved and capable of handling most commercial aircrafts. The Marshall Islands had developed and installed runways on many of the atolls and islands. She commended the Government of the Republic of the Marshall Islands for its initiative and implementation of an excellent air transportation system.

587. The Special Representative indicated that while road building had been a constant and continuous programme for several decades, paving of the major roads throughout the Trust Territory was being accomplished. Continuing progress was anticipated with additional roads being paved in the near future. She assured the Council that within the resources available, the Administering Authority was doing the best job possible with priorities established by the new constitutional Governments. Part of that effort was symbolized in the transfer of capital property to the new Governments. It had turned over title to all ships used within the Trust Territory and formerly owned by the Trust Territory Administration.

588. The Special Representative stated that the sea transportation division at Trust Territory Headquarters had been phased out as the constitutional Governments acquired the ships it had formerly operated. The Administering Authority participated in the Board of Marine Survey, but the new Governments controlled and operated their own transportation systems.

589. Mr. Takesy, Special Representative, stated that at the Council's forty-eighth session, the Federated States of Micronesia had reported that it had problems with communications. He noted with regret that there had been only minimal progress since then. An agreement for a satellite communications system had been signed, but it was not believed that the current conditions of their land-based facilities were adequate to utilize fully the satellite system. They were currently looking for further solutions to obtain use of that system. Ponape's sewerage and water systems were under construction, and the paving of Kolonia's roads had transformed those trails into modern roads. Meanwhile, work on the circumferential road of Ponape continued with slow but sure progress. A \$21 million airport and a \$3 million dock on Moen, in Truk, which were constructed with funds from FAA and the capital improvement programme had been dedicated by the President of the Federated States. Construction of the Kosrae airport and dock was proceeding and should be completed in early 1983.

590. Mr. Oiterong, Special Representative, stated that in the field of telecommunications, the long-awaited satellite telecommunication system sponsored by the Administering Authority was scheduled for operation in November 1982. A contract for site work and preparation had been awarded in April 1982 by COMSAT for the construction of an earth station. Palau, for its part, would establish a telecommunications authority to manage and operate its own communication network. In May 1982, Palauan officials had met with representatives of various carriers to begin negotiations for the use of the facility in communicating with the outside world. Of necessity, the effective utilization of the satellite communication was

greatly dependent upon an upgraded local telephone system. Thus, while the United States was willing to assist in improving the system, an offer from the Nagano Japan Radio Company had been made to furnish new telephone, radio and television equipment and services for use throughout the Republic of Palau. If that foreign aid should materialize, it would considerably improve Palau's internal communication system and links to the outside world which were so vital to political and economic progress.

591. Mr. Tenorio, Special Representative, stated that the Northern Mariana Islands was promoting the islands in other Asian countries, the United States and Europe. They now had flights, originating in Saipan, to Japan, the Philippines, Taiwan, Hong Kong and Singapore.

Proposal for a super-port in Palau

592. At the forty-ninth session of the Trusteeship Council, the representative of the United States said that the proposal to build a super-port in Palau had been abandoned about three years ago.

D. SOCIAL ADVANCEMENT

1. Outline of conditions

Human rights

593. In 1981, the Administering Authority reported that the inhabitants of the Trust Territory were, inter alia, guaranteed the following basic human rights and fundamental freedoms as set forth in the Trust Territory Code: freedom of religion, of speech and of the press; the right of assembly and the right to petition; protection against unreasonable search and seizure; no deprivation of life, liberty or property without due process of law; no discrimination on account of race, sex or language; the maintenance of free elementary education; no imprisonment for failure to discharge contractual obligations; writ of habeas corpus; protection of trade and property rights; and due recognition of local customs.

594. The right of petition is granted and inhabitants have petitioned the United Nations and the Administering Authority.

Medical and health services

595. The responsibilities of the Bureau of Health Services are, among others, to assist the new constitutional Governments of Micronesia to improve health, environmental and sanitary conditions and the control of communicable diseases, to establish standards of medical and dental care and to provide technical advice in the area of management and administration of all government-operated hospitals, clinics, dispensaries and other medical and dental facilities.

596. The Office of Health Planning and Resources Development of the Bureau is responsible for health planning and resources development; it provides staff services to the Micronesia Health Co-ordinating Council and reviews, on a periodic

basis, all health services provided in the Trust Territory. The Council, composed of representatives of consumers and providers of health care, reviews triennially a territory-wide, five-year comprehensive health plan, conducts public hearings on the plan and reviews and comments annually on the implementation of the health plan.

597. In the Northern Mariana Islands, the Department of Public Health and Environmental Services consists of seven major divisions, one of which, the Public Health and Community Services Agency, provides a comprehensive health programme for the prevention of disease and the improvement and maintenance of environmental conditions for the citizens of the Northern Mariana Islands.

598. There are seven main hospitals in the Territory and three small hospitals, one each at Rota and Tinian (Northern Mariana Islands) and one at Ebeye (Marshall Islands). During the period under review, agreement was reached for the construction of a new hospital in Majuro, to be completed in 1982. In addition, there are 173 dispensaries throughout the Territory.

599. In 1981, there were 57 physicians, 49 physician assistants, 22 dentists, 183 registered and graduate nurses and 420 health assistants/practical nurses in the Trust Territory.

600. The annual report points out that WHO and SPC provide technical assistance to the Trust Territory. In 1981, WHO provided 29 fellowships for training in medical studies, x-ray technology, paediatric cardiology, pharmacology, post-graduate surgery, laboratory technology and nursing. It also organized special seminars, including epidemiological surveillance workshops conducted in Truk and Ponape. Other seminars focused on primary health care and health education. WHO also provided consultants in such areas as entomology and x-ray technology. In addition, a number of consultants are provided each year to the Trust Territory by the United States Public Health Services, the Energy Resources Development Agency, the Tripler Army Medical Center, the Naval Regional Medical Center (Guam) and several universities in the United States. Those organizations also offer training opportunities through fellowships and in-service training seminars.

601. According to the current annual report, expenditure on public health in 1980/81 amounted to \$8.1 million (excluding the Northern Mariana Islands).

602. At its forty-eighth session, the Trusteeship Council noted with regret that the health services in Micronesia still had only two suitably qualified Micronesian doctors. It reiterated the suggestion made by the 1980 Visiting Mission that the Governments of the Territory might wish to consider offering incentives to encourage young people to study medicine. However, it noted with interest the effort undertaken to train medical auxiliaries. The Council was concerned about the deterioration of the hospital in Palau. It hoped that the necessary financial steps would be taken so that the renovation of that hospital might be started and the renovation of the Truk hospital completed.

603. The Council commended the Administering Authority for its continuing efforts to improve health standards in the Trust Territory. It noted that statistics provided by the Administering Authority showed a marked reduction in the occurrence of major diseases in the islands, reflecting the success of the vaccination programmes carried out in the Trust Territory, and noted with satisfaction the decline in the mortality rate due to intestinal diseases. However, the Council urged the Administering Authority to devote special attention to the recrudescence

of cases of tuberculosis in Ponape and of leprosy in the Federated States of Micronesia.

604. The annual report under review states that seven Micronesians are currently enrolled in medical schools and that from four to six others are studying medicine at the Papua New Guinea Medical School under Australian scholarships. The number of Micronesians entering medical schools is increasing.

605. The annual report further states that \$545,900 has been provided for the renovation of the Truk hospital and that a request has been made for \$3.0 million to renovate and upgrade the Palau hospital.

606. According to the current annual report, WHO provided consultants on tuberculosis and leprosy to the Trust Territory in 1981. It has also offered to make available free leprosy drugs. The Government of the Federated States of Micronesia, where the highest incidence occurs, has been informed of the offer and is assessing its needs.

Community development

607. At its forty-eighth session, the Trusteeship Council expressed the hope that the people of Micronesia would recognize the need to participate more actively in community development projects. To that end, an analysis of the effects of trusteeship should be undertaken to allow the preparation of future programmes in the social and cultural fields. The Administering Authority should examine, with Micronesian representatives, ways in which such a study might be carried out.

608. According to the current annual report, the Office of Planning and Statistics, under the Planning Division, administers and co-ordinates the Community Development Block Grant programme, which is a federal programme of the United States Department of Housing and Urban Development (HUD). In 1980/81, the Division received \$1 million in grants to finance various projects to be undertaken in co-operation with local agencies. The Office of Planning and Statistics is also responsible for the administration of the local public works programme. The total cost of projects financed to date and nearing completion amounts to \$7 million.

609. According to the same report, in 1979 the Marshall Islands Government received \$1.6 million in grants under the Community Development Block Grant programme, which it used to finance projects in Majuro and Ebeye.

610. The civic action teams, with personnel and equipment provided by the United States Department of Defense and in partnership with the local governments, undertake various kinds of construction, including road, bridge and building projects. They also train Micronesians in technical skills at places where the teams operate. Each team is composed of an engineer, 11 construction specialists and a medical specialist. During the period under review, a team operated in Palau, Yap, Truk and Ponape.

611. The annual report states that in 1981, the United States Department of the Interior participated partially in the civic action team programme, at a cost of approximately \$1.4 million.

Labour

612. The current annual report states that the Protection of Resident Workers' Act has been in effect in Palau since 1 January 1979. The Act sets out the conditions for hiring alien workers and provides for an employment service to assist citizens in securing jobs. It also provides for the administration of manpower training programmes as well as employment and working conditions in Palau.
613. The annual report states that an alien seeking employment in the Marshall Islands must first obtain a work permit. Applications are screened by the Employment Service Office and a permit is issued if qualified citizens are not available. During the period under review, 108 work permits were issued and 72 renewals were made.
614. The annual report also states that in 1981 the Marshall Islands Legislature (Nitijela) approved an Industrial Development Act which established a manpower development programme for Marshallese youths. The programme is designed to provide short-term practical training in order to promote the establishment of industries and businesses focusing primarily on agricultural production and development.
615. The annual report further states that in the Marshall Islands the Young Adult Conservation Corps (YACC) employed 52 men and women on various projects in 1981 and the Youth Conservation Corps (YCC), a similar programme, employed 23 trainees. Both programmes were financed by the United States Department of the Interior.
616. At its forty-eighth session, the Trusteeship Council reiterated that it continued to be deeply concerned by the serious unemployment problem and the imbalance between wage earners employed in the public sector and those employed in the private sector. It took note of the efforts made to encourage apprenticeships.
617. The current annual report points out that responsibility for employment policies has been transferred from the Trust Territory Administration to the new Governments. The Administering Authority hopes that, with improved economic conditions, the problem will be alleviated. Manpower training has also become the responsibility of the new Governments although the Trust Territory Government continues to support various programmes through federally-aided projects.
618. In the annual report, the Government of the Northern Mariana Islands states that it has established regulations designed to create a favourable environment for domestic investments and employment of local labour. Labour permits are required of all non-resident workers. The issuance of permits is contingent upon a proven lack of qualified local workers in a given field and guarantees that employment and living conditions will be stable and fair.

Housing

619. At its forty-eighth session, the Trusteeship Council called upon the Administering Authority to pay due attention to the possibility of using local materials in future construction programmes so that high maintenance costs could be avoided and Micronesian manpower employed to the full.
620. The current annual report states that housing construction programmes in which the Trust Territory Administration has a role, through HUD grants, must meet

certain standards set for durability. These standards cannot be met by the use of locally available materials, although locally manufactured furniture and other materials may be utilized. High maintenance costs frequently result in the lack of preventive maintenance.

621. The annual report states that during the period under review, the total assets of the Marshall Islands Housing Authority increased to \$407,233. Of a total of 726 applications received between 1976 and 1981, 101 were approved for new construction and 22 for renovation of housing units, including 13 in 1981.

Public safety

622. The current annual report states that the Justice Improvement Commission, which is essentially a financing agency for planning and projects for all of the components of the criminal/juvenile justice system, began operations in 1977 when it became eligible to receive funding from the Federal Law Enforcement Assistance Administration. The Commission, which has received over \$2.3 million since its inception, has engaged highly trained and experienced professional staff to provide technical assistance and direct service to law enforcement agencies in Micronesia. Primary emphasis is placed on the training of police officers, correctional employees, youth service workers and trial court judges and court assistants. The Commission has financed over 100 projects in all jurisdictions, many of them dealing with delinquency prevention. One of the most successful programme areas has been that of the "Outward Bound" type of projects operating in Ponape, Truk and Palau. Under the Outward Bound programme, youths, most of them "dropouts" or "troubled", are engaged in a month-long survival course where emphasis is placed upon their learning to cope with their environment, themselves and others. Of the more than 300 young people who have graduated from the programme, only three are known to have reverted to negative contact with law enforcement officials.

623. Although no funds were appropriated for 1981, the Commission continued to operate until 30 September 1981. The allocation to the Office of Juvenile Justice and Delinquency Prevention was continued in 1981.

624. At its forty-eighth session, the Trusteeship Council was disturbed by the communications which it had received on youth problems (unemployment among young people, juvenile delinquency). It trusted that the Administering Authority would devote due attention to the consequences of the particularly young age structure of the population of the Territory. In that respect the Council welcomed the YACC programme.

625. According to the current annual report, under current fiscal policies reducing the extent of federal project funding, YACC will be phased out at the end of 1982. Much of the social welfare and training responsibilities within the jurisdictions of the new Governments are theirs to plan and conduct. Programmes of this nature could be included in the annual budget submissions if they are considered to be of high priority.

Peace Corps

626. The current annual report states that in recognition of the emerging independence of the Federated States of Micronesia, the Marshall Islands and Palau,

Peace Corps volunteers are now jointly invited by the High Commissioner and the presidents of the Micronesian Governments to serve in the Trust Territory.

627. According to the annual report, Peace Corps volunteer assignments have gradually changed since the first volunteers arrived in the Trust Territory in 1966. In 1980 and 1981, volunteers moved to assignments which were diverse and specialized, designed to address the basic human needs of Micronesia's poorest citizens and to assist local governments to reduce their economic dependence on imported products that could be produced and marketed locally.

628. The 80 Peace Corps volunteers who were assigned to the Trust Territory in 1980 and 1981 had special skills in such fields as civil engineering, machine repair, architecture, economics, nursing, business and accounting, forestry management, physical education and animal husbandry. At 31 December 1980, there were 3 United States and 16 Micronesian staff positions in the Trust Territory.

629. The annual report states that with the concurrence of the High Commissioner, preliminary efforts were launched in 1980/81 to negotiate new agreements with each of the three new Governments which, when executed, would replace the original agreement of November 1966 between the Peace Corps and the Trust Territory of the Pacific Islands. This would reinforce recognition by the Peace Corps and the Trust Territory of the independent, domestic decision-making autonomy of the three new Governments.

630. The annual report points out that the Peace Corps will continue to work with and for the new Governments and the local communities to pursue common goals. Volunteers will be assigned increasingly to rural areas and islands, working directly for local leaders. For the first time private businesses will, with the approval of the new Governments, become direct sponsors of Peace Corps volunteers. This effort seeks to support the stated goal of each Government to enhance development in the private sector.

631. The annual report for 1980 stated that the Peace Corps had phased out its programme in the Northern Mariana Islands; it would be replaced by Volunteers in Service to America (VISTA), another federal programme that stressed local volunteer involvements in its activities.

2. Discussion in the Council and opinions expressed

Human rights

632. At the forty-ninth session of the Trusteeship Council, the representative of France stressed that considerable progress had been made in many sectors, particularly respect for human rights and fundamental freedoms, on which subject no complaint and no criticism had been brought to the attention of the Council.

633. The representative of the Soviet Union pointed out that no single provision of the Charter of the United Nations or the Trusteeship Agreement gave the Administering Authority the right to turn the Trust Territory into a testing ground for weapons of mass destruction and to deprive the population of its lands. The Administering Authority's neglect of the lives and health of the inhabitants of the Trust Territory was a convincing example of how little respect it had shown for human rights in the Trust Territory of the Pacific Islands.

Medical and health services

634. At the forty-ninth session of the Trusteeship Council, the representative of the Administering Authority stated that his Government recognized the need to respond in positive ways to some social problems which had already been raised during the Council's forty-ninth session, and had already done so by supporting the design of health care and other systems to make them more responsive to local needs.

635. The representative of the United States further stated that following a request from the Trust Territory, a Micronesian health manpower development programme had been organized with the main office at the new Ponape hospital and launched in September 1978. That programme was designed to prepare Trust Territory citizens for increased self-sufficiency in the field of health care. Training was taking place and hospitals were being improved. The Administering Authority had appropriated \$8.5 million to replace the existing hospital at Majuro in the Marshall Islands with new health facilities at a different site. The Government of the Marshall Islands had determined that the site of the new hospital should be at the former Galop airport, and that a prefabricated hospital facility to meet local needs could be constructed at a cost of \$4.9 million. Construction was currently under way. Consideration was now being given to a proposal by the Government of the Marshall Islands that the remainder of the original Majuro Hospital appropriation be used for construction of a new hospital unit at Ebeye.

636. Mrs. McCoy, Special Representative, stated that new hospitals were now operational in Yap and Ponape and dispensaries were functioning on most inhabited islands in the outer islands. Existing facilities were being reconditioned on Majuro and in Palau and Truk, and a new hospital on Kosrae was fully functioning. In addition, medical personnel were being recruited and trained.

637. Mr. Tenorio, Special Representative, stated that better health care was being provided in the Northern Mariana Islands with the receipt of services of highly qualified physicians from the United States national health service at a fraction of the actual costs. Assistance was also being sought from organizations such as WHO to improve public health services. Programmes were under way with the United States Department of Health and Human Services in the replacement of inadequate hospital facilities by a modern health centre to meet medical needs and to offset the rising costs of medical referral to Guam and Honolulu. The new facility would provide in-patient, nursing, ancillary and out-patient clinics, public health offices and clinics, dental clinics and support and supply facilities costing \$29.8 million.

638. Mr. Takesy, Special Representative, stated that renovation of the Truk Hospital was proceeding on schedule and a project to construct an annex to the hospital on Kosrae has run short of funds.

639. The representative of the Soviet Union said that, as the representatives of Micronesia has stated, medical care was in a disastrous situation, and things were not better in terms of job training, as had been eloquently testified to by the fact that, throughout the Territory there were only two Micronesian doctors.

Community development

640. At the forty-ninth session of the Trusteeship Council, the representative of the United States stated that the civic action teams were small, 13-man teams of

experts in construction and engineering which trained local Micronesian personnel to deal with projects that the Governments themselves had requested such as the repairs of roads, docks and of other such facilities. They were training teams, and that was an on-the-job training programme. There were only three teams currently operating.

Public safety

641. At the forty-ninth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that the first criminal jury trial had recently been conducted in the Marshall Islands before the Trust Territory High Court, using a member of the Trust Territory Attorney-General's staff as prosecutor. The Trust Territory Bureau of Investigation was providing valuable training and technical assistance to the new Governments as they set up viable public safety establishments.

642. The representative of the Soviet Union, referring to the question of Micronesia's social progress, said that the Administering Authority had failed to carry out its obligations in the Trust Territory, a testimony of which could be found in the materials and annual reports which the Administering Authority presented to the Trusteeship Council, as well as statements of Micronesians and other petitioners from that Territory. According to several sources, the incidence of crime and suicide among Micronesians was significantly higher in the Territory than in the United States, the main victims being the youth.

E. EDUCATIONAL ADVANCEMENT

1. Outline of conditions

General

643. At its forty-eighth session, the Trusteeship Council considered that the Administering Authority had served the Trust Territory well in providing a system of universal primary schooling throughout the islands. The Council also welcomed the high rate of secondary school attendance and hoped that efforts would be directed towards improving higher educational and vocational training schemes in preparation for the termination of the Trusteeship Agreement.

644. The Council noted the many references made by special representatives from the Territory to the deterioration of facilities in certain areas. The Council considered that maintenance of existing facilities should rank among the highest priorities and recommended that a training element for maintenance work should be written into all remaining educational projects.

645. The current annual report states that during the period under review the former Bureau of Education became the Trust Territory Office of Education and is now one of several branches within the Department of Grants Management.

646. The annual report further states that responsibility for educational operations and the maintenance of facilities have been transferred to the constitutional Governments. Further, the administration and responsibility for federally financed educational programmes has been transferred to the three new

Governments, to the extent allowed by federal regulations. According to the annual report, funds for maintenance are included in the regular budget of each Government. The Administering Authority will continue to provide assistance as available upon request and on the basis of a specific need.

647. In the current annual report, the Federated States of Micronesia indicates that the Office of the High Commissioner is still officially designated as the agency with final responsibility for federal educational programmes. It points out that the newly created task force for federal programmes has requested the Congress of the United States to designate the Government of the Federated States of Micronesia as the agency for that purpose.

648. In the current annual report, the Government of the Northern Mariana Islands states that in October 1980, it received \$1.5 million from the United States Department of Education for the Federal Consolidated Grant Program. The major purposes of the programme are to provide educational opportunities to adults; to provide library resource material and instructional supplies and equipment to elementary and secondary school students; and to strengthen instructional services offered to elementary and secondary school students, including students with special needs. In 1980/81, Saipan, Tinian and Rota received assistance for construction, renovation, procurement and auxiliary educational facilities under the capital improvement programme. Seventeen new classrooms were built in 1980/81.

649. The Government of the Marshall Islands states in the annual report that the renovation of schools in the outer islands was given priority during the period under review since many of the school buildings needed repair. Two schools were completely rebuilt and another is in the planning stage. Moreover, several schools received material for minor renovations and those that needed rebuilding or repair work have been identified. In 1981, a great deal of help was provided for renovating schools in the outer islands through federally financed programmes, in addition to which the Marshall Islands Nitijela allocated \$75,000 in the form of assistance to 14 private elementary and 3 private high schools.

650. At its forty-eighth session, the Trusteeship Council reiterated the concern expressed at previous sessions and the observations of visiting missions that there was some danger of social disorientation among young people in the Territory. The increasing number of suicides was a particularly disturbing trend among unemployed high school graduates and high school drop-outs. The Council therefore urged the Administering Authority to ensure that young people were given every opportunity to serve the community and to find useful work in making their contribution to the emerging Micronesian states.

651. The current annual report states that the Administering Authority shares this concern and is confident that the constitutional Governments recognize the problem and will devise appropriate and effective local remedies in the current era of rapid change and development.

Primary and secondary education

652. According to the current annual report, pupils enrolled in elementary schools in the Marshall Islands in 1980/81 numbered 7,200. In addition, there were 300 pre-school children on Ebeye for whom the Office of Education was also responsible. Secondary school enrolment totalled 778, with a teaching staff of 56. A further 593 pupils were enrolled in church affiliated schools.

653. Public elementary school enrolment in Palau totalled 2,600 with a staff of 166 teachers. There were 670 public high school students and 56 teachers.

654. In the Northern Mariana Islands public elementary and secondary school enrolment totalled 4,170. Pupils enrolled in private schools numbered 782.

655. The Government of the Federated States of Micronesia states in the annual report under review that in 1980/81 elementary and high school enrolment in Kosrae totalled 1,356 and 411 respectively.

656. At its forty-eighth session, the Trusteeship Council welcomed the efforts of the Administering Authority to promote special training programmes in maintenance of facilities so that the general deterioration of primary and secondary school buildings, particularly in the Federated States of Micronesia, could be halted. The Council hoped that those programmes could be continued after the termination of the Trusteeship Agreement.

657. The Council noted with interest that steps were being taken in the Trust Territory to improve the qualifications of primary and secondary school teachers. In that connection, the Council welcomed the activities made possible by the Territorial Teacher Training Assistance Program and hoped that funds would continue to be provided after 1981.

658. The Council noted with interest the establishment of the Micronesian English Teaching Unit (METU) and that it was co-operating with language teaching consultants from the South Pacific Forum. The Council urged the Administering Authority, in association with other institutes of higher education in the area, to give all possible help in transforming the Unit into a permanent training centre.

659. The Council called upon the Administering Authority to investigate the difficulties being encountered in the Federated States of Micronesia with respect to primary and secondary education. The Council was disturbed by the inadequate facilities and the low level of school attendance there in comparison with other parts of the Trust Territory.

660. According to the current annual report, continuation of the special training programmes in maintenance of facilities is now the responsibility of the constitutional Governments. Under the provisions of the compact of free association, funds could be available for that purpose.

661. The current annual report states that the second and third phases of the METU training programme were held in Yap and Ponape respectively, during the period under review as planned. At the close of the latter, it was felt that the major objective of upgrading the teaching of English as a second language had been achieved. Thirty-four Micronesian English teaching co-ordinators successfully completed the programme and became full members of METU. The annual report states that the participants in the METU programme, in concert with the directors of education of all the Micronesian Governments, adopted a resolution in which they expressed a desire for the establishment of a permanent, ongoing resource agency. A meeting was scheduled for spring 1982 for that purpose.

662. In the same report, the Federated States of Micronesia reports that under the Territorial Teacher Training Assistance Program, a project was started in 1981 to upgrade teaching skills. Kosrae received a total of \$86,074 and acquired

instructors from various United States universities to implement training for the first year of operation of the project. According to the annual report, funds are available for the Program for 1981/82.

Higher education .

663. Public Law No. 7-29, establishing the College of Micronesia under a Board of Regents, was enacted in 1977. The law integrated the educational institutions formerly known as the Community College of Micronesia (including the School of Nursing on Saipan) and the Micronesian Occupational Center. The College of Micronesia, located at Kolonia, Ponape, offers a two-year programme leading to an associate of science degree in elementary education. The Northern Mariana Islands Community College, which was established in 1976, is a two-year institution administered by the Department of Education of the Northern Mariana Islands.

664. The current annual report states that prior to May 1981, the main function of the Community College had been teacher training. By Executive Order No. 25 of 18 May 1981, the role of the College was expanded and further defined to include, in addition to the teacher-training programme, other training activities. The Community College will now also grant associate of arts degrees in subjects such as office studies, police activities, tourism and hospitality. The latter is at a planning stage. In addition, the Community College has been co-ordinating higher education in both the vocational and academic fields in the Northern Mariana Islands for two years with the co-operation and participation of several large United States universities.

665. At its forty-eighth session, the Trusteeship Council noted with concern the precarious situation at the College of Micronesia. Since the College is the principal institution for higher education in the Trust Territory, the Council urged the Administering Authority to ensure that its facilities not be allowed to deteriorate to the point that its accreditation within the United States educational system was jeopardized. The Council was encouraged that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau had made commitments to continue their support of the College after the termination of the Trusteeship Agreement. The Council viewed that as an important principle for the future development of the Territory and hoped that the College would continue to serve as a link between the peoples of the islands.

666. The Council welcomed the accreditation of the School of Nursing in Saipan as part of the College of Micronesia.

667. The Council also welcomed the establishment in the Northern Mariana Islands of a junior community college which would improve facilities for practical training at the post-secondary level.

668. In the current annual report, the Government of the Federated States of Micronesia states that a budget hearing concerning the College of Micronesia was held in Palau in 1982 in which representatives of the Federated States of Micronesia, the Marshall Islands and Palau participated. The participants, according to the report, reached a consensus on the question of funds required for the construction and operation of the College at its new site. The report also states that the Administering Authority shares the hope expressed by the Trusteeship Council that the College of Micronesia will continue to receive the

support of the Federated States, the Marshall Islands and Palau after the termination of the Trusteeship Agreement. The Administering Authority states that it has no direct authority over the College of Micronesia. Funds were provided to replace the dormitory destroyed in Ponape in May 1981.

669. In the annual report, the Government of the Marshall Islands states that in 1980/81, the Nitijela provided \$230,000 in grants and loans to 150 students attending colleges and universities abroad through the Marshall Islands Scholarship Grant and Loan Board.

670. The Federated States of Micronesia states in the annual report that there are presently a total of 94 Kosraeans attending post-secondary schools in the United States, 21 in the Community College of Micronesia and 22 in the Micronesian Occupational College.

671. In the current annual report, the Administering Authority notes that the School of Nursing now located on Saipan will shortly be relocated to the Marshall Islands.

672. The Government of the Federated States of Micronesia states in the annual report that offices of the Student Services Coordinators have been established in Guam and Honolulu. Loans amounting to approximately \$200,000 have been made to over 400 post-secondary school students from the Federated States.

Vocational education

673. The Micronesian Occupational College (formerly known as the Micronesian Occupational Center), located at Koror, Palau, is a boarding school offering vocational and technical training to students from all areas of the Territory. Vocational courses are also offered in all public secondary schools. Most secondary schools also offer an industrial arts programme.

674. The current annual report states that 5,800 students were enrolled in public secondary schools in grades 9 to 12 and followed courses in agriculture, construction, mechanics, business, co-operative education and home economics. Courses were also offered at two outer-island schools in traditional island skills related to marine resources activities. During the summer of 1981, 86 vocational education teachers were offered college-level courses in the teaching of vocational subjects. Nine courses were offered by instructors from the Micronesian Occupational College and the University of Hawaii, and by the Ponape State Supervisor of Vocational Education. These courses were sponsored jointly by the Vocational Education Program, the Territorial Teacher Training Assistance Program and CETA.

675. In the annual report, the Government of the Marshall Islands states that all students receive vocational training and are able to develop proficiency in fields such as agriculture, mechanics, home economics and construction. In 1980/81, the public schools benefited from curriculum enhancement projects in English language arts and vocational education financed by the United States.

676. In the same report, the Government of the Northern Mariana Islands states that in 1980/81 about 1,773 students were enrolled in vocational education programmes such as agriculture, auto mechanics, small engine repair, typing, bookkeeping and

accounting, shorthand, co-operative education, construction and electronics. A new vocational education counsellor has been hired to provide counselling services to all high school students in Saipan, Rota and Tinian.

677. With regard to the vocational rehabilitation services provided by the Trust Territory Government, the annual report indicates that in 1980/81, 673 disabled persons were served by the Vocational Education Program in the Territory, including 112 who completed the programme and were employed in various trades and professions. Three in-service training programmes for vocational rehabilitation personnel were held during the period under review. The programmes consisted of intensive courses in vocational rehabilitation of the deaf and amputees and other special courses designed to serve the disabled more effectively. For the third year, the University of Guam conducted college courses for personnel and clients in the vocational rehabilitation service.

678. The current annual report points out that in 1980/81, the Governments of the Federated States of Micronesia, the Marshall Islands and Palau provided the 20 per cent matching funds required by federal regulations for participation in the vocational rehabilitation programme.

679. The annual report states that the United States Vocational Rehabilitation Act extends to the Northern Mariana Islands which participates in joint programmes designed to extend direct services to handicapped and disabled individuals. During the period under review the Northern Mariana Islands State Plan for Vocational Rehabilitation was approved by the Regional Office in San Francisco, giving it authority to receive direct funding to operate its own vocational rehabilitation programme.

680. According to the current annual report, a total of 235 handicapped individuals are registered in the Northern Mariana Islands, not all of whom meet the eligibility criteria for vocational rehabilitation service. Some 69 handicapped individuals are receiving direct service. At the end of 1980/81, 17 persons were removed from dependent to self-care status and some were placed in jobs. During the same period, additional staff were recruited, allowing more individuals to be rehabilitated.

681. In the current annual report, the Government of the Marshall Islands states that in 1981, 13 vocational education teachers attended a special training programme in Ponape which was financed under the Territorial Teacher Training Assistance Program.

682. At its forty-eighth session, the Trusteeship Council welcomed the programmes initiated in the Trust Territory to provide special courses for handicapped people. The Council paid tribute to the Administering Authority and the constitutional Governments for their special efforts in connection with the International Year of Disabled Persons and hoped that workshops such as that held in co-operation with the University of Guam might be continued on a regular basis.

683. The Council welcomed vocational programmes such as the Micronesian Trades Apprenticeship Program (MTAP) and YACC and the recognition being given to the importance of imparting technical skills. The Council urged the Administering Authority to expand such programmes as much as possible to equip young people with the necessary skills to assist in Micronesia's economic development.

684. The current annual report states that MTAP may have to be phased out at the end of 1981/82 because of lack of funds from local sources. The United States Government had originally established the programme for a specific period and its continuation was contingent upon local contributions. The Administering Authority continues to hope that this and other similar programmes may be maintained and expanded with local resources.

685. At its forty-eighth session, the Trusteeship Council noted with interest that seven new vocational education and construction trades programmes had been established in the Northern Mariana Islands and that a number of Micronesians from all parts of the Trust Territory had taken part in a workshop in Saipan conducted by the University of Hawaii. The Council hoped that the courses now being offered would establish a firm basis for curriculum development and manpower planning throughout the Trust Territory.

686. In its current annual report, the Administering Authority states that it supports all such efforts and shares in the hope that such efforts will result in greater co-operation among the Governments and peoples concerned in the post-trusteeship period.

Teacher training

687. At its forty-eighth session, the Trusteeship Council noted the efforts made by the Administering Authority to improve the general level of teachers' qualifications in the Trust Territory. In that connection, it noted the new teacher certification requirement and hoped that sufficient encouragement and incentives would be given to improve the prospects of the teaching profession in relation to the civil service. The Council noted that a number of intensive training seminars for local language specialists were being held in 1981 and hoped that the importance of improving standards of English for trade and technical purposes would continue to be recognized and such programmes supported. The Council hoped that special attention would be given to the College of Micronesia, which remained the principal institution for teacher training, and urged the Administering Authority to make all possible efforts to improve the level of educational qualifications in the period preceding termination of the Trusteeship Agreement.

688. According to the current annual report, during 1980/81 \$1.0 million was allocated to the Territorial Teacher Training Assistance Program. Some 1,500 elementary and secondary school teachers were enrolled in courses given in all six local educational agencies by more than 70 instructors from six institutions of higher education. The Program also supported in-service, in-school teacher training in several of the local districts. A proposal has been submitted to continue the programme for a second year.

689. The current annual report states that during the period under review, 4 Micronesian teachers were granted associate of arts degrees in special education and 12 others completed their first year of studies. Long-range plans for special education have been drawn up by the Governments of the Federated States of Micronesia, the Marshall Islands and Palau, which are now in a position to assume full responsibility for the programme.

690. The annual report further states that learning resources rooms for handicapped secondary school students are now operating in public high schools in all district

centres and in two outer-island high schools. There are now 201 Micronesians serving full-time in the education of handicapped children.

691. The Government of the Marshall Islands states in the current annual report that in addition to the on-site training provided to teachers, formal teacher-training programmes were expanded in 1981. Several teachers earned associate of science degrees through the local extension programme of the College of Micronesia. However, it was announced that courses towards such degrees in elementary education would not be offered beyond the summer of 1982. The University of Hawaii and the College of Micronesia continue to offer courses in Majuro to school teachers with funds obtained primarily from the Territorial Teacher Training Assistance Program. In 1981 over 350 teachers participated in at least one course of training.

692. In the current annual report, the Government of the Northern Mariana Islands states that six teachers and the project director of the Chamorro bilingual programme furthered their education under the federal scholarship programme. Three teachers received bachelor of arts degrees in bilingual education and one in elementary language arts. Eight teachers were granted scholarships in the bilingual/bicultural training programme.

693. Further, a mathematics project to train individuals as to how to conduct teacher-training workshops was undertaken in the Northern Mariana Islands. As a result of these workshops, more teachers were trained and communications between the central educational office and individual schools increased.

694. In its current annual report, the Administering Authority states that the question of teachers' qualifications are now the responsibility of each Government in the Trust Territory. The Administering Authority provides, to the extent possible, logistic and planning support to programmes developed by the local Governments and co-ordinates federal funds for the programme.

695. The annual report also states that the English language training programme is continuing at all levels and is supported by federal grant programmes.

696. The current annual report points out that the standards of the College of Micronesia are established by the Board of Regents representing educators and leaders from nearly all parts of the Trust Territory.

Dissemination of information on the United Nations

697. The annual report points out that the Director of the United Nations Information Centre at Tokyo visited Saipan in August 1981 and met with representatives of the Government, the news media and community groups. The Office of Education maintains United Nations films in its lending library. Copies of the annual report by the Administering Authority to the United Nations were distributed to libraries and individuals. News stories concerning the 1980 United Nations Visiting Mission appeared in the local news media. In 1980, United Nations Day was an island-wide public celebration.

2. Discussion in the Council and opinions expressed

General

698. At the forty-ninth session of the Trusteeship Council, the representative of the United States stated that his Government recognized and was giving its full and sympathetic consideration to the need to respond in positive ways to social problems caused by the rapid and sweeping changes that had taken place in Micronesia in recent years by encouraging the development of more relevant educational materials and contributing to the preservation of Micronesia's cultural heritage.

699. Mrs. McCoy, Special Representative, stated that the minimum age for entry to school had been lowered from eight to seven years. Teachers were paid primarily from community funds provided by the parents and English had just become the official language of instruction. The programme had been expanded to provide a full secondary-school programme for each centre.

700. The Special Representative, said that there were about 250 elementary and 30 secondary schools, both public and private, throughout Micronesia. There was an accredited junior college and a wide range of extension programmes sponsored by universities from outside the Trust Territory. In addition there were scholarship programmes which had contributed to the higher education of thousands of Trust Territory citizens.

701. Mr. Tenorio, Special Representative, stated that education and health delivery services were being upgraded in order to achieve social advancement. There was a community college to provide appropriate training and education to meet local needs and scholarships continued to be provided for students to pursue higher education overseas. College graduates, returning in increasing numbers to the islands, were gradually replacing expatriate specialists in the government and private sectors.

702. The representative of France stated that in the education sector, in particular, considerable progress had been made. Education was now available to almost all children of school age.

703. The representative of UNESCO stated that two projects were being executed in Micronesia under the regular programme and budget of her organization. The first project on population education, financed by United Nations Fund for Population Activities and executed by UNESCO, had become operational in 1982 and had been successfully implemented. The second project, in the context of Oceanic cultures, was concerned with studies, research and dissemination of information on those cultures. UNESCO was concerned with the recordings of all traditions and folklore, music and dance in Micronesia.

704. The representative of UNESCO said that particular emphasis would be placed on the dissemination of Oceanic cultures by the media. A study of traditional medicine in relation to the contemporary cultural values of Oceania would be carried out in co-operation with WHO and SPC; South Pacific States would be encouraged to undertake studies on the reciprocal influence of cultures throughout the history of their region and to disseminate the findings with a view to the development of international and regional co-operation, and case studies would be undertaken on the impact of modern technology on traditional Oceanic cultures. A regional symposium would be organized jointly with the regional body on the

safeguarding of local handicrafts and on their future. The conclusions of that symposium would be published in national and other languages.

705. The representative of UNESCO assured the representatives of Micronesia that her organization was ready and willing to co-operate with them on matters that fell within its competence.

Higher education

706. At the forty-ninth session of the Trusteeship Council, Mr. Tenorio, Special Representative, said that the Northern Mariana Islands had established a scholarship board, which was responsible for foreseeing the requirements and needs of those islands. The major needs of the Northern Mariana Islands were for doctors, medical and paramedical personnel, teachers and business, marketing, agriculture and fishery personnel. Money had also been made available, through local resources, for students wishing to attend courses outside the Northern Mariana Islands.

707. Mr. Takesy, Special Representative, said that for the past two years the Congress of the Federated States of Micronesia had appropriated some \$200,000 each year for partial scholarship grants for students from the Federated States now studying abroad. The Federated States had given priority to business, agriculture, engineering, computer programming, law, medicine, machinery and mechanics for the training of its students. The state legislatures of the Federated States each had its own scholarship programme and had set priorities in the various fields and had awarded scholarship and grants on the basis of those criteria according to need. He pointed out that the students were greatly benefiting from federal assistance in the United States and at the Community College of Micronesia.

F. CONSTITUTIONAL DEVELOPMENTS AND PROGRESS TOWARDS SELF-GOVERNMENT OR INDEPENDENCE

1. Outline of conditions

708. At its forty-eighth session, the Trusteeship Council reaffirmed the inalienable right of the people of Micronesia to self-determination, including the right to independence, in accordance with the Charter of the United Nations and the Trusteeship Agreement. It noted that, in 1980, substantial progress had been made in the negotiations on political status. It also noted in that respect that on 31 October 1980 the compact of free association had been initialled by the representatives of the United States on the one hand and those of the Federated States of Micronesia and the Marshall Islands on the other, and that the President-elect of Palau had also initialled the compact on 17 November 1980.

709. The Council, while appreciating the need for the Administering Authority to review its policy on the Trust Territory, nevertheless noted that it had not been possible, during the forty-eighth session, to confirm the United States' intention to seek to terminate the Trusteeship Agreement by 1981.

710. The Council noted that once the compact of free association was signed, the Government of the United States and the constitutional Governments would submit it to a referendum, which would be held simultaneously in each of the areas to which the compact applied. It took note of the stated intention of the Administering

Authority to invite the international community to observe the referendum through the intermediary of the appropriate United Nations organs. The Council strongly reiterated its opinion that all the people of Micronesia should be given the fullest opportunity, before the referendum, to inform themselves about the various political choices open to them, including independence. To that end, it expressed the wish for a programme for political education to be undertaken seriously and speedily.

711. The Council took due note of the intention of the United States to conclude the negotiations and seek termination of the Trusteeship Agreement in the near future. It noted that the United States Government had reaffirmed its intention to proceed in a manner fully consistent with the Charter and to take up the matter of termination of the Agreement at the appropriate time with the Trusteeship Council and the Security Council.

712. The Council urged the Administering Authority to consider maintaining the amount of its aid, after the end of its mandate, at a level comparable to that which obtained at present.

713. The Council again expressed the hope that the Micronesians would take all necessary steps to establish, after termination of the Trusteeship Agreement, the all-Micronesian entity which they had agreed upon at Molokai in October 1977.

714. The current annual report states that in 1975 the Northern Mariana Islands, voted after similar negotiations with the Administering Authority to become a commonwealth in political union with the United States. It is now self-governing and will officially become a commonwealth when the Trusteeship Agreement is terminated.

715. According to the current annual report, events of 1981, particularly those concerning negotiations on political status, demonstrate that the peoples of the Trust Territory are seriously preparing for an opportunity to exercise their right to self-determination. The Administering Authority reaffirms its previous statements that, throughout the political status negotiations, a relationship between the peoples of the Territory and the United States consistent with the political status of independence could have been negotiated if such had been the desire of the peoples of the Territory. However, the negotiations have concentrated on the political status of free association in accordance with the mutual desire of the parties in the negotiations.

716. With the inauguration of a constitutional Government in Palau in January 1981, each of the political components of the Trust Territory has achieved full constitutional status under the Trusteeship Agreement. Each is now prepared for the final step in the process, which is the termination of the Trusteeship Agreement and the assumption of a new political status based upon the freely expressed wishes of the people.

717. The annual report points out that the United States completed its review of the future political status negotiations for the Trust Territory in September 1981 and immediately requested a formal, multilateral status-negotiating session with representatives of the Governments of the Federated States of Micronesia, the Marshall Islands and Palau. At that session, held on Maui, Hawaii, from 3 to 9 October 1981, the representative of the United States formally conveyed to the Micronesian Governments the basic determinations reached during the policy

review: (a) that the United States desired to move promptly to terminate the Trusteeship Agreement on terms satisfactory to itself and to the Governments and peoples of the Federated States, the Marshall Islands and Palau; and (b) that of all the available political status options, the United States preferred the status of free association, as set forth in the initialled compact and the subsidiary agreements thus far initialled. The annual report states that during the negotiating session, concepts and subsidiary agreements still requiring resolution were discussed and that a work plan was developed in subsequent bilateral and multilateral discussions for the timely completion of the remaining subsidiary agreements. The Administering Authority reaffirmed its pledge to keep the Trusteeship Council fully informed of the status of the negotiations and the approval process of the compact of free association.

718. The annual report further states that during the session in October 1981, the Government of the United States and the Governments of the Federated States, the Marshall Islands and Palau each reaffirmed its desire to complete the political status negotiations on the basis of the initialled compact of free association. They agreed that the political status negotiations would be complete only when all of the subsidiary agreements called for in the compact had been negotiated to the satisfaction of the signatory parties. According to the annual report each party to the negotiations had expressed satisfaction that its particular needs had been met and its identity respected.

719. The current annual report indicates that the compact provides for self-government by the three Micronesian Governments, recognizes their authority in internal and foreign affairs, accords defence and security authority and responsibility to the United States and provides for economic assistance by the United States. The compact further addresses a series of specific issues with respect to the governmental, economic, defence and security and administrative aspects of the free-association relationship.

720. The annual report also states that once in effect, the compact will allow for unilateral termination of free association by any party according to established procedures; the Governments, however, have agreed that the compact's defence and security provisions as well as those relating to economic assistance will continue for a period of 15 years and thereafter as may be mutually agreed. The agreements subsidiary to the compact will survive according to their own terms.

721. In the annual report under review, the Government of Palau indicates that initialling the compact and the three subsidiary agreements was not a final step for either the United States Government or the Government of Palau. It was "authentication of the text" which signified agreement of the negotiators and their commitment to recommend the agreement to their respective Governments.

722. The current annual report states that, in a memorandum dated 23 September 1981, the President of Palau presented the official position of his administration regarding the negotiations on future political status. His position coincided with that of the United States Government in that he agreed that the compact of free association and the three subsidiary agreements on maritime jurisdiction and sovereignty, harmful substances and United States military (land) use and operating rights, as initialled on 17 November 1980, were complete and would not be reopened. Furthermore, his administration was in basic agreement with the view of the United States that successful conclusion of the negotiations would require completion of all remaining subsidiary agreements to the mutual

satisfaction and benefit of the United States and Palau. The President of Palau had instructed the new Palau negotiating team to the negotiating session held on Maui in October 1981 to continue where the now defunct Palau Commission on Status and Transition had left off in 1980, and to complete the six remaining subsidiary agreements under the compact of free association.

723. The annual report states that one element of the approval process of the compact of free association is a plebiscite to be held throughout the Trust Territory. In that plebiscite, which will be held on a date to be determined by the Administering Authority after consultations with the Governments of the Federated States, the Marshall Islands and Palau, the people will exercise their right to self-determination. The United States has previously stated its commitment to provide funds and technical support for an objective, fair and thorough public education programme to precede the plebiscite. That commitment is reaffirmed in the annual report. The Administering Authority has already made funds and technical support available for the translation of the text of the compact of free association into the major languages of the Trust Territory. In October 1981, it invited each of the Governments of the Federated States, the Marshall Islands and Palau to enact legislation for the public education programme and the plebiscite in their jurisdiction.

724. In the current annual report, the Government of the Federated States states that it has completed translation of the text of the compact into the eight languages officially recognized by the Federated States.

725. The current annual report states that the United States reaffirms its intention to invite the international community, including official representatives of the United Nations, to observe the plebiscite and the events preceding and succeeding it. Further, it reaffirms its intention to take up the matter of termination of the Trusteeship Agreement at the appropriate time with the Trusteeship Council and the Security Council.

726. According to the annual report, discussion at the session held on Maui also focused on procedures by which the negotiated documents would be approved. The process, as now envisioned, will involve a plebiscite by the voters of the Federated States, the Marshall Islands and Palau under the observation of the United Nations; approval by the three Governments according to their constitutional processes; and approval by both houses of the Congress of the United States. Upon completion of this approval process, the United States will take up the matter of termination of the Trusteeship Agreement with the United Nations.

727. At its forty-eighth session, the Trusteeship Council noted with interest the statements of the representatives of the constitutional Governments who, like last year, had emphasized their desire to maintain preferential and close relations with the Administering Authority after the termination of the Trusteeship Agreement.

728. In its annual report, the Administering Authority states that it is honoured by the statements of the Governments of the Federated States, the Marshall Islands and Palau. The compact of free association is consistent with the intent of these statements.

729. The Trusteeship Council, at its forty-eighth session, reiterated its view that free association was an option that was not incompatible with the Trusteeship Agreement, provided that the populations concerned had freely accepted it.

730. The current annual report states that the Administering Authority appreciates the importance of this position and reaffirms its own commitment to a future political status for the inhabitants of the Trust Territory which is consistent with the aims of the Trusteeship Agreement and the Charter. The Administering Authority believes that the compact of free association fulfils that objective.

731. The annual report states that the level of economic assistance to be provided to the Federated States, the Marshall Islands and Palau by the Government of the United States under the compact of free association is a matter for discussion and agreement between those Governments. The agreed levels of assistance set forth in the compact are consistent with the levels of assistance provided by the Government of the United States during the Trusteeship period.

732. The annual report states that the United States supports the formation of an all-Micronesian entity by the Government of the Federated States of Micronesia, the Marshall Islands and Palau after termination of the Trusteeship Agreement. It notes the written agreement regarding such an entity entered into by those Governments in 1977.

2. Discussion in the Council and opinions expressed

733. At the forty-ninth session of the Trusteeship Council, the representative of the United States said that his Government was fully committed to carrying out its responsibilities and obligations under the Charter and the Trusteeship Agreement. Its responsibilities included not only the economic, social and educational development of the Trust Territory, but also the achievement of progress towards self-government and a political status that met the desires of the people. He asked the Council to bear in mind that it was the needs and desires of the Micronesians which governed its stewardship and the oversight of the Council of the last Trust Territory.

734. The United States representative further stated that since the meeting in Maui in October 1981, his Government had made every effort to fulfil its pledge to complete the negotiations as rapidly as possible. Working intensively with representatives of the three Governments, negotiators of the Administering Authority had prepared drafts of all the remaining subsidiary agreements. The negotiation of those agreements had of necessity involved very detailed positions and solutions because of their technical nature and because of the extensive ties that now existed between the Trust Territory and the United States, and that would continue to exist after the termination of the Trusteeship Agreement.

735. The representative of the United States pointed out that progress had nevertheless been substantial and that the United States was in several cases now awaiting the comments and reactions of the other three Governments to the draft agreement worked out in Washington D.C. Most recently, a United States delegation headed by the President's Personal Representative for Micronesian Status Negotiations had met in the Marshall Islands with a Marshallese delegation to discuss several of the outstanding bilateral and multilateral agreements involving the two Governments. The Personal Representative would be having similar meetings shortly with delegations of Palau and the Federated States of Micronesia so as to advance the process of negotiations.

736. The United States representative said that the Governments of the United States and the Federated States of Micronesia, the Marshall Islands, and Palau would soon be in a position to report completion of the entire process, to sign the compact of free association and all its related agreements and to submit them officially to the Trusteeship Council. He envisaged that at such time as the four Governments concerned were able to sign all the documents and to commit them to their respective domestic approval processes, his Government would be able, in consultation with those Governments, to establish a date for the plebiscite in the three Micronesian jurisdictions and to request that the Council organize a mission to observe that plebiscite. He reaffirmed the statement of his predecessors that it was the intention of his Government to take up the matter of termination of the Trusteeship Agreement with the Trusteeship Council and the Security Council at the appropriate time.

737. The representative of the United States said that his Government had developed relationships with the elected leaders of Micronesia in keeping with their mutual interests, and within that framework he believed that they would soon be ready to terminate the Trusteeship Agreement. They shared a respect for human rights and fundamental freedoms and a commitment to self-determination based on democratic institutions. In his judgement, they were on the right course, a course that would lead to the fulfilment of the aspirations of those peoples and Governments in the near future.

738. The representative of the United States further stated that the Personal Representative of the President of the United States for Micronesian Status Negotiations and the respective Micronesian negotiators were entering the final phase of the extended, extremely difficult and complex negotiations to determine the future political status of the Micronesian peoples. The process of negotiations on the compact of free association and the associated agreements had resulted in the people of the Trust Territory being fully informed of their political status options and ready to exercise their right to self-determination. They hoped that when that day arrived the members of the Trusteeship Council would join them in celebration of that accomplishment.

739. The representative of the United States said that his Government had endeavoured to live up to the solemn pledge made 35 years ago to keep uppermost the welfare of the peoples of the Territory. In that regard, the Trusteeship Council judged the United States each year on its record of stewardship as presented in the annual report and through the question and answer sessions in the examination of that report. Further, in the oral testimonies it should be clearly evident that the Micronesian representatives spoke for their own Governments and their own peoples. The information that they had provided was of great importance to the work of the Council, for it reflected clearly a Micronesian point of view.

740. The United States believed that one of their main goals, the establishment of democratic institutions and principles as a means of resolving political issues, had been largely achieved. As was characteristic and desirable in a democratic system, they would not expect complete unanimity of opinion on every aspect of Trust Territory affairs or its political future. None the less, the decisions vitally affecting the Micronesians, including their future constitutional and governmental arrangements, had been and would be freely made by the Micronesians themselves through democratic processes.

741. The representative of the United States said that the compact of free association contained provisions for its own approval process, once final agreement

was reached. Even though many elements of free association were already in place within the framework of the existing Trusteeship Agreement, following the formal approval process the free association relationship would probably not come into full effect until the termination of the Trusteeship Agreement. The approval process included ratification by the Micronesian Governments and approval by the Micronesian peoples in a plebiscite, as well as approval by the Congress of the United States.

742. Mr. Tenorio, Special Representative, stated that since the Northern Mariana Islands had been a self-governing entity for the past five years and the termination of the Trusteeship Agreement had not occurred in 1981 as originally planned, he urged that the Agreement be terminated at the earliest possible date so that his people might enjoy all the benefits of the Covenant, the most important of which was United States citizenship. They hoped that termination of the Trusteeship Agreement would not signal the end of the friendship with the United Nations which had been established over the years. They looked to the United Nations as a stabilizing force in a world which was becoming increasingly demanding and which was more than ever in need of the collective leadership of its Member nations.

743. Mr. Borja, Adviser, said that one important matter which had been brought to the attention of the Trusteeship Council in the recent past concerned the desire of the Northern Mariana Islands and that of the United States Government for an early termination of the Trusteeship Agreement. The Legislature of the Northern Mariana Islands had just passed a joint resolution reiterating its desire to terminate the Trusteeship Agreement. There were legitimate reasons why they had been consistent in bringing forward that issue for immediate settlement by the appropriate body of the United Nations.

744. The Adviser pointed out that the delay in the termination of the Trusteeship Agreement frustrated the desire of his people to enjoy the full rights and privileges their fellow Americans now enjoyed as United States citizens. A good case in point was the denial to citizens of the Commonwealth of the Northern Mariana Islands, who entered the United States armed forces, of the opportunity of becoming commissioned officers, which made it almost senseless for any of their young men and women to choose a career in the United States forces. The solution to that and other problems was early termination of the Trusteeship Agreement. The question of whether the Commonwealth could be accorded its desire to be treated separately from other Trust Territory entities should be addressed soon in the appropriate United Nations forum. While they appreciated, and were mindful of, the complexities inherent in the political negotiations between the United States and the various Micronesian political entities, perhaps it would be prudent for a consensus to be reached to treat each entity on a case-by-case basis. He appealed to the Trusteeship Council to help them achieve that desire at the earliest possible date, in the interest of allowing their people to enjoy the full rights, privileges and benefits set forth under the Covenant, especially United States citizenship.

745. Mr. Robert Garland, Adviser, speaking on behalf of Mr. Tenorio, Special Representative of the Administering Authority, said that permanent political union with the United States had been and would, without any doubt whatsoever, continue to be the wisest and the most beneficial political arrangement that their people could hope for. The Commonwealth was very proud that it had reached a very advanced level of effective self-government, with democratic institutions. The

people of the Northern Mariana Islands had freely chosen to become citizens of the United States and would become citizens of the United States upon termination of the Trusteeship Agreement. They had repeatedly expressed their desire for such citizenship for more than 20 years. It should be noted, moreover, that it had been some 400 years since they had had the right to determine to whom they owed allegiance. It was, therefore, their desire that the termination of the Trusteeship Agreement be concluded at the earliest possible date.

746. Mr. Oiterong, Special Representative, said that the paramount concern of Palau was for a speedy conclusion to all negotiations relating to the compact of free association. Unless the compact was concluded soon, Palau could not hope to accomplish much of its development and it could not expect to have a viable Government that could respond to the desires and aspirations of its people. It was for that reason that they had decided to place emphasis on concluding the negotiations at the earliest possible date. Palau stood ready to finalize the compact, and at the same time sought to establish any bona fide relationship with any other nation which would increase Palau's ability to be economically self-sufficient.

747. Mr. Salii, Adviser, stated that he had asked the Personal Representative of the President of the United States for Micronesian Status Negotiations for financial assistance which would enable Palau not only to conclude status negotiations but also to establish a diplomatic presence in various nations. Without that assistance, negotiations on the compact would be greatly hindered, if not delayed until 1983, when other funds might be available. In any event, the United States delegation to the status negotiations was very much aware of those matters and he was confident that they could proceed rapidly on the remaining compact issues. Palau was eager to complete the negotiations on the compact and, once fully satisfied with its terms, the people of Palau would be in a position to ratify the Agreement.

748. Mr. Uherbelau, Adviser, noting that a great deal of time had been devoted to the question of future political status and related topics at the Council's forty-ninth session, welcomed the exchange of differing viewpoints on those questions which indicated the Council's genuine interest in their affairs and future destiny. Like the United States, however, they honoured the gentleman's agreement not to conduct the status negotiations in an open forum. In honouring that understanding they had refrained from interjecting their own views during the Council's question and answer period.

749. The Adviser further stated that the four basic principles of free association enunciated in 1969 when status negotiations had first commenced and which remained the underlying guidelines today in the ongoing status talks were: (a) that sovereignty in Micronesia resided in the people of Micronesia and their duly constituted Government; (b) that the people of Micronesia possessed the right of self-determination and might, therefore, choose independence or self-government in free association with any nation or group of nations; (c) that the people of Micronesia had the right to adopt their own constitution and to amend, change or revoke any constitution or government plan at any time; and (d) that free association should be in the form of a revocable compact, terminable unilaterally by either party.

750. The Adviser pointed out that the concept of free association might be a novel status arrangement to those who had not studied it as closely as they had. It was

one with which their people had become well acquainted over the years and one which they believed best protected the interest and well-being of their people. They were confident that it did meet the United Nations' requirements as a viable political status. It was appealing to them and their people since it was neither a territorial status, which was permanent in nature, nor was it complete independence. Once they entered into free association with the United States, they could still alter that relationship even within the 15-year term prescribed by the compact of free association itself. Moreover, they regarded free association as a status arrangement which was freer than it was associated.

751. The Adviser noted the statement made by the representative of the United States at the Trusteeship Council's forty-ninth session to the effect that, should the compact of free association be rejected by any of the three Governments, the Administering Authority was prepared to enter into negotiations on other political options, including independence. They also would like the Council to note the statement by Palau to the effect that, should the compact be disapproved in Palau, it did not necessarily indicate a complete rejection of the concept of free association as a status arrangement. It might have been due to the form in which the arrangement had been negotiated and concluded and presented to the people.

752. Mr. Takesy, Special Representative, stated that representatives of the Federated States of Micronesia and the United States had met in Maui in October 1981 to discuss plans for future negotiations. Although no formal negotiations had yet occurred, their representatives had been consulting with the United States on a number of outstanding issues and they hoped to resume formal discussion on the subsidiary agreements to the compact of free association in the immediate future.

753. Mr. Ilon, Adviser, said that the concept of free association was not new in the Federated States of Micronesia. It was one which was plainly understood by their people. It was important that the Council should understand that they had not decided to negotiate free association without considerable analysis. The Government of the Federated States of Micronesia and indeed their traditional society functioned largely on the basis of consensus. That fact of political life meant that all possible alternatives for their future political status had received careful consideration, and it was free association that had emerged as the choice of their people. It had therefore been decided years ago that they should pursue a relationship of free association since it best met their needs.

754. The Adviser stated that although they had selected that alternative as the basis for their negotiations with the United States, they were mindful of their continuing obligation to explain to their people the implications of free association under the negotiated draft compact and its subsidiary agreements, as compared with any other alternatives that might be pursued. Not all elements of the free association relationship as embodied in the proposals by the United States met with their full approval. As in any negotiation, there were aspects of these negotiations that troubled them but they believed that the resolution of those matters was possible. In any event, they were strongly committed to conclude the negotiations at the earliest possible time. Their future in the post-trusteeship period was in free association with the United States.

755. The Adviser reiterated the eagerness of the people of the Federated States to terminate the Trusteeship Agreement. Although they still had problems that must be remedied and commitments that must be met, they were no different in reality from

other new emerging nations and, even though they still required, like them, significant outside aid to address many of their problems, they were ready to do so as a nation in free association. While they believed in the saying that "No man is an island", they knew that only Micronesians themselves could most effectively attack those problems. He urged the Trusteeship Council to recognize that and their economic needs and assist them in their endeavour.

756. Mr. DeBrum, Special Representative, stated that the restoration of full self-government, the full recognition of the sovereignty of the Marshallese people and the dismantling of the last vestiges of their colonial past were the first and foremost priorities of the members of the Trusteeship Council. He observed that while the accomplishments in 1981 were numerous and stood on their own for commendation or criticism, in almost every case the impediments and obstacles to full success stemmed from the Trusteeship Agreement, which hung like a millstone on their economic advancement, political freedom, social opportunity and the full realization and unimpeded exercise of the inalienable rights of the Marshallese people. Of all the proud successes of 1981, only one stood out above all else: the total and complete organization of the Republic of the Marshall Islands which today was fully organized and ready to transact business. In fact, it was already transacting business. The major accomplishments of the recent past had been a direct result of the recognition by the international community of the ability and authority of the Marshall Islands to conduct, in its own name and right, relations with other members of the world community. Its successful negotiations with Japan, its commercial and financial arrangements with the United Kingdom, Australia and other Pacific neighbouring nations had all served to reinforce the conviction of the Marshallese people that Trusteeship was a thing of the past and that any further continuation of that arrangement was totally unacceptable.

757. The Special Representative said that the Marshallese people appreciated very much the invaluable contributions of the Trusteeship Council, which were essential to the preservation and protection of the sovereignty of the Marshall Islands. They also appreciated very much the voice of conscience which that Council had provided for the enlightened administration of Trusteeships before theirs. They very much appreciated the patience and understanding with which the various members of the Council temporarily accepted their earlier fears of self-government, reluctance to assert their sovereignty and their apparent resignation to those forces, which seemed at times to have full and unrestrained control over their future. They were grateful for the past, but, even more important, they now sought the support and guidance of the Council in the short period of time left for terminating the Trusteeship Agreement.

758. The Special Representative pointed out that the Trusteeship Council had heard during its forty-ninth session from the representative of the United States and from Mrs. McCoy, the Special Representative, about the urgent desire of the Administering Authority to terminate the Trusteeship Agreement. The Council had heard a very encouraging report about the staggering advancements which had been fostered by the Administering Authority over the past 20 years. The Marshallese people commended the Administering Authority for its accomplishments in the Trust Territory which came about through no small sacrifice in economic assistance, human effort and the development of a territorial policy that included a basic respect for the peoples, their customs and their traditions. They were now imploring the Administering Authority not to stop there, but to move vigorously forward towards the ultimate goal of the Trusteeship system: namely, termination of the Trusteeship Agreement in favour of self-government or independence.

759. The Special Representative said that the Administering Authority had taken the position in the Trusteeship Council that it would terminate the Trusteeship Agreement once the compact of free association and its subsidiary agreements had been completed, put to a plebiscite and finally approved by the United States and the United Nations. He pointed out that when they had initialled the compact of free association in 1980, the Marshallese people had done so with the realization that the relationship it had created was not perfect. They had recognized the constraints that it placed on the post-Trusteeship Government as well as the economic anxiety that it relieved and the security assurances that it provided for both the United States and the Marshall Islands. They had taken into very serious consideration a promise from the previous United States Administration for a 1981 termination of the Trusteeship Agreement and the advantage which that presented for a re-emergence of their nationhood, but had they known that the process would be drawn out until now, they might very well not have initialled that document. Nevertheless, the leadership and the people of the Marshall Islands had accepted the statement of that Administration and had been quite disappointed to hear later a statement by an official of the new Administration that they had been unwise to take that policy statement seriously. The Marshallese people respected the stated policies of all Presidents of the United States, Democrat or Republican, and they wished the record of the Council to reflect it clearly.

760. The Special Representative said that once the compact had been initialled, it had appeared that a final resolution of the subsidiary documents would not be difficult. That hope had been shattered, however, when the Marshall Islands had resumed negotiations with the United States after the acceptance of the compact by the new Administration. The problem seemed to stem from the fact that the Administering Authority, rather than considering the subsidiary agreements to be complementary to the compact, proposed to use those subsidiary agreements as vehicles to retract commitments and otherwise to repudiate compact provisions without which the original document would never have been signed. That was one major reason why action on the subsidiary agreements had not been completed.

761. The Special Representative further stated that the compact also called for the resolution of outstanding problems resulting from the testing of nuclear weapons in the Marshall Islands. Without commenting on the propriety of those nuclear activities, the Marshallese people viewed that particular provision as perhaps the only logical way to deal with a problem that had eluded resolution for so long. Nevertheless, although the United States had acknowledged its responsibility for the damage done by those nuclear tests and had accepted its obligation to make some kind of restitution, its take-it-or-leave-it attitude in dealing with that issue had very nearly scuttled the negotiations in recent weeks. The Government of the Marshall Islands was prepared to proceed towards termination of the Trusteeship Agreement on the basis of principles which had been worked out tentatively by the parties; to do otherwise would be to continue the cruelty of Trusteeship. To hold their freedom hostage to the acts and omissions of the Administering Authority would be to utilize the Trusteeship Agreement itself to foster and promote colonialism.

762. The Special Representative pointed out that the Administering Authority was also seeking from the Marshall Islands certain rights and authority related to the security and defence of the country. Such arrangements could be acceptable provided that equitable and mutually acceptable terms were reached. Holding those requirements as prerequisites for termination of the Trusteeship Agreement could not be allowed, for all that would do would be to deliver the Marshall Islands from

one form of Trusteeship to another. Any form of coercion, such as that manifested in severely reducing financial assistance while demanding excessive concessions which severely undermined Marshallese sovereignty, could only result in a post-Trusteeship relationship of questionable validity.

763. The Special Representative expressed his Government's support for the suggestion to dispatch a mission of the Trusteeship Council to the Marshall Islands in the summer of 1982. That mission, however, should not come with the narrow and paternalistic duty of inspecting the activities of yet another dependent colony but for the specific purpose of observing the political education programme and the plebiscite itself, which would be held prior to termination of the Trusteeship Agreement. A visiting mission for any other purpose would only serve to detract from the sovereignty and undermine the natural self-governing character of the Republic.

764. The Special Representative said that the Marshall Islands had been engaged in intense negotiations with the United States in the preceding three or four weeks. For the first time in the 13 years of talks, a session had been held in the Marshall Islands with the wide participation of the people most directly affected. He saw absolutely no need to prolong those negotiations. If there was any possibility of agreement, then agreement would be reached within the next few days. If not, it should not be the cause of further delay and the concept of free association should itself be presented to the people along with the sovereign choice of independence.

765. In presenting the following schedule of events for the Trusteeship Council's consideration, the Special Representative said that that process could succeed only with the blessing and assistance of the United Nations and that he consequently stood prepared to discuss it further with the Council:

(a) Upon completion of negotiations regarding the subsidiary agreements later that week, the compact should be signed and prepared for dissemination in a political education programme;

(b) The programme, to be financed partly by the United States and partly by the Marshall Islands, should commence on 1 June 1982 and end on 30 July 1982;

(c) A plebiscite, which would present the choice of free association or independence without conditions, should be held on 17 August 1982;

(d) A vote in favour of the compact would then trigger the approval of the document and free association through constitutional processes both in the Marshall Islands and in the United States;

(e) On 1 October 1982, the Trusteeship Agreement would terminate. If by then the compact had been approved by the United States Government it would take effect. If it had not been approved by the United States Government the Marshall Islands would be independent without conditions and free to enter into treaties or other international agreements with the United States or with other nations;

(f) A repudiation of the compact in the plebiscite would constitute a positive vote for independence, and the Trusteeship Council and the United States would immediately recognize, protect and abide by that decision without preconditions.

766. The Special Representative emphasized that according to that scenario, the Trusteeship Agreement as it pertained to the Marshall Islands would terminate on 1 October 1982 regardless of other considerations and regardless of the status of other entities within the Trust Territory. The wishes of the Marshallese people as expressed in the plebiscite would prevail.

767. The Special Representative said that members of the Trusteeship Council, who so ably represented the most powerful nations, tended to take sovereignty and independence for granted after having enjoyed those rights for such a long time. In their ardent desire to perform their duties as well as possible as members of the Council, there was a tendency to become so enthralled and enveloped in its activities as to lose sight of the most important goal of the Trusteeship system itself, the promotion of independence and self-government, without force or coercion, without political or economic preconditions and, most of all, without questioning the desires of the people concerned. He called on them to judge the actions of the Marshallese people in the next few months with those principles in mind. If the choice made in a free election did not coincide with that of individual members of the Council, he trusted that that would not stand in the way of termination of the Trusteeship Agreement; as far as the Marshallese people were concerned, termination was a foregone conclusion, and he was in the Council only to work out the details for formalizing that event.

768. The representative of the United Kingdom said that both the Administering Authority and the representatives of the four constitutional Governments looked to an early termination of the Trusteeship Agreement. The representative of the United States had made it clear that his Government considered that it was in the mutual interest of the United States and the Governments and peoples of the Trust Territory to terminate the Agreement at the earliest possible date, provided mutually satisfactory terms could be arranged. The United States had concluded that the status of free association was the most appropriate one for the Federated States of Micronesia, the Marshall Islands and Palau, and wished to conclude the political status negotiations on that basis.

769. The representative of the United Kingdom stated that the representatives of the Northern Mariana Islands had urged that the Trusteeship Agreement be terminated at the earliest possible date. The representatives of Palau had said that their paramount concern was for a speedy conclusion of all negotiations relating to the compact. The representatives of the Federated States had expressed the hope that their negotiations with the United States would be concluded by 1983. The representative of the Marshall Islands had made concrete proposals for the very rapid termination of the Trusteeship Agreement in the Marshall Islands during the course of 1982.

770. The representative of the United Kingdom, said that, in its conclusions and recommendations of 1981, 23/ the Trusteeship Council had reaffirmed the inalienable right of the people of Micronesia to self-determination, in accordance with the Charter and the Trusteeship Agreement. Although the Council had made no precise recommendations on the future political status of the various Micronesian entities, it had reiterated the view that free association was an option that was not incompatible with the Trusteeship Agreement, provided that the populations concerned had freely accepted it. It had also strongly reiterated its opinion that all the people of Micronesia should be given the fullest opportunity, before the referendum on their political future, to inform themselves about the various choices open to them. His Government stood by those conclusions and would support

any decision the population of the Territory might make about their future through free democratic processes.

771. The representative of the United Kingdom pointed out that while there must be practical doubts as to whether the ambitious time-table set out by the representatives of the Marshall Islands could be met, his delegation fully appreciated the spirit of urgency underlying it. He hoped that the negotiations which were now under way between the United States and the constitutional Governments, including that of the Marshall Islands, would very soon reach a successful and mutually satisfactory conclusion.

772. The representative of France welcomed the fact that the uncertainty still prevailing at the forty-eighth session of the Trusteeship Council on the institutional developments in the Trust Territory had been dissipated in 1982. The Administering Authority, like the Governments of all the entities of the Territory, now agreed on the need to terminate speedily the Trusteeship Agreement. The Administering Authority had handed over a considerable part of its powers to the constitutional Governments. While one might regret that the financial and economic means of the entities were not yet commensurate with their political and administrative authority, one could not but welcome the fact that, in accordance with the objectives of the Trusteeship system as defined in Article 76 of the Charter, decisive progress had been made towards self-government for the population.

773. With regard to the compact of free association, the representative of France referred to the statement of the Secretary for Foreign Affairs of the Marshall Islands (see paras. 756-767), in which he had given an account of certain difficulties encountered during the negotiations. In the opinion of his delegation, the choice before the electorate, when it decided on its future status in a referendum, should not be confined to mere approval of the status of free association but should also include, in accordance with the wishes expressed by several speakers, the possibility of choosing the status of independence. The French delegation hoped that the Trusteeship Agreement would be terminated as soon as possible out of respect for the wishes of the populations of the Territory and in accordance with the relevant provisions of the Charter, in particular those of Article 83.

774. The representative of the Soviet Union pointed out that on 2 April 1947, the Security Council confirmed the Trusteeship Agreement, whereby the United States had assumed specific and concise obligations to carry out, as the Administering Authority, the tasks of the International Trusteeship System with regard to the strategic Trust Territory of the Pacific Islands. The tasks, as set forth in Article 76 of the Charter included the following in particular: "(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 ...; (c) to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion". Thirty-five years had gone by since then, in the course of which approximately 100 States, including 10 Trust Territories, with a total population of more than two billion people, had emerged from the colonial yoke and achieved independence. In that process great significance must be attached to the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960. In recent years alone, nine small countries with small populations in the South Pacific had achieved independence.

Micronesia alone had not yet attained independence. The Soviet Union welcomed the appearance of those newly independent States of the Pacific on the international scene, which was confirmation of the prediction made many decades ago by the founder of the Soviet State, Vladimir Ilich Lenin, with regard to the historic role of the peoples of colonies who, after liberating themselves from the colonial yoke, would actively participate in and determine the fate of the world.

775. The representative of the Soviet Union stated that the young States that had freed themselves from the colonial yoke in a difficult struggle had had a similar struggle in eliminating the colonial inheritance in all areas of their internal life and in the international field. That had specifically been referred to at the twenty-sixth Congress of the Communist Party of the Soviet Union by Mr. Leonid Ilych Brezhnev, the General Secretary of the Party, who had said:

"The imperialists do not like the strengthening of the independence of the countries that have freed themselves. In a thousand different ways they try to keep a grip on those countries in order more freely to use their natural resources and wealth and use their territories for their own strategic purposes. Moreover, broad use is made of the age-old method of the colonizers: divide and conquer."

776. The representative of the Soviet Union said that at previous sessions of the Trusteeship Council, his delegation had repeatedly pointed out that the Trust Territory, which the Administering Authority ought to have prepared for political, economic and social advancement towards genuine self-determination and independence, had in fact been dismembered politically and was now in a disastrous economic and social situation. The United States, as the Administering Authority, was carrying out a policy intended to perpetuate its domination over the Trust Territory, to militarize it and to transform it into a military-strategic springboard in the western Pacific, which constituted a threat to world peace and security. Unfortunately, this year again his delegation must note that the situation in the Trust Territory had not changed for the better. On the contrary, there was a clear indication of all the signs of the further worsening of it. Using the right to Trusteeship for its own selfish purposes, the United States had not carried out a single provision of Article 76 of the Charter or of the Trusteeship Agreement. Furthermore, it was behaving in the Trust Territory in violation of the Charter, despite the obligations it had assumed under the Trusteeship Agreement. It was bypassing the Security Council and it was violating the Declaration on the Granting of Independence to Colonial Countries and Peoples, trying to take Territories that were temporarily under its trust into its own hands and to make them serve its own military and strategic plans.

777. The representative of the Soviet Union stated that the single Trust Territory was being transformed as a result of the Administering Authority's policy into a set of island entities upon which the United States was imposing the neo-colonial status of a commonwealth and of free association. In fact, it was transforming the Trust Territory into a United States possession. Having tried to maintain the Territory's unity and to establish an independent State, the Congress of Micronesia had in the past been reformed by the Administering Authority.

778. The representative of the Soviet Union said that the following was written in the preamble to the draft Constitution of a united Micronesia by the Congress of Micronesia:

"We the people of Micronesia ...

"... affirm our common wish to live together in peace and harmony, to preserve the heritage of the past, and to protect the promise of the future.

"... we respect the diversity of our cultures ... The seas bring us together, they do not separate us ...

"Our ancestors ... displaced no other people. We, who remain, wish no other home than this. Having known war, we hope for peace. Having been divided, we wish unity. Having been ruled, we seek freedom." 24/

779. The representative of the Soviet Union stated that the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV), which fully responded to that aspiration, stated in paragraph 6:

"Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

780. The Soviet Union had repeatedly drawn the attention of the United Nations to the facts of the illegal actions of the Administering Authority contrary to the Charter in the Trust Territory and it had demanded that an end be put to such actions and that, in keeping with the Charter and the Declaration, the Micronesians be guaranteed the unhindered implementation of legitimate right to full freedom and independence. That fundamental position of the Soviet Union had been set forth in statements issued as official documents of the Security Council and of the General Assembly.

781. The representative of the Soviet Union stated that not only had the Administering Authority not promoted the establishment of institutions of a united Micronesia but it had, on the contrary, resisted it. The United States had not carried out its fundamental obligation with regard to the maintenance of the political unity of the Territory and had deliberately brought the Territory to a situation of dismemberment.

782. In 1975, the status of a commonwealth in political union with the United States had been imposed on the Northern Mariana Islands which was part of the Trust Territory. In recent years, the United States had been negotiating actively with the representatives of the three other island groups of Micronesia with a view to imposing upon them the status of free association with the United States, which was, in fact, tantamount to annexing them to the United States. It was now becoming clear more than ever that by carrying out an annexationist policy with regard to the Trust Territory, the United States was trying to maintain and strengthen its total domination of a vast region of the Pacific Ocean and its military and strategic position in that part of the world.

783. The representative of the Soviet Union said that, based on the activities of the Administering Authority in the Trust Territory, the inevitable conclusions to

be drawn by the Trusteeship Council were clear: there had been an obvious neglect by the United States of its obligations as a trustee. To Micronesians the Trusteeship was nothing more than a continuation of colonial dependence, both in substance and in form. For 35 years the United States had administered Micronesia - a period which, as had been vividly expressed by Mr. Donald McHenry, the former Permanent Representative of the United States to the United Nations, could be described as "a trust betrayed". The Soviet Union considered that the treaties proposed by the United States - the so-called covenant and the compact of free association - could not change or replace the status of free and independent statehood.

784. The representative of the Soviet Union stated that the question of the future of Micronesia was an integral part of the problem of decolonization and of granting to colonial peoples the inalienable right to self-determination and independence. The United Nations must continue to bear responsibility for that Territory until the Micronesians had had the opportunity to exercise freely their legitimate right to genuine self-determination and independence. They had the inalienable right to self-determination and to formation of an independent State. In the Programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 2621 (XXV) of 12 October 1970, it was stated, in paragraph 9: "Where resolution 1514 (XV) has not been fully implemented with regard to a given Territory, the General Assembly shall continue to bear responsibility for that Territory until such time as the people concerned has had an opportunity to exercise freely its right to self-determination and independence in accordance with the Declaration".

785. The representative of the Soviet Union said that that important provision was fully confirmed in the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in the annex to General Assembly resolution 35/118 of 11 December 1980.

786. The representative of the Soviet Union further said that the annexationist actions by the United States with regard to the Trust Territory were being undertaken behind the back of the Security Council, in violation of the United Nations Charter, the Trusteeship Agreement, the Declaration on the Granting of Independence to Colonial Countries and Peoples and other decisions of the United Nations. Those actions by the United States could in no way be considered legitimate, nor could they be acknowledged as having legal force, since, in accordance with Article 83 of the Charter, any changes in the status of Micronesia as a Trust Territory could only be carried out by a decision of the Security Council. The appropriate organs of the United Nations should undertake to implement the measures prescribed by the Charter so as to thwart United States attempts at presenting the world with a fait accompli with the full absorption of the Trust Territory and its transformation, albeit in the guise of a commonwealth or a freely associated state, into its colonial possession. Today the entire world was freeing itself from colonial status and it could not allow, in the last quarter of the twentieth century, the establishment of new colonies under the banner of "commonwealth" or "free association" in the Pacific.

787. The representative of the Soviet Union stated that the policy of his Government towards the vestiges of colonialism in the world and towards the struggle against colonialism had always been and remained clear and definite. Faithful to the Programme of Peace for the 1980s, adopted by the twenty-sixth

Congress of the Communist Party of the Soviet Union, the Union of Soviet Socialist Republics, along with other peace-loving States, would continue to fight for the final elimination of colonialism and for the achievement by all colonial peoples of genuine freedom and independence.

788. The representative of the United States said that his Government had been charged with fragmenting the Trust Territory, an old charge which the representatives of the Micronesian peoples themselves had answered. The United States, together with the Trusteeship Council, had long supported the unity of the Trust Territory. Political separation had occurred as a result of the clearly expressed will of the people in referendums observed and judged fair by that Council and the peoples of Micronesia had decided that question for themselves.

789. The representative of the United States, indicating that they had been accused of plans to annex the Trust Territory in part or in whole following termination of the Trusteeship Agreement, pointed out that the 1975 Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America had freely been negotiated by the elected representatives of those islands and approved by their people in a plebiscite observed by a United Nations visiting mission. 25/ He reminded the Council that the favourable vote on the Covenant had reflected the freely expressed wishes of the people of the islands. It was inconceivable to the United States that any member of the Trusteeship Council would attempt to stand in the way of the exercise by the people of the Northern Mariana Islands of their right to self-determination.

790. Referring to the statement made by the representative of the Soviet Union alleging that the United States was attempting to impose on the peoples and Governments of the Federated States of Micronesia, the Marshall Islands and Palau, the political status of free association, the representative of the United States said that that was a falsehood. The Trusteeship Council had heard several members of the United States delegation recount during the Council's current session that free association had been a proposal of the Congress of Micronesia more than a decade ago. The United States had considered that proposal for some time before finally accepting it. It was a political status enthusiastically and consistently supported by the Micronesians themselves for more than a decade. It was amply recognized under international law as a viable political status which might be selected in the full exercise of the right of self-determination and it was one which his Government now endorsed. However, neither free association nor any other political status had been or would be imposed upon the people of Micronesia.

791. The representative of the United States said that just as the people of the Northern Mariana Islands had voted freely in 1975 when they had accepted the Covenant, so the peoples of the Federated States, the Marshall Islands and Palau, would have the opportunity to vote freely on their new political status. Both Mr. Ilon and Mr. Uherbelau, Advisers of the Administering Authority from the Federated States of Micronesia and Palau respectively, had affirmed that free association was the choice of their people, a choice which their people would have the opportunity to ratify in the anticipated plebiscite.

792. In response to the above statement made by the representative of the United States, the representative of the Soviet Union stated that the representative of the United States had said that the Soviet Union delegation should talk about the facts. The Soviet Union representative said that the fact was that instead of a united Territory, entrusted to the United States by the Trusteeship Council and one

that was to be prepared by the Administering Authority for economic, political and social self-determination and independence, Micronesia had been politically dismembered. In the economic and social areas, the Trust Territory was in a disastrous situation. That too was a fact. Instead of fulfilling its obligations under the Trusteeship Agreement and the Charter, the Administering Authority had not developed the economy of the Territory. It had bound the Territory to the United States and had created economic conditions that had enabled it to act politically as it had felt and continued to feel necessary. As the Administering Authority, the United States was carrying out a policy of maintaining its domination over the Trust Territory, a fact which was reflected in the agreements that had now been drafted and were still in the process of being drafted and worked out by the Administering Authority, agreements that were being imposed on a Territory that was dependent on the United States. The United States was carrying out a policy of militarization aimed at transforming the Territory into a strategic springboard that would in no way promote or further the principles of maintaining international peace and security. That was also a fact.

793. The representative of the Soviet Union stated that his delegation had had the occasion to look through the provisions of the so-called additional agreements which the United States was working out with the Micronesian entities. According to The New York Times of 1 June 1982, the Marshall Islands had signed an agreement with the United States on the military use of its territory by the United States for 50 years.

794. The representative of the Soviet Union said that neither the Charter nor the Trusteeship Agreement had given or would give the right to the Administering Authority to carry out military activities in the Trust Territory. The question of the future of Micronesia was an integral part of decolonization. The United Nations should continue to bear the responsibility for that Territory until such time as the people of Micronesia had the right to unhindered implementation of their genuine right to independence.

795. The representative of the United States said that what the representative of the Soviet Union had referred to as facts were simply the contrary. They were unfounded allegations not believed or shared by other members of the Council, and not based on any direct observation or knowledge of the Territory. Despite repeated invitations, the Soviet Union had refused for its own unexplained reasons to accept invitations to participate in any of the visiting missions.

796. The representative of the Soviet Union stated that he understood how difficult it was for the representative of the Administering Authority to defend an incorrect position. His delegation was prepared to stand by what the Soviet Union was saying. What the representative of the Administering Authority did not find acceptable in the statement by the Soviet representative was something which lay on his conscience. The Soviet delegation based what it said on facts, and it was rather difficult to understand the logic of the United States representative in saying that these were not facts. The Soviet delegation had said that the policy of the Administering Authority had led to the dismemberment of the Trust Territory; it had said that that was a fact. The representative of the United States had said that that was not a fact, that it was a falsehood. The other members of the Council would have to judge the logic of what was said by the representative of the United States.

797. The representative of the Soviet Union referred to the statement by the representative of the United States that the Soviet delegation did not participate in the visiting missions to the Territory and that it had no moral right to judge what was happening in the Territory. The United States representative was new in the Council and had probably not been informed that the Soviet delegation had once participated in a visiting mission to the Territory. That was just for his information.

798. The Soviet Union representative further stated that as for the fact that on another occasion the Soviet delegation had not participated in a visiting mission to the Trust Territory, he thought that the reasons were well known to those who followed the situation in the Trust Territory and participated in the work on the issue. If the representative of the United States required further explanation, the Soviet Union delegation would be only too happy to give it at any time. He repeated once again that the attempts by the United States to cast doubt on the statements of the Soviet delegation had not been successful. The statements of the Soviet delegation were based on facts, and on facts alone. He said again that his delegation stood by every word that had been said both earlier and on that day by the Soviet delegation.

799. The representative of the Soviet Union said that the United States representative had expressed dissatisfaction at being asked many questions, particularly by the Soviet delegation, about the situation in Micronesia, for which the United States was responsible. Many questions put by the Soviet delegation had not been answered by the United States while the answers to other questions had been unsatisfactory. All the questions put to the representative of the United States were about how the Administering Authority was operating in the Trust Territory, how it was fulfilling the obligations entered into under the Trusteeship Agreement and how its activities met the interests of Micronesians. If the Administering Authority had really been completely fulfilling its obligations under the Charter and the Trusteeship Agreement, no question would inconvenience it; it would find no question inappropriate. Nor would the Administering Authority instead of answering those questions need to divert the attention of the Council. It would not need to distort matters by complaining that the questions had been asked in a way that had not pleased it.

800. The representative of the Soviet Union said that the United States representative had expressed dissatisfaction that the Soviet delegation had been trying somehow to politicize the Council's procedures. That reflected the Administering Authority's desire to conceal from the Trusteeship Council and the Security Council the full picture of what was really going on in the Trust Territory. Several days had been needed to convince the United States representative that the report should include not only communications and petitions from Micronesians but a summary statement of how the Council had reacted to them. The Trusteeship Council was an organ that, in accordance with the Charter, was to give full assistance to the Security Council. What was happening in Micronesia had primarily a political aspect. Any activity by the Trusteeship Council was therefore first and foremost political and its decisions had political aspects. It should not be forgotten that the matter under discussion was the fate and the destiny of the Trust Territory, which must be resolved. It must be given the right to self-determination and independence.

801. The representative of the Soviet Union said that the United States representative had expressed dissatisfaction at the lack of participation of the

Soviet delegation in the Council's periodic visiting missions to Micronesia, although it had participated in one of those missions. It had experience of such participation and that was the basis of its critical position. It had the right to make clear its view on the viability, value and usefulness of such missions, and especially its view on its participation in the missions themselves.

802. The representative of the Soviet Union wondered how the United States representative could refute the fact that 35 years of the Administering Authority's policy had led to a fragmentation of Micronesia which was a clear, manifest fact. The Security Council had entrusted the United States with the trusteeship of a unified Territory and now the United States itself was stating that there was no longer a unified Territory. Instead, four island entities had been formed. The United States representative said that it was not their fault, that the responsibility was to be borne by the Micronesians themselves. If that was really so, he asked why the United States representative did not inform the Council of the Administering Authority's actions to maintain the Territory's unity. That question had been put to the United States representatives for years, and had been put again at the forty-ninth session, but the Council had never received an answer.

803. The representative of the Soviet Union stated that representatives of the Congress of the united Micronesia had advocated the unity of the Territory. A constitution for Micronesia and the plans for the Territory's economic development had been prepared but discontinued. Members would recall that at the time the Administering Authority had stated that the constitution did not accord with the principle of free association. In a referendum, the majority of the Trust Territory's population had shown that they had favoured unity for the Territory. However, the Administering Authority had evaluated the results of the referendum in its own special way and had then promoted individual separatist moves which in the final analysis, had led the Territory to dismemberment. If the representative of the United States looked at the resolutions adopted by the Congress of Micronesia at that time and took the trouble to look at the records of the Trusteeship Council itself it would be easy for him to find the factual data regarding the actual aspirations of Micronesians.

804. The representative of the Soviet Union said that the representative of the United States had attempted to claim that the Micronesians themselves had reached the decision to fragment the Territory. He questioned whether they had come to such a decision themselves or had been forced to do so. Instead of promoting economic development, the Administering Authority had introduced programmes of economic assistance so that the people of the Territory had been made to feel that they could not exist independently if the United States did not provide an economic solution for the Territory. They had been told that the United States would help only if and when the people of Micronesia listened to what the United States told them to do and if they gave the Administering Authority, in advance, the right to dispose of that Territory as it saw fit, the right to use that Territory for its military-strategic interests for ever.

805. The representative of the Soviet Union said that David Nevin, in his book on the United States administration in Micronesia, had pointed out:

"... Americans have had a disastrous impact on Micronesia. They have been motivated by their interest in the strategic value of the islands and have been guided by a naive altruism and an arrogant assumption of superiority that has allowed no self-questioning. 26/

806. The representative of the Soviet Union said that Nevin had also stated in the same book: "Micronesian nationalists ... believe today that they were the victims of a conscious American conspiracy to create a situation in which Micronesia could never stand alone and thus would be bound to the patron nation's strategic needs." 27/

807. The representative of the Soviet Union stated that the United States delegation, referring to referendums and plebiscites in Micronesia, had said plaintively that the United States could not understand how anybody in the Trusteeship Council could try to give effect in any other way to the right of the people of the Northern Mariana Islands to self-determination. Unfortunately, it had forgotten that the Administering Authority, under its policy in Micronesia, had reversed the right of Micronesians to move towards the exercise of their right to full independence. The word "independence" was one which the United States avoided by all possible means applying to the Trust Territory.

808. The representative of the Soviet Union pointed out that the United States had tried to prove its right to carry out military activities in Micronesia and to use the Territory in its military-strategic interests. It claimed that the United States had a right to do that. The Soviet Union delegation had already noted in that regard that, while it was true that that right had been given by the Security Council to the United States, it had been given only for the Trusteeship period and for the purpose of maintaining and promoting international peace, not for the purpose of endangering it. The way which the United States was using that right clearly showed that the Administering Authority was violating the Charter and the Trusteeship Agreement. In that regard, the Territory was being used in a one-sided way to promote the military-strategic interests of the United States and not in the interest of maintaining world peace and security.

809. The representative of the Soviet Union said that it was quite clear that in no report or documentation of the Trusteeship Council was there a word said about what the Administering Authority was doing in the Trust Territory to strengthen international peace and security. Neither the Charter nor the Trusteeship Agreement gave the United States the right to use its position as the Administering Authority to bind the Micronesians to its military presence and to its military activities in the Territory beyond the Trusteeship period, to the detriment of the interests of its people, and to consolidate its right to such activities in perpetuity. The representative of the Administering Authority, aside from whatever arguments might be used in an attempt to justify its activities in the military sphere in the Trust Territory, had made an absurd charge concerning the aggressiveness of the Soviet Union, the so-called Soviet threat. That myth was so completely worn out that it could not convince anyone. He asked if the Micronesians had been threatened at any time or in any way by the Soviet Union and from whom did the United States intend to protect the Micronesians. The foreign policy of the Soviet Union and the other socialist countries had always been and always would be a policy of peace.

810. The delegation of the Soviet Union stressed that the actions of the United States with regard to Micronesia reflected its intention, ignoring the Security Council and in violation of the Charter, to assume unilaterally the right to decide the destiny of the Micronesians and the Territory. Micronesia was the last Trust Territory remaining in the world after the peoples of other Trust Territories had already acquired their independence. The question of the future of Micronesia was a component element of the problem of decolonization and the granting of

self-determination and independence to the peoples of colonial countries and Territories, as confirmed in the decision of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

811. The representative of the Soviet Union was convinced that the United Nations and its relevant organs, faced with such actions by the Administering Authority, must take the measures provided for in the Charter to prevent the United States from succeeding in its attempt to present the world with a fait accompli by keeping the Territory under its colonial domination through the so-called compact of free association. Everything possible must be done to ensure that the people of Micronesia were able freely to exercise their legitimate right to full independence and freedom in accordance with the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

812. The representative of the United States said that throughout its deliberations, the Trusteeship Council had heard the views of the Micronesian special representatives and advisers on conditions in their respective jurisdictions within the Trust Territory. They had explained the extent to which they governed their own affairs and were assuming greater responsibility for the functions of their own Governments. They were the authentic voices of the people of Micronesia who had in past elections chosen the special representatives and their colleagues to represent them fully in office. They had played and would continue to play essential roles in assisting the Council in its work. A great debt of gratitude was owed to them for their dedication and contributions to the Council, and the representative of the United States said that he would most willingly and enthusiastically convey to them the kind words spoken by the representative of the United Kingdom in thanking them for their efforts.

813. The representative of the United States pointed out that the Trusteeship Council had heard many unfounded, and sometimes wild, charges levied against his Government for alleged violations of the Charter and the Trusteeship Agreement and for a host of other purported sins. His delegation had thought to respond in some detail to some of the more outrageous comments made by those who had little experience with which to recognize the principles of human rights or self-determination. However, in light of the fact that those comments had all been stale rehashes of arguments already made and fully refuted, he would not join in prolonging the work of the Council. As for their substance, he would simply point to past records of the Council, which had taken decision after decision commending and supporting the efforts of the United States to facilitate greater self-government for the peoples of Micronesia, to the comprehensive reports of the visiting missions dispatched to Micronesia to observe the numerous plebiscites and referendums that had paved the way for the establishment of the constitutional governments, and to the statements of the Micronesian special representatives supporting the United States Government's aim to negotiate a political status that would meet the aims of the peoples of Micronesia and lead to termination of the Trusteeship Agreement which the peoples of Micronesia and the people of the United States both ardently desired.

814. Referring to the work of the Trusteeship Council, at its forty-ninth session, the representative of the Soviet Union said that it had unfortunately shown that the Administering Authority was continuing to conduct a policy that members of his delegation had severely criticized at previous sessions of the Council, because of the serious situation in the Territory and the Administering Authority's response

to it. That policy had not, unfortunately, been duly criticized by the Council members, with the exception of the Soviet delegation, and his delegation continued to feel that the United Nations and its competent organs should take measures to ensure that the people of Micronesia might, without obstruction, exercise their right to full freedom and independence in accordance with the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

G. CONCLUSIONS AND RECOMMENDATIONS

815. At its 1539th meeting, on 11 June 1982, the Trusteeship Council adopted the following conclusions and recommendations by a vote of 2 to 1, with 1 abstention. 28/

GENERAL

Land and people

816. The Trusteeship Council takes note of the preliminary results of the census conducted in the Trust Territory in 1980 as submitted by the Administering Authority in its annual report.

817. The Council takes note of the continuing concern expressed by representatives of the Trust Territory about the possible dangers of the dumping of nuclear waste in the Pacific region. The Council notes in particular the statements concerning this matter made by Governor Tenorio and Senate President Borja of the Commonwealth of the Northern Mariana Islands (see paras. 315-316) and also the communication received from the Truk Legislature contained in document T/COM.10/L.304 (see also para. 192).

818. In this connection, the Council takes note of the letter dated 2 June 1982 from the Permanent Representative of Japan to the United Nations addressed to the President of the Trusteeship Council (see paras. 320-323) and in particular it notes the assurances of the Japanese Government that it will continue its efforts to obtain the understanding of the countries and Territories concerned and will take fully into account their sentiments and sensitivities on the matter.

819. The Council notes that the Administering Authority has not sought a dialogue with the Government of Japan on the question of the proposed dumping of low-level nuclear waste since, in the opinion of the Administering Authority, such proposals are fully in accordance with existing international law. The Council takes note of the statement made by the representative of the Administering Authority that, for its part, the United States Government does not intend to dispose of nuclear wastes in the Trust Territory of the Pacific Islands or in the waters adjacent to the Trust Territory (see paras. 318-319).

820. The Council welcomes the progress made towards the establishment of ground stations for satellite communications throughout the Trust Territory, but notes with concern the anxiety expressed by the representative of the Government of the Federated States of Micronesia concerning the ability of the current land-based facilities in the Federated States of Micronesia to utilize fully the satellite system. The Council notes with satisfaction that an agreement between the Republic of Palau and COMSAT has now been signed and that the telecommunications system is expected to be in operation by November 1982.

821. The Council takes note of the concerns expressed by Senate President Borja of the Commonwealth of the Northern Mariana Islands during the 1523rd meeting of the Council about the Tinian lease option (see paras. 569-571). The Council calls upon the Administering Authority to clarify its intentions with regard to the lease option at the earliest possible date.

822. The Council notes with satisfaction that nearly all of the public land in the Trust Territory has now been turned over to the respective constitutional Governments.

Population movements

823. The Trusteeship Council reiterates its serious concern about the quality of medical care currently available to the displaced people of Bikini and Enewetak and regrets that the health programme proposed under legislation currently under review by the Executive Branch of the United States Government has still not been implemented.

824. The Council reiterates its concern that any resettlement proposals for the people of Bikini and Enewetak should take fully into account any remaining health hazards and recommends that the Administering Authority continue to ensure, as a matter of priority, that all necessary measures are taken to remove the radiation hazards threatening the inhabitants of the Marshall Islands. The Council notes that the inhabitants of Enewetak are being constantly monitored for radiation dosage.

825. The Council notes with satisfaction that the airstrip on Kili Island was opened in March 1982 and that the Government of the Marshall Islands is providing regular air service to the island. The Council hopes that every effort will be made to improve living conditions for the displaced people of Bikini and that further consideration will be given to the problems of their present location on Kili Island.

826. The Council reiterates its concern over the social, cultural and economic difficulties of the people living on the island of Ebeye arising primarily from the over-population of that island. The Council notes that the Administering Authority has made efforts to improve living conditions on the island and calls upon the Administering Authority to continue to give high priority to finding a solution to the problems faced by the inhabitants of Ebeye.

827. The Council urges the Administering Authority to make every effort to seek mutually satisfactory solutions to specific problems arising from the presence of the United States military facility on Kwajalein Atoll. The Council welcomes the assurance given by the High Commissioner that any resident of Ebeye or the other islands may be admitted to the hospital on Kwajalein if referred by the Ebeye Health Services Officer or the Government of the Marshall Islands.

War and post-war damage claims

828. The Trusteeship Council reiterates the concern expressed at its previous sessions that war damage claims have still not been fully settled, as determined by the Micronesian Claims Commission. In this connection, the Trusteeship Council

welcomes the assurances given by the representative of the Administering Authority and calls upon the parties concerned to make every effort, in the best interest of the innocent victims, to resolve the issue as soon as possible and in any case before the termination of the Trusteeship Agreement.

POLITICAL ADVANCEMENT

General political structure

829. The Trusteeship Council notes with satisfaction the increasing confidence and competence of each of the Governments in the Trust Territory in handling all aspects of full, functional self-government.

830. The Council welcomes the continuing efforts of the constitutional Governments to increase their contacts with other nations in the region and to develop further links with regional agencies.

Territorial government

Legislatures

831. The Trusteeship Council notes with satisfaction that the freely and democratically elected legislatures in the four Micronesian entities have continued to play an important and active role. It notes further that the Vice-President of Palau has commended the quality and quantity of the legislation passed by the Olbiil Era Kelulau.

832. The Council notes that the Olbiil Era Kelulau has become an associate member of the Asian-Pacific Parliamentary Union (APPU).

Executive

833. The Council notes that the transfer of functions and responsibilities from the Administering Authority to the constitutional Governments has continued to take place at a rapid pace. The Council notes, however, that in recognition of its continued responsibility for the public safety and order of the inhabitants of the Trust Territory, the Administering Authority is continuing to provide advice and guidance to the judicial, police and legal agencies of the constitutional Governments.

834. The Council notes that the Government of the Federated States of Micronesia is engaged in discussions with the Administering Authority concerning the ability of the Government of the Federated States to participate in negotiations and to sign certain regional and international agreements during the transitional period. The Council hopes that a mutually satisfactory solution will be found.

835. The Council notes that the executive branch of Palau is now fully operational and is organized into ministries of administration, social services, national resources, justice and state.

Civil service

836. The Trusteeship Council notes with concern the events relating to a strike of government employees which took place in Palau during September 1981 leading to the burning of the President's Office.

837. The Council notes the Palau Government's approval of a 50 per cent increase in salaries of government employees. It takes note of the Administering Authority's assertion that personnel costs now account for approximately 83 per cent of Palau's budget.

838. The Council also reiterates its conviction that the size of the civil service throughout the Trust Territory remains a cause for concern, placing a heavy burden on territorial budgets and absorbing a disproportionate share of trained personnel. In this connection, the Council notes that during 1980/81, there was a decrease of more than 7 per cent in civil service employment in the Governments of the Trust Territory. But once again the Council urges the Administering Authority to give every possible assistance to the constitutional Governments to encourage the creation of jobs in the non-government sector and thereby allow rationalization and reduction of their civil services without contributing to the problems of unemployment.

Political education

839. The Trusteeship Council notes with satisfaction that the Administering Authority has invited the Governments of the Federated States of Micronesia, the Marshall Islands and Palau to enact legislation for political education programmes and for the anticipated plebiscite on future political status. The Council also notes that the Administering Authority is prepared to assist these efforts within its resources, as appropriate and as requested by the Governments.

840. The Council considers that the various island communities throughout the Trust Territory should be consulted on the form and scope of the political education programme so that its implementation meets the needs and wishes of their people.

841. The Council welcomes the statement by the Federated States of Micronesia that it has already consulted with the Administering Authority on a broad public education programme and has prepared tentative plans. The Council also notes the assurance given by Mr. Takesy that the Government of the Federated States of Micronesia will do everything possible to ensure that a fair and soundly based political education process takes place throughout the nation (see para. 402).

842. The Council takes note of the statement by Mr. DeBrum that the operations of the Marshall Islands Government and the deliberation of the Parliament and its committees are public and that sessions are broadcast live to all parts of the Marshall Islands. The Council welcomes Mr. DeBrum's assurance that translations of the compact of free association have been widely distributed in the Marshall Islands (see para. 403).

843. The Council notes that the Government of Palau has already distributed English-language versions of the compact to some schools, religious organizations and state governments in Palau and that arrangements are now in hand for reproduction of the Palauan translation of the compact. The Council also notes

that the Government of Palau broadcasts sessions of the Legislature and Cabinet meetings.

844. The Council notes that the Administering Authority has sponsored and financed the translation of the compact of free association into 12 local languages. The Council remains concerned about the generally slow pace of the political education programme in preparation for the plebiscite. In this connection, the Council takes note of the oral petition of the representative of the Focus on Micronesia Coalition, in which he asserted that the translations were not yet available to most of the people of Micronesia (see para. 137).

Decentralization

845. The Trusteeship Council welcomes the substantial efforts made by the Administering Authority to transfer all possible responsibility and authority to the new Governments without derogating from its fundamental responsibilities as Administering Authority.

846. The Council notes that a number of the activities of the Trust Territory Headquarters were dissolved or substantially reduced during 1981, and that the number of personnel has been reduced to about 300.

847. The Council notes that in 1980/81, the Administering Authority provided a total of \$7.4 million towards meeting the costs of transition from the Trust Territory Government to local self-government under constitutional systems.

Judiciary

848. The Trusteeship Council notes with satisfaction that a judicial system has been established in Palau and that a Palauan has been appointed to the post of Chief Justice.

849. The Council notes similarly that the Chief Justice of the High Court of the Marshall Islands has been appointed and that the first successful criminal jury trial was recently conducted in the Marshall Islands before the Trust Territory High Court.

850. The Council also notes with satisfaction that the Federated States of Micronesia has established its final branch of government, the Supreme Court, and that the Court is now empowered to handle all legal issues that arise in the Federated States.

ECONOMIC ADVANCEMENT

General

851. The Trusteeship Council notes with regret that the Territory's economy is such that it cannot come up with sufficient funds to cover the administrative and social expenditure of the constitutional Governments. In particular, the structural imbalances in the economy seem not to have been significantly reduced. In

addition, this year the Territory has suffered the effects of the deterioration of the economic situation in the United States and throughout the world. Under the circumstances, the Council feels that substantial economic and financial assistance to the Territory is more necessary than ever. It notes in this connection the efforts made by the Administering Authority to help local governments to develop their economic activities.

852. The Council further notes that the Micronesian economy continues to suffer from the structurally high level of energy prices. However, it notes the efforts that have been made to carry out a complete inventory of available energy resources and to find new sources of energy.

853. The Council again notes that the Territory's balance of trade shows a very large deficit. It regrets the failure to achieve an adequate increase in the funds derived from agriculture, handicrafts, fishing and tourism. Accordingly, it again urges the Administering Authority to promote the development of the kinds of production that can satisfy local needs, especially for food. It notes that the Administering Authority is providing assistance to the constitutional Governments if requested, in order to develop local products, thereby discouraging purchases of similar products abroad.

854. The Council notes with satisfaction the completion, as at 1 January 1982, of 18 projects, totalling \$25 million, under the five-year capital improvement programme which has just ended. However, it regrets the delay in carrying out other projects. It takes note of the assurance by the Administering Authority that the remaining projects will be completed, or at least started, by the end of 1982.

855. With regard to the second phase of the capital improvement programme, the Council hopes that the development of the outer islands will not be neglected. It notes that funds will be provided for that purpose by a number of United States federal agencies.

856. The Council again notes that water and electricity supplies continue to be erratic in certain parts of the Territory, especially Palau and the Federated States of Micronesia. It is pleased to see, however, that a programme for rehabilitation of the diesel generators has been started.

Public finance

857. The Trusteeship Council notes that the constitutional Governments were given the opportunity to determine their own priorities for the 1983 budgetary year, taking into account certain budgetary ceilings.

858. The Council notes that, during fiscal year 1981, the Administering Authority provided the constitutional Governments with a total of \$7.4 million to help them cover their expenses during the transitional period.

859. The Council regrets that budget cuts have affected certain United States federal programmes. It is pleased to note, however, that the cuts have not affected the level of certain key programmes such as health and education.

860. The Council notes that programmes are under way for the rationalization of the various financial systems and that the constitutional Governments are being

consulted on this matter and also on budget preparation procedures and accounting transfers.

861. The Council notes that taxes and duties are now within the competence of the constitutional Governments, under the agreement on free trade within the Trust Territory. It reiterates its view that the Territory's tax system should be designed to discourage the import of goods and services which could be obtained locally.

Assistance from international institutions and other countries

862. The Trusteeship Council welcomes the development of relations between the leadership of the Territory and the various regional and international programmes. It notes in this connection that the four Governments have acquired full member status with the SPC as well as associate member or observer status with several other regional or international bodies.

863. The Council also notes with satisfaction the assistance provided by WHO under the three-year health development programme launched in 1979, with particular reference to the training of medical and paramedical personnel and the granting of fellowships. Thanks to action by WHO, it has also been possible to reduce mortality from certain diseases, to improve child feeding, and to give the community a hand in controlling diseases itself. In conjunction with SPC, nutrition and health education training courses were organized last summer. The Council is again encouraging the constitutional Governments to pursue these activities. The Council welcomes the readiness of UNESCO to co-operate with the Micronesians in areas within its competence.

864. The Council notes the efforts undertaken by the Governments of the Territory to forge links and develop co-operation with other States in the region. It welcomes the technical assistance agreements concluded between the Federated States of Micronesia and Japan. It also notes that the Federated States has joined the South Pacific Bureau for Economic Co-operation and intends to become an associate member of ESCAP and, through the intermediary of the Development Bank of the Federated States, of ADB.

Credit

865. The Trusteeship Council welcomes the progress made since the previous session in the operation of the Economic Development Loan Fund. It notes that, as soon as Palau has set up its national bank, credits totalling approximately \$5.5 million will be available in the form of loans for the Territory as a whole.

Land

866. The Trusteeship Council again notes that public land has been transferred to the constitutional Governments, with the exception of small areas of Palau where there are still some administrative difficulties. It regrets that these difficulties have yet to be resolved.

867. The Council notes that the weather stations and adjoining housing still held by the Government of the Territory will be handed over to the constitutional Government before the termination of the Trusteeship Agreement.

868. The Council notes that the Administering Authority has ceased to pay compensation to the owners for its past use of land which it currently holds under indefinite use agreements.

Agriculture and livestock

869. The Trusteeship Council notes that responsibility for agriculture had been transferred to the constitutional Governments.

870. It none the less believes that the Administering Authority has a duty to help the constitutional Governments to expand agricultural and livestock production to meet the needs of the population. In addition, it requests the Administering Authority to encourage these Governments to promote export-oriented agriculture.

Marine resources

871. The Trusteeship Council notes with satisfaction that the three maritime authorities of the Federated States of Micronesia, the Marshall Islands and Palau respectively are working to strengthen their legislation on the protection of the 200-mile zones. It is concerned at the illegal fishing activities to which certain representatives of the Territory have drawn attention. It takes note of the Administering Authority's undertaking to extend its assistance, even after the termination of the Trusteeship Agreement, to ensure respect for the rights of the Micronesians over the 200-mile zones. It welcomes the co-operation in protecting fisheries resources within the 200-mile zones, instituted by the Nauru Agreement signed by the Governments of Palau, the Federated States of Micronesia and the Marshall Islands in conjunction with those of Kiribati, Nauru, Papua New Guinea and the Solomon Islands.

872. The Council notes with interest that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau have entered into a licensing agreement with the American Tuna Boat Association. It also observes with interest that the Government of the Marshall Islands has signed a fisheries agreement with the Government of Japan.

873. The Council notes with satisfaction that the Administering Authority is paying constant attention to projects for improving the exploitation of marine resources. It particularly welcomes the services of the Research Center set up in Palau.

Third United Nations Conference on the Law of the Sea

874. The Trusteeship Council notes that the Trust Territory delegation to the Third United Nations Conference on the Law of the Sea during the year under review has been composed of representatives of the Federated States of Micronesia, the Marshall Islands and Palau.

875. The Council welcomes the possibility offered to the Federated States of Micronesia, the Marshall Islands and Palau, under article 305, paragraph 1, of Part XVII of the Convention drafted by the Third United Nations Conference on the Law of the Sea, of participating in the Convention.

Light industry

876. The Trusteeship Council reiterates its concern at the absence of small industrial enterprises in the Territory.

Tourism

877. The Trusteeship Council stresses that Micronesia can be considered to be an attractive region for tourists. It notes the remarkable growth of the tourist industry in the Northern Mariana Islands and the more modest progress achieved in other parts of the Territory. In this connection, it notes the hotel projects in Palau and in the Marshall Islands.

878. The Council considers that tourism could only be developed gradually, with a carefully prepared over-all plan. It notes in this respect that in order to set up a tourist industry there would have to be a well-developed infrastructure (roads, water supply, electricity, hotels) and promotion of a tourist market.

879. While welcoming the expansion of the tourist industry, the Council reiterates the hope that the interests of the population and the existing social structures will be safeguarded and the environment preserved.

Transport and communications

880. The Trusteeship Council shares the view of the representatives of the constitutional Governments that transport and communications continue to be a serious problem in the Territory. It none the less welcomes the progress made in this field since the previous session. It notes in this connection that full ownership of most of the ships and aircraft that belonged to the Government of the Territory has been transferred to the constitutional Governments and that the latter are now in a position to set up new lines serving a greater number of islands. In this spirit, it welcomes the creation of the Airline of the Marshall Islands and the opening of new airstrips, particularly at Kili. It also notes that work is under way on the building or extension of various runways.

881. The Council notes with regret that, despite some recent improvements, the road network remains inadequate. It also hopes that the Territory's port network will be improved so that it responds more fully to local needs.

882. The Council welcomes projects for improving telecommunications within the Territory and between the latter and the outside world. It notes that the Federated States of Micronesia, the Marshall Islands and Palau have signed agreements with COMSAT for the installation of land satellite stations which should come into operation between autumn 1982 and the end of 1983.

SOCIAL ADVANCEMENT

Medical and health services

883. The Trusteeship Council continues to be concerned that the health services in Micronesia still has only two suitably qualified Micronesian doctors. However, it notes with satisfaction the increasing number of Micronesians entering medical school, and welcomes the assistance from the Government of Australia in providing scholarships for Micronesians to study medicine at the Papua New Guinea Medical School. The Council reiterates the suggestion made by the 1980 Visiting Mission that the Governments of the Territory might wish to consider offering incentives to encourage young people to study medicine.

884. The Council notes with satisfaction that medical facilities on Majuro, on Truk, and in Palau are being renovated and that the new hospital at Kosrae is fully operational. The Council notes the assurance from Mr. Takesy that the renovation work at Truk is proceeding according to schedule (see para. 638).

885. The Council notes with satisfaction that, during 1981, WHO provided consultants on tuberculosis and leprosy to the Trust Territory and welcomes the offer made by WHO to provide leprosy drugs free of charge. The Council notes that the Government of the Federated States of Micronesia, where the highest incidence of leprosy occurs, has been informed of the offer and is currently assessing its actual needs.

886. The Council notes with satisfaction the statement by Governor Tenorio of the Northern Mariana Islands, in which he drew attention to the improvements in health care in the Northern Mariana Islands resulting from the provision of services, at very low cost, of physicians from the United States Public Health Service (see para. 637). The Council also takes note of the co-operation between the Government of the Northern Mariana Islands and the United States Department of Health and Human Services on the upgrading of medical facilities, and notes that the construction of a new and comprehensive medical facility costing \$29.8 million may begin as early as February 1983.

Community development

887. The Trusteeship Council reiterates its hope that the people of Micronesia will recognize the need to participate more actively in community development projects and its belief that an analysis of the effects of Trusteeship should be undertaken to allow the preparation of future programmes in the social and cultural fields. In this connection, the Council regrets that the Administering Authority has not acted on the previous recommendation of the Council that the Administering Authority should examine, with Micronesian representatives, ways in which such a study might be carried out.

Labour

888. The Council continues to be deeply concerned by the serious unemployment problem in the Trust Territory and the imbalance between wage earners employed in the public sector and those employed in the private sector. It notes that responsibility for employment policies has been transferred from the Administering

Authority to the new Governments but hopes that the Administering Authority will do everything possible to assist the Governments in their efforts to generate job opportunities for Micronesians.

Youth questions

889. The Council remains concerned about youth problems in the Trust Territory, particularly with respect to unemployment and juvenile delinquency, and regrets that, as a result of current fiscal policies, the YACC programme will be phased out at the end of 1981/82. The Council considers that the constitutional Governments are best placed to find solutions to these problems but calls upon the Administering Authority to view sympathetically requests from the Governments for appropriate assistance and technical support.

EDUCATIONAL ADVANCEMENT

General

890. The Trusteeship Council considers that the Administering Authority has served the Trust Territory well in providing a system of universal primary schooling throughout the islands. The Council also welcomes the high rate of secondary school attendance and hopes that efforts will be directed towards improving higher educational and vocational training schemes in preparation for termination of the Trusteeship Agreement. It takes note of the transfer to local governments of jurisdiction in matters of education.

891. The Council is concerned about the deterioration of school facilities in certain areas. The Council considers that the maintenance of existing facilities should rank among the highest priorities and recommends that a training element for maintenance work should be written into all remaining educational projects.

892. The Council reiterates the concern expressed at previous sessions of the Trusteeship Council and the observations of visiting missions that there is some danger of social disorientation among young people in the Territory. The increasing number of suicides is a particularly disturbing trend among unemployed high school graduates and high school drop-outs. The Council therefore urges the Administering Authority to ensure that young people are given every opportunity to serve the community and to find useful work in making their contribution to the emerging Micronesian states.

Primary and secondary education

893. The Trusteeship Council welcomes the efforts of the Administering Authority to promote special training programmes in maintenance of facilities so that the general deterioration of primary and secondary school buildings, particularly in the Federated States of Micronesia, can be halted. The Council hopes that these programmes can be continued after the termination of the Trusteeship Agreement.

894. The Council notes with interest that steps are being taken in the Trust Territory to improve the qualifications of primary and secondary school teachers. In this connection, the Council welcomes the activities made possible by the

Territorial Teacher Training Assistance Program. It notes that the Program was continued this year and that funds will continue to be provided during fiscal 1982.

895. The Council continues to be disturbed by the inadequate facilities in the Federated States of Micronesia and the low level of school attendance there in comparison with other parts of the Trust Territory. It believes that the dispersion of the population and the remoteness of some islands should not be an obstacle to a more complete and more satisfactory education of school-age children.

Higher education

896. The Trusteeship Council continues to attach importance to the existence and future development of the College of Micronesia, which is the only institution for higher education in the Trust Territory.

897. The Council hopes that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau will continue to support the College of Micronesia after the termination of the Trusteeship Agreement. The Council continues to view this as an important principle for the future development of the Territory and hopes that the College will continue to serve as a link between the peoples of the islands.

898. The Council welcomes the operation for the past two years in the Northern Mariana Islands of a junior community college which co-ordinates practical training at the post-secondary level in the entity and its collaboration with several universities in the United States.

Indigenous languages and cultures

899. The Trusteeship Council attaches great importance to the preservation of indigenous languages and cultures of the Trust Territory. It believes in this connection that, in view of the small size of the population and the large number of languages in use, the Administering Authority and the local governments should make a special effort to provide the means of teaching and dissemination of these languages.

900. The Council welcomes the existence of a United States federal programme aimed at financing bilingual education in the Territory and the work carried out by the Pacific Area Language Materials Development Center at the University of Hawaii for the preparation of documentation in 10 different languages of Micronesia.

901. The Council also welcomes the efforts of the constitutional Governments to promote indigenous arts, dance and music and the participation of the representatives of the Territory in regional artistic events, such as the South Pacific Festival of Arts.

Vocational training

902. The Trusteeship Council greatly appreciates the important contribution which the Micronesian Occupational College continues to make to vocational training in the Trust Territory.

903. At its previous session, the Council had welcomed vocational training programmes such as the Micronesian Trades Apprenticeship Program (MTAP). It is concerned at the possible discontinuation of this Program at the end of 1981/82 because of a lack of funds. Consequently, it requests the Administering Authority to do its utmost to ensure the continuation of this Program. The Council reiterates on this occasion the importance which it attaches to the acquisition of technical skills by young people as an essential factor in the economic development of the Territory.

904. The Council hopes that the co-operation entered into between the constitutional Governments in the field of vocational training will be continued. It hopes that this co-operation will permit concerted preparation of training programmes and satisfactory correspondence between the training of young people and manpower needs throughout the Trust Territory.

Teacher training

905. The Trusteeship Council notes the efforts made by the Administering Authority to improve the general level of teachers' qualifications in the Trust Territory. In this connection, the Council again expresses the hope that sufficient encouragement and incentives will be given to improve the prospects of the teaching profession in relation to the Civil Service.

906. The Council notes that the financing by United States federal funds of training programmes in the teaching of English will be continued.

907. The Council hopes that special attention will be given to the College of Micronesia as the principal institution for teacher training and urges the Administering Authority to make all possible efforts to improve the level of educational qualifications in the period preceding termination of the Trusteeship Agreement.

CONSTITUTIONAL DEVELOPMENTS AND PROGRESS TOWARDS SELF-GOVERNMENT OR INDEPENDENCE

908. The Trusteeship Council reaffirms the inalienable right of the people of Micronesia to self-determination, including the right to independence in accordance with the Charter of the United Nations and the Trusteeship Agreement.

909. The Council notes that following the inauguration of a constitutional Government in Palau in January 1981, each of the political components of the Trust Territory has practically achieved full functional self-government under the Trusteeship Agreement.

910. The Council notes that the United States completed its review of the future political status negotiations for the Trust Territory in September 1981 and that at

a meeting held on Maui, Hawaii, from 3 to 9 October, the United States representative stated that the United States sought termination of the Trusteeship Agreement at the earliest possible date upon completion of the political status negotiations and that it preferred the future political status of free association for the Federated States of Micronesia, the Marshall Islands and Palau and would seek to complete the negotiations expeditiously on the basis of the initialled compact of free association.

911. The Council notes that, in 1981, further progress was made in the negotiations on political status and that these negotiations were continuing throughout the forty-ninth session of the Council.

912. The Council takes note of a statement by the representative of the Administering Authority that an agreement was reached at Honolulu on 30 May 1982 between the Administering Authority and the Government of the Marshall Islands. The Council, however, is unable to take any view on that agreement since it is still waiting to be officially informed of the details. The Council hopes that the Administering Authority will provide this information as soon as possible.

913. The Council notes with interest the statements of the representatives of the constitutional Governments who, like last year, emphasized their desire to maintain preferential and close relations with the Administering Authority after the termination of the Trusteeship Agreement.

914. The Council notes that the Special Representative of the Administering Authority from the Commonwealth of the Northern Mariana Islands urged that the Trusteeship Agreement should be terminated at the earliest possible date, so that his people could enjoy all the benefits of the Covenant between the Commonwealth and the United States.

915. The Council notes further that the representative of the Federated States of Micronesia referred to the importance of bringing an early end to the Trusteeship Agreement and stated that the people of the Federated States of Micronesia recognized that the relationship of free association with the United States was the one best suited to their needs.

916. The Council notes that the Vice-President of Palau stated that the paramount concern of Palau was for a speedy conclusion to all negotiations relating to the compact of free association.

917. The Council also notes that the representative of the Marshall Islands proposed a timetable to the Council for the early termination of the Trusteeship Agreement in relation to the Marshall Islands after a plebiscite which would present the choices of free association or independence.

918. The Council trusts that the negotiations between the Administering Authority and the constitutional Governments concerned will lead to a mutually satisfactory outcome which respects the personality of every party. It hopes that the Administering Authority will keep it informed of the status of the discussions.

919. The Council notes that once the compact of free association is signed, the Government of the United States and the constitutional Governments will submit it to a plebiscite which will be held simultaneously in each of the areas to which the compact applies. It understands that it remains the intention of the Administering

thority to invite the international community to observe the plebiscite through
e intermediary of the appropriate United Nations organs.

0. The Council strongly reiterates its opinion that all the people of Micronesia
ould be given the fullest opportunity, before the plebiscite, to inform
emselves about the various political choices open to them, including
dependence. To that end it wishes a programme for political education, to which
ference has been made in paragraphs 839-844 above, to be undertaken seriously and
eedily.

1. As in previous years, the Council does not wish to make precise
commendations on the future political status of the various Micronesian
ities. It reiterates its view that free association is an option that is not
compatible with the Trusteeship Agreement, provided that the populations
ncerned have freely accepted it.

2. The Council notes that the United States Government has reaffirmed its
ention to proceed in a manner fully consistent with the Charter of the United
tions and to take up the matter of termination of the Trusteeship Agreement at
e appropriate time with the Trusteeship Council and the Security Council.

3. The Council again urges the Administering Authority to consider maintaining
e amount of its aid, after the end of its mandate, at a real level comparable to
at provided during recent years.

4. The Council again expresses the hope that the Micronesians will take all
ecessary steps to establish, after termination of the Trusteeship Agreement, the
ll-Micronesian entity which they agreed upon at Molokai in October 1977.

Notes

1/ 1981 Trust Territory of the Pacific Islands, October 1, 1980 to
eptember 30, 1981, thirty-fourth annual report to the United Nations on the
Administration of the Trust Territory of the Pacific Islands. Transmitted by the
ited States of America to the United Nations pursuant to Article 88 of the
arter of the United Nations (Department of State Publication 9249).

2/ For discussions in the Council and opinions expressed during the
orty-ninth session, see the text at the end of each section of part II of the
esent report. See also documents T/PV.1523-1540.

3/ Official Records of the Trusteeship Council, Forty-ninth Session,
essional Fascicle, annexes, document T/L.1229. For the text of the conclusions
nd recommendations adopted, see paras. 816-924.

4/ See T/PV.1539 for the results of the voting on the individual sections of
he draft conclusions and recommendations.

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

6/ The local currency is the United States dollar (\$US).

7/ Official Records of the Security Council, Thirty-sixth Year, Special Supplement No. 1 (S/14709), paras. 840-852.

8/ Ibid., para. 819.

9/ Official Records of the Trusteeship Council, Forty-ninth Session, Sessional Fascicle, annexes, document T/1841.

10/ United Nations periodic missions visited the Trust Territory of the Pacific Islands at three-year intervals from 1950 to 1959. A mission was sent to the Territory in 1961, one year earlier than anticipated. The three-year intervals were observed from 1961 to 1976. In 1979, however, the Council decided to defer the dispatch of its periodic mission scheduled for that year to early 1980.

11/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 23 (A/36/23/Rev.1), chap. XVII, para. 13.

12/ Ibid., Supplement No. 18 (A/36/18) para. 497.

13/ Ibid., para. 497, B, 3.

14/ Official Records of the Trusteeship Council, Forty-ninth Session, Sessional Fascicle, annexes, document T/1838 and Add.1.

15/ Ibid., document T/1838.

16/ Ibid., document T/1838/Add.1.

17/ Ibid., document T/1839 and Add.1 and 2. Subsequent to the consideration of the item by the Trusteeship Council, the Permanent Representative of the Polish People's Republic to the United Nations, in a note dated 9 June 1982, (T/1839/Add.3), informed the Secretary-General that the Polish Ministry of Science, Higher Education and Technology had granted three scholarships to candidates from the Trust Territory and two scholarships for the disposal of the Secretary-General in the 1982/83 academic year. The Permanent Representative informed the Secretary-General that his Government did not cover the costs of travel of the candidates.

18/ For the text of the Covenant, see Official Records of the Trusteeship Council, Forty-second Session, Sessional Fascicle, annexes, document T/1759.

19/ Donald F. McHenry, Micronesia: Trust Betrayed, Altruism vs. Self-Interest in United States foreign policy, (Carnegie Endowment for International Peace, 1975), p. 117.

20/ For the report of the Visiting Mission, see Official Records of the Trusteeship Council, Forty-sixth Session, Supplement No. 2 (T/1795).

21/ Howard Hills, "Micronesia - our sacred trust", The Center Magazine, vol. XIII, No. 5 (September/October 1980), pp. 21-22.

22/ For the text of the Convention, see A/CONF.62/122 and corrigenda.

23/ Official Records of the Security Council, Thirty-sixth Year, Special Supplement No. 1 (S/14709), para. 840.

24/ See T/COM.10/L.174, annex I.

25/ For the report of the United Nations Visiting Mission to observe the Plebiscite in the Mariana Islands District, June 1975, see Official Records of the Trusteeship Council, Forty-third Session, Supplement No. 2 (T/1771).

26/ David Nevin, The American Touch in Micronesia (New York, W. W. Norton and Company Inc., 1977) p. 16.

27/ Ibid., p. 26.

28/ For details of voting and explanations of vote, see paras. 34 and 37-54.

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