



**REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL
ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS
12 June 1982-28 November 1983**

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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 1 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

1. Membership

2. The composition of the Trusteeship Council on 1 January 1983 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

2. Officers

3. Mr. Paul Poudade (France) and Mr. Marrack Goulding (United Kingdom) who served as President and Vice-President, respectively, during the forty-ninth session of the Trusteeship Council, continued to act in that capacity during the fifteenth special session (see para. 4). Mr. John W. D. Margetson, C.M.G. (United Kingdom) and Mr. Poudade (France) were elected President and Vice-President, respectively, at the beginning of the fiftieth session on 16 May 1983.

3. Meetings

4. During the period covered by this report, the Council held meetings as follows:

(a) Fifteenth special session (1541st to 1543rd meetings), 16 to 20 December 1982;

(b) Fiftieth session (1544th to 1562nd meetings), 16 May to 10 June 1983;

(c) Resumed fiftieth session (1563rd meeting), 28 November 1983.

All meetings took place at United Nations Headquarters, New York.

4. Agenda

5. The agenda of the fifteenth special session, as adopted by the Council at its 1541st meeting, on 16 December 1982, was as follows:

1. Adoption of the agenda.
2. Report of the Secretary-General on credentials.
3. Letter dated 18 November 1982 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1844), containing a request for a special session of the Trusteeship Council to organize and dispatch a mission or series of missions to observe plebiscites in Palau, the Marshall Islands and the Federated States of Micronesia.
4. Examination of petitions listed in the annex to the agenda (T/1846/Add.1) and related to item 3 of the agenda.

6. The agenda for the fiftieth session, as adopted by the Council at its 1544th meeting on 16 May 1983, 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 1982: Trust Territory of the Pacific Islands.
5. Examination of petitions listed in the annex to the agenda (see T/1852/Add.1).
6. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1982.
7. Report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1983.
8. 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)].
9. 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)].
10. Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 37/46].
11. Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 37/40].

12. 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 37/35].
13. 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)].
14. Adoption of the report of the Trusteeship Council to the Security Council [Security Council resolution 70 (1949)].

5. Procedure

7. 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.

6. Relations with the specialized agencies

8. 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.

B. EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1982: 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 1982 1 was transmitted to members of the Trusteeship Council on 6 April 1983 by a note of the Secretary-General (T/1853) and placed on the agenda of the Council at its fiftieth session.
10. The Trusteeship Council began its examination of the annual report at its 1544th meeting on 16 May 1983, when the representative of the United States and a special representative of the Administering Authority made opening statements. At the 1545th meeting on the same day, further opening statements were made by Special Representatives and Special Advisers of the Administering Authority.
11. Questions were put to the representatives of the United States, the special representatives and advisers by members of the Trusteeship Council at the 1548th, 1550th to 1554th meetings held between 19 and 25 May. At the 1554th and 1555th meetings, on 25 and 26 May, the Council held a general debate on conditions in the Trust Territory. Closing statements were made by the representative of the United States, special representatives and advisers of the Administering Authority at the 1556th and 1557th meetings, on 26 and 27 May.

12. At its 1557th meeting on 27 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 concerning the chapter on conditions in that Territory for inclusion in the Council's report to the Security Council.

13. The Council considered the report of the Drafting Committee 2/ at its 1561st meeting on 10 June and adopted the conclusions and recommendations contained in the annex by a vote of 3 to 1, 3/ and decided to include them in its report to the Security Council (see paras. 687-814). It also adopted, at the same meeting, on the recommendation of the Drafting Committee, by a vote of 3 to 1, the working paper on conditions in the Trust Territory of the Pacific Islands (T/L.1235 and Add.1), as the basic text for the relevant sections of its report to the Security Council (see paras. 174-685).

14. At the same meeting, the Council adopted the report of the Drafting Committee as a whole by a vote of 3 to 1.

15. At the same meeting, in explanation of his delegation's vote, the representative of the Soviet Union noted that the report contained several shortcomings and inaccuracies, had not taken account of the comments made by the Soviet delegation, among others, and, as a whole, had neither reflected the actual situation in the Territory nor responded to the mandate of the Trusteeship Council.

16. The representative of the Soviet Union further stated that the Trusteeship Council, at its fiftieth session, had once again most clearly confirmed that the United States, as the Administering Authority, had violated the obligations it had assumed to contribute to the political, economic and social development of the people and to their progress towards autonomy and independence. As a result of such a policy, the United States had continued to deprive the people of the Trust Territory who had waged a long and persistent struggle for liberation, of the opportunity to exercise their inalienable right to true independence. Many petitioners had made statements to that effect in the Council.

17. The representative of the Soviet Union pointed out that the session's work had shown that the United States had, in contravention of the Charter and of the Trusteeship Agreement, 4/ persisted in its pursuit of an expansionist policy aimed at the annexation of Micronesia; its main activities had been designed to strengthen and perpetuate its domination over that Territory, to militarize it and to turn it into its military and strategic outpost in the Pacific Ocean. The actions of the United States against the people of the Trust Territory were contrary to the decisions of the United Nations and to the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as to the will of the Micronesian people, whose Congress had on more than one occasion adopted resolutions in favour of the unity of the Territory.

18. The representative of the Soviet Union pointed out that the militarization of the Trust Territory posed a serious threat to the security of the peoples not only in Micronesia, but also in other areas of Asia and the Pacific, and could lead to the establishment of another hotbed of tension in the world. He was convinced that there was no question of real independence or self-government for those islands while they were fully dependent on the United States. There had been an accelerated build-up of military and strategic installations in the military as well as in the political sphere. Consequently, those islands would be very firmly

tioned to the United States under cover of so-called free association or commonwealth status. In fact they were being turned into a colonial dominion of the United States.

19. The representative of the Soviet Union said that the representatives of the Trust Territory had criticized the United States in the Trusteeship Council for using the Trust Territory as a site for testing nuclear and other weapons. From statements made by petitioners, it was quite clear that the Administering Authority had still not taken any specific steps to eliminate the various lethal consequences of atomic and nuclear explosions there, to provide medical services or ensure the well-being of the people of Bikini and Enewetak. The United States, therefore, had not discharged its responsibilities in accordance with Article 76 of the Charter and Micronesia was still one of the most backward and least developed parts of the world. Its development had been deliberately held back so as to make it fully dependent on the economy of the United States and hence fully dependent on its will. It was typical that the Micronesians had spoken in the Council about the catastrophic economic and social situation in the Territory, declaring that the situation now was even worse than it had been before the signing of the Trusteeship Agreement with the United States.

20. The representative of France said that his delegation had voted in favour of the conclusions and recommendations since it believed that the text was satisfactory and reflected the work accomplished in the Trusteeship Council during the period of one month. The work of the Drafting Committee had been performed by the delegations of the United Kingdom and France who once again regretted not having benefited from the assistance of the Soviet Union, which could have enriched the work of that Committee. The discussions on the conclusions and recommendations and the work of the Council in general had only remotely concerned Micronesia and had unfortunately become East-West debates. It was regrettable that the Council should have become dependent on the state of relations existing between the Soviet Union and the United States. It must be noted that in Article 82, the Charter accepted the designation of strategic Trust Territories. If the Council therefore were considering a strategic Territory, that was due to the Charter; those who had negotiated it must ask themselves why strategic areas had been established. The Trusteeship Agreement on the Trust Territory of the Pacific Islands had been adopted unanimously by the Security Council in 1947. The Trusteeship Council would do nothing to advance the cause of the Micronesians by placing it within the context of East-West relations.

21. The representative of France said that his delegation had confined itself to considering the state of economic, social, political and educational advancement of the Territory. In its view, the economic development of Micronesia was insufficient and more could have been done by the Administering Authority. It did not wish to emphasize 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 since the Declaration applied to colonies and the Trust Territory of the Pacific Islands was a strategic area and came under the Security Council and not the General Assembly. As regards the implementation of Article 76 of the Charter, the representative of France stated that the conclusions in the report referred to that satisfactorily.

22. Referring to Article 76 c of the Charter, the French representative said that the conclusions and recommendations of the Trusteeship Council and the comments made by both the representatives of the constitutional Governments and the

petitioners who were opposed to those Governments showed that human rights were respected. The Administering Authority had never prevented petitioners or indeed members of the constitutional Governments from criticizing the Administering Authority. He therefore thought that the Council would agree that there was respect for freedom of expression in Micronesia.

23. The representative of the United Kingdom stated that his delegation had voted in favour of the conclusions and recommendations of the Drafting Committee and on its report as a whole since it considered the report to be a faithful and accurate reflection of the proceedings in the Trusteeship Council, bearing in mind the fact that the Council took its decisions by a majority vote of its members. It considered that the Drafting Committee had faithfully carried out the task assigned to it.

24. The representative of the United States said that his delegation had voted for the adoption of the report because it believed it to be a fair and accurate representation of the views of the Trusteeship Council and of the debate during the fiftieth session. His Government categorically rejected the unfounded allegations made by the representative of the Union of Soviet Socialist Republics. The record of the United States was clear. It was proud of it and was grateful for the clear support it had received in the report of the Drafting Committee.

25. The representative of the Soviet Union stated that the argument that the Declaration on decolonization did not apply to the Trust Territory was supported not by one or two delegations alone; it was a fairly common theme on which a small group of States had spoken. However, the overwhelming majority of States Members of the United Nations firmly considered that the Declaration directly applied to the Trust Territory, as confirmed by its inclusion in the list of Territories to which the Declaration applied. When the Security Council had concluded the Trusteeship Agreement in respect of Micronesia in 1947 there really had been some hope that the Administering Authority would be able to follow a policy in respect of Micronesia as provided for in the Charter. But those hopes had not been fulfilled and his delegation was now criticizing the Administering Authority for not discharging its obligations under the Charter and the Trusteeship Agreement.

26. As to the East-West element, the representative of the Soviet Union stated that the consideration of the question of Micronesia, as well as the voting which had just taken place, demonstrated that the East - in that particular case, the Soviet Union - was defending the real interest of the Micronesians, their freedom and the granting of full independence to them. The West, unfortunately, was taking a different position.

27. At its 1563rd meeting, on 28 November 1983, the Council adopted the draft report to the Security Council (T/L.1239) by a vote of 3 to 1.

28. At the same meeting, the representative of the Soviet Union said that his delegation had voted against various parts of the report and the report as a whole since they did not correspond to the real situation in Micronesia. The report should have contained a conclusion that as a result of United States policy, the Micronesians were still deprived of the opportunity to exercise their inalienable right to genuine independence. The Soviet delegation was of the view that the part of the report dealing with constitutional developments was a would-be justification of United States efforts to change the status of the Territory contrary to the Charter of the United Nations. Indeed, the compact of free association had been

imposed on the people of Micronesia. The Supreme Court of Palau, as was known, had ruled that the compact had been rejected by Palauans.

29. The representative of France reiterated his delegation's fear that the report for 1983 might reach an excessive size, judging from the exponential growth of the reports of past years. He pointed out that his delegation would be interested to learn about the situation in Palau and how the Administering Authority and the elected leaders of Palau planned to resolve the problem of the Supreme Court decision.

30. The representative of the United Kingdom agreed that the report could be much shorter. He could not accept the Soviet representative's claim that the report had failed to reflect the economic dependence of the Trust Territory on the United States.

31. The representative of the United States regarded the report of the Council as objective. It was a first-hand report, contrary to the comments of the representative of the Soviet Union, who had chosen not to participate in any of the visiting missions that had observed plebiscites. The Soviet representative today had merely repeated distressingly familiar arguments, which the United States had answered during earlier Council sessions. Referring to the decision of the Supreme Court of Palau, the representative of the United States said that his Government had the greatest respect for Palau's constitutional organs. Palau's voters had approved the compact by 62 per cent. His Government hoped that a way would soon be found to implement the decision of Palau's voters.

32. Referring to the proposal to shorten the Council's report, the representative of the Soviet Union said that the world knew very little about the situation in Micronesia. Micronesia was part of the overall problem of decolonization, and information about it should be transmitted to the United Nations regularly and in sufficient quantity. Accordingly, his delegation opposed shortening future reports on Micronesia.

C. EXAMINATION OF PETITIONS

1. Fifteenth special session

33. During the fifteenth special session, the Trusteeship Council heard two petitioners whose requests for oral petitions had been circulated in documents T/PET.10/203 and T/PET.10/204. The Council also had before it the following three communications which had been circulated under rule 24 of the rules of procedure of the Trusteeship Council:

(a) T/COM.10/L.311 from the House of Delegates, Olbiil Era Kelulau (Palau National Congress), concerning the political status negotiations with the United States;

(b) T/COM.10/L.312 from Senator Joshua Koshiba, Chairman, Committee on Foreign Affairs, Olbiil Era Kelulau, on the compact of free association signed between representatives of the United States and Palau;

(c) T/COM.10/L.313 from Senator Joshua Koshiha, Chairman, Committee on Foreign Affairs, Olbiil Era Kelulau, concerning the political education programme on the compact of free association.

34. The Council also examined the following written petitions circulated in accordance with rule 85, paragraph 1, of its rules of procedure:

(a) T/PET.10/202 from Senators Moses Uludong and Joshua Koshiha, Olbiil Era Kelulau, concerning the compact of free association and the ballot paper. The President of the Trusteeship Council addressed a telegram to the two Senators on the subject which appeared in document T/1843;

(b) T/PET.10/203/Add.1 from Mr. Roger S. Clark, The International League for Human Rights, submitting a copy of the official ballot on the plebiscite in Palau;

(c) T/PET.10/205 from Mr. Haruo I. Remeliik, President of Palau, informing the Trusteeship Council that the plebiscite on the compact of free association was scheduled for 10 February 1983.

35. With regard to communications T/COM.10/L.311-T/COM.10/L.313 and T/PET.10/202, T/PET.10/203/Add.1 and T/PET.10/205, the Council decided at its 1543rd meeting, on 20 December 1982, to draw the attention of the petitioners to the observations made by the representatives of the Administering Authority and the Soviet Union.

2. Fiftieth session

36. During its fiftieth session, the Council heard 13 petitioners whose requests for oral petitions had been circulated in documents T/PET.10/253-T/PET.10/255, T/PET.10/255/Add.1, T/PET.10/257, T/PET.10/258, T/PET.10/260, T/PET.10/265, T/PET.10/267, T/PET.10/268, T/PET.10/270/Add.1, T/PET.10/276 and T/PET.10/278. The Council also examined the following communications which had been circulated under rule 24 of the rules of procedure of the Trusteeship Council:

(a) General communications

T/COM.10/L.310 from the House of Representatives, Third Northern Marianas Commonwealth Legislature, requesting the Attorney-General of the Commonwealth to prepare, file and pursue a class-action lawsuit against the Trust Territory Administration for practicing wage discrimination against citizens and tax-paying residents of the Northern Mariana Islands.

T/COM.10/L.315 from Mr. Stuart J. Beck, New York, concerning the phrasing of proposition one B of the ballot for the Palauan plebiscite.

T/COM.10/L.321 from Mr. Haruo I. Remeliik, President of Palau, regarding the United Nations Convention on the Law of the Sea and the wording of the ballot on the compact of free association.

T/COM.10/L.329 from the Congress of the Federated States of Micronesia, requesting friends of the Federated States of Micronesia to assist in fighting the cholera epidemic.

T/COM.10/L.333 from Mr. Remokt Tarimel, Governor, Ngerchelongs State, Palau, requesting the assistance of the President of Palau in the development of Ngerchelongs State.

T/COM.10/L.335 from the Ponape State Legislature requesting a postponement of the plebiscite on the compact of free association in the Federated States of Micronesia scheduled for 21 June 1983.

T/COM.10/L.336 and Add.1 from Ms. Paulette Wittwer, Disarmament Director, American Friends Service Committee, regarding support for the people of Palau to uphold their nuclear-free Constitution.

(b) Communications from the Olbiil Era Kelulau

T/COM.10/L.314 from Senator Joshua Koshiba, Chairman, Senate Committee on Foreign Affairs, requesting the installation of telex communication facilities in Palau.

T/COM.10/L.317 from Senator Joshua Koshiba, Chairman, Senate Committee on Foreign Affairs, regarding the non-participation of Palau at the Law of the Sea Convention held in Jamaica, and proposition one B of the ballot for the Palau plebiscite.

T/COM.10/L.330 from the Senate, pronouncing the compact of free association disapproved by the citizens of Palau and by the Olbiil Era Kelulau, and urging the President and the traditional leaders of Palau to begin negotiations concerning the future political status of Palau.

T/COM.10/L.331 from the House of Delegates, urging the United States Congress to approve and ratify the compact of free association between the United States and Palau.

T/COM.10/L.332 from Senator Moses Uludong, requesting the assistance of the Chairman of the Senate Committee on Energy and Natural Resources in obtaining an audit of United States funds expended by the Palau Political Education Committee.

T/COM.10/L.334 from Senator Joshua Koshiba, Chairman, Senate Committee on Foreign Affairs, regarding the arrest of Trust Territory citizens of Guam.

T/COM.10/L.337 from the Senate confirming the nomination of Mr. Noriwo Ubedei to the position of Palau/Washington Liaison Officer.

T/COM.10/L.338 from the House of Delegates, endorsing and approving the President's position to implement the compact of free association with the United States without section 314 of the compact.

T/COM.10/L.339 from the Senate expressing concern over the arrest and 16-day detention of Palauan citizens by United States immigration officials in Guam.

T/COM.10/L.340 from Senator Joshua Koshiba on the question of the compact of free association.

(c) Communications requesting inter alia postponement of the Palau plebiscite scheduled for 10 February 1983

T/COM.10/L.316 from the Reverend John Collins and Sister Blaise Lupo, Co-Directors, Clergy and Laity Concerned.

T/COM.10/L.318 from Sister Barbara Glendon, Focus on Micronesia Coalition, National Council of the Churches of Christ in the United States of America.

T/COM.10/L.319 from Ms. Vera Zimmerman of Renton, Washington.

T/COM.10/L.320 from Ms. Betty Graeber of Hoquiam, Washington.

T/COM.10/L.322 from Mrs. Shirley Wolfe.

T/COM.10/L.323 from Ms. Betty Olson, Co-ordinator, Nebraskans for Peace.

T/COM.10/L.324 from Ms. Mary Wiggins, United Methodist Women, Mississippi Conference, the United Methodist Church.

T/COM.10/L.325 from Mr. Walter Johnson of Pentwater, Michigan.

T/COM.10/L.326 from Mr. George C. Kramer, Jr. of Binghamton, New York.

T/COM.10/L.327 from Ms. Charlotte C. Wescott of New Milford, Pennsylvania.

T/COM.10/L.328 from Mrs. Maureen Gere, Mission Co-ordinator for Christian Global Concerns, United Methodist Women, Minnesota Conference, the United Methodist Church.

37. At its 1559th meeting, on 2 June 1983, the Council decided to take note of the communications contained in documents T/COM.10/L.310 and T/COM.10/L.314-L.340.

38. The Council also examined the following written petitions circulated in accordance with rule 85, paragraph 1, of its rules of procedure:

(a) General petitions

T/PET.10/200 from St. Joan's International Alliance, requesting the 1982 United Nations Visiting Mission to the Trust Territory to observe particularly the progress of women and girls in political, economic and social aspects of life.

T/PET.10/201 from Dr. Nobuo Kusano, Director-General, Conference of Japan Council Against AH Bombs (GENSUIKIN) requesting, inter alia, termination of the Trusteeship Agreement; respect for Palau's nuclear-free Constitution; self-determination for the Marshall Islands; and full independence for the Northern Mariana Islands from the United States.

T/PET.10/222 from Mr. Jonathan M. Bultedaob, Ngiwal, Palau, expressing concern over the establishment of United States military installations in Palau.

T/PET.10/225 from Mr. David M. Stowe, Executive Vice-President, United Church Board for World Ministries, regarding United States practices and procedures in the Trust Territory.

T/PET.10/244 from Ms. Barbara Stickle, Northeast District, United Methodist Women, the United Methodist Church, requesting the Council to vote for the rewording of proposition one B of the ballot for the Palau plebiscite.

T/PET.10/249 from Ms. Beverly Copeland of Wilkes-Barre, Pennsylvania, requesting the rewording of proposition one B of the ballot for the Palau plebiscite.

T/PET.10/250 from Ms. Bertha Crowell of San Diego, California, expressing concern over United States administration of its trusteeship over the Marshall Islands, Palau, the Carolines and the Northern Mariana Islands.

T/PET.10/251 from Mr. Bryan McKown of Berkeley, California, expressing concern over charges of irregularities in the voting procedures during the Palau plebiscite.

T/PET.10/262 from Ms. Mary C. Eubanks of San Diego, California, protesting the United States' manipulation of the Palau plebiscite.

T/PET.10/265 from Mr. Nina H. Shea, The International League for Human Rights, dealing inter alia, with the question of the wording of the ballot for the Palau plebiscite.

T/PET.10/269 from Ms. Judith W. Schrafft, Chairman, Florida Chapter, Coral Reef Society, disapproving the use by the United States of Bikini and Enewetak as testing sites for hydrogen bombs, the testing of missiles at Kwajalein Atoll and the endangering of the marine environment in Palau.

T/PET.10/271 from Mr. Silvestre T. Cruz, Tinian Land Owner's Association, requesting the Council to assist the people of Tinian in obtaining just compensation for the taking of their private property by the United States military.

T/PET.10/279 from Mr. Gene Curbow, National Association of Atomic Veterans, requesting the Council to assist the Marshallese and United States military personnel who were victims of ionizing radiation from the "Bravo" thermo-nuclear test in Bikini Atoll in 1954.

T/PET.10/280 from Mr. Jeffery J. Smith of La Jolla, California, protesting United States manipulation of the Palau plebiscite.

T/PET.10/284 from Mr. Christopher Roof of Concord, Massachusetts, requesting the Trusteeship Council to investigate the United States conduct in regard to the Palau plebiscite.

T/PET.10/289 from the Reverend Joyce S. Giles, Executive Director, Capital Area Council of Churches, Inc., expressing concern over the United States' military testing and nuclear waste dumping in the Trust Territory.

(c) Communications requesting inter alia postponement of the Palau plebiscite scheduled for 10 February 1983

T/COM.10/L.316 from the Reverend John Collins and Sister Blaise Lupo, Co-Directors, Clergy and Laity Concerned.

T/COM.10/L.318 from Sister Barbara Glendon, Focus on Micronesia Coalition, National Council of the Churches of Christ in the United States of America.

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38. The Council also examined the following written petitions circulated in accordance with rule 85, paragraph 1, of its rules of procedure:

(a) General petitions

T/PET.10/200 from St. Joan's International Alliance, requesting the 1982 United Nations Visiting Mission to the Trust Territory to observe particularly the progress of women and girls in political, economic and social aspects of life.

T/PET.10/201 from Dr. Nobuo Kusano, Director-General, Conference of Japan Council Against AH Bombs (GENSUIKIN) requesting, inter alia, termination of the Trusteeship Agreement; respect for Palau's nuclear-free Constitution; self-determination for the Marshall Islands; and full independence for the Northern Mariana Islands from the United States.

T/PET.10/222 from Mr. Jonathan M. Bultedaob, Ngiwal, Palau, expressing concern over the establishment of United States military installations in Palau.

T/PET.10/225 from Mr. David M. Stowe, Executive Vice-President, United Church Board for World Ministries, regarding United States practices and procedures in the Trust Territory.

T/PET.10/244 from Ms. Barbara Stickle, Northeast District, United Methodist Women, the United Methodist Church, requesting the Council to vote for the rewording of proposition one B of the ballot for the Palau plebiscite.

T/PET.10/249 from Ms. Beverly Copeland of Wilkes-Barre, Pennsylvania, requesting the rewording of proposition one B of the ballot for the Palau plebiscite.

T/PET.10/250 from Ms. Bertha Crowell of San Diego, California, expressing concern over United States administration of its trusteeship over the Marshall Islands, Palau, the Carolines and the Northern Mariana Islands.

T/PET.10/251 from Mr. Bryan McKown of Berkeley, California, expressing concern over charges of irregularities in the voting procedures during the Palau plebiscite.

T/PET.10/262 from Ms. Mary C. Eubanks of San Diego, California, protesting the United States' manipulation of the Palau plebiscite.

T/PET.10/265 from Mr. Nina H. Shea, The International League for Human Rights, dealing inter alia, with the question of the wording of the ballot for the Palau plebiscite.

T/PET.10/269 from Ms. Judith W. Schrafft, Chairman, Florida Chapter, Coral Reef Society, disapproving the use by the United States of Bikini and Enewetak as testing sites for hydrogen bombs, the testing of missiles at Kwajalein Atoll and the endangering of the marine environment in Palau.

T/PET.10/271 from Mr. Silvestre T. Cruz, Tinian Land Owner's Association, requesting the Council to assist the people of Tinian in obtaining just compensation for the taking of their private property by the United States military.

T/PET.10/279 from Mr. Gene Curbow, National Association of Atomic Veterans, requesting the Council to assist the Marshallese and United States military personnel who were victims of ionizing radiation from the "Bravo" thermo-nuclear test in Bikini Atoll in 1954.

T/PET.10/280 from Mr. Jeffery J. Smith of La Jolla, California, protesting United States manipulation of the Palau plebiscite.

T/PET.10/284 from Mr. Christopher Roof of Concord, Massachusetts, requesting the Trusteeship Council to investigate the United States conduct in regard to the Palau plebiscite.

T/PET.10/289 from the Reverend Joyce S. Giles, Executive Director, Capital Area Council of Churches, Inc., expressing concern over the United States' military testing and nuclear waste dumping in the Trust Territory.

T/PET.10/291 from Ms. Emma Atkinson of Meridian, Mississippi, concerning United States nuclear testing and waste dumping in the Trust Territory.

T/PET.10/293 from Ms. Lydia Garvey of Rosebud, South Dakota, in support of self-determination and independence for Pacific peoples, specifically the peoples of Palau, and of a congressional investigation and review of State Department actions in Palau.

T/PET.10/294 from Mrs. Irma G. Morris of Meridian, Mississippi, concerning nuclear testing, dumping of nuclear waste and storage in the Pacific.

T/PET.10/295 from Mrs. Miriam S. Mitchum of Meridian, Mississippi, concerning the plight of the people of the Pacific Islands with regard to nuclear testing, dumping of nuclear waste and pollution of the waters in their areas.

T/PET.10/296 from Ms. Elizabeth A. Nesbitt of New York, expressing concern over the compact of free association, and the handling of the Palau plebiscite.

T/PET.10/297 from GENSUIKIN, Tokyo, expressing concern about the Trusteeship Council's decision regarding the Palau plebiscite.

- (b) Petitions requesting, inter alia, postponement of the proposed Palau plebiscite and/or supporting the right of the people of Palau to uphold their nuclear-free Constitution

T/PET.10/206 fro Dr. Willis Butler of Kailua, Hawaii.

T/PET.10/207 from the Reverend James A. Jackson, Justice and Peace Director, Maryknoll Fathers and Brothers in Hawaii.

T/PET.10/208 from Mr. Alfonso Damman, Communications Co-ordinator, Movimiento Ecuménico Nacional de Puerto Rico.

T/PET.10/209 from Mr. Philip Soljack, Vice-President, Auckland Branch, United Nations Association of New Zealand.

T/PET.10/210 from Dr. Josie E. Reichlin, Director, Office of Justice and Peace, Sisters of St. Joseph of Peace.

T/PET.10/211 from Mr. and Mrs. Walter Johnson of Pentwater, Michigan.

T/PET.10/212 from Messrs. Moritaki and Miyazaki, Hiroshima GENSUIKIN, Anti-Atom Movement.

T/PET.10/212/Add.1 from Mr. Kanobu Sekiguchi, Secretary-General, Japan Congress Against A and H Bombs (GENSUIKIN).

T/PET.10/213 from Ms. Sandy Galazin, Steering Committee Secretary, Pacific Concerns Resource Center.

T/PET.10/214 from Mr. William V. Vitarelli of Maui, Hawaii.

T/PET.10/215 from Mr. Joseph A. Cospito, Vice-President, Pacific Peacemaker Project.

T/PET.10/216 from Mrs. Alice Coppard of Vancouver, Canada.

T/PET.10/217 from Mr. George D. McClain, Executive Secretary, and Mr. Jim Winkler, Peace Project Co-ordinator, of the Methodist Federation for Social Action.

T/PET.10/218 from Ms. Deborah Walton of Launceston, Tasmania, Australia.

T/PET.10/219 from Mr. David Lindsay, Greenpeace, Australia.

T/PET.10/220 from Mr. J. R. Little of West End, Australia.

T/PET.10/221 from Mr. D. L. Lathan, Chairman, Fellowship of Reconciliation, Vancouver, Canada.

T/PET.10/223 from Ms. Vivian B. Luna, Executive Director, Commission on Asian American Affairs, State of Washington.

T/PET.10/224 from Ms. Elizabeth Mattick, President, Women's International League for Peace and Freedom, Australian Section.

T/PET.10/226 from Sister Aida Velasquez, Vice-Chairman, Philippine Federation for Environmental Concern.

T/PET.10/227 from Mr. Craig T. Shimabukuro, Co-ordinator, Disarmament and Human Justice Program, American Friends Service Committee (Seattle).

T/PET.10/228 from Laurence and Avis Twaddell United Methodist Women, Kansas West Conference, the United Methodist Church.

T/PET.10/229 from Mr. George Ogle, General Board of Church and Society, the United Methodist Church.

T/PET.10/230 from Mr. H. Jayasena, Director, Buddhist Socio-Economic Development Institute.

T/PET.10/231 from Ms. Elizabeth Mattick, Secretary, United Nations Association of Australia (New South Wales), Disarmament Committee.

T/PET.10/232 from Ms. Frances Crowe of Northampton, Massachusetts.

T/PET.10/233 from the Reverend Robert Moore, Co-ordinator, Coalition for Nuclear Disarmament.

T/PET.10/234 from Mr. James Mang, Director, Western New York Peace Center.

T/PET.10/235 from Mrs. Velma Strueve, United Methodist Women, Riverside District, Pacific and Southwest Conference, the United Methodist Church.

T/PET.10/236 from Ms. Joan Shears, Nuclear-Free and Independent Pacific Committee, Campaign Against Nuclear Power (Australia).

T/PET.10/237 from Ms. Dawn Waller of Brisbane, Australia.

T/PET.10/238 from Ms. Tanja Winter and Mr. Bernard L. Winter of La Jolla, California.

T/PET.10/239 from Mr. Larry James, Richardson East Church of Christ.

T/PET.10/240 from H. Petersen, Secretary, Collinsville Peace Committee.

T/PET.10/241 from GENSUIKIN, Tokyo.

T/PET.10/242 from Ms. Patricia J. Rumer, Regional Secretary, Oceania, United Church Board for World Ministries.

T/PET.10/243 from Mrs. Dorothy M. Harding of Kingston, Pennsylvania.

T/PET.10/245 from Mr. Joe Wachter, Friends of the Earth.

T/PET.10/246 from Mr. Don Schrader of Dakota, Illinois.

T/PET.10/247 from Ms. Suzanne Thompson, Co-ordinator for Christian Social Involvement, United Methodist Women, Central Illinois Conference, the United Methodist Church.

T/PET.10/248 from Mrs. Sarah Myers of Bowen, Illinois.

T/PET.10/252 from Mr. Steve Maxwell, Secretary, Gold Coast Branch, Australia Peace Committee.

T/PET.10/259 from Ms. Rusk of Syracuse, New York.

T/PET.10/263 from Miss Mary E. Black of Albany, New York.

T/PET.10/264 from Mr. John P. Cobb of Newark, Delaware.

T/PET.10/266 from Mrs. Helen Knapp of Albany, New York.

T/PET.10/272 from Ms. E. Rosalind Kohn of La Jolla, California.

T/PET.10/273 from Nona and R. Carroll Cannon of San Diego, California.

T/PET.10/274 from Ms. Jean Elliott of San Diego, California.

T/PET.10/275 from Mr. and Mrs. Jay C. Wickler of San Diego, California.

T/PET.10/277 from Mr. Linden P. Martineau of Chevy Chase, Maryland.

T/PET.10/281 from Ms. Leonor Rentz of San Diego, California.

T/PET.10/282 from Mr. Christopher Jones of San Diego, California.
T/PET.10/283 from Ms. Constance P. Brown of Aurora, Colorado.
T/PET.10/285 from Ms. Karen D. Newman of San Diego, California.
T/PET.10/286 from Mr. Seth Chaiklin of Pittsburgh, Pennsylvania.
T/PET.10/287 from Ms. Louise Grenfle of Crossville, Tennessee.
T/PET.10/288 from Ms. Wilma N. Tinkham of Spring Valley, California.
T/PET.10/290 from Ms. Margaret Ranger of Lancaster, California.
T/PET.10/292 from Ms. Alice Barnes of San Diego, California.
T/PET.10/298 from Ms. Maire Leadbeater, Campaign for Nuclear Disarmament.

39. With regard to the petitions contained in documents T/PET.10/200, T/PET.10/201, T/PET.10/206-T/PET.10/212 and Add.1, T/PET.10/213-T/PET.10/252, T/PET.10/259, T/PET.10/262-T/PET.10/266, T/PET.10/269, T/PET.10/271-T/PET.10/275, T/PET.10/277 and T/PET.10/279-T/PET.10/292 the Council, at its 1559th meeting, on 2 June 1983, decided to draw the attention of the petitioners to the observations made by the representatives of the Administering Authority at the Council's fiftieth session, as appropriate. Concerning the petitions contained in T/PET.10/293-T/PET.10/298, the Council, at its 1560th meeting, on 8 June, decided to draw the attention of the petitioners to the observations made by the representatives of the Administering Authority, as appropriate.

D. REPORT OF THE UNITED NATIONS VISITING MISSION TO THE TRUST TERRITORY OF THE PACIFIC ISLANDS, 1982

40. At its 1539th meeting, on 11 June 1982, the Trusteeship Council adopted resolution 2173 (XLIX) by which it decided to dispatch a periodic visiting mission to the Trust Territory of the Pacific Islands in 1982.

41. The Mission, composed of Mr. Paul Poudade (France) Chairman, and Ms. Sheila Harden (United Kingdom), visited the Trust Territory from 4 to 31 July 1982.

42. At the 1544th meeting, on 16 May 1983, the Mission submitted its report 5/ to the Trusteeship Council for consideration, concurrently with the annual report of the Administering Authority, 1/ at its fiftieth session.

43. At the 1559th meeting, on 2 June 1983, the representative of the United Kingdom introduced a draft resolution (T/L.1236) concerning the report of the Visiting Mission, which was adopted by a vote of 3 to none with 1 abstention, as resolution T/RES/2175 (L). In the operative paragraphs of the resolution, the Trusteeship Council took note of the report of the Visiting Mission and of the observations of the Administering Authority thereon; decided that it would continue to take the recommendations, conclusions and observations of the Visiting Mission into account in future examination of matters relating to the Trust Territory; and invited the Administering Authority to take into account the recommendations and

conclusions of the Visiting Mission as well as the comments made thereon by the members of the Council.

44. The representative of the Soviet Union, explaining his delegation's abstention on the draft resolution, said that the report of the Mission and the results thereof should be seen in the context of documents available to the Trusteeship Council, particularly the report of the Administering Authority, petitions, statements by delegations during the general debate and other material. Above all, it should be seen in the context of the Charter, the Trusteeship Agreement and the Declaration on the Granting of Independence to Colonial Countries and Peoples. The representative of the Soviet Union pointed out that the report contained a great wealth of material which indicated that the Administering Authority had not fulfilled its obligations under the Charter and the Trusteeship Agreement in any of the areas of life in the Territory. His delegation regretted that while the Visiting Mission had gathered extensive factual material on the situation in Micronesia, it had not presented this in such a way that valid conclusions could be drawn and specific proposals could be put forward in the Council, with a view to radically altering the situation in the Trust Territory.

45. The representative of the Soviet Union stated that the report did not give due consideration to the fact that the United States had illegally fragmented the Territory and had given those entities a neo-colonialist status, a so-called commonwealth or free association status. It was completely silent on the Administering Authority's illegal military activity in the Trust Territory, which was continuing, and on the fact that the United States had further strategic plans to expand its military activity and turn the Trust Territory into a military strategic staging-point in the Pacific region. The report contained neither an objective evaluation of the responsibility of the United States for the catastrophic situation of the Trust Territory's economy nor any conclusions that would compel the Administering Authority, at last, to discharge its obligations to the people of the Territory.

46. The representative of the Soviet Union said that to be perfectly objective, the sponsors of the draft resolution might have made reference in the preambular paragraphs not only to the statements made by the representatives of the United States but also to other statements made in the Council.

47. The representative of the Soviet Union pointed out that since the report of the Visiting Mission did contain a certain amount of factual information and in view of the inclusion in the draft resolution of an invitation to the Administering Authority to take into account the recommendations made by the Council members on the mission report, his delegation would not oppose the adoption of the draft resolution but would abstain in the vote.

48. The representative of France, taking note of the observations of the Soviet Union on the report of the periodic visiting mission, said that his delegation would be pleased if the Soviet Union would agree to participate in the next visiting mission to the Trust Territory, as it had most usefully done in a past mission.

49. With regard to its participation in visiting missions, the representative of the Soviet Union said that his delegation had once participated in such a mission and therefore had a very clear idea of how the machinery of those missions worked, how their reports were prepared and their conclusions reached. The Mission in

which the Soviet Union had participated had not seen fit to take account of the Soviet delegation's views or to reflect them in its report. Thus, the work accomplished by the Mission and its evaluation and results were to a large extent, one-sided. Accordingly, the Soviet Union had not participated in any subsequent mission, including that of 1982.

E. LETTER DATED 18 NOVEMBER 1982 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL, CONTAINING A REQUEST FOR A SPECIAL SESSION OF THE TRUSTEESHIP COUNCIL TO ORGANIZE AND DISPATCH A MISSION OR SERIES OF MISSIONS TO OBSERVE PLEBISCITES IN PALAU, THE MARSHALL ISLANDS AND THE FEDERATED STATES OF MICRONESIA

50. At its fifteenth special session, held from 16 to 20 December 1982, the Trusteeship Council had before it a letter dated 18 November 1982 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General. 6/

51. In her letter, the Permanent Representative informed the Secretary-General that her Government had completed negotiations with three duly elected constitutional Governments of the Trust Territory of the Pacific Islands - the Governments of Palau, the Marshall Islands and the Federated States of Micronesia - on their future political status. The agreed arrangements were incorporated in a document known as the compact of free association and a series of subsidiary and related agreements.

52. The Permanent Representative further stated that those documents were now being committed to a process of consideration and approval by each of the four signatory Governments in accordance with their constitutional processes and by the voters of Palau, the Marshall Islands and the Federated States of Micronesia by plebiscites in which the voters would be invited either to approve the compact of free association or to ask their Governments to negotiate independence or a closer relationship with the United States.

53. Consequently, the Permanent Representative stated that her Government thereby requested the convening of a special session of the Trusteeship Council at which her Government would request the Council to organize and dispatch a mission or series of missions to observe the plebiscites in Palau, the Marshall Islands and the Federated States of Micronesia.

54. The Trusteeship Council held its fifteenth special session from 16 to 20 December 1982. At its 1543rd meeting, on 20 December 1982, the Council adopted resolution 2174 (S-XV) by 3 votes to 1, by which it decided to send visiting missions of approximately two weeks' duration in each case, to Palau, the Marshall Islands and the Federated States of Micronesia, the mission to Palau to begin on or about 1 February 1983 and to end as soon as practicable after the declaration of the results of the plebiscite, and the other missions to take place at dates to be decided by the President of the Trusteeship Council in consultation with the Administering Authority and the other members of the Council. It further decided that the visiting mission to Palau should be composed of not more than four members, that to the Marshall Islands of not more than five members and that to the Federated States of Micronesia of not more than six members, the members of the missions to be representatives of Fiji, France, Papua New Guinea and the United Kingdom.

55. During discussions at the fifteenth special session, the representative of the United States quoted from the letter of the Permanent Representative of the United States to the Secretary-General wherein she had noted that the Administering Authority and the Micronesian Governments envisaged that the process of consideration and approval of the compact and subsidiary agreements by each of the four signatory Governments would lead to the termination of the Trusteeship Agreement. She had said that it had long been their wish that that important act of self-determination should be conducted under the observation of the United Nations. The Trusteeship Council had followed such a procedure in sending a mission to observe the act of self-determination in the Northern Mariana Islands in 1975. In carrying forward the process of self-determination, the Administering Authority had continued to observe and implement Article 76 b of the Charter which provided that the basic objectives of the Trusteeship System were to promote the political, economic, social, and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as might be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as might be provided by the terms of each trusteeship agreement and by Article 6 of the Trusteeship Agreement for the Trust Territory of the Pacific Islands.

56. Turning to the "Statement of Agreed Principles for Free Association for Micronesia" 7/ adopted by the negotiators for the United States and the peoples of Micronesia, the representative of the United States said that the negotiators had recognized four and a half years ago that plebiscites on the compact of free association would constitute important acts of self-determination and, as a consequence, should receive the scrutiny of the international community. The United States and Palau had agreed that 10 February 1983 would be the most convenient date for the plebiscite in Palau. A vigorous and objective public information programme had begun in the Territory explaining the choices from the full range of political status options, including negotiations on independence, which would be presented to the voters in that plebiscite. The programme included the distribution of the signed agreements in English, Palauan and two other local languages, as well as video-taped explanations of free association and alternate political status options which were being presented at public meetings throughout Palau. Numerous radio and television broadcasts were being made each day.

57. The Government of the United States was currently engaged in consultations with the Governments of the Marshall Islands and the Federated States of Micronesia on dates and other matters dealing with the preparations for the plebiscites and agreement was expected to be reached soon. Consequently, the United States was requesting that the current special session of the Trusteeship Council authorize the sending of missions to observe the plebiscites in Palau, the Marshall Islands and the Federated States of Micronesia. His Government envisaged that the first such mission would arrive in Palau several days before polling day, 10 February 1983, to observe the public information programme, to meet with interested persons and groups in Palau and to witness the voting and the counting of the votes.

58. The representative of the United States quoted from a telegram from President Haruo I. Remeliik of Palau addressed to the President of the Trusteeship Council, which stated that the public information programme had begun in September 1982 to ensure that voters were fully informed of all the issues in the plebiscite. The people and Government of Palau fully recognized the importance of

the act of self-determination and its historic nature. The President had further stated that in keeping with one of the most important principles of free association, it was Palau's strong desire that the plebiscite be witnessed by members of the international community whom they trusted and who would be able to testify to its fairness and legitimacy. The President had assured the members of the visiting mission that they would have full and free access to all elements of opinion within Palau, to the public information programme and to the conduct of the voting.

59. The representative of the United States noted that the Trusteeship Council had on past occasions included in the membership of visiting missions, particularly those designated to observe plebiscites and referendums, representatives of States which were not themselves members of the Council. In view of the importance of the acts of self-determination which were about to take place in the three Micronesian entities, the United States would very much welcome the inclusion of other States from the Pacific region in those missions.

60. The representative of the United Kingdom stated that his Government had no hesitation in agreeing to the Administering Authority's request for a special session of the Trusteeship Council, and were equally ready to support the request for the dispatch of visiting missions to observe the plebiscites, which would constitute important acts of self-determination by the people of Palau, the Marshall Islands and the Federated States of Micronesia. An essential function of the Trusteeship Council was to monitor the progress of the people of the Trust Territories towards the achievement of the basic objectives of the Trusteeship System, as set out in Article 76 of the Charter.

61. The representative of the United Kingdom recalled that in its latest report to the Security Council, 8/ the Trusteeship Council had reaffirmed the inalienable right of the people of Micronesia to self-determination, including the right to independence, in accordance with the Charter and the Trusteeship Agreement. It had been the Council's consistent practice to send missions to observe landmarks in the constitutional evolution of each Trust Territory. There could be no doubt therefore, that on this occasion too, the Council should respond positively to the request received from the Administering Authority and to the wishes of the three constitutional Governments in the Trust Territory.

62. The representative of the United Kingdom said that, at recent sessions of the Council, all the delegations represented had observed the rising tide of frustration in the Trust Territory at the delay in agreeing on a basis for termination of the Trusteeship Agreement. The Government and people of the Northern Mariana Islands, who were understandably anxious for the earliest possible termination of the Trusteeship Agreement, had decided, in 1975, the political status they would like to adopt in place of the trusteeship. His delegation had been sensitive to suggestions it had heard in the Council that perpetuation of the trusteeship, when it was no longer desired by the people of the Trust Territory, could amount to a new form of colonialism. His Government had therefore welcomed the successful conclusion in recent months of the negotiations between the Administering Authority and the three constitutional Governments. The question which was shortly to be put to the people by plebiscite was whether the compact of free association adequately met their aspirations. The United Kingdom welcomed the fact that the people of the Territory would not simply be asked to say "yes" or "no" to the compact of free association, but would also have the opportunity to

choose as alternatives to free association the negotiation of either independence or a closer relationship with the United States.

63. The representative of the United Kingdom stated that his delegation shared the concern expressed by the petitioners during the Council's current session that there should be adequate programmes of political education in all three entities. It had been glad to hear from the representative of the Administering Authority that a vigorous and objective programme of political education had been in progress for some months in Palau. His delegation strongly emphasized the importance of actively developing similar programmes in the Marshall Islands and the Federated States of Micronesia and trusted that that was being done.

64. The representative of the United Kingdom pointed out that the inclusion in the visiting missions of States not members of the Council would be in accordance both with the importance of the acts of self-determination and with the growing links between the people of Micronesia and their neighbours, links which the Council had repeatedly welcomed. He believed that that suggestion was imaginative and appropriate and followed precedents established by previous practice of the Council and was clearly permitted by rule 95 of the Council's rules of procedure. His delegation accordingly proposed that the Council's President should urgently consult countries of the Pacific region to ascertain whether they would be willing to accept an invitation from the Council to take part in the proposed visiting missions to the three entities.

65. Referring to the petitions presented by The International League for Human Rights and the Focus on Micronesia Coalition, he said that the delegation of the United Kingdom found itself in considerable sympathy with their call for simultaneous plebiscites in all three entities which, for various reasons, his delegation would have preferred. But it had felt obliged to pay heed to the very clearly expressed desire of the constitutional Governments in the Territory to proceed individually to their plebiscites as soon as their people had had time to acquaint themselves with the compacts signed on their behalf. In that respect, the three Governments had followed the precedent set by the Northern Mariana Islands in 1975. It would not therefore be right for the Council to press for simultaneous plebiscites against the wishes of the constitutional Governments concerned.

66. The representative of France, noting that the plebiscites in Palau, the Marshall Islands and the Federated States of Micronesia were to lead, ultimately, to the termination of the Trusteeship Agreement, said that they were of great importance not only for the Micronesian peoples, but also for the United Nations since it was the Council's responsibility to ensure that all the procedures leading to the termination of that agreement were in accordance with the provisions of Article 76 of the Charter. Accordingly, it was essential that the inhabitants of the Trust Territory be fully and completely informed of the different choices open to them under that Article; that their political education be sufficient and indisputable; that their will be freely expressed; that the United Nations be able to supervise the proper conduct of the plebiscite; and, in particular, that the conditions under which the Micronesians would make their decision, be perfectly democratic.

67. The representative of France noted in particular the Administering Authority's assurances concerning the implementation of the political education programme and the opportunity offered to the inhabitants of Palau to choose free association or, if that were rejected, independence or a closer relationship with the United

States. The inhabitants of the Marshall Islands and the Federated States of Micronesia should have the benefit of a comprehensive political education programme and a choice among various options similar to those proposed to the people of Palau.

68. The delegation of France supported the suggestion made by the representative of the United States that in view of the importance of the process of self-determination underway in the three Micronesian entities, the inclusion of representatives of States of the Pacific region in the visiting missions would be welcome. In view of the importance of the planned plebiscites, it was quite natural that States of the region should be associated with the Council's mission, a traditional practice recognized by the United Nations. Rule 95 of the rules of procedure of the Council made it clear that membership of missions sent to Trust Territories should preferably include one or more of the representatives on the Council. Missions could therefore clearly include representatives of States that were not members of the Trusteeship Council. In view of the particular importance of the missions, whose task it would be to observe the plebiscite leading to the termination of the Trusteeship Agreement, the participation of representatives of neighbouring States in those missions was absolutely essential.

69. The representative of the Soviet Union stated that the negotiations with individual parts of Micronesia, the drafting of a compact of free association and subsidiary agreements and the preparation for conducting plebiscites represented successive stages by different administrations of the United States in the carrying out of one and the same policy of fragmentation, militarization and absorption of the Trust Territory and of transforming it into a colonial appendage of the United States. Clearly the purpose of dispatching visiting missions to observe plebiscites in Micronesia was to give some semblance of legitimacy to the illegal actions of the United States with regard to that Territory and to attempt to mask the annexation of the Territory's individual parts with a certificate signed by observer missions of the Trusteeship Council. The United States, having received a United Nations mandate for trusteeship over Micronesia, had used it as a screen for actually seizing that Territory and had violated the provisions of Article 83 of the Charter.

70. The representative of the Soviet Union said that Micronesia at the present time was one of the most backward and undeveloped regions of the world. Its development had been delayed with malice aforethought in order to bind that Territory fully to the economy of the United States and to make it non-self-sufficient and dependent on its hand-outs and then to use that situation to allege that Micronesia was in no condition to exist as an independent State, without the United States. The Micronesians speaking in the Trusteeship Council had habitually referred to the disastrous economic and social situation in their Territory, and to the fact that the present situation was almost worse than it had been before they were transferred to trusteeship under the United States.

71. The representative of the Soviet Union pointed out that the peoples of Micronesia had been increasingly active and decisive in fighting for their violated rights. From June to October 1982, there had been mass protest demonstrations by local inhabitants on Kwajalein Atoll against the use of their land as a military firing range. Those demonstrations, according to statements in the United States press, had involved more than 800 people. The inhabitants of the Marshall Islands were increasingly demanding the independence of their country.

72. The representative of the Soviet Union said that the United States had dissolved the Congress of Micronesia which had been advocating unity and territorial integrity for the entire Trust Territory and the achievement of its independence, and that for a period of 13 years the United States had used the serious situation of the people of the Trust Territory to try to impose on individual parts of Micronesia servile agreements forever depriving the people of their right to independence. That was precisely the nature and the purpose of the compact of free association and its subsidiary agreements which had sold out Micronesia to the Pentagon, ignoring the rights and interests of its people. The Micronesian Governments would not have the right, by a decision of their own, to terminate the compact without the agreement of the United States. Should such an intention arise among the Micronesian Governments, then it must be carried out through yet another plebiscite under United States supervision. If the people of the entities should somehow still succeed in taking decisions to terminate the compact within 50 years, the United States would still maintain all of its rights and privileges to use the Territory of Micronesia militarily for half a century since the articles in the compact on questions of so-called security and defence would remain in force even if the compact were no longer in force. That was precisely the reason why the policy of the United States, as embodied in the compact and in the subsidiary agreements, represented a serious threat to the security of the people of Micronesia and to other countries of Asia and Oceania which were adjacent to that region.

73. The representative of the Soviet Union observed that barely six months ago, at the Trusteeship Council's regular session, representatives of the Administering Authority and the Micronesians themselves had spoken of a broad programme of political education for the population of the Territory. One could imagine how broad the so-called political education programme could be when barely more than one and a half months would have elapsed from the time the negotiations ended to the time the plebiscite would be held.

74. The representative of the Soviet Union stated that his delegation had repeatedly asked the Administering Authority what place in the political education programme would be accorded to the explanation of the right of the Micronesian people to independence and of the advantages of such a status. The Administering Authority had replied that if the people of Micronesia rejected the compact, then the United States would consider the possibility of other options. What was in fact the inalienable right of peoples to independence had been transformed by the United States into something which was merely a foggy option.

75. Referring to the communication from the United States requesting the convening of a special session of the Trusteeship Council, the representative of the Soviet Union pointed out that the communication had indicated that if the Micronesians did not approve the compact, then they could ask their Governments to conduct negotiations on independence or on closer relations with the United States. Typically, the United States was just talking about the Micronesians asking their Governments to conduct negotiations and not about their adopting sovereign decisions and expressing their will in keeping with their inalienable rights.

76. The representative of the Soviet Union said that at the current special session of the Council, one did not see any representatives of the Trust Territory who could be asked in what way the plebiscites proposed by the United States would serve the interests of the Micronesians. As to whether or not the Micronesians knew about the contents of the compact and of the subsidiary agreements, and of the

forthcoming plebiscite, the Soviet representative said that in a telegram addressed to the President of the Council (see T/PET.10/202), Senators Uludong and Koshiba had asked what was the essence of the forthcoming plebiscite and what options other than an approval of the compact would be contained in the ballot for participants in the plebiscite. The representative of the Soviet Union emphasized that the telegram had not come from simple inhabitants of the Territory, but from senators who ought to know what was going on.

. The representative of the Soviet Union said that petitioners at the Council's fifteenth special session had rightly stated that the people of Micronesia were not prepared for the holding of the plebiscite. They were fully justified in saying that the holding of plebiscites in various parts of Micronesia represented yet another step towards the dismemberment and consolidation of the fragmentation of what was a single Trust Territory of the Pacific Islands.

. The representative of the Soviet Union said that the population had not been prepared for the plebiscites; they had not been given an explanation of such a major option as that of choosing independence for their country. The plebiscites would be carried out, not under conditions of free choice, but rather of total dependence of the people on the powers of the Administering Authority. The people had not been informed, either about the course of the negotiations or about the real need of those treaty relations on which they were being asked to express their opinion. The plebiscites themselves were instruments of an illegitimate dismemberment of a Trust Territory in violation of the Trusteeship Agreement and of the Declaration on decolonization. The conclusion of the compact and its subsidiary agreements, which were designed to change the status of the Trust Territory and the fate of the people of Micronesia, and the procedure for approving them by a plebiscite had all gone on behind the back of the Security Council which contradicted the Charter.

. The representative of the Soviet Union said that what was being proposed to the Trusteeship Council and to its missions was that they confirm the results of plebiscites held in a Trust Territory that dealt with a neo-colonial treaty being imposed upon the people of that Trust Territory. The Council was being given a proposal to confirm the results of plebiscites whose entire preparation and organization were designed to achieve the expansionist goals of the Administering Authority, and the machinery for the plebiscites were unknown to the Trusteeship Council. The Council was being given the role of rubber stamping the results of activities by the Administering Authority which were contrary to the Charter and which were being presented to the United Nations with a fait accompli.

. The representative of the Soviet Union stated that the United States was trying to impose upon the United Nations the role of assistant in annexing a Trust Territory and in transforming it completely into a colonial territory. The Soviet Union could not agree with such a role for the Trusteeship Council, which contradicted the spirit and the letter of the Charter, the obligations assumed by the United Nations in exercising its trusteeship function over Micronesia and the Declaration on decolonization. The Soviet delegation was therefore against the dispatching of one or more missions of the Council to observe the so-called plebiscites in the Trust Territory.

. With regard to the proposal that the visiting missions should also include representatives of States of the Pacific region which were not members of the Trusteeship Council, the Soviet delegation felt that that was unacceptable on the

basis of considerations of principle. The inclusion in the missions of representatives of States which were not members of the Council would change the nature of the missions. Apart from the lack of justification for the financial implications of such a decision, it would not be in keeping with his delegation's understanding of the constitutional aspects.

82. The Soviet delegation felt that the United Nations and its relevant organs, faced with arbitrary annexationist actions by the Administering Authority, should come to the defence of the inalienable right of the people of Micronesia to genuine, not fictitious, self-determination and independence and should adopt measures stipulated by the Charter to disallow attempts to present the world with the fait accompli of transforming Micronesia into a new colony of the United States.

83. The representative of the United States, in response to the remarks made by the Soviet Union, said that the latter was obsessed with the politics of decolonization and little concerned with the realities of self-determination. The United Nations traditionally recognized three political options for a Territory: incorporation into another nation State, free association with another State and sovereign independence. All of those choices would be available to the peoples of Micronesia. There would not be any "camouflaged absorption". The voters of Micronesia would choose their own political future and would not have it predetermined; neither would the United States defile its own heritage by asking them to proceed in any other way. They were at the special session talking, not of a change in the trusteeship, but rather, of the observation of acts of self-determination by the peoples of Micronesia which was fully envisaged in, indeed called for by, the Charter as well as by the Trusteeship Agreement. The Micronesians were being offered the full range of political futures available to any Territory with the explicit agreement of the Administering Authority.

84. The United States representative said that the political education campaign had begun in Palau on 9 September 1982, and the plebiscite would take place on 10 February 1983. Months of intensive, objective media and person-to-person political education would have taken place by the time the plebiscite occurred in Palau. That was no rush, no forced political decision.

85. The representative of the United States said that the Trusteeship Council had been fully informed for years of the intention of the Micronesian Governments and the Government of the United States that the United Nations should observe those plebiscites. The machinery of a plebiscite, unfamiliar as it might be to some, was a straightforward and simple process which the free world exercised with great regularity. Elections, referendums, plebiscites and votes of all kinds were the essence of their political life; these were quite familiar to most of the members of the Council and needed no explanation. The ballot was a matter of record and his delegation had made clear on several occasions that it would include the full range of political futures available to the peoples of Micronesia.

86. The representative of the United States pointed out that unity was a worthy concept and it had certainly served the administrative convenience of the outside Powers, but it had little to do with the political, economic, cultural and social facts of life in Micronesia. Contrary to what the representative of the Soviet Union would have the Council believe, United States policy had opposed fragmentation. It was with reluctance that the United States had finally agreed to negotiate separately with the Northern Mariana Islands in 1972, leading to the Covenant of 1975, 9/ and then in 1977 with the Palauans and the Marshallese, a

decision whose validity had been confirmed in 1978 when those two districts had refused to ratify the Constitution of the Federated States of Micronesia. 10/

87. The representative of the United States said that the charge of "militarization" of the Trust Territory was another specious accusation. If the United States had been interested in militarizing the Trust Territory it would certainly have done so over the past 35 years when, under the terms of the Trusteeship Agreement, it had had virtually unlimited authority. After more than a generation of United States administration, the only military facility was the Kwajalein Missile Range, which had a mere 30 United States Army personnel in residence and was otherwise completely operated by contractors. There were several 13-man civic action teams from the various services and there was the Coast Guard Navigation Station on Yap, with about 20 men assigned to it.

88. The representative of the United States indicated that the compact and its subsidiary agreements were much more restrictive than the Trusteeship Agreement. The United States had reserved no rights in the Marshall Islands beyond what it already had at the missile-test range. It sought no rights whatsoever in the Federated States of Micronesia. In Palau, the smallest of the three jurisdictions, it had reserved contingency rights which it could exercise one day but, at present, it had no intention or plans of constructing facilities in Palau.

89. With regard to the wording of a portion of the agreed Palau plebiscite ballot which concerned radioactive, chemical and biological materials, the representative of the United States said that both the inclusion of the question and its wording had been products of agreement between Palauan and United States negotiators. The Palauan Government had considered the inclusion of the question and its approval by a three-quarters majority necessary under one provision of the Palauan Constitution in order to bring another provision of the same Constitution into conformity with the compact of free association. The wording of the question on the ballot again had been deemed appropriate by the executive and legislative branches of that Government.

90. The United States representative said that while the compact and the subsidiary agreements would permit the storage of nuclear or chemical weapons in Palau under specified conditions and rigorous safeguards, his Government had repeatedly informed the Government of Palau that no plans existed for such storage. The authority granted to the United States to bring such weapons into, or transmit them through Palau was, however, necessary if the United States was to meet its responsibilities for the defence of Palau and its world-wide defence commitments, should the need to do so ever arise. The relevant provisions of the agreements on that subject and the related question on the ballot were being extensively treated in the public information programme of Palau.

91. The representative of the United States said that the Micronesian Governments had been particularly insistent that the undertakings of the United States towards them in the period of free association, and their rights within the context of that relationship, be fully delineated. That consideration, inter alia, contributed to the length and detail of the compact and its subsidiary agreements.

92. With particular reference to the concern expressed that the voters of Palau and, by extension, those of the other jurisdictions, would not have sufficient time to understand the principles of free association and the detailed provisions of the compact and its subsidiary agreements, and particularly in view of the recent

modifications of the compact and of those agreements in Palau, the representative of the United States noted that while the formal public information programme for the plebiscite in Palau had begun in September 1982, in a larger sense a process of education had been in operation for a far longer period. The concept of free association had first been proposed by the Congress of Micronesia in 1970, the basic principles had been agreed upon and published in April of 1978 and a substantially complete compact of free association and three of its most important related bilateral agreements had been initialled by the United States and Palau on 17 November 1980. The principles of free association and the documents which embodied them had been widely discussed by the people of Micronesia for some time. The three Micronesian Governments had signed the compact of free association freely and without any pressure or coercion from the United States or any other party. It was the judgement of both the United States and Palau that the voters of Palau could and would understand the recent refinements of the compact and some of the subsidiary agreements, just as they had already understood the long-established basic principles of free association.

93. With regard to the suggestion in the Trusteeship Council and elsewhere that the United States was not living up to its obligations under the Charter to promote the political development of the Trust Territory to independence, the representative of the United States said that that accusation was totally without foundation. The United States was fully and willingly complying with the provision of Article 76 of the Charter and with its obligations under the Trusteeship Agreement. It believed that the establishment of democratic institutions and principles as a means of resolving political issues had been largely achieved in the Trust Territory.

94. The representative of the United States pointed out that the compact of free association was not irrevocable: under its own terms the status provided thereunder could be changed at any time. If adopted, it would conform with recognized international legal criteria for self-determination through free association; the arrangement would be freely entered into through informed and democratic processes. The freely associated areas would have the right to adopt their own constitutions without outside interference, and the free association political status might be terminated at any time by any party.

95. As to the reference in the Trusteeship Council to the departure from the original principle of simultaneity for the conduct of the plebiscite on the compact of free association, the representative of the United States said that, as with a number of other developments over the long course of negotiation for the termination of the Trusteeship Agreement, the departure from simultaneity was a Micronesian initiative and one in which the United States had only reluctantly acquiesced.

96. The representative of the United States pointed out that it was correct that section 412 of the compact still referred to a plebiscite that should "be conducted simultaneously" in the three jurisdictions. However, in order to accommodate the expressed desire of two of the Micronesian Governments to hold the plebiscite in their respective jurisdictions as soon as they were ready to do so, the United States had proposed a revision of that section which permitted the holding of the plebiscite on different dates in the three jurisdictions. The proposal had been agreed to formally by Palau and had the informal agreement of the Marshall Islands the Federated States of Micronesia. It would be published as soon as all of the signatory Governments had indicated their formal approval.

97. The United States was conscious of its role as Administering Authority of the Trust Territory and of its responsibility to foster self-government and the constitutional institutions. It recognized that the right of the people of Micronesia to chart their own political destiny. While the Micronesians expressed a preference for free association, the compact accorded them the right to opt unilaterally at any time for any alternative political status.

98. The representative of the United States said that the record of the political status negotiations demonstrated that his Government accepted, and indeed believed in, the Micronesian people's right to self-determination; the United States had defended and promoted that right and sought to further their self-determination. The compact and its subsidiary agreements would have to be approved by the Micronesian people in plebiscites and by the respective Micronesian legislatures. That would be a landmark in self-determination as envisaged in the Charter and the Trusteeship Agreement.

99. The representative of the Soviet Union stated that although the delegation of the United States had cast doubt on the fact that Micronesia was a colony, that Territory was among the list of Territories to which the Declaration on decolonization applied and was a colony in the opinion of the overwhelming majority of States of the entire world. He wondered why Micronesia had not yet been able to achieve independence when all the large Trust Territories and many of the island Territories in the Pacific Ocean basin had already achieved it.

100. The representative of the Soviet Union said that the development of Micronesia, as compared with the development of the other Trust Territories, had been deliberately held back with the definite political goal of fully annexing that Territory to the economy of the United States, of making it non-self-sufficient and dependent on the United States. If one took as a basis the essence of those interests which attached the United States to Micronesia, then the core of the problem would be, first and foremost, the military use of that Territory by the United States. The Administering Authority's primary concern was not the interests of the people of Micronesia; rather, its objective had been and continued to be the annexation of Micronesia as a beachhead for the United States in setting up its own control over a significant part of the Pacific Ocean.

101. The representative of the Soviet Union asked if it was not a fact that the negotiations on the status of Micronesia had not been controlled by either the United Nations, including its Trusteeship Council, or by international public opinion; that those negotiations had been conducted on an unequal basis; and that the Micronesians, one of the parties, had not been an independent and free party to the negotiations.

102. The representative of the Soviet Union said that Micronesia had now been brought into a situation in which it was not independent economically or politically and was therefore unable to make the choice of independence that was available to the peoples of all dependent Territories through the United Nations, the Charter and the Declaration on decolonization. In the present case, the elections being prepared in Micronesia for an unprepared population followed a scheme laid down by the Administering Authority to foster its own interests.

103. The Soviet representative said that the United States press had recently published reports to the effect that the Administering Authority had simply tried to eliminate the alternative of independence from the ballot for the plebiscite.

Now, in the first elections the Micronesians would face, the choice of independence would not be included. That choice would only be available at the next stage, if the people of Micronesia rejected the first choice, namely the compact of free association, with all of its subsidiary agreements, military and otherwise.

104. The Soviet delegation emphasized that according to the Charter, responsibility for the fate of the Trust Territory and for its decolonization was, in the final analysis, borne by the United Nations. Its fate could not be determined by the United States, side-stepping the United Nations and its Security Council. Any change in Micronesia's status must take place only with the agreement of the Security Council.

105. As for the insinuations made by the United States regarding the policies of the Soviet Union, the latter rejected them and saw them as an attempt by the United States delegation to distract the Trusteeship Council's attention from the unsavoury and annexationist policy pursued by the United States vis-à-vis the people and Territory of the Trust Territory.

F. REPORT OF THE UNITED NATIONS VISITING MISSION TO OBSERVE THE
PLEBISCITE IN PALAU, TRUST TERRITORY OF THE PACIFIC ISLANDS,
FEBRUARY 1983

106. At its 1543rd meeting, on 20 December 1982, the Trusteeship Council at its fifteenth special session, adopted resolution 2174 (S-XV) by 3 votes to 1, by which it decided to send a visiting mission to observe the plebiscite in Palau on or about 1 February 1983 and to end as soon as practicable after the declaration of the results.

107. The Visiting Mission was composed of Mr. Paul Poudade (France), Chairman, Mr. Bal Ram (Fiji), Mr. Stephen Igo (Papua New Guinea) and Mr. Marrack Goulding (United Kingdom).

108. The Trusteeship Council considered the report of the United Nations Visiting Mission to observe the plebiscite in Palau, Trust Territory of the Pacific Islands, February 1983, 11/ at its fiftieth session, concurrently with the annual report of the Administering Authority. 5/

109. At the 1559th meeting on 2 June 1983, the representative of France introduced draft resolution T/L.1237 concerning the report of the Visiting Mission, which was subsequently adopted as resolution 2176 (L) by 3 votes to 1. In the operative paragraphs of the resolution, the Council took note of the report of the Mission and expressed its appreciation of the work accomplished by the Mission on its behalf.

110. In explanation of his negative vote, the representative of the Soviet Union said that his delegation had frequently drawn attention to the actions of the United States regarding the strategic Trust Territory under its administration, actions aimed at the dismemberment and annexation of the Trust Territory in violation of the Charter, in circumvention of the Security Council and despite the Declaration on decolonization. The last stage of the Administering Authority's policy in Micronesia was the organization and holding, together with the local authorities, of a plebiscite in Palau in order to give a separate status to those island groups under the false slogan of a free association with the United States.

Thus, in granting such a status, the United States was able to carry out its annexation of the Territory. Similar tactics had already been used by the United States; in 1975, it had foisted on the Northern Mariana Islands an annexationist commonwealth status in a form of political association with the United States. The United States had asked that a visiting mission be sent to the Trust Territory allegedly to observe the plebiscite in order to give a semblance of United Nations participation in that illegal process.

111. The delegation of the Soviet Union had voted against the sending of a mission to Micronesia and the Territory's individual parts. Under the Charter, any change in the status of a strategic Trust Territory should be carried out solely on the basis of a decision taken by the Security Council; any other decision, therefore, had no legally binding status. No visiting mission which pretended to observe plebiscites in the Trust Territory could camouflage or justify a decision such as that which had been carried out unilaterally by the United States. That was what had happened in the case of the mission to Palau in 1983.

112. The representative of the Soviet Union said that in its report, the Visiting Mission to Palau had not produced any convincing arguments to prove that the plebiscite in Palau had been carried out in accordance with the Charter on a proper and free basis. On the contrary, even the very cautious formulation of the report indicated that the United States, as the Administering Authority, had violated its obligations under the Charter and the Trusteeship Agreement. That had been borne out eloquently by the statements made by numerous petitioners during the fifteenth special session and the fiftieth session of the Trusteeship Council, as well as by legislative acts in the form of written petitions and communications received by the Council at its current session from Palau and other parts of the world. Even the report of the Mission admitted that during the political campaigns in Palau, serious discussion had been given only to the question of free association. Written and oral petitions presented in the Trusteeship Council indicated that the plebiscite had been held in a context of unilateral preparations, a politically tendentious atmosphere, which had made impossible a proper expression of will by the population of Palau.

113. The representative of the Soviet Union said that it was being proposed that the Council should play the part of an authority in the United Nations which, faced with a fait accompli, should now rubber-stamp the results of the activity of the United States, which was contrary to the Charter, and to cover that with the flag of the United Nations. His delegation could not agree to the Trusteeship Council's playing such a part, which contravened the letter and spirit of the Charter and the obligations assumed by the United Nations to implement and perform its function of trusteeship over Micronesia.

114. The delegation of the Soviet Union made an appeal that everything be done to ensure that the people of the Trust Territory, in full accordance with the Charter and the Declaration on decolonization, should be allowed to exercise their legitimate and inalienable right to genuine freedom and independence without any impediment.

115. The Soviet representative recalled that in December 1982, on the occasion of the sixtieth anniversary of the founding of the Union of Soviet Socialist Republics, Yuri Vladimirovich Andropov, Secretary-General of the Central Committee of the Communist Party of the Soviet Union, had stated:

"During the 60 years of its existence, the Union of Soviet Socialist Republics has firmly taken its place in the world as a staunch defender of the cause of peace and friendship among peoples and respect for the right of all peoples to independence, freedom and progress, and each people and each State which is prepared to co-operate with us on the basis of these principles will always encounter on the part of the Soviet Union goodwill, an open heart and an outstretched hand of friendship."

G. 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

116. At its 1558th meeting, on 27 May 1983, the Trusteeship Council decided to consider items 12 and 13 of its agenda together.

117. At the same meeting and at its 1561st meeting on 10 June 1983, the Trusteeship Council considered those two items. During the discussion, the representative of the United Kingdom stated that although in the past the Council had worked very closely with the General Assembly in the case of non-strategic Territories, in the case of Micronesia, a strategic Trust Territory, the Council reported to the Security Council having regard to Article 83 of the Charter which conferred all functions of the United Nations in respect to that Territory on the Security Council.

118. The United Kingdom representative stated that the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples had been established as a subsidiary body of the General Assembly. While it was true that Assembly resolution 1654 (XVI) had requested the Trusteeship Council to assist that Committee in its work, and such assistance had indeed been extended by the Council in relation to non-strategic Trust Territories, such Territories no longer existed. In the circumstances, the position of his delegation was that the Council was no longer called upon to assist the Committee in its work.

119. The representative of the Soviet Union stated that the adoption of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, on the initiative of the Soviet Union and other countries of the socialist community and with the wide and active support of countries in Asia, Africa and Latin America, had marked a new stage in the struggle of oppressed people for their liberation. The Declaration had played and would continue to play an important role in rendering assistance to the peoples under colonial domination in their struggle for freedom and independence and in the mobilization of world opinion in support of the elimination of colonialism.

120. The Soviet delegation believed that the Trusteeship Council was called upon to consider very thoroughly the position regarding the implementation of that Declaration in relation to the Trust Territory of the Pacific Islands under United States Trusteeship. As the delegation of the Soviet Union had stated at earlier sessions of the Council, the Administering Authority had passed over in silence the

question of how the provisions of the Declaration were being implemented with regard to Micronesia. His delegation had stressed that the situation in that Territory bore witness to the fact that the United States was acting in violation of the Charter, the Trusteeship Agreement and the Declaration. In effect, Micronesia had been fragmented and a new colonial status was being imposed on it at an ever increasing pace. That clearly showed that the policy of the United States was in contradiction with the Declaration.

121. The representative of the Soviet Union pointed out that the exercise of the inalienable right to true self-determination and independence remained an unsolved problem for the Micronesian people. For that reason, the United Nations had the right to and should raise its voice against all manifestations of neo-colonialist policy and against the transformation of a Trust Territory into a military-strategic beachhead whose existence deprived the people of Micronesia of self-sufficiency and independence and was contrary to the interests of international peace and security.

122. Referring to General Assembly resolution 35/118 of 11 December 1980, the representative of the Soviet Union said that in its Plan of Action for the Full Implementation of the Declaration, the General Assembly had provided, *inter alia*, that where the Declaration had not been fully implemented with regard to a given Territory, the Assembly would continue to bear responsibility for that Territory until all powers had been transferred to the people of the Territory without any conditions or reservations and the people concerned had had an opportunity to exercise freely their right to self-determination and independence in accordance with the Declaration. In that regard, the comments made to the effect that the Administering Authority was responsible only to the Security Council were incorrect because, despite its special status as a strategic Trust Territory, the Trust Territory of the Pacific Islands also fell within the purview of the Declaration since its people were not free, but were under Trusteeship. In the conclusions and recommendations adopted by the Special Committee and contained in its report to the General Assembly at its thirty-seventh session, 12/ the Committee, *inter alia*, had taken note of the Trusteeship Agreement concluded between the Administering Authority and the Security Council on that Territory and had stressed once again the importance of ensuring that the people of the Trust Territory exercised their rights fully and freely and that the Administering Authority fulfilled its obligations. The Special Committee had regretted the Administering Authority's refusal to co-operate with it, and had reiterated that it was the obligation of the Administering Authority to create the necessary conditions in the Trust Territory to enable its people to exercise freely and without any impediment their inalienable right to self-determination and independence. It had also called once again on the Administering Authority to preserve the unity of the Trust Territory until such time as its people had exercised their right to self-determination and independence in accordance with the Declaration.

123. Noting that the representatives of the United States referred constantly to Article 83 of the Charter, the Soviet representative said that that was not a basis for depriving the people of Micronesia of their inalienable right to genuine self-determination and independence. The implementation of the Declaration in Micronesia would in no way contradict, but rather would be fully in keeping with, Article 83. Nothing in that article prevented other United Nations organs, in particular the General Assembly, from following the situation in that Territory.

124. The Soviet delegation once again reaffirmed its unswerving position in support of the Charter, including Article 83, which provided that any change in the status of a strategic Trust Territory could be effected only by a decision of the Security Council. Consequently, such change could not be undertaken unilaterally by an Administering Authority.

125. The representative of France stressed that the Charter was quite clear on the question of strategic Trust Territories. The provisions were set forth in Article 83 whereby the Security Council had been given full powers over such Territories and the Trusteeship Council had been asked to render assistance to the Security Council. That had been the decision of the signatories to the Charter at San Francisco.

126. The representative of France pointed out that the agreement with regard to strategic Trust Territories had been approved in 1947, both by the United States Congress and the Security Council; as far as he knew, no veto had been recorded in the Security Council. His delegation believed that the founding fathers had been wise to entrust responsibility for strategic Trust Territories to the Security Council and the Trusteeship Council. As far as his delegation was concerned, the question lay clearly in the hands of those two councils.

127. The representative of the United States said that his delegation associated itself with the remarks of the French and United Kingdom delegations with respect to the items under consideration. Self-determination was under way in Micronesia under the observation of the Trusteeship Council. His Government took the position that the General Assembly and the Special Committee had no jurisdiction over the Trust Territory of the Pacific Islands; accordingly, the co-operation or co-ordination between the Trusteeship Council and the General Assembly or any of its committees was entirely inappropriate.

128. The representative of the United States stressed that the Charter explicitly provided in Article 83 that all functions of the United Nations relating to strategic areas would be exercised by the Security Council, which in turn had authorized the Trusteeship Council to carry out certain of those functions with respect to that Trust Territory. The Trusteeship Agreement reaffirmed the exclusive jurisdiction of the Security Council in that respect. Accordingly, the Trusteeship Council reported on the strategic Trust Territory only to the Security Council and was in no way obligated to assist the Special Committee in its consideration of the Trust Territory of the Pacific Islands.

129. In that regard, the United States delegation noted that that position had been supported by the decision adopted by the Fourth Committee at the thirty-sixth session of the General Assembly, 13/ as well as its decision at the thirty-seventh session, 14/ not to take any action on the questionable procedure and decision of the Special Committee to adopt a draft resolution concerning the strategic Trust Territory of the Pacific Islands. Such legal and political authority reaffirmed the unquestionable propriety of the position taken by the Fourth Committee. The Trusteeship Council had ably carried out its proper role under the Charter and the United States delegation was confident that, as the successful termination of the Trusteeship Agreement approached, it would continue to do so without the involvement of other bodies. Such termination was being carried out in accordance with the wishes of the peoples of Micronesia expressed in free and open plebiscites, observed by the Trusteeship Council and United Nations Member States from the Pacific region.

130. The representative of the Soviet Union said that the impression given by the representative of the United States that the General Assembly had not reaffirmed the draft resolution submitted to it was not quite correct, since the draft had been prepared by the Special Committee; the substance of those draft resolutions was supported by practically everyone. That the draft resolution had not been put to the vote when it went to the Assembly was simply the result of procedural manoeuvres and tricks, but the question remained on the agenda of the Assembly because it was on the agenda of the Special Committee.

131. At the 1561st meeting, on 10 June, the President suggested that the Trusteeship Council should decide to draw the attention of the Security Council to the conclusions and recommendations adopted by the Trusteeship Council at the end of the fiftieth 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.

132. The representative of the Soviet Union proposed that after the words "and in particular Article 83", the following be added: "and also from the viewpoint of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples". The proposed amendment by the Soviet Union was rejected by 3 votes to 1.

133. The text as suggested by the President was adopted by a vote of 3 to 1.

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

134. At its 1556th meeting, on 26 May 1983, the Trusteeship Council decided, without objection, to consider items 10 and 11 of its agenda together.

135. At the same meeting, the Council considered those two items. During the discussion, the representative of the United States said that racial discrimination was abhorrent to his Government and that by code, custom and culture, United States and Micronesian societies opposed discrimination of any kind at home and in the Trust Territory of the Pacific Islands. His delegation aligned itself with the statement made by the representative of France, both in the general debate (see T/PV.1554) and in introducing the report of the 1982 Visiting Mission (see T/PV.1544). The Mission's report bore eloquent testimony to the multiracial, multicultural nature of United States society, which he believed his Government had also reflected as a value in their administration of the Trust Territory of the Pacific Islands.

136. The representative of the United States pointed out that racism was not now, and had never been, an issue in the Trust Territory. Racial discrimination was non-existent in the Trust Territory code, in the constitutions of the various constitutional Governments of Micronesia and in local law, all of which were in complete consonance with the Charter and the Trusteeship Agreement.

137. The representative of the Soviet Union stated that in accordance with Article 76 c of the Charter, the Administering Authority had an obligation to encourage respect for human rights and for fundamental freedoms for all without

distinction as to race, sex, language or religion. As the Administering Authority, the United States bore direct responsibility for the inadmissible manifestations of racism and racial discrimination in the Trust Territory, as well as for ensuring basic human rights and freedoms there. The Soviet delegation noted that because of the position taken by its Western member countries, the Trusteeship Council had refused to participate in the measures being implemented within the framework of the Decade for Action to Combat Racism and Racial Discrimination.

138. The representative of the Soviet Union said that according to the report of the Committee on the Elimination of Racial Discrimination submitted to the General Assembly at its thirty-seventh session, 15/ the Trusteeship Council had not made available to the Committee any petitions from the Trust Territory. In its earlier reports to the Assembly, the Committee had drawn the Council's attention to the fact that despite repeated requests, the Council had neither reacted positively nor made available to it appropriate information. The Committee had stressed the need for such co-operation.

139. The Soviet delegation felt that the Trusteeship Council should take all measures to co-operate fully with that Committee and provide it with all relevant materials concerning the situation in the Territory, particularly with regard to how the Administering Authority was ensuring the basic rights and freedoms of the Micronesian people in the Trust Territory.

140. The representative of the Soviet Union said that it was regrettable that in discussions of important questions relating to the situation in the Trust Territory, the Trusteeship Council had limited itself merely to taking note of the statements made by its members and had adopted no measures or recommendations of its own in that regard. The Soviet delegation could not but express concern at the refusal of the United States to make available to the Trusteeship Council information on the implementation of the provisions of the Charter and other international documents prohibiting racial discrimination and ensuring human rights in the Trust Territory.

141. The representative of the Soviet Union stated that the tests conducted by the United States on nuclear weapons on the islands had not only led to pollution of the Territory's environment but also had done irreparable harm to the health and welfare of the population. The rights of the Micronesian people had been, and continued to be, violated by the Administering Authority. The eviction of those people from their lands, which had been turned into military testing grounds, and the Administering Authority's exclusive pursuit of military interests instead of the interests of the people of Micronesia had only aggravated the situation.

142. The representative of the Soviet Union said that during the current session, the Trusteeship Council had received information on deprivation of the rights of the Micronesians and on the Administering Authority's confiscation of their lands for military purposes, which had seriously affected the economic situation of the Territory. There was a high level of unemployment as well as a lack of the most basic medical services. Moreover, the military authorities constantly carried out repressive measures against the people of the Territory. Consequently, the Council should urgently appeal to the Administering Authority to take immediate measures to implement the provisions of the Charter and the International Convention on the Elimination of All Forms of Racial Discrimination. The Council would not be fulfilling its obligations unless it demanded that the Administering Authority

provide all necessary information on that issue and rectify the situation in co-operation with the Committee on the Elimination of Racial Discrimination.

143. The delegation of the Soviet Union felt that the Trusteeship Council should also take all necessary measures to comply with the General Assembly's appeal to all Governments and United Nations bodies to participate actively in the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination (resolution 3057 (XXVIII), annex). This was particularly important at the current time in view of the forthcoming Second World Conference to Combat Racism and Racial Discrimination. It was his delegation's opinion that as a first manifestation of co-operation with other bodies, in particular the Committee on the Elimination of Racial Discrimination, the Council should invite a representative of that Committee to attend its meetings. The Council should also provide that Committee with material on the civil, political, social, economic and cultural rights of the population of the Territory, as well as on the development of the constitutional process, information which had been repeatedly requested by the Committee.

144. The representative of the United States expressed regret at the politicization of that important item and referred the Trusteeship Council to its own reports on visiting and observer missions to the Territory and to the statements of his delegation. He suggested that the Council elicit the views of such members of the missions as those States Members from the Pacific region. The Council might find that useful in supplementing the Council's records which had been based on its members' previous visits to the area, their conversations with Micronesians and their years of consideration of United States administration of the Trust Territory.

145. The representative of the Soviet Union said that everything his delegation had stated was based on facts and was completely justified. He wondered whether the rights of the Micronesian people had been taken into account and the Trusteeship Agreement complied with by the Administering Authority when the Trust Territory was used as a nuclear testing ground and when so-called retaliatory measures were taken by military authorities of the United States against peaceful demonstrators on Kwajalein Atoll.

146. The representative of France said that the Charter was clear and cited Article 83, according to which all functions of the United Nations relating to strategic areas should be exercised by the Security Council.

147. The French delegation did not wish to speak on the item concerning the question of co-operation with the Committee on the Elimination of Racial Discrimination and had already expressed its views on the item relating to the Decade for Action to Combat Racism and Racial Discrimination.

148. At its 1556th meeting, on 26 May 1983, the Trusteeship Council decided, without objection, to take note of the statements made at that meeting.

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

149. 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 Trusteeship Council at its fiftieth session, 16/ in accordance with the provisions of Council resolution 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953.

150. The report, covering the period from 1 May 1982 to 30 April 1983, 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.

151. The report indicated that during the period under review, as in the past, the Department of Public Information had transmitted to the Trust Territory of the Pacific Islands documents of the Trusteeship Council as well as copies of United Nations press releases, the Weekly News Summary and tapes of radio programmes produced by the United Nations. The United Nations Information Centre at Tokyo continued to mail to the Trust Territory a sufficient number of pamphlets, booklets and other relevant information material, with particular emphasis on material relating to development issues, such as Development Forum and those published by the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF).

152. According to the report of the Secretary-General, in November 1982, the Information Officer from the United Nations Information Centre at Tokyo had visited Palau, the Marshall Islands and Yap; in April 1983, the Director of the Centre had visited the Northern Mariana Islands and the Federated States of Micronesia. Those visits had enabled the officers to ascertain and update the information requirements of the Territory, to re-establish contacts with local administrators, education officials and media personnel and to update the Centre's mailing lists. Those visits had also enabled Headquarters to update its regular mailing lists of documents and press releases sent to the Territory. The contacts made with the local administrators and broadcasters had confirmed that the weekly radio programmes dispatched from Headquarters were being utilized by all radio stations in the Territory and that the weekly short-wave broadcasts by the United Nations were being aired throughout the Trust Territory through the retransmitting station at Manila.

153. The report further stated that the Information Officer had noted the widespread use of video tape cassettes in high schools and other educational institutions in Palau and the Marshall Islands. The Department of Education in Koror as well as that in Majuro had expressed a keen interest in establishing a video tape cassette library of United Nations films since they now had facilities for converting films into cassettes. That would enable television stations in Palau and the Marshall Islands to broadcast more United Nations television programmes and to allot "spots" for educational purposes; the Center for Continuing Education of the College of Micronesia and the Occupational College of Micronesia would also benefit from such libraries. In that connection, the Information Officer had proposed that the United Nations establish, within the department of education in each capital, a video tape cassette library of United Nations films to be made available to departments on a loan basis, for conversion to cassettes.

154. It was also stated in the report that United Nations films were kept at the library of the College of Micronesia in Ponape for loan throughout the Territory, but that during the period under review, the loans had been temporarily suspended owing to a shortage of staff at the College. Moreover, the length of time involved

in delivering the films from Ponape to the other islands had proved discouraging. During 1982, only one film had been added to the film library, bringing the total collection to 28.

155. The report indicated that during the visit of the Director of the Centre to the Trust Territory in April 1983 (see para. 152), he had observed that radio programmes were still the most effective means for disseminating news to the Territory about the work and activities of the United Nations. He had recommended that the Organization produce, as in the past, special round-ups of the Trusteeship Council proceedings and recommendations, including excerpts of its meetings, for use by the local radio stations in the Trust Territory. He had confirmed that radio stations in Saipan, Ponape and Truk regularly aired programmes of the United Nations and the World Health Organization (WHO). Other United Nations agencies, including the Food and Agriculture Organization of the United Nations (FAO), had been requested to supply radio tapes on such subjects as agriculture, fisheries and forestry. While in Saipan, he had learned of a new history project entitled "Micronesia under the United Nations Trusteeship", which had been endorsed by the Second General Assembly of Pacific Island Legislatures in April 1983. Various public and private entities had been requested to provide financial and other forms of support to the project.

156. The report stated that the Information Centre in Tokyo had given wide publicity to the United Nations Visiting Mission to Observe the Plebiscite in Palau on 10 February 1983 and had closely followed the coverage by the Japanese press on the plebiscite.

157. According to the report, United Nations Day messages from the President of the Trusteeship Council and the Secretary-General were broadcast by radio stations throughout the Territory.

158. The Trusteeship Council considered the report of the Secretary-General at its 1555th meeting, on 26 May 1983. 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.

159. The representative of the Department of Public Information stated that the United Nations approach in disseminating information was three-pronged: first, the Information Centre in Tokyo, which remained the most valuable tool for ascertaining the Territory's needs, identifying its priorities and recommending policy options periodically sent missions to the Territory with a view to carrying out those ends; second, the Department of Public Information, which dispatched press releases, weekly news summaries, tapes of radio programmes and relevant publications on decolonization directly to the Trust Territory, based on the recommendations of the Information Centre in Tokyo regarding the Territory's needs; third, the Information Centre in Washington, D.C. which kept the non-governmental organizations and the media abreast of developments in the Council by providing them with the documents and information materials. The Centre in Washington also welcomed visitors from the Territory and briefed them on the work of the Organization and its activities in the Trust Territory.

160. The representative of France, referring to the report of the 1982 Visiting Mission to the Trust Territory of the Pacific Islands, 5/ said that the mission had noted with regret that people at public meetings had not been apprised of the contents of the various reports issued by the Trusteeship Council. He recalled

that at certain times, the Mission had been compelled to give public readings of pertinent paragraphs of reports dealing, notably, with problems directly affecting the people, such as war damage claims.

161. The representative of the United States commended the thoroughness of the system of co-operation between the Department of Public Information and the Trust Territory Administration which was described in the report of the Secretary-General under discussion. In April 1983, a member of the Trust Territory Administration had met with the Director of the Information Centre at Tokyo during the latter's visit to Saipan and had reviewed the system governing the distribution of all United Nations materials in the Trust Territory.

162. An adviser to the United States delegation stated that the Trust Territory Administration received a fairly large number of periodicals, reports and studies which were distributed to all the Governments in the Trust Territory.

163. The representative of the Soviet Union stated that it was clear from the reports of the Secretary-General to the Council at its past and present sessions that the Administering Authority was responsible for the dissemination of information in the Trust Territory. Judging from the explanations given by the Administering Authority regarding the distribution of Trusteeship Council documents in the Territory, it would appear that they were concerned about disseminating information, but the 1982 Visiting Mission had found a different situation in the Territory; the population of the Trust Territory knew of the existence of the Trusteeship Council but had no information, documents or records of its sessions. The situation was rather alarming and the Council should find some means, not merely partial or fragmentary, of delivering those documents to the Territory.

164. The representative of the Soviet Union said that there should be some kind of systematic procedure for the dissemination of information and some order and control regarding the disposal of materials. It was not just the general population who could not obtain the materials, but also people who were directly involved in political matters in the territory. Such a situation could not be tolerated, particularly after three decades of Trusteeship. The Council should determine a procedure whereby the Administering Authority should not have to reply completely on the information centres to ensure the dissemination of information in the Trust Territory. Rather, there should be co-ordinated efforts by all concerned, with appropriate control.

165. The representative of the United States said that the Administering Authority was now issuing news releases and radio programmes from New York. He noted the insufficient number of Trusteeship Council documents and said they would welcome larger quantities and would ensure the documents' widest possible distribution.

166. At its 1555th meeting, on 26 May, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General. 16/

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

167. 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 Council at least once a year a report containing all appropriate details of the programme.

168. The report of the Secretary-General submitted to the Trusteeship Council at its fiftieth session covered the period from 14 May 1982 to 18 May 1983. 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 4 April 1983 addressed to each of the 11 Member States that had offered scholarships under the programme.

169. In a note dated 13 May 1983, the Permanent Representative 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.

170. At its 1556th meeting on 26 May 1983, the Trusteeship 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 Micronesians were studying abroad in a number of programmes sponsored by the United Nations, particularly the Economic and Social Commission for Asia and the Pacific (ESCAP) and the United Nations Development Programme (UNDP). Some of the scholarships were sponsored by the United Nations agencies concerned and others by the Micronesian Governments. Papua New Guinea had provided training in law, Fiji in medicine and the Philippines in a number of subjects. He assured the Council that the Trust Territory appreciated the offers of scholarships to its citizens and that any such offer would be promptly disseminated to the educational authorities in each of the Micronesian jurisdictions.

171. The representative of the United States pointed out that inhabitants of the Trust Territory had participated in nearly 30 projects sponsored by the various United Nations organizations, including workshops and training programmes in the fields of health, education, family planning, tourism, alternative energy sources, agriculture, water resources development and aquaculture. The duration of the programmes ranged from a few days to a year.

172. An adviser to the United States delegation said that in many cases, the languages of the institutions offering the scholarships were not very well known in the Trust Territory. To the extent possible, those students with the linguistic ability corresponding to the offers had accepted them. Papua New Guinea, Australia and the Philippines had awarded scholarships to several Micronesians.

173. At the same meeting, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General on the scholarship programme. 17/

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

A. GENERAL

1. Outline of conditions

Land and people

174. 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.

175. According to the 1980 census, the population of the Trust Territory totalled 132,929, distributed as follows: Truk, 37,488; Marshall Islands, 30,873; Ponape, 22,081; Northern Mariana Islands, 16,780; Palau, 12,116; Yap, 8,100; and Kosrae, 5,491.

176. 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.

177. At its forty-ninth session, the Trusteeship 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.

178. In that connection, the Council took 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 ^{18/} in which he had indicated that Japan did not propose to dispose in the sea of high-level radioactive wastes or of spent nuclear fuel, the sea disposal of which was prohibited by the Convention on the Prevention of Marine Pollution by Dumping Wastes and Other Matter (the London Convention). He had also indicated that his Government would pursue its efforts to provide the necessary explanations to the countries concerned and that it would continue to take fully into account their sentiments and sensitivities on that issue. Moreover, there had been no change in Japan's basic position that the proposed sea disposal programme would be carried out with the understanding of the countries and Territories concerned.

179. The Council noted that the Administering Authority had 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 were fully in accordance with existing international law. The Council took note of the statement made by the representative of the Administering Authority that, for its part, the United States Government did 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 T/PV.1526).

180. In its annual report on the Trust Territory for 1981/82, 1/ the Administering Authority noted the Trusteeship Council's mention of low-level nuclear dumping as an issue within the Trust Territory and assured the Council that those concerns had been and continued to be taken into consideration by the agencies of the Administering Authority concerned. It also reiterated that the United States Government had no plans for the dumping of nuclear wastes within or adjacent to the waters of the Trust Territory.

181. The annual report pointed out that the Administering Authority encouraged a free and open dialogue between interested parties on the issue and noted in particular the assurances given by the Government of Japan that it would not dispose of low-level nuclear wastes without obtaining the understanding of the Micronesian Governments concerned. The annual report also noted that that statement continued to represent the policy of the United States Government.

182. At its forty-ninth session, the Trusteeship Council stated that it welcomed the progress made towards the establishment of ground stations for satellite communications throughout the Trust Territory, but noted 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 to utilize fully the satellite system. The Council noted with satisfaction that an agreement between Palau and the Communications Satellite Corporation (COMSAT) had been signed and that the telecommunications system was expected to be in operation by November 1982. According to the current annual report, the Palau ground station had been inaugurated in November 1982 as planned and was now in full operation.

183. In its report, 4/ the 1982 Visiting Mission to the Trust Territory noted that the Japanese Government had provided aid in the field of satellite communications.

184. At its forty-ninth session, the Trusteeship Council took note of the concerns expressed by Senate President Olympio T. Borja of the Northern Mariana Islands about the Tinian lease option (see T/PV.1523). The Council called upon the Administering Authority to clarify its intentions with regard to the option at the earliest possible date.

185. The Council noted with satisfaction that nearly all of the public land in the Trust Territory had now been turned over to the respective constitutional Governments.

186. The current annual report stated that in 1982, the Congress of the United States had enacted an appropriation measure which would enable the United States Government to exercise its lease option on Tinian, as well as other areas in the Northern Mariana Islands, in accordance with the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America. 9/ The Governments of the United States and the Northern Mariana Islands had entered into a lease agreement on 6 January 1983.

187. The annual report further stated that the Administering Authority was continuing its efforts to return the balance of public land to the Government of

Palau, which would be accomplished when homesteading procedures had been developed. All other public land in the Territory had been returned.

Population movements

188. At its forty-ninth session, the Trusteeship Council reiterated its serious concern about the quality of medical care currently available to the displaced people of Bikini and Enewetak and expressed its regret that the health programme proposed under legislation currently under review by the Executive Branch of the United States Government had still not been implemented.

189. The Council reiterated its concern that any resettlement proposals for the people of Bikini and Enewetak should take fully into account any remaining health hazards and recommended that the Administering Authority continue to ensure, as a matter of priority, that all necessary measures were taken to remove the radiation hazards threatening the inhabitants of the Marshall Islands. The Council noted that the inhabitants of Enewetak were being constantly monitored for radiation dosage.

190. The Council noted with satisfaction that the airstrip on Kili Island had been opened in March 1982 and that the Government of the Marshall Islands was providing regular air service to the island. The Council hoped that every effort would be made to improve living conditions for the displaced people of Bikini and that further consideration would be given to the problems of their present location on Kili Island.

191. 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.

192. The Council urged 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.

193. In its report, the 1982 Visiting Mission stated that the Administering Authority had already taken a number of practical steps to aid and compensate the victims of nuclear testing and to allay their fears for the future. In that context, the Mission was pleased to note the statement by the representative of the Administering Authority in the Trusteeship Council on 1 June 1982, stressing that the United States, through legislation in earlier years and now in the initialled compact of free association, had acknowledged its obligations to the inhabitants of Bikini and Enewetak, as well as to 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 Administering Authority's intention to meet those obligations.

194. The Visiting Mission hoped that the Administering Authority would interpret those obligations generously, particularly in monitoring the health of the population and according compensation, in view of the as yet inadequate data on the long-term effects of radiation on both humans and the environment and in view of the possible denial of access to United States courts in the case of further claims for compensation.

195. The Visiting Mission stated that the inhabitants of Ebeye and Third Island, most of whom were members of the Kwajalein Atoll Corporation and owned the land used for the Missile Range, had reoccupied their land from June to October 1982 by establishing two camps at Kwajalein and two camps at Roi-Namur. They had also stationed their boats in the mid-atoll corridor of the Kwajalein lagoon so as to halt the missile launching programme. The four camps had comprised approximately 700 persons at the time of the Mission's visit.

196. The Mission further stated that the people questioned and the statements collected had led it to conclude that the conflict between the striking landowners, on the one hand, and the Government of the Marshall Islands and the Administering Authority, on the other, stemmed from two main factors: one financial and the other psychological. In all four camps, the landowners had asserted that the amount of rent and the financial compensation provided for in the interim agreement and in the compact of free association had been inadequate because, for many years, only a token rent had been paid. After its return, the Visiting Mission had learned that the Marshallese and United States negotiators had reached a compromise on the issue.

197. The Mission pointed out that the problem of Kwajalein could not be separated from that of the neighbouring island of Ebeye, where the people lived in crowded one-room houses with substandard and inadequate community services. The sewerage system had never functioned properly as a result of defective construction work. Since the visit of the 1980 Mission, 19/ the situation appeared to have deteriorated instead of improving.

198. The 1982 Mission stated that during the public meeting at Ebeye, it had learned that as a retaliatory measure, bank accounts had been frozen and deliveries of tinned goods had been halted since the start of the strike. The Mission's contacts with the Commander of the Missile Range and then with the High Commissioner at Saipan had helped to bring about a return to the pre-existing situation: bank accounts had been reopened and deliveries of tinned goods had been resumed. The Mission welcomed the fact that, after a few initial blunders and misunderstandings, the Government of the Marshall Islands, the Commander of the Missile Range and the striking landowners had all displayed moderation and common sense. As a result, no serious incident had occurred during the strike.

199. The Mission observed that as previous visiting missions had indicated, it was now for the Administering Authority and the Government of the Marshall Islands to undertake a programme for the complete reconstruction of Ebeye. Sporadic measures would merely serve as a stopgap.

200. The Mission was pleased to note that the projected short-range airstrip on Kili had now been built and that there was regular air service from Majuro.

201. Referring to the report of the representative of the Administering Authority to the Trusteeship Council at its forty-ninth session that the President had submitted for 1981/82 a supplemental request of \$21 million 20/ for Bikini resettlement along with his 1982/83 budget request to the Congress, the Mission stated that the supplemental request would provide for the long-range relocation and resettlement of displaced Bikinians on Kili and the small island of Ejit in Majuro Atoll until such time as the radiation hazards on Bikini Atoll had abated sufficiently to permit the Bikinians safe return and habitation on their home

atoll. The Visiting Mission welcomed the presidential proposals, which it hoped would be adopted by Congress and speedily implemented.

202. In the current annual report, the Administering Authority noted that the agreement signed by its representative and the President of the Marshall Islands on 30 May 1982 would provide, after termination of the Trusteeship Agreement, a comprehensive and integrated programme of medical care even more extensive than that envisioned by the legislation to which the Council had referred. Meanwhile, the people of Bikini and Enewetak, as well as those of the Rongelap and Utrik atolls, continued to receive medical examination and treatment.

203. In the same report, the Administering Authority assured the Council that all necessary measures possible were being and would continue to be taken to remove radiation hazards posing a threat to the people of the Marshall Islands. In addition, the Administering Authority informed the Council that the supplementary appropriation of \$21.4 million had been passed by the United States Congress in 1982, to assist in the relocation and resettlement of the people of Bikini.

204. According to the annual report, funds had been made available for the resettlement and relocation of the people of Bikini. Efforts were continuing to be made to improve living conditions on the island of Kili where the new airstrip had made possible regular service to and from Majuro.

205. The annual report stated that the capital improvement programme for Ebeye was currently under way with a view of improving the basic infrastructure and expanding the habitation area. The Administering Authority remained concerned, however, that substantial improvements might attract more residents, with the possibility that past problems might recur. That, however, was an issue which must be addressed by the Government of the Marshall Islands.

206. The annual report further stated that incidents which had occurred in July and August 1982 between the landowners in Kwajalein Atoll and the Government of the Marshall Islands had been resolved. Further, on the basis of mutual agreement between the Governments of the United States and the Marshall Islands, institutions had been created to foster a dialogue between the peoples of the Marshall Islands and the Kwajalein Missile Range on all issues of mutual concern.

War and post-war damage claims

207. 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.

208. 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.

209. 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).

210. 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.

211. 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.

212. At its forty-ninth session, the Trusteeship Council reiterated the concern expressed at its previous sessions that the war damage claims had still not been fully settled, as determined by the Micronesian Claims Commission. In that connection, the Council welcomed the assurances given by the representative of the Administering Authority and called on 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.

213. In its report, the 1982 Visiting Mission recalled that the representative of the United States had informed the Trusteeship Council at its forty-ninth session that "irrespective of these claims, ... and desirous of improving its relations with the newly emerging Micronesian entities, the Government of Japan has concluded Government-to-Government aid agreements with Palau, the Marshalls and the Federated States of Micronesia. These aid agreements, many of which are in the area of fisheries development, now provide several million dollars worth of aid to the Micronesian Governments" (T/PV.1527).

214. The Mission, in welcoming that statement, reiterated the concern which it shared with the people of the Trust Territory that outstanding Title I claims should be met in full as speedily as possible and in any case before the termination of the Trusteeship Agreement.

215. The current annual report stated that efforts continued to be made by all parties to resolve the claims under Title I. Nearly 30 per cent of the \$34 million awarded had been paid. All payments under Title II had been made.

2. Discussion in the Council and opinions expressed

Land and people

216. At the fiftieth session of the Trusteeship Council, the representative of the United States said that the Federated States of Micronesia had signed a contract for a development plan for the construction of a capital at Palikir on Ponape. The cost had been scaled down from an estimated \$42 million in 1979 to approximately \$23 million.

217. The United States had proposed to make a contribution of \$15 million to the Federated States of Micronesia and \$3 million each to the Governments of the Marshall Islands and Palau for capital relocation or rehabilitation costs. In the federal budget for 1981/82, \$2.9 million had been appropriated as an initial increment for work for all three entities. An additional \$9.6 million had been requested from the budget for capital relocation projects for 1983/84 to be distributed to the Federated States of Micronesia and the Marshall Islands. Due to delays in selecting a site, no capital construction funds had been requested for Palau for 1983/84.

218. Mr. Oiterong, Special Representative of the Administering Authority, stated that the technical assistance programme of the United States Department of the Interior had provided much-needed funds for the installation of a centralized computer system and the operation of the communications network in Palau.

219. Mr. Tenorio, Special Representative, recalling the ruling of the Supreme Court of the United States that states could effectively halt the construction of nuclear power plants until a safe plan for storing and disposing of nuclear wastes was approved, reiterated the opposition of the Northern Mariana Islands to the storage or dumping of nuclear wastes in the waters of the Pacific Ocean. In his view, nations which benefited from nuclear energy should assume whatever dangers or risks existed from the storage or disposal of radioactive wastes. Messrs. Fitial and Borja, Special Advisers, supported the views of Mr. Tenorio on the subject.

220. The representative of the United Kingdom noted with approval the observation made by the representative of the United States that the latter's Government did not engage in the ocean disposal of nuclear waste and that it was a party to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. His delegation believed that as Administering Authority for the Territory, the United States felt a legal and moral obligation to protect Micronesia from pollution.

Population movements

221. Mrs. McCoy, Special Representative, stated that the Administering Authority, in conjunction with the Government of the Marshall Islands, was undertaking a substantial rehabilitation project on Ebeye. It was hoped, however, that those improvements would not induce further migration to Ebeye from other parts of the Marshall Islands, as such migration had already contributed to the overpopulation and social and economic problems of the area.

222. The Special Representative reported that a commission composed of representatives of the Government of the Marshall Islands, the Kwajalein landowners and the Kwajalein Missile Range were working actively to find ways to improve relations between the two populations without threatening the integrity of either one. She hoped that those community-based efforts would lead to rapid improvements in a whole variety of spheres which had been discussed in the past in the Trusteeship Council.

223. The Special Representative informed the Trusteeship Council that a motor sailer vessel specially constructed for the people of Enewetak had been launched successfully in Washington State. When completed, the project would enable the people of Enewetak to sail to Ujelang and other points in the Marshall Islands and engage in farming and commerce.

224. The representative of the United States said that mutual security arrangements were part of the compact of free association because that was what the constitutionally elected Governments of Micronesia had negotiated for and had proposed to their people in free and open plebiscites on their political future. United States military presence in the Trust Territory was minimal and military units were non-existent. His Government maintained only one facility in the Trust Territory for military purposes - a missile testing range at Kwajalein in the Marshall Islands which was operated by civilian contractors under army command. A small coast guard station in Yap rendered civil navigational assistance.

225. The representative of the United States pointed out that his Government did not plan to construct any military facilities in the Trust Territory. Although article 5 of the Trusteeship Agreement stated explicitly that the United States was entitled to establish military bases and to station armed forces in the Trust Territory, his Government had done neither in any meaningful sense. With regard to the Northern Mariana Islands Commonwealth Covenant, which gave the United States the option to lease certain land in those islands for possible use as military facilities, the representative of the United States said that his Government had consummated that lease in January 1983 but planned no construction and would lease back substantial portions of that land to the Government of the Northern Mariana Islands for a token sum. Had the aims and purposes of the Administering Authority been predominantly military in nature, it would have wanted to maintain the present arrangement; instead, it had worked assiduously with the elected representatives of Micronesia to dispense with trusteeship in favour of a status of their design and choosing.

226. The representative of the United States said that consistent with the strategic significance of the Trust Territory and the nature of the trusteeship, article 13 of the Trusteeship Agreement had granted the United States, as Administering Authority, the right to close the area for security purposes. His Government was not exercising that authority at the present time, but would not fail to do so should the need arise. In that as in other contingencies, his Government's concern lay in mutual defence needs and not in the militarization of Micronesia, which had been its precise purpose to prevent in the only strategic Trust Territory under Article 83 of the Charter.

227. The representative of the United States further said that section 311 of the proposed mutual security arrangements in the compact of free association would obligate the United States "to defend Palau, the Marshall Islands and the Federated States of Micronesia and their peoples from attack or threats thereof as the United

States and its citizens are defended", and would give the United States "the option to foreclose access to or use of Palau, the Marshall Islands and the Federated States of Micronesia by military personnel or for the military purposes of any third country". That obligation and that option would extend for a minimum period of 15 years in the Marshall Islands and the Federated States of Micronesia and 50 years in Palau, subject in all cases to extension by mutual agreement. In the subsidiary agreements to the compact, the United States undertook to continue to defend the three entities after the expiration of the mutual security arrangements under the compact on a basis comparable to that which underlay the mutual defence and security agreements between the United States and its closest allies.

228. The representative of the United States said that under the compact of free association and its subsidiary agreements, the United States would have the right to continue to use the Kwajalein Missile Range for a period of up to 30 years and would reserve the right to use certain areas of Palau, in a contingency, for military purposes. No such land-use rights whatsoever were reserved in the Federated States of Micronesia and the United States had no intention at present to exercise the contingency use-rights in Palau.

229. The representative of the United States further said that during the Trusteeship Council's discussions on petitions and in questions addressed to the Administering Authority by the Council members, he had noted implications of bad faith, of an unwillingness to address the realities of defence and of grandiose plans to pave Micronesia in military concrete. His Government had acted in good faith and had nothing of a military nature to hide.

230. The representative of the United Kingdom, speaking on the issues of population resettlement and compensation for land use, expressed his satisfaction that substantial sums of money had been provided for the landowners of Kwajalein Atoll and that \$2 million had been provided for capital improvements in Ebeye alone. With regard to the resettlement of the people of Bikini and Enewetak, he noted the statement made by the representative of the United States on 20 May 1983 (see T/PV.1550) concerning the difficulty of cleansing Bikini from radioactivity, but nevertheless urged the Administering Authority to do all it could to ensure that the health hazard on the atoll was removed. He was particularly glad to learn from the report of the Administering Authority that the United States Congress had approved a supplementary appropriation of \$21.4 million in 1982 to assist in the relocation and resettlement of the people of Bikini. He also noted that the Administering Authority had provided medical care to those who needed it and would continue to do so until the compact came into effect.

231. With regard to compensation for the testing of nuclear weapons, the representative of the United Kingdom expressed hope for the early completion of negotiations between the Administering Authority and the Marshall Islands Government pursuant to article 177 of the compact of free association.

232. Referring to the report of the 1982 Visiting Mission 4/ that the Bikini islanders on Ejit still favoured the option of resettlement in Hawaii although that had been rejected by the Bikinians on Kili, the United Kingdom representative expressed the hope that the Administering Authority would continue to bear that in mind in the execution of their resettlement programme.

233. With regard to the question of the environment in Micronesia, the representative of France said that the 1982 Visiting Mission had made it a point to

look into the Palau super-port and other such possible assaults on the environment. Although the Trusteeship Council had discussed the super-port at previous sessions, he assured everyone that there was as yet no trace of it in Palau. The periodic Visiting Mission of 1982, which had devoted a great deal of attention to the environment, had noted that the fauna, the flora and the countryside were well preserved and respected. Everywhere the water was so pure and transparent that the underwater features and contours could be viewed with the naked eye. In that connection, the Palau Mariculture Center was doing a remarkable job.

234. The representative of France stated that the inhabitants of Bikini and Enewetak had been deprived, for the most part, of the most precious and invaluable thing in the world, the right to live and work on their native land. The displacement of those people had undoubtedly been necessary or, in any event, useful to the United States and was therefore another reason for the Administering Authority to provide equitable compensation for the displaced population. In that connection, his delegation was pleased to hear that negotiations on that point between the United States authorities and the Marshallese were close to settlement.

235. The representative of France referred to a statement by a senator in the Legislature of the Marshall Islands, concerning the medical condition of the former inhabitants of Bikini and the means of providing them with medical and disease-prevention treatment. He also recalled the situation of the inhabitants of Ebeye, which, as presented by a petitioner, could be markedly improved. Measures should be taken immediately not only to provide adequate financial compensation to the inhabitants of the atoll, but also to enable them to move about easily, to gain access to a broader portion of the lagoon and, above all, to benefit from the material facilities of the Kwajalein Missile Range. In that connection, the French representative stated that the Administering Authority, the Marshallese authorities and the inhabitants of Ebeye themselves should work in concert to resolve the situation for which, in some cases, they shared the responsibility. The representative of France said that construction activities in Ebeye could not continue in so anarchical a fashion since there was no longer any room for such expansion on that island. He also noted that the hospital there could not remain in its present state. He remarked that if the 8,000 inhabitants should organize themselves to gather the countless beer bottles scattered all over the island, Ebeye would not look like a public dump. It was for its inhabitants to understand that sometimes one should help oneself to clean one's own house.

236. The representative of France indicated that the inhabitants of Ebeye who worked on the base were receiving the same salary as those working on the United States mainland, that the people had cars and that there were a number of night clubs and restaurants on Ebeye. These would draw other Marshallese to Ebeye, thus increasing the island's overpopulation. In that connection, he wondered about the wisdom and feasibility of linking Ebeye to other islands by a causeway which, sooner or later, would crumble and cause new problems to arise. There were perhaps solutions other than adding further to the population congestion on Ebeye.

237. The French representative said that abandoning certain paternalistic attitudes that the Visiting Mission had noted on Kwajalein would improve intercommunal relations. He noted that the scientists on Kwajalein and Roi-Namur base where land was so scarce, had a beautiful golf course for recreation. He asked if it was a necessity and would it not be better for the golf course to be converted into a recreation area where the inhabitants of Kwajalein and Ebeye could get together.

238. Referring to the "fable" of nuclear arms on Kwajalein, the representative of France stated that missile carriers did not carry nuclear warheads for the simple reason that a carrier that deviated from its trajectory was destined to be destroyed before it landed in the sea. The crew of foreign boats which approached within a few miles of the missile range knew that. As far as he knew, no one had ever detected any airborne nuclear explosion which, moreover, would be a violation of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, 21/ signed in Moscow on 5 August 1963. It did not seem to the representative of France that there were activities at the base that would contradict article 5, paragraphs 1 and 2 of the Trusteeship Agreement as adopted by all members of the Security Council.

239. The representative of the Soviet Union stated that it was becoming clear that in pursuing an annexationist policy towards the Trust Territory of the Pacific Islands, the United States was trying to preserve and strengthen its domination over enormous regions of the Pacific Ocean and to expand its military and strategic positions in that part of the globe. That had been clearly stated on 10 December 1982, at the talks on the future political status of Micronesia at the hearings in the United States Congressional Sub-Committee on East Asian and Pacific Affairs and in the United States Senate Foreign Relations Committee by the Personal Representative of the President of the United States for Micronesian Status Negotiations. He had stated that the primary goal of the United States in Micronesia was to ensure United States strategic interests in that area.

240. The representative of the Soviet Union stated that in response to the question of a United States senator as to how the Department of Defense would assess the military and defence links in Micronesia after the establishment of free association, the Personal Representative of the President of the United States had pointed out clearly and frankly:

"We are working in very close contact with the United States Department of Defense ... half of my delegation is from the Defense Department. I believe that the Defense Department is in full agreement with the provisions of the compact and that the Defense Department co-operated with us very well while working on it - and not only while we were working on it, but also during the talks."

241. He had further added that:

"One of the major aspects in this entire exercise is our defence position in the Pacific Ocean. And here I think the Department of Defense is very satisfied with those provisions which are written into the compact."

242. Thus, the representative of the Soviet Union stated, it was clear that the major goal of the United States was by no means to protect the national interests of the inhabitants of the Trust Territory of the Pacific Islands, but to achieve the right to deploy its nuclear land and sea forces, bacteriological weapons and other harmful materials in the Trust Territory. The Constitution of Palau, which had been accepted in 1979, forbade the use of the island and the waters surrounding it for those purposes. Once again, the United States had resorted to deceptive manoeuvres.

243. The Soviet Union representative pointed out that in the course of the plebiscite in Palau, the Administering Authority had made an attempt to obtain the

agreement of the inhabitants of Palau to a review of the provisions of their Constitution which were unsatisfactory to the Administering Authority. The attempt had been in vain, however, resulting in the Administering Authority's failure to receive 75 per cent of the votes, the number required to change the provisions of the Palau Constitution which forbade the establishment of United States military bases on the islands, the deployment there of nuclear and other types of weapons and the basing of United States nuclear warships in the surrounding waters.

244. The representative of the Soviet Union said that the results of the plebiscite in Palau, which ran counter to the military-strategic plans of the United States in Micronesia, had irritated the Administering Authority which considered the Trust Territory as its military-strategic beachhead in the western Pacific. That had been clearly expressed by a former United States ambassador to Fiji when he said that on the basis of strategic considerations, the creation of a nuclear-weapon-free zone in the Pacific Ocean was totally unacceptable to the United States. From the United States point of view, therefore, the Palau plebiscite had been unsuccessful, despite having spent money on a propaganda campaign among the population. The United States was now undertaking measures designed to sidestep the unsatisfactory results of the plebiscite and to facilitate the process of absorbing the Trust Territory, while trying to create an appearance of legality amid those clearly illegal actions. The United States was thus trying to demonstrate that the Palau authorities should themselves take on the problem of reconciling the irreconcilable, i.e. the provisions of the Constitution of Palau which forbade the installation of United States nuclear and other forms of weapons on the island and those of the compact of free association which would allow the deployment of such weapons and the maintenance of United States bases there.

245. The Soviet representative stated that according to an article by Richard Swift which had appeared in the 4 March 1983 issue of Globe and Mail, a Canadian daily, the United States military had attached new strategic importance to the Pacific area since the departure of United States troops from Indochina. The author had also quoted from a report of the Military Academy of the United States Army, which stated that in case of a war in Eastern Asia "the sole possible base doubtless would be in Micronesia, and bases on the island as distinguished from bases in South-East Asia would remain under continuous control of the United States".

246. The representative of the Soviet Union said that the Pacific Ocean Conference of Churches had assessed that there were 10,000 nuclear warheads located either in the island bases, on submarines or on warships in the Pacific, which could be deployed at any given moment. In the course of the conference, it had been predicted that by 1985 at least 13 Trident-type submarines - considered first-strike nuclear weapons - would be deployed in the Pacific Ocean. That demonstrated the fact that the world community was particularly concerned that the United States, instead of strengthening international peace and security in that part of the Pacific Ocean, was actively carrying out actions which represented a serious threat to the security of both the Trust Territory itself and the adjacent countries of Asia and Oceania. Such actions might lead to the establishment of a dangerous hotbed of tensions in that area and would not promote the strengthening of international peace and security as required by the United Nations Charter, in particular Article 76, by the Trusteeship Agreement and by other United Nations documents.

247. The representative of the Soviet Union stated that the whole world was well aware of the broad use of the Trust Territory of the Pacific Islands by the United

States as a testing ground for its atomic and hydrogen weapons; that Territory had experienced more than 100 different types of explosions from such weapons. The nuclear tests had resulted in pernicious consequences affecting not only the health of the indigenous population, but also the atmosphere of a broad part of the territory and waters of the Pacific Ocean. The Administering Authority had not undertaken any active or urgent measures to eliminate those consequences, to ensure medical assistance for the victims in the atolls of Bikini and Enewetak, or to determine the amount of existing radiation in that area.

248. The Soviet representative said that all of that testified to an open violation by the United States of the elementary rights and freedoms of the population of the Trust Territory. The Security Council, the Trusteeship Council, the Commission on Human Rights and other United Nations bodies should give particular attention to the difficult situation endured by the victims of United States nuclear tests in the Trust Territory. For many of the inhabitants of those islands in the Pacific Ocean, the nuclear danger was inextricably linked to colonialism.

249. The Soviet representative stated that instead of ensuring that the Trust Territory played its role in maintaining international peace and security in accordance with the Charter, the Administering Authority had devoted all of its efforts to using that Trust Territory for its military and strategic objectives, for transforming it into a proving ground for tests of missiles and nuclear weapons and for deploying its military bases in order to make the Territory a strategic base and reinforce its use as such for many decades to come. That represented a serious threat not only to the people of Micronesia but also to international peace and security as a whole.

250. The representative of the Soviet Union said that although the United States was strengthening its military presence in Micronesia and was planning to maintain its bases there for many decades to come, it had alleged that its military presence in Micronesia was not very extensive. How many persons were at the military base was immaterial; what was important was that the base existed and with the present development of technology and means of transportation, ensuring the continuation of that base was not very difficult. The question, therefore, was not the number of military personnel in the Territory, but rather, the way in which the United States would make use of the Trust Territory in order to suit its future needs.

War and post-war damage claims

251. At the fiftieth session of the Trusteeship Council, Mr. Tenorio, Special Representative, stated that the issue of the payment of awards for war damages made pursuant to the Micronesian Claims Act of 1971 remained unsolved and requested the Council's assistance in securing the payment of outstanding adjudicated claims.

252. Mr. Borja, Special Adviser, added that the Northern Mariana Islands would accept the co-operation of the Government of Japan in that area even if it had to be in the form of economic assistance, goods and services. They looked forward to the acceptance by the United States Congress of the United States Government's share of responsibility so that that long-standing issue could be resolved once and for all.

253. The Special Adviser said that recently the Government of Japan had begun extending economic assistance to members of the Association of South-East Asian

Nations (ASEAN) in compensation for the destruction of lives and properties it had caused during the Second World War in the Pacific. If Japan could extend such assistance to ASEAN countries, it could also extend such economic co-operation to the Commonwealth of the Northern Mariana Islands and Micronesia.

254. Mr. Oiterong, Special Representative, appealed to the Trusteeship Council for assistance in getting the Administering Authority and Japan to pay the adjudicated war-damage claims totalling \$24 million. All past attempts to resolve that long-standing issue had proved to be futile and the Palauans now believed that they had a better chance of obtaining the settlement while Micronesia was still a Trust Territory.

255. The representative of France wondered why the victims of the war in the Pacific had still not received the compensation envisaged under Title I, 40 years after the war. The United States Congress had voted an allocation of 50 per cent of the total war damage claims under that title and Japan was ready to contribute in kind the remaining 50 per cent but not under the heading of war damages. He wondered if it would not be possible for a United States-Japanese commission to settle that long-overdue juridical dispute. His delegation hoped a solution would soon be found so that the Governments of the United States and Japan could release the necessary funds at an early date.

256. With regard to the compensation for damage caused by military tests, the representative of France noted the achievements made in the past several years because of the stepped-up efforts of the Administering Authority, and stated that that progress should continue.

257. The representative of the United Kingdom recalled that in its conclusions and recommendations in 1982, 22/ the Trusteeship Council had expressed the continuing concern at securing full payment for war damage claims for the Micronesian victims. From the answers provided by the Administering Authority in its 1982 report, 5/ he noted that 30 per cent of the \$34 million awarded under Title I had been paid. In that connection, he reiterated the point made by the Trusteeship Council in 1982, namely, that every effort should be made to settle outstanding claims as soon as possible and no later than the termination of the Trusteeship Agreement. There was a saying in the United Kingdom: "Justice delayed is justice denied".

B. POLITICAL ADVANCEMENT

1. Outline of conditions

General political structure

258. 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.

259. In the annual report for 1981 (T/1837), the Administering Authority confirmed that the constitutional Governments were now in place and fully functioning in the

Federated States of Micronesia, the Marshall Islands, the Northern Mariana Islands and Palau. The United States had retained 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.

260. At its forty-ninth session, the Trusteeship Council noted 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. The Council welcomed 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.

261. The current annual report stated that during the year under review, the constitutional Governments had continued to consolidate their operations, to assume greater responsibilities for their internal affairs and to expand, with the Administering Authority's concurrence, co-operative arrangements with regional and international organizations. As a result of the continued transfer of greater responsibilities to the new Governments, Trust Territory Headquarters had accelerated the reduction of its personnel and the consolidation of its activities to those required by the Trusteeship Agreement, applicable secretarial and executive orders and United States federal laws. The Administering Authority noted that the constitutional Governments had maintained the level of essential government services during the year under review, conducted democratic elections for state and local offices, held constitutional conventions at the state level and proven themselves competent to meet the increasing challenges of self-government.

262. In its report, the 1982 Visiting Mission observed that it shared the view of earlier visiting missions that, in any discussion of the political future of Micronesia, it was important to note the effect of tradition and the traditional authorities on the newly emerging institutions. Throughout its visit, the Mission had been made aware of the influence which the traditional leaders continued to exert in their respective states and municipalities. In that context, it was significant that the constitutions of the Federated States of Micronesia, the Marshall Islands and Palau had all incorporated provisions which preserved and protected traditional values and the role of the traditional leaders, even though some of the latter had run for office and now played a full part in non-traditional politics.

Territorial government

Legislatures

263. 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.

264. 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 Iroiij (traditional leaders) 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.

265. 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.

266. 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.

267. At its forty-ninth session, the Trusteeship Council noted with satisfaction that the freely and democratically elected legislatures in the four Micronesian entities had continued to play an important and active role. The current annual report stated that the Administering Authority shared the satisfaction of the Council in the performance of the legislative bodies of the Trust Territory. It also noted that the Asian Pacific Parliamentarian Union (APPO) had met in Ponape during the year under review at the invitation of the Federated States of Micronesia and would meet again in Saipan in 1983.

Executive

268. According to the current annual report, all chief executives of the constitutional Governments are Micronesians.

269. 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.

270. 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.

271. 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.

272. 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.

273. At its forty-ninth session, the Council noted that the transfer of functions and responsibilities from the Administering Authority to the constitutional Governments had continued to take place at a rapid pace.

274. The Council noted that the Government of the Federated States of Micronesia was engaged in discussions with the Administering Authority concerning the ability of the Federated States to participate in negotiations and to sign certain regional and international agreements during the transitional period. The Council hoped that a mutually satisfactory solution would be found.

275. According to the current annual report, the Administering Authority continued to provide the Governments with assistance in the area of public safety and order, as well as training to their judicial, legal and police agencies. With the concurrence of the Administering Authority, the Governments had signed fisheries and aid agreements with other nations, as well as with regional organizations.

276. The annual report further stated that all four constitutional Governments were fully organized and were operational according to their own freely adopted constitutions.

State governments

277. The current annual report stated that Yap State was now carrying out its functions under its new Constitution. Kosrae, Ponape and Truk were preparing their respective constitutions which would replace the charters granted by the former Congress of Micronesia. In Palau, each of the former municipalities was now designated as a state and was drafting its own constitution.

State administrators

278. The four states constituting the Federated States of Micronesia (Kosrae, Ponape, Truk and Yap) 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

279. 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

280. 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.

281. According to the current annual report, under the Local Government Act, 1980, all 25 former municipalities in the Marshall Islands, whether granted charters during the Trust Territory administration or unchartered, should adopt their respective constitutions not inconsistent with any national law. The report stated that on 30 March 1982, Ailuk and Likiep in the Marshall Islands had held referendums on their draft constitutions. The former had approved the draft constitution while the latter had rejected it. On 27 August, 18 municipalities had held referendums on their draft constitutions. All of them, except Kili, had approved their respective constitutions. Following approval of each constitution by the national cabinet, elections would be held in each municipality under the new constitution.

282. The Commonwealth of the Northern Mariana Islands is divided into four municipal jurisdictions, each headed by an elected mayor.

Civil service

283. 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.

284. 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.

285. 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.

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

287. At its forty-ninth session, the Trusteeship Council noted with concern the events relating to a strike of government employees which had taken place in Palau during September 1981, leading to the burning of the President's office.

288. The Council noted the Palau Government's approval of a 50 per cent increase in salaries of government employees. It took note of the Administering Authority's assertion that personnel costs now accounted for approximately 83 per cent of Palau's budget.

289. The Council reiterated its conviction that the size of the civil service throughout the Trust Territory remained a cause for concern, placing a heavy burden on territorial budgets and absorbing a disproportionate share of trained personnel. In that connection, the Council noted that during 1980/81, there had been a decrease of more than 7 per cent in civil service employment in the Governments of the Trust Territory. Nevertheless, it once again urged 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.

290. The current annual report stated that the Administering Authority shared the concerns of the Trusteeship Council concerning the labour-related incidents which had taken place in Palau. The Administering Authority noted in that context that the incidents were local in nature and were the responsibility of the Palauan Government. It had provided advice and counsel upon request but it was up to the Government of Palau, within the resources available, to determine the course of action which it wished to pursue in those matters.

291. The annual report also stated that in 1981/82, Palau had spent 84 per cent of its operational budget on personnel costs. In less than two years, Palau had raised its minimum wage from \$0.80 to about \$1.89 per hour. The Administering Authority viewed those increases with concern since the Government of Palau had yet to identify the resources from which it would meet the new demands. However, the Administering Authority believed strongly that the new Governments must meet their responsibilities with the resources available or expand those resources through their own efforts. The Administering Authority continued to encourage the economic development of Palau so that eventually the whole wage scale might be increased appropriately. The Administering Authority deplored violent or disruptive actions against the constitutional authorities.

292. According to the current annual report, during the year under review, the Trust Territory administration had reduced its personnel at headquarters by a substantial number. Authority and responsibility for development of the economy in the private sector of each jurisdiction were now in the hands of each constitutional Government. The Administering Authority continued to encourage and support development in that sector and welcomed, as did the constitutional Governments, the assistance of various specialized agencies of the United Nations system operating in the region.

Political education

293. At its forty-ninth session, the Trusteeship Council noted with satisfaction that the Administering Authority had 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 noted that the Administering Authority was prepared to assist those efforts within its resources, as appropriate and as requested by the Governments.

294. The Council welcomed the statement by the Federated States of Micronesia that it had already consulted with the Administering Authority on a broad public education programme and had prepared tentative plans.

295. The Council welcomed the assurance by Mr. DeBrum of the Marshall Islands that translations of the compact of free association had been widely distributed in the Marshall Islands.

296. The Council noted that the Government of Palau had already distributed English-language versions of the compact to some schools, religious organizations and state governments in Palau and that arrangements were now in hand for reproduction of the Palauan translation of the compact.

297. The Council noted that the Administering Authority had sponsored and financed the translation of the compact of free association into 12 local languages. It remained concerned about the generally slow pace of the political education programme in preparation for the plebiscite.

298. In its report, the 1982 Visiting Mission observed that in its discussions with political leaders and in the different public meetings it held in the Territory, it had noted the high level of political awareness and education of the Territory's inhabitants. They appeared to be perfectly well informed and aware of the various options offered to them under the Charter of the United Nations. The Visiting Mission also noted the complete freedom of expression enjoyed by the different political parties and by individuals, whether they were in the majority or in the opposition.

299. The Mission stated that the Administering Authority had informed it that when the status negotiations had been completed, it would provide funds to the constitutional Governments to conduct a programme of political education to help the voters of the Territory to understand the implications and options available to them on the ballot.

300. The Mission endorsed the recommendations of earlier missions that the political education programme should cover the economic as well as the political options so that the people of the Trust Territory, when the time came, would be able to exercise their act of self-determination in full knowledge of the political and economic realities as well as with an understanding of the steps leading to termination of the Trusteeship Agreement. It also urged the Administering Authority and the constitutional leaders to set up new education for self-government programmes as speedily as possible.

301. In its report, 11/ the United Nations Visiting Mission to Observe the Plebiscite in Palau in February 1983 noted that the compact and its subsidiary

agreements were long, complex and somewhat daunting documents drafted in lawyers' language. In the Mission's view, it would not be realistic to expect the voters in Palau, or indeed any other society, to have mastered every detailed provision in them. Nevertheless, the Mission concluded that the broad issues raised by the compact and the wording of the ballot had generally been understood by the voters.

302. The Mission concluded that the general understanding of the broad issues had been due both to the political education programme and to the political campaign itself. The Mission believed that the political education programme in Palau had been useful and effective. It reiterated the importance of conducting adequate programmes of political education in advance of the forthcoming plebiscites in the Federated States of Micronesia and the Marshall Islands.

303. With regard to allegations of partiality, the Mission concluded that there had inevitably been some ambiguity in the position of a Government which had both negotiated the compact and undertaken to educate the people about it. The Political Education Committee and the Director of the Programme had seriously taken the injunction of impartiality in Public Law No. 1-43 but there had been some occasions when the dividing line between education and advocacy might have become a little blurred. The Mission did not believe, however, that those seriously detracted from the effectiveness of the programme. It had obtained no concrete evidence to substantiate charges that political education funds had been improperly used to influence voters.

304. The Mission stated that the options included in the ballot paper for possible future negotiation (a closer relationship with the United States or independence) had been covered in the political education programme. The Mission had been a little surprised on arrival in Palau to discover the extent to which attention had been focused on the compact. It had soon become clear, however, that that attention reflected the realities of the political campaign. The question which had interested the voters had not been whether free association was the best option for Palau, but whether the compact represented the best form of free association that was available.

305. The current annual report stated that by the end of 1982, the Administering Authority had provided initial funds totalling \$200,000 to Palau, \$100,000 to the Federated States of Micronesia and \$75,000 to the Marshall Islands for the conduct of political education programmes on the compact; and that additional payments were to be made of up to \$1,500,000 for the Federated States of Micronesia, \$300,000 for Palau and \$300,000 for the Marshall Islands.

306. The annual report further stated that the political education programme in Palau had begun on 9 September 1982. The programme itself had been a significant undertaking, involving the concentrated efforts of teachers, government officials, attorneys and other professionals and had been directed to every populated area in Palau. Printed materials, illustrations, radio and television programmes and personal question-and-answer sessions had comprised the major elements of that programme.

307. According to the report of the 1982 Visiting Mission, the Federated States of Micronesia and the Marshall Islands were preparing to inaugurate their public education programmes for the plebiscites expected to be conducted in 1983.

308. The annual report further stated that fully informative and thorough programmes of public education in the Federated States of Micronesia, the Marshall Islands and Palau were long-standing goals of the Administering Authority. Through its financial support, expert technical advice and logistical support, the Administering Authority was assisting the constitutional Governments to ensure that the plebiscites would be conducted in an environment leading to a free choice among clear and well-understood alternatives by a fully informed electorate.

Decentralization

309. At its forty-ninth session, the Trusteeship Council welcomed 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.

310. The Council noted that in 1980/81, the Administering Authority had 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.

311. The current annual report stated that the Administering Authority continued to transfer responsibilities and authorities to the new Governments as they become prepared to accept them. During the past year, the number of employees of the Trust Territory headquarters had been reduced to 250 with the reduction or closing of several more offices.

Judiciary

312. The judicial power of the Federated States of Micronesia is vested in a Supreme Court and subordinate courts established by statute. The annual report for 1981 (T/1837) stated that in October 1980, the Congress of the Federated States of Micronesia had confirmed Mr. Edward King as Chief Justice of the Federated States of Micronesia Supreme Court. It had also confirmed Mr. Richard Benson as Associate Justice in January 1981. On 12 July, the Supreme Court had been 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 had been 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.

313. 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 1981, the Marshall Islands took steps to establish and make operational its court system. The Chief Justice of the High Court of the Marshall Islands was appointed and has promulgated rules of procedure for civil and criminal cases. Transfer of judicial functions to the new Government was expected to occur as soon as the appointment of the Chief Justice of the High Court had been confirmed.

314. 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.

315. 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.

316. At its forty-ninth session, the Trusteeship Council noted with satisfaction that the Federated States of Micronesia had established its final branch of government, the Supreme Court. The Council noted similarly that the Chief Justice of the High Court of the Marshall Islands had been appointed. It also noted with satisfaction that a judicial system had been established in Palau and that a Palauan had been appointed to the post of Chief Justice.

317. In the current annual report, the Administering Authority confirmed that judicial systems throughout the Trust Territory and in all of the component constitutional Governments were fully established and functioning.

2. Discussion in the Council and opinions expressed

Executive

318. At the fiftieth session of the Trusteeship Council, the representative of the United States said that the High Commissioner was the representative of the President of the United States in the Trust Territory. That position, necessary for the United States to carry out its non-delegable fundamental obligations, would be retained until the termination of the Trusteeship Agreement.

Civil service

319. At the fiftieth session of the Trusteeship Council, Mrs. McCoy, Special Representative of the Administering Authority, informed the Council that the headquarters' offices in Saipan had reduced the number of its employees to just a little over 200, many of whom were being assigned to tasks relating to closing down the Trust Territory administration.

320. Mr. Fitial, Special Adviser, said that the governmental structure that the Northern Mariana Islands had inherited from the Trust Territory administration was too heavy and difficult to manage and to reduce. The large public sector had disproportionately absorbed the best skilled workers and had drained their scarce budget resources. With that recognition, they were resolved to do everything possible to promote the beneficial growth of the private sector.

321. Mr. Oiterong, Special Representative, stated that a team of personnel experienced in government organization and management would be dispatched to Palau soon to assist in streamlining government operations. He asked the Trusteeship Council to support the request repeatedly made by Palau to the Administering Authority to provide training for Palau's foreign affairs staff and personnel. The United States had been generous in allowing the Palauans to play a limited role in the conduct of foreign affairs since Palau had become a constitutional Government and since that governmental responsibility would automatically devolve upon them with the coming into effect of the compact of free association, they only asked to be prepared to assume that vital task as equals with colleagues in diplomatic relations.

Political education

322. Mr. Marehalau, Adviser, stated that the public information programme for the people of the Federated States of Micronesia was continuing in an orderly fashion and was highly effective. The state plebiscite commissioners remained confident that their work would be completed on schedule and that the people would be in a position to make an informed choice on 21 June 1983 as to their future political status. It was important to note that negotiations on the proposed compact of free association with the United States had taken place over a number of years and, as the various provisions of that compact and its related agreements had evolved, the status negotiators had taken pains to remain in close contact with the elected leaders of the Federated States at the national, state and local levels on the various issues relating to the compact. Thus, the public information programme had reached out to a public already familiar with the nature of the proposed relationship with the United States, as well as many of the detailed aspects.

323. The Adviser pointed out that concurrently with the programme conducted by the plebiscite commissions of the state and national governments, the process of public information and debate had been aided by the participation of various private parties who had served to stimulate discussion and to broaden the public's appreciation of the issues. Prominent among such parties were church leaders who deserved special thanks for presenting objective viewpoints and thus further ensuring that the people would truly be in a position to make an informed choice on 21 June.

324. The representative of the United States said that his Government believed that it had an obligation under the Trusteeship Agreement to do what it could 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 political education campaigns were, of course, not conducted by the United States but by the elected Governments. The Administering Authority had fulfilled that obligation in consultation and co-operation with the Government of Palau with respect to the plebiscite conducted there on 10 February 1983 and was fulfilling it with respect to the forthcoming plebiscites in the Marshall Islands and the Federated States of Micronesia.

325. The representative of the United Kingdom noted with satisfaction that the local Governments were able to play a role in the execution of the political education programme. He found encouraging the statement by the Special Representative of the Administering Authority from the Federated States of Micronesia that the programme for the forthcoming plebiscite was proceeding well and would be completed in the four states concerned by the end of May 1983. His delegation looked forward to participating in the forthcoming visiting mission to observe the plebiscite in the Federated States and to witnessing the fruits of that education programme. It was the essence of democratic elections and referendums that voters should be fully aware of the choices before them and should be fully cognizant of the likely consequences of choosing one option as against another.

Decentralization

326. The representative of the United States pointed out that the functions of the executive branch hitherto located at Saipan under the direct supervision of the High Commissioner had for the most part been transferred to the constitutional

Governments. The High Commissioner retained those functions necessary to permit her to carry out her responsibilities. Decisions as to the location of governmental agencies would be made by the constitutional Governments.

327. The representative of France noted that although a number of the functions of the High Commissioner had been transferred gradually to the constitutional Governments, the Administering Authority remained fully responsible for the Territory before the Trusteeship Council until the Trusteeship Agreement had been terminated.

C. ECONOMIC ADVANCEMENT

1. Outline of conditions

General economy

328. At its forty-ninth 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. In addition, in 1981/82 the Territory had suffered the effects of the deterioration of the economic situation in the United States and throughout the world. Under the circumstances, the Council felt that substantial economic and financial assistance to the Territory was more necessary than ever.

329. The current annual report stated that the Administering Authority shared the concern of the Council concerning the economic situation in the Trust Territory. There had been an overall increase of 9 per cent in the budgetary allocation of the Administering Authority to the constitutional Governments. The Economic Development Loan Fund (EDLF) was now operational in some areas, foreign investment was being encouraged and other means were being used to encourage the development of an economic base structured to meet the needs of the people, taking into account the resources available. The Administering Authority noted that decisions regarding the economic sector were now almost exclusively within the purview of constitutional authorities with the resources available.

330. In its report, the 1982 Visiting Mission to the Territory stated that, during the period of Trusteeship, the Administering Authority had fostered the political, social and educational development of the inhabitants of the Territory. However, it felt that efforts should be continued in the economic area. The Trust Territory was still in a position of almost total economic and financial dependence on the Administering Authority. In particular, the structural imbalances in the economy had not been significantly reduced and appeared unlikely to be redressed in the short-term. As was noted by the 1980 Visiting Mission, the Territory's economic self-sufficiency could only be considered a long-term objective. Accordingly, only with the help of the considerable funds allocated by the United States could the population maintain its present standard of living and the administrative structures of the various constitutional Governments function.

331. At its forty-ninth session, the Trusteeship Council again noted that the Territory's balance of trade showed a very large deficit. It regretted the failure to achieve an adequate increase in the funds derived from agriculture, handicrafts, fishing and tourism. Accordingly, it again urged the Administering Authority to

promote the development of the kinds of production that could satisfy local needs, especially for food.

332. According to the annual report, efforts towards import substitution continued to be of prime concern to the Administering Authority. The development of exports, tourism and other productive activities continued to be supported by the Administering Authority as they were implemented by local authorities. As one example of the successful measures being taken to stimulate local agriculture, the Federal Food Stamp Nutrition Program in the Northern Mariana Islands provided that 25 per cent of the value of food stamps issued to any individual must be spent on locally produced foodstuffs. Comparing the amount of farm land under cultivation in 1982 with that of the year before, there had been a 40 per cent increase in area under agricultural production.

333. At its forty-ninth session, the Trusteeship Council noted with satisfaction the completion, as at 1 January 1982, of 18 projects, totalling \$25 million, under the five-year capital improvement programme which had just ended. However, it regretted the delay in carrying out other projects. It took note of the assurance by the Administering Authority that the remaining projects would be completed, or at least started, by the end of 1982. With regard to the second phase of the capital improvement programme, the Council hoped that the development of the outer islands would not be neglected. It noted that funds would be provided for that purpose by a number of United States federal agencies.

334. The annual report stated that most of the capital improvement projects had been completed or initiated during the year under review.

335. The annual report further stated that although a "second phase" of the capital improvement programme had never been authorized or approved, the Administering Authority intended to provide budgetary support in the post-Trusteeship period through the compact of free association, which would enable the Governments to determine and meet their own priorities in development programmes, including those in the outer islands. Many of the federal programmes currently operating within the Trust Territory had application to the outer islands.

336. The 1982 Visiting Mission felt it necessary to register in its report the complaints and regrets expressed at meetings with the general public over the fact that the second-level capital improvement programme had been abandoned. The Mission noted that the sums needed to implement that programme had been provided for in the compact of free association negotiated by the Federated States of Micronesia, the Marshall Islands, Palau and the United States. During meetings held in the outlying islands, the Mission had noted the very deep concern of the islanders who blamed the Administering Authority for relinquishing the second-level capital improvement programme; they accused the local authorities of favouring the development of the centres and the main islands at the expense of the outlying islands. In that connection, the Mission took due note of the fact that, when the Trusteeship period came to an end, funds for the second-level capital improvement programme would be available. The only way to prevent the development of the outlying islands from lagging even further behind that of the centres was to make them more accessible by developing appropriate means of communication and allocating to those islands their rightful share of the budget, for their development.

337. The Mission noted that some of the local Governments had embarked on a long-term planning process that would integrate the development of the outlying

islands. The Mission encouraged that forward-looking planning initiative. The Mission believed, however, that those efforts would be in vain unless three basic conditions were met: the necessary funds must be released in good time; funds must be provided, not only for the execution of projects, but also for the maintenance of completed projects; and no planning programme should be initiated unless a viable statistical system was restored. The Mission pointed out that the statistical data available to it often appeared to have been poorly gathered. Certain data collected for the purpose of forward planning appeared to be inaccurate and could prevent the necessary economic choices from being made in a sound and rational manner.

Public finance

338. The Trust Territory Headquarters Bureau of Finance is responsible for assuring the proper operation of the standardized accounting system, for oversight review of accounting system utilization and for preparation of consolidated financial reports to higher authority. An automated financial management system provides the basis for accounting procedures, policies and management throughout the Trust Territory. Conversion of the financial management and payroll systems to effect unilateral system utilization capability by the finance offices of the respective Governments was accomplished as of 1 October 1981, which allows each Government control over its accounting system and at the same time affords the flexibility of integrated reporting where applicable. Virtually all functions of programme management and financial administration are performed by the individual Micronesian Governments.

339. At its forty-ninth session, the Trusteeship Council noted that the constitutional Governments had been given the opportunity to determine their own priorities for the 1983 budgetary year, taking into account certain budgetary ceilings.

340. The Council regretted that budget cuts had effected certain United States federal programmes. It was pleased to note, however, that the cuts had not affected the level of certain key programmes such as health and education.

341. The annual report stated that funding for government operational support and capital improvement programmes in the Trust Territory was derived from several sources, with the major portion being an annual grant provided by the Administering Authority. The second largest source of funding was also from the Administering Authority in the form of federal categorical grants provided by a number of federal agencies either on a matching or outright grant basis. The third largest source of funding, for support of government operations in the Trust Territory, was derived from tax revenues levied by the constitutional Governments. The revenues were controlled by the respective legislative bodies and were appropriated by them to provide for both their own support and for such legislative projects as might be authorized by law.

342. According to the annual report, the grant from the Administering Authority totalled \$98.6 million in 1981/82. Federal categorical grants for the same period totalled \$21.3 million.

343. The annual report stated that for several years the Administering Authority had given the constitutional Governments the opportunity to determine their own priorities, within budgetary ceilings. The Governments had set their own

priorities and their respective legislative bodies continued to strengthen their own budgetary review and appropriation enactment processes.

344. The annual report further stated that certain federal programmes had been cut or reduced, in consonance with United States national policy or in anticipation of termination of the Trusteeship Agreement. The number of health and education programmes had in fact been increased and it was expected that a number of those programmes would be continued in the post-Trusteeship period under conditions mutually agreed as part of the political status negotiations.

345. At its forty-ninth session, the Trusteeship Council noted that programmes were under way for the rationalization of the various financial systems and that the constitutional Governments were being consulted on that matter and also on budget preparation procedures and accounting transfers.

346. According to the current annual report, the Administering Authority had assisted in the review of financial management alternatives. The Administering Authority had agreed to fund the transition from the centralized to individual data processing systems and to assist in the implementation of the automated financial management systems of the respective Governments.

347. The annual report further stated that the constitutional Governments prepared their own budgets. With limited technical assistance, all Governments had enacted budgetary procedure laws with the encouragement of, and upon request from, the Administering Authority. The Governments were currently being consulted on format changes for the budget submissions required by the United States budgetary process.

348. At its forty-ninth session, the Trusteeship Council noted that taxes and duties were now within the competence of the constitutional Governments. It reiterated its view that the Territory's tax system should be designed to discourage the import of goods and services which could be obtained locally.

349. The current annual report stated that tax systems within the Trust Territory were wholly within the authority of the constitutional Governments and that the Administering Authority encouraged the protection of local markets.

350. In its report, the 1982 Visiting Mission noted that the system of taxation remained heavily dependent on income tax. It shared the view expressed by the 1980 Visiting Mission that a serious effort should be made to levy import duties, especially on goods which compete with locally produced items or non-essential goods which could become an important new source of revenue and could also help to correct the external imbalance of the Trust Territory, to reduce the growing dependence on imports and to encourage local production and industry. In that regard, the 1982 Mission noted with satisfaction the initial steps taken by the Government of the Marshall Islands to impose import duties on a number of non-essential and luxury items.

Assistance from international institutions and other countries

351. At its forty-ninth session, the Trusteeship Council welcomed the development of relations between the leadership of the Territory and the various regional and international programmes. It noted in that connection that the four Governments had acquired full member status in the South Pacific Commission (SPC) as well as

associate member or observer status in several other regional or international bodies.

352. The Council also noted with satisfaction the assistance provided by the World Health Organization (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 welcomed the readiness of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to co-operate with the Micronesians in areas within its competence. It noted the efforts undertaken by the Governments of the Territory to forge links and develop co-operation with other States in the region.

353. The current annual report stated that the Trust Territory had benefitted from the assistance of a number of United Nations bodies, including the Economic and Social Commission for Asia and the Pacific (ESCAP), the United Nations Development Programme (UNDP), the United Nations Multi-National Inter-Disciplinary Development Advisory Team (UNDAT) and the United Nations Fund for Population Activities (UNFPA). In addition, SPC, the South Pacific Bureau for Economic Co-operation (SPEC) and other regional organizations had provided economic, educational, social, health and technical assistance in various fields.

354. The annual report further stated that the constitutional Governments were members of SPC and members or associate members of other regional organizations, either in their own capacities or under the umbrella of United States membership. The Administering Authority acknowledged the prompt and effective response of WHO to the cholera outbreak in Truk state late in 1982.

355. The report also stated that arrangements were being made in the Territory to draw up and execute projects.

356. In its report, the 1982 Visiting Mission stated that the new Micronesian Governments should receive technical assistance from both the United States and the international community, even after termination of the Trusteeship Agreement. It also noted the inhabitants' desire to maintain and expand their relations with the United Nations and the specialized agencies after termination of the Trusteeship Agreement. The Mission was pleased to see that the Administering Authority was encouraging the Governments of the Territory to establish contacts and to expand relations with international and bilateral organizations and with a number of third countries.

357. The Mission noted that international assistance was, and would continue for some time, to be of considerable importance to the economy of Micronesia. Multilateral assistance from such organizations as the United Nations Children's Fund (UNICEF), UNFPA, the Food and Agriculture Organization of the United Nations (FAO), UNESCO, WHO and the International Labour Organisation (ILO) had begun to have an impact on economic and social conditions in the Territory. In particular, the three-year health development programme launched by WHO in 1979 had helped in meeting some of the growing needs for training of medical personnel through fellowships. It had also helped to reduce mortality from certain diseases, to improve child feeding and to develop self-help in controlling diseases in the community.

358. The Mission was happy to note the growing ties between the Governments of the Territory and the other States in the region. It stated that the Federated States

of Micronesia and Japan had signed a technical co-operation agreement and that the Marshall Islands and Japan had signed a fisheries agreement.

Credit

359. At its forty-ninth session, the Trusteeship Council stated that it welcomed the progress made since the previous session in the operation of EDLF.

360. The current annual report stated that the Bank of the Marshall Islands and the Bank of the Federated States of Micronesia were already in operation and were providing loans. The Bank of Palau was expected to be certified and fully operational by January 1983. Approximately \$6 million was available for economic development loan funds. The three constitutional Governments had agreed to share those funds as follows: Federated States of Micronesia 56.5 per cent; Marshall Islands 25.0 per cent; and Palau 18.5 per cent.

361. According to the annual report, each of the three constitutional Governments had either provided additional supplemental funding for its bank or had contemplated doing so. The transfer to each bank of all previous outstanding loan payments and delinquent accounts was presently taking place and was expected to be completed before 1982/83.

362. The report stated that in the Northern Mariana Islands, EDLF had been operating for several years.

363. According to the annual report, the Economic Development Loan Banks in the Federated States of Micronesia and the Marshall Islands were utilizing expertise available within the Trust Territory for analyzing and processing loans. Both relied on their own government offices for resources and development of their respective Governments and to a lesser degree on the private sector.

364. The employees of the Economic Development Loan Bank of the Federated States were receiving extensive training from the Association of Development Financing Institution in Asia and the Pacific (ADFIAP). The Economic Development Loan Bank of the Marshall Islands had applied for membership in ADFIAP for similar training and was expected to become a member during 1983.

Land

365. At its forty-ninth session, the Trusteeship Council again noted that public land had been transferred to the constitutional Governments, with the exception of small areas of Palau where there were still some administrative difficulties. It regretted that those difficulties had yet to be resolved. It noted that the Administering Authority had ceased to pay compensation to the owners for the past use of land which it currently held under indefinite use agreements.

366. With regard to public land in Palau, the current annual report stated that the land involved had been homesteaded and could not be transferred to the Government until local homesteading policies had been resolved. Compensation for past use of land had been made to most landowners and preparations were being made to arbitrate those disputed claims in which the landowners were dissatisfied with the

compensation paid. The remaining unpaid past-use claims were those that were still in dispute as to ownership of the land involved.

367. According to the report of the 1982 Visiting Mission, the President of Palau and other officials maintained that the public land authority had become obsolete with the establishment of elected executive authority in the entity. They pointed out that the public land should be transferred to the duly elected Government. Alternatively, the Administering Authority should delay taking action until the new Government in Palau was ready to assume responsibility.

368. The Mission concurred with the view expressed by the 1980 Visiting Mission that the cadastral survey of private lands should be continued in order to facilitate the settlement of land disputes. The Mission also shared the feeling of the previous mission that arable public land should be used for the development of commercial agriculture which could become an important source of export earnings, revenue and employment.

Agriculture and livestock

369. At its forty-ninth session, the Trusteeship Council noted that responsibility for agriculture had been transferred to the constitutional Governments. It none the less believed that the Administering Authority had a duty to help the constitutional Governments to expand agricultural and livestock production to meet the needs of the population. In addition, it requested the Administering Authority to encourage these Governments to promote export-oriented agriculture.

370. The current annual report stated that the function of agricultural development had been transferred to the constitutional Governments. The Administering Authority hoped that the Governments would make every effort to develop import substitutes in the area of agriculture and, eventually, develop an export economy in areas that showed promise. Fish and some farm products were already being exported to Guam and Honolulu.

371. In its report, the 1982 Visiting Mission noted with satisfaction that the various territorial entities which had formulated, or were in the process of formulating their five-year development plans were according high priority to the need to develop their food, agriculture and livestock sectors with a view to reducing dependence on food imports and achieving greater self-sufficiency in that critical area. The Mission recognized the obstacles in the way, but felt that the potential for agricultural development existed and needed to be realized as a matter of priority. The methods for raising livestock needed to be modernized if the needs of the people were to be met through local production and imports curtailed. That could be achieved by encouraging the establishment of co-operatives both in farming and marketing. The Mission was encouraged to note the development of co-operatives in the Marshall Islands. Similar programmes needed to be pursued in other entities.

Marine resources

372. At its forty-ninth session, the Trusteeship Council noted with satisfaction that the three maritime authorities of the Federated States of Micronesia, the Marshall Islands and Palau respectively were working to strengthen their

legislation on the protection of their 200-mile zones. It was concerned at the illegal fishing activities to which certain representatives of the Territory had drawn attention. It took 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 their 200-mile zones.

373. The Council noted with satisfaction that the Administering Authority was paying constant attention to projects for improving the exploitation of marine resources.

374. According to the current annual report, the Administering Authority fully endorsed the efforts of the constitutional Governments to develop their fishing industries as one of the most promising areas of economic development throughout the Territory. The Administering Authority was prepared to contribute to the protection of Micronesian waters even after termination of the Trusteeship Agreement.

375. In its report, the 1982 Visiting Mission stated that the development of the marine resources of the Territory deserved to be given high priority in the future development of Micronesia, which would require not only the development of fisheries complexes wherever feasible but also the development in the outer islands of the infrastructure, including storage facilities and power and transportation systems, as well as the encouragement of co-operatives, the institution of technical training programmes and the organization of marketing arrangements.

Third United Nations Conference on the Law of the Sea

376. At its forty-ninth session, the Trusteeship Council noted that the Trust Territory delegation to the Third United Nations Conference on the Law of the Sea during the year under review had been composed of representatives of the Federated States of Micronesia, the Marshall Islands and Palau.

377. The Council welcomed the possibility offered to the Federated States of Micronesia, the Marshall Islands and Palau, under article 305, paragraph 1, of part XVII of the draft Convention on the Law of the Sea, of participating in the Convention.

378. In its report, the 1982 Visiting Mission stated that the leaders of the Federated States of Micronesia, the Marshall Islands and Palau had participated as observers in the work of the Third United Nations Conference on the Law of the Sea and hoped to sign the Convention on the Law of the Sea. The Administering Authority had informed the Mission that that act of sovereignty could not be effected before termination of the Trusteeship Agreement. Once the Agreement had been terminated, however, nothing would stand in the way.

379. The Mission further stated that the leaders of the Federated States of Micronesia, the Marshall Islands and Palau had expressed concern at the fact that they were not directly able to sign the Convention or to negotiate with a group of South Pacific States on the establishment of a common fisheries organization.

380. In the current annual report, the Administering Authority stated that according to article 305, paragraph 1 of part XVII of the Convention, the Federated States of Micronesia, the Marshall Islands and Palau were ineligible at the present

time to sign the Convention. None the less, the Administering Authority welcomed the accession to the treaty of the constitutional Governments upon their acquiring the status of freely associated states under the compact of free association.

Industry and tourism

381. At its forty-ninth session, the Trusteeship Council reiterated its concern at the absence of small industrial enterprises in the Territory. In the current annual report, the Administering Authority stated that it shared that concern and noted that there had been some positive development in that area, stating that furniture and handicraft operations and some small food-processing enterprises had been launched.

382. The Council stated that tourism should be developed gradually, with a carefully prepared overall plan. While welcoming the expansion of the tourist industry, it reiterated the hope that the interests of the population and the existing social structures would be safeguarded and the environment preserved.

383. The current annual report stated that tourism throughout the Territory appeared to be on the upswing, although the world-wide economic situation might have inhibited its rate of growth. The approval of new charter flights from Japan to Saipan was expected to generate additional tourists throughout the Territory. The upgrading of road, water and electricity systems in the main population centres offered inducements to improved tourism.

384. The annual report further stated that interest in promoting the tourism industry was evident throughout the Trust Territory and that local decisions would have to be made concerning the effect of tourism on local cultures. All the Governments of the Trust Territory were members of the Micronesian Regional Tourism Council, which provided service to all parts of the Trust Territory.

385. According to the annual report, the Marianas Visitors Bureau expanded its marketing activities by staging or participating in seven promotional functions, including an annual conference and workshop of the Pacific Area Travel Association (PATA), the PATA Travel Mart and the Osaka International Trade Fair, all of which were international events that had provided the Northern Mariana Islands with tremendous publicity and sales opportunities. It had also continued its advertising campaign in Japanese consumer and trade publications; received extensive publicity and business from travel writers and promoters; and augmented its co-operative advertising campaign to promote special tours and travel during the off-season.

386. From 1 January to 30 June 1982, there were 57,465 visitors to the Northern Mariana Islands, a decline of 4 per cent from the same period in 1981. The total number of visitors to the Marshall Islands during 1981/82 was 3,809.

387. In its report, the 1982 Visiting Mission stated that it agreed with the views expressed by the various Governments in the Territory that the development of tourism had to be gradual and carefully planned in order not to overwhelm their small and fragile economies and cultural traditions. The Mission felt that whenever appropriate and feasible, specialized aspects of tourism, such as deep-sea diving, marine research and marine sports, could be developed in preference to mass tourism which might not be suitable to the conditions in Micronesia. The Mission

also noted that only the Northern Mariana Islands, which had a well-developed tourist industry, received an appreciable tourist inflow.

Transport and communications

388. The current annual report stated that the interisland field trip service provided movement of cargo, passengers, administrative services and logistic support from the government centres to all inhabited outer islands. The service was provided by a fleet of 10 steel-constructed, diesel-powered cargo/passenger ships owned and operated by the three constitutional Governments. The transfer of ownership of the vessels to those Governments in 1981 had afforded each of them the full responsibility and complete control of management and operation of their shipping services.

389. The annual report further stated that international/interstate trade or logistic shipping service was provided by 10 shipping companies operating cargo liner services. The entry assurance routes were assigned by the Trust Territory Government, designed to ensure regularly scheduled cargo services at the lowest possible cost to consumers, reasonable return of profit to carriers and protection of Micronesian-owned shipping companies. Four of the shipping companies were owned and operated by Micronesians and six by foreign interests.

390. The annual report also stated that since the opening of the new International Seaport in 1979, many shipping lines had offered their services to the Marshall Islands and were currently providing a 30-day service from the west coast of the United States and a 90-day service from the Far East.

391. At its forty-ninth session, the Trusteeship Council stated that it shared the view of the representatives of the constitutional Governments that transport and communications continued to be a serious problem in the Territory. It welcomed the creation of the Airline of the Marshall Islands and the opening of new airstrips, particularly at Kili. It also noted that work was under way on the building or extension of various runways.

392. The Council noted with regret that, despite some recent improvements, the road network remained inadequate. It also hoped that the Territory's port network would be improved so that it responded more fully to local needs.

393. The Council welcomed projects for improving telecommunications within the Territory and between the latter and the outside world. It noted that the Federated States of Micronesia, the Marshall Islands and Palau had signed agreements with COMSAT for the installation of land satellite stations.

394. The current annual report stated that the obvious problems created by the geography of the Trust Territory would continue to plague transportation and communications in the islands. However, the satellite communications system, improved air transportation and local control of shipping between islands should help overcome those disadvantages.

395. According to the annual report, there were 19 airstrips in the Marshall Islands. Their use had made domestic air service possible, linking many outer atolls and islands, including Kili, with Majuro. In Ponape state, Federated States

of Micronesia, a new airstrip had recently been inaugurated on Pingelap and another was under construction on Mokil.

396. The annual report further stated that the Administering Authority, while recognizing that the road network in the Territory continued to present challenges, drew attention to the completion of major paving projects in Kolonia (Ponape) and Koror (Palau) and to the work in progress in Truk and Yap. Saipan's roads were continually being improved, and the road systems of some heavily populated islands were being upgraded.

397. The report pointed out that the COMSAT land station in Palau had been inaugurated in November 1982 and that the remaining six stations (two in the Marshall Islands and four in the Federated States of Micronesia) were scheduled to be operational in 1983. Saipan's station had been operational for several years.

398. In its report, the 1982 Visiting Mission stated that widespread concern had been expressed at public meetings with regard to the irregularity of field trip services, particularly to the outer islands, and the resultant hardship suffered by the people living there with regard to deliveries of food and medical supplies and medical evacuations. Furthermore, the field trip vessels suffered from high costs of operation and maintenance, as well as a lack of adequately trained personnel. The Mission felt that some of those problems could perhaps be solved if the Governments of the various entities could obtain smaller, more energy-efficient and easier to operate vessels for interisland transport and trade. With regard to international shipping, the Mission observed that Micronesia appeared to be well-served on east-west routes but to lack north-south and regional sea links. Attention to the development of sea links with other countries in the region could be given over the long term.

399. The Mission found that all the main centres already had acquired or were in the process of acquiring improved air transportation facilities. It was impressed by the on-going major programme of construction of new airports and improvements and extension of existing runways in the main centres. It noted the improvements already completed in Ponape and Truk and the major construction activity under way in Kosrae, Yap and Palau, as well as the plans for new air terminals in Ponape and Palau. The runway at Kosrae airport was expected to be completed in 1983.

400. The Mission felt that although considerable effort was being made in the Territory to improve roads, a great deal still needed to be done to provide the basic minimum network of roads in all the main centres, as well as in the outer islands, wherever possible. In that regard, in addition to public works, community and self-help programmes need to be encouraged through assistance from such international agencies as the World Food Programme (WFP).

Proposal for a super-port in Palau

401. At the forty-eighth session of the Trusteeship Council, the representative of the United States said that 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.

402. 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

403. In its annual report for 1980 (T/1830), 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.

404. The annual report for 1981 (T/1837) stated that in the Marshall Islands, co-operatives were organized as producer-consumer organizations. In the outer islands, copra was the main staple purchased from members. Some handicrafts and seafoods were 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

405. Mrs. McCoy, Special Representative, stated that \$18.4 million had been authorized for the continuation of the capital improvement programme in 1983. In the area of economic development, there had been a surge in interest in investing in the Territory. A delegation from the Overseas Private Investment Corporation of the United States had toured the Territory. Corporations from countries in the region, including Japan, had also begun to investigate potential business activities in Micronesia.

406. The Special Representative stated that the installation of solar-powered photovoltaic systems was continuing with very favourable results in the outer islands and that hydroelectric power installations were being actively studied and planned. The Trust Territory Government had added one specialist in energy planning while another specialist had joined the Government to train local public works personnel in construction inspection techniques and maintenance.

407. Mr. Tenorio, Special Representative, stated that long-term growth and the expansion of essential public services required improvement of the infrastructure of the Northern Mariana Islands. During 1982, his Government had taken measures to improve the water system although such efforts had been somewhat thwarted by one of the longest droughts in recorded history. Foreign investors and firms had expressed an interest in operating in the Northern Mariana Islands because of its geographical location, United States Commonwealth status and climate. Under provisions of the Covenant, the Northern Mariana Islands was given preferential treatment if goods manufactured or assembled there were exported to the United States.

408. Mr. Fitial, Special Adviser, said that although the United States had provided funds to construct an essential infrastructure and to promote economic development for the Northern Mariana Islands, the Commonwealth, despite much progress, still had a long way to go before it could attain an acceptable level of essential infrastructure and economic independence. His Government therefore endorsed the Trusteeship Council's observation that "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." 23/

409. Mr. Borja, Special Adviser, stated that as part of its efforts to upgrade its poor economic conditions, the Northern Mariana Islands, a direct participant in the Association of Pacific Islands Legislatures (APIL), had fully supported the association's resolution encouraging the United States Government to adopt a trade policy for the Pacific basin comparable to that which it had adopted for the Caribbean basin. He asked the Council to exert its influence on the United States Government to extend financial assistance to the Northern Mariana Islands and other entities in Micronesia similar to that extended to the Caribbean basin.

410. Mr. Takesy, Special Representative, stated that the economic development of the Federated States of Micronesia had progressed slowly as the five-year capital improvement programme neared completion. As previously reported, that programme would not adequately prepare the Federated States with the basic infrastructure for human services and economic development, since it was behind schedule and major projects had been scaled down to a point where they no longer served the purpose for which they had been originally conceived. While the programme was intended to serve most of the Federated States, only the state centres stood to benefit from it and nearly half of the total population residing in the outlying areas was being left out. The programme's shortcomings had already been manifested in all four states of the Federated States; no state had water storage capacity for more than a month and they were currently in the fifth month of severe water rationing. Electricity was confined to the state centres. The existing sewer systems served very few people and did not extend to residential areas. The current cholera epidemic in Truk was a sad testimony to that situation. He hoped that the Trusteeship Council would agree that those projects were essential to economic development, vital to health care and basic to human life.

411. The Special Representative stated that the number of freezing and cold-storage facilities had increased in the Federated States of Micronesia. Energy development and employment training plans had been published and designs for two hydroelectric units in Ponape were being drawn up. A total of 10 solar photovoltaic refrigeration-lighting systems had been installed in Truk and Ponape to serve remote dispensaries and to preserve critical medical supplies; 13 similar units were on order for Yap.

412. Mr. Marehalau, Adviser, emphasized the importance of completing the programme of capital improvement projects. The Government of the Federated States of Micronesia firmly believed that the various elements of that programme constituted the core of the Administering Authority's responsibility for the Trust Territory under the Trusteeship Agreement and that there must be an absolute commitment on its part without regard to any subsequent arrangements that might be made under the compact of free association.

413. Mrs. McCoy, Special Representative, said that each of the Governments had its own development plan which had either been completed or was still in various stages

of preparation and that UNDP had been most helpful in that regard. Pending approval of the compact of free association, each Government would prepare an extensive development plan for the utilization of funds to be made available under the compact.

414. The Special Representative stated in that connection that there was much work to be done in that field, and she hoped that the Governments responsible for development planning would pursue that plans with vigor and imagination. She felt that with the completion of the infrastructure programme under the capital improvement programme, the climate for accelerated development would continue to improve.

415. The Special Representative said that development of the outer islands was a perennial problem. Most of those islands were incredibly small and could not be developed in the accepted sense of the word. Much improvement was being made, however, such as the solar energy projects which made it possible to provide refrigeration for the dispensaries and power for radios. In the Federated States of Micronesia, cold storage facilities were being completed in some of the islands which encouraged fishing. Some field trip ships serving those islands now had refrigerators and delivered large quantities of fish to the markets in the main islands. Some of those projects were funded by the Administering Authority and some by the Japanese Government.

416. The representative of the United States said that the programme of outer-island improvement projects, including some of those which might have been part of a second-level capital improvement programme, were now being undertaken by some of the constitutional Governments with local resources. The across-the-board conversion of federal programmes to block grants was part of the President's economic recovery programme. The compact of free association had anticipated the block-grant approach and would provide large sums of money to the Governments of the Federated States of Micronesia, the Marshall Islands and Palau for programmes designed in accordance with their requirements and wishes.

417. The representative of the United States pointed out that the Administering Authority was attempting in a number of ways to promote increased exports from the Territory in accordance with previous recommendations of the Trusteeship Council. The Governments of Japan and Canada had granted general special preference treatment to Micronesian products and the Administering Authority would welcome similar treatment by other Governments as well.

418. The United States representative stated that his Government continued to finance and oversee the five-year capital improvement programme designed to encourage investment in the Territory through the development of local facilities which would support private enterprise. Responsibility for the promotion of investment had been transferred to the constitutional Governments, each of which had instituted programmes and activities for that purpose.

419. The representative of the United States stated that it was possible that certain undertakings, such as construction projects whose scope had altered or whose costs had exceeded expectations, would not be completed by the time the Trusteeship Agreement was terminated. In such cases, the United States intended nevertheless to press for completion of the projects and was currently discussing the means of doing so with the individual Governments concerned.

420. The representative of France stated that the scarcity of natural resources, the smallness of the population and its dispersal over a vast area, plus the inadequacies in the infrastructures continued, as in the past, to render the Territory's economy fragile and dependent. During the trip of the Visiting Mission in 1982, he had learned that the sea ports, airports and roads of the Territory were still not sufficiently developed to ensure their proper use. Certain mining and initial processing activities that had been carried out during the Japanese administration, particularly in Palau, had been abandoned, giving rise to a heightened economic dependence on the outside world and making it impossible to create the jobs needed for the young people entering the labour market. Moreover, the supply of electricity and drinking water still posed problems for certain islands, including some of the most developed ones. To the credit of the Governor, however, he noted that water service had been provided regularly to the Northern Mariana Islands since the summer of 1982.

421. The French representative drew attention to the budgetary restrictions imposed by the Administering Authority on the Territory and the local Governments and to their impact on investments and public service operations, especially during the current fiscal year. Certain programmes had been terminated and had not been renewed. New responsibilities involving additional costs had been transferred to the Governments of the entities but without additional funds to meet them. In that connection, the Visiting Mission had been particularly struck by what he termed the whimsical nature of the statistics provided, notably in the area of tourism.

422. The French delegation was aware of the human and geographic features of the Territory, which in many cases constituted obstacles to development. The fact that the islands were surrounded by water was often said to be an obstacle, although it would appear that additional efforts 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 necessary for balanced and harmonious economic development. The potential wealth of the Territory should be fully tapped, notably in the areas of fishing, the exploitation of the sea-bed and solar energy and the promotion of tourism. To realize those objectives, it was necessary to promote investments, the infrastructure and a desire and willingness on the part of the Administering Authority to develop the Territory while protecting the natural balance and the specific values of the population.

423. The United Kingdom delegation was particularly concerned about the economic prospects for the Territory and recalled that in its 1982 report to the Security Council, 8/ the Trusteeship Council had drawn attention to the absence of small industrial enterprises in Micronesia. The delegation was accordingly pleased to learn that there had been increasing interest in investment projects in the Territory and that EDLF was now operating in some areas. Nevertheless, the economic picture remained grim for the Territory which, among other things, was unable by itself to raise the necessary funds to cover its administrative and social expenditure. It was therefore imperative that the Administering Authority should continue to provide for a specific period after termination of the Trusteeship Agreement a substantial economic assistance programme, particularly in the areas of technology, communications and infrastructure development.

424. The delegation of the United Kingdom urged the Administering Authority actively to promote inward investment in the area since, without the expansion of its manufacturing and trading sector, it would be difficult for the Territory to

reach that point in its development where it would no longer have to depend on the United States and international agencies for financial assistance; nor would it attract the technology and management expertise it would need to make its own way in the world. While appreciating the fact that encouragement of inward investment must eventually devolve to the constitutional Governments themselves, the United Kingdom delegation felt that the Administering Authority would render the Territory considerable service by setting up a training programme for that purpose, inasmuch as policies designed to promote trade and investment were of such importance for the development process of any state.

425. The United Kingdom delegation pointed out that an essential prerequisite for the encouragement of inward investment was the preparation of a comprehensive development programme in order that the kind of investment most suited to the region could be secured. In this regard, it urged the Administering Authority to give consideration to such a programme which should cover at least those areas identified by the 1982 United Nations Visiting Mission to the Trust Territory, as meriting attention.

426. The representative of the Soviet Union stated that in ignoring the legitimate rights, interests and will of the people of the Trust Territory, the United States was preventing them from achieving, inter alia, economic and social progress. The Trusteeship Council was constantly informed of the catastrophic state of the economic and social conditions of the Micronesians. The Territory had no viable economy and its dependence on external financing, particularly from the United States, was not decreasing but increasing. The low standard of living and the extraordinary high unemployment rate made for a reign of poverty and hunger in the Trust Territory. After 37 years of United States administration, the population of the Trust Territory, for all practical purposes, was less self-sufficient now than it had been in the early period of the Trusteeship.

427. The representative of the Soviet Union wondered how many just accusations had been made in previous years against the Administering Authority by petitioners from Micronesia and other countries who had appeared before the Trusteeship Council by Micronesian representatives who had served as special advisers to the United States delegations and in reports of the periodic visiting missions to the Territory. In the past, members of the Congress of Micronesia had stated before the Council that the Administering Authority had considered the development of Micronesia not as part of its responsibility to ensure the economic independence of that Territory, but rather as a means of exerting pressure to obtain a favourable agreement on its future political status.

428. The representative of the Soviet Union emphasized that the development plan prepared in 1976 by the Congress of Micronesia with the assistance of UNDP and subsequently submitted to the Trusteeship Council had clearly showed that the Micronesian economy had remained at a total standstill with practically no attention being devoted to the exploitation of its resources. Even the industrial sites which at some point were being developed in the Territory had been abandoned and forgotten. The situation had been attested to by photographs shown to the Council by petitioners.

429. The Soviet representative said that instead of preparing the Territory for economic self-sufficiency, the Administering Authority had brought the Territory to its present state of total economic dependence on the United States, a fact that could not be denied. During the fiftieth session of the Trusteeship Council, his

delegation had asked a Micronesian representative on the United States delegation what status Palau would have chosen had it achieved sufficient economic development and had it been economically independent. The answer had been totally unambiguous - it was not in favour of the so-called free association. And yet the representative of the United States had spoken of free choice made by the Micronesian people.

430. The representative of the United States strongly rejected the statement of the Soviet representative that economic conditions in the Trust Territory were catastrophic and noted the greatly improved economic conditions during the course of the trusteeship period considering, particularly, what the United States had to start with following the ravages of the Second World War. United States appropriations and programmes for the Trust Territory had increased rapidly in the last two decades, with the appropriations currently standing at about \$900 per capita a year. After the termination of the Trusteeship Agreement, his Government would continue to assist Micronesia in promoting its economic development and increasing its self-sufficiency.

Public finance

431. At the fiftieth session of the Trusteeship Council, Mrs. McCoy, Special Representative, clarified questions raised about the transfer of functions from her office to the new Governments, as well as the suggestion that funding for the new activities had not been forthcoming. She reminded the Trusteeship Council that each Government had organized itself according to its own constitution and had formulated its budget according to its needs and the resources available. Records showed that instead of reducing appropriations, the Administering Authority had, in fact, significantly increased its allocation of funds to the new Governments. Exclusive of revenues generated locally, funds made available to the new Governments were based on their own requests. As her office in Saipan continued to transfer functions to the new Governments, funds formerly set aside for the Trust Territory Headquarters had been made available to a very large extent to those Governments, either to meet emergency needs or for other projects.

432. The Special Representative stated that the first of several computerized financial management systems had been installed in Palau, with others to be set up in the near future to enable Governments to reduce further their dependency on the centralized facilities of the Trust Territory.

433. The representative of the United States said that his Government had encouraged the Micronesian Governments to play an increasingly prominent role in all aspects of Government as, for example, in the budget process. Budget seminars had been held for Micronesian budget officers and officials from the United States had visited the Trust Territory to work with Micronesian government officials engaged in the preparation of annual budget requests. Annual budgets were based in large measure on requests and justifications submitted by the Governments of the Federated States of Micronesia, the Marshall Islands and Palau.

Assistance from international institutions and other countries

434. At the fiftieth session of the Trusteeship Council, the representative of the United States said that the Governments of the Federated States of Micronesia, the

Marshall Islands and Palau had continued to participate in SPC and, through the associate membership of the Trust Territory, in the work of ESCAP. The Federated States of Micronesia maintained observer status in the South Pacific Forum and membership in SPEC. His Government believed that such international activity helped the three Governments prepare for an even greater degree of international responsibility which they would assume upon entry into free association. The Administering Authority was grateful for the advice and assistance provided to the Governments of the Trust Territory by several agencies of the United Nations.

435. The representative of the United States noted that although the Trusteeship Agreement remained in force, his Government had continued in 1982 to approve endeavours of the Governments of the Federated States of Micronesia, the Marshall Islands and Palau to exercise authority in foreign affairs with regard to specific matters and to participate, as appropriate, in the activities of regional and international organizations. With the approval of the Administering Authority, each Government had again concluded or renewed bilateral governmental agreements with commercial associations in such matters as economic assistance and fishing rights, or fisheries agreements.

436. Mrs. McCoy, Special Representative, stated that the the Trust Territory Administration continued to broaden the authority and responsibility of the new Governments which had increased their participation in the many and varied training programmes, workshops and conferences sponsored by United Nations regional agencies. Since October 1982 alone, various regional United Nations bodies had invited the Governments to participate in over 30 activities, in many cases providing for the expenses involved. All the Governments were now members of SPC in their own right. National leaders travelled frequently to other parts of the Pacific and Asia to encourage investment, tourism and other activities beneficial to them. The Administering Authority endorsed their efforts in those regional and international bodies and co-ordinated their activities where the Trust Territory Administration, because of membership requirements, must continue to act on their behalf.

437. Mr. Takesy, Special Representative, stated that the Federated States of Micronesia had acquired membership in a number of regional and international organizations of political, economic and social importance to them and in the last year had become a full-fledged member of the South Pacific Forum Fisheries Agency. In an attempt better to protect and manage its natural sea resources, the Federated States had joined several neighbouring island countries in forming a regional agreement, known as the Nauru Agreement. The training opportunities and technical assistance made available to them by organizations and neighbouring countries of Asia and the Pacific had opened new horizons and augmented efforts by the Administering Authority in that regard. The Government of the Federated States expressed particular appreciation to the Governments of Australia and the Netherlands for their generous scholarship grants and to the Government of Japan which, since 1980, had generously provided much-needed heavy equipment and cold storage facilities.

438. Recalling the increased assistance to the Federated States of Micronesia in 1982 by the United Nations and some of its regional agencies, the Special Representative said they were most grateful for that help and looked for substantial support to prepare them adequately for self-government. In particular, they sought help from the Trusteeship Council and its member countries in the area of foreign service training and international affairs.

439. Mr. Oiterong, Special Representative, stated that in April 1983, Palau had signed an agreement with the Government of Japan for foreign aid for a coconut plantation rehabilitation project valued at more than \$1 million.

440. The representative of the United Kingdom stated that with the imminent approach of a new constitutional status for the Trust Territory, his delegation was particularly gratified to note that the United States would continue to encourage the four Governments to take initiatives in matters of foreign relations and to strengthen their participation in regional and international organizations since that was essential to the process preparatory to their taking their place in the international community. He was pleased that the Micronesian Governments were participating increasingly in United Nations-related activities and sending representatives outside the region to encourage investment and tourism. He hoped that the Administering Authority would continue to encourage that trend, together with the transfer of responsibility for local government to the states themselves.

Credit

441. At the fiftieth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that EDLF was fully operational through central banks in each of the government centres. By 14 April 1983, approval had been obtained for loans totalling \$236,300, mostly to small and medium sized entrepreneurs for the creation or improvement of business operations in agriculture and tourism.

442. Mr. Oiterong, Special Representative, stated that Palau Public Law No. 1-54 authorized its President to enter into Government-to-Government loan agreements on public credit for Palau, in order to obtain financing for its development programmes and projects. More specifically, that law would enable the President to consummate the long-term, multi-million-dollar financial package with lending banks of the United Kingdom and that Government's Export Credits Guarantee Department for the construction of a power plant by the International Power Systems Company.

443. The Special Representative further stated that the fully organized Palau National Development Bank had been processing loan applications for some time and had recently awarded its first development loan of \$20,000 to finance the construction of a small apartment complex.

444. Mr. Takesy, Special Representative, said that the Development Bank of the Federated States of Micronesia was fully operational and in 1982 had approved 24 individual loans totalling approximately \$500,000. In July 1983, the bank would receive from EDLF the sum of \$3.2 million as its share from the funds. The International Monetary Fund (IMF), which had begun to assist the Federated States in monetary control and fiscal matters, was currently reviewing existing banking laws to assess their practicality in the interim and in the long run and to look into ways of improving them. It was expected that several experts from the Fund would complete in-country advisory visits to the Federated States in 1983.

445. At the fiftieth session of the Trusteeship Council, Mr. Tenorio, Special Representative, stated that in 1983 the United States had exercised its option to lease land on several islands in the Northern Mariana Islands, most notably the island of Tinian under provisions which had been negotiated years ago and were contained in the Covenant. The exercise of the option and the signing of the lease demonstrated the close relationship between the Northern Mariana Islands and the

United States, which approached the bargaining table as equals, and was evidence of the good faith on the part of the Micronesians in implementing commitments entered into with the United States. The Government of the Northern Mariana Islands was currently in the process of negotiating fair and equitable settlements for the people affected by the lease agreement.

446. Mr. Borja, Special Adviser, stated that the Northern Mariana Islands were grateful to the Administering Authority for exercising its option with regard to the Tinian land-lease agreement and its prompt settlement of \$33 million, which would be used to compensate those people on Tinian whose lands were affected by that agreement.

447. Mr. Takesy, Special Representative, stated that the payment of claims for indefinite land use in the Federated States of Micronesia by the Government of the United States remained unresolved. While a programme dealing with those claims had been carried out previously and a number of payments had been made, the amount in many cases had proved inadequate and many legitimate claims had been overlooked or ignored. It was difficult for the Government of the Federated States to explain to the people why they should approve a compact terminating the Trusteeship Agreement when the United States Government itself refused to address that matter.

Agriculture and livestock

448. At the fiftieth session of the Trusteeship Council, Mr. Oiterong, Special Representative, stated that a small-scale experimental rice project in Palau had recently yielded hundreds of pounds of high-grade crops. Similar projects were under way in several states on Palau's major island of Babalthuap.

449. Mr. Takesy, Special Representative, stated that in 1982, Truk had achieved a major breakthrough in the processing and preservation of breadfruit flour that could be kept for up to a year. That was a boon to outer islanders, whose nutrition depended heavily on that seasonal crop. Turning to forestry, the Special Representative said that the United States Forestry Service had been contracted to train foresters in each of the states of the Federated States of Micronesia in forestry survey techniques and volumetric surveys of consumable, marketable timber.

450. Mr. Tenorio, Special Representative, informed the Trusteeship Council that the Food Stamp Programme, known as the Nutrition Assistance Programme, had finally been implemented in the Northern Mariana Islands in July 1982. Replacing the United States Department of Agriculture programme, it had greatly improved the diet of the less fortunate citizens of the Northern Mariana Islands and had resulted in increased agricultural productivity and fishing because of a unique feature requiring that 25 per cent of the goods purchased be of local origin.

Marine resources

451. At the fiftieth session of the Trusteeship Council, Mr. Tenorio, Special Representative, said that the President of the United States had recently issued a proclamation establishing an exclusive 200 mile economic zone which he said encompassed the Northern Mariana Islands in accordance with the provisions of its Covenant and those of the Trusteeship Agreement. He added that several bills had since been introduced in the Congress of the United States to implement the

Presidential proclamation. The Government of the Northern Mariana Islands would closely monitor developments to ensure that the management of the exclusive economic zone would preserve their environment and provide economic benefits to their people.

452. Mr. Fitial, Special Adviser, stated that the United States Government had imposed restrictions upon fisheries and economic zone resources in the waters of the Northern Mariana Islands. During 1982, the United States Congress, with little warning to or input from the Northern Mariana Islands Government, had arbitrarily amended its Fisheries Conservation and Management Act to exert jurisdiction over the waters surrounding the Northern Mariana Islands. His Government believed that that congressional grab of their fisheries jurisdiction had hindered their economic advancement and was inconsistent with their local laws enacted pursuant to their Covenant and Constitution that the living and non-living marine resources around the Northern Mariana Islands rightly belonged to them. Moreover, that action might be inconsistent with the Trusteeship Agreement to the extent that congressional enactments required an assertion of sovereignty in waters of the Trust Territory prior to the termination of the Agreement.

453. Mr. Borja, Special Adviser, expressed views similar to those of Mr. Fitial and said that the Northern Mariana Islands wished to have total jurisdiction over its ocean resources, living and non-living, within 200 miles of its exclusive economic zone. The Special Adviser stated that as was the case in 1982, the Northern Mariana Islands was still engaged in a legal tug of war with the United States concerning jurisdiction over the ocean resources within the waters surrounding the Northern Mariana Islands. In his opinion, the enactment by the United States Congress of a law amending the Fishery Conservation and Management Act to exercise jurisdiction over the ocean resources of the Northern Mariana Islands was inconsistent with the provisions of their Covenant and the Trusteeship Agreement.

454. The Special Adviser said that the development of commercial fisheries in the waters surrounding the Northern Mariana Islands was widely considered to be one of the most promising approaches to its economic advancement. Commercial fishery operations based in those islands were currently limited and the value of sea-food imports far exceeded that of the local catch.

455. The Special Adviser said that they were aware of the industry's potential for future development, as demonstrated by the high level of current activity by Japanese and other fishing vessels in the waters adjacent to the Northern Mariana Islands. Statistics secured from the Japanese indicated that they alone harvested an average of 10,000 metric tons of tuna per year from within 200 miles of the Northern Mariana Islands coast. Recent studies revealed the potential of significant albacore resources in the western Pacific, with estimates of an annual yield of between 7,000 and 9,000 metric tons with a value of up to \$23.4 million. That discovery had led the United States tuna fishing fleet to concentrate a major part of its activities in the area.

456. The Special Adviser indicated that substantial benefits from the sale of rights to foreign fishermen were being enjoyed by other areas in Micronesia, unlike the Northern Mariana Islands, which was being penalized for having chosen a closer political relationship with the United States Government. Exemption of the Northern Mariana Islands from the Fishery Conservation and Management Act would allow it to participate in regional planning for the conservation and management of

its most important marine resource and to derive a modest income from the ongoing exploitation of those resources.

457. Mr. Oiterong, Special Representative, stated that in March 1983, Palau had joined the Federated States of Micronesia and Kiribati in concluding a fisheries agreement with the American Tuna Boat Association (ATA). The Association's purse seiners were now permitted to fish within their respective 200-mile exclusive economic zones.

458. Mr. Takesy, Special Representative, reported that the Government of the Federated States of Micronesia had achieved some progress in the development of marine resources. Fisheries agreements concluded with certain fishing associations of the United States, Japan, the Philippines and other countries had brought in modest sums. Fish aggregation devices to attract pelagic fish species which had been installed in Truk and Ponape as pilot projects had had encouraging results, such as greatly increased catches by fishermen operating within immediate vicinities.

459. Mr. Marehalau, Adviser, stated that the preservation and control of the resources in and beneath the waters under the jurisdiction of the Federated States of Micronesia was of great importance to its people as resources of the sea were their principal hope for the future; lands were scarce and offered little opportunity for commercial use. With the support of the United States Government and pursuant to the Constitution of the Federated States, they planned to take immediate steps to proclaim their 200-mile economic zone.

460. Mr. Domnick, Special Representative, stated that with only a small day-fleet catering solely to local needs, the Marshall Island's fishing industry was still in the initial stages of development. Money derived from selling fishing permits was insufficient to develop the industry or to police the waters of their 200-mile exclusive economic zone. Nevertheless, the Marshall Islands invited those nations whose citizens required fish protein as a dietary supplement, to fish in their waters, but requested payment of the required minimal fee which would help the Marshallese develop the industry. Negotiations with the Japanese Government to fish within the Marshall Islands zone had been concluded; those with other interested nations were under way. The Special Representative noted that some nations fished in the Marshall Islands' 200-mile zone without permission. He said that it was ironic that the poachers included their own trustee, the United States, with its purse seiners, and the Soviet Union with its fishing trawlers.

461. The representative of France stated that his delegation had taken note of the negotiations carried out by a number of the constitutional Governments of Micronesia with regard to joining the members of the fishing cartel that had signed the Nauru Agreement. He drew the attention of the Administering Authority to the complaints noted in the report of the 1982 Visiting Mission 24/ concerning the pressures brought to bear on the fishing industry by the American Tuna Boat Association, a private group which had campaigned both in the area and in the corridors of the United States Congress in an effort to retain the advantages it currently enjoyed. That Association would doubtless understand that times were changing.

Third United Nations Conference on the Law of the Sea

462. The representative of the United States said that the Governments of the Marshall Islands and the Federated States of Micronesia had signed, as observers, the Final Act of the Third United Nations Conference on the Law of the Sea and that his Government had informed them, as well as the Government of Palau, that it would have no objection to their signing the Convention resulting from that conference, should they so desire, but after they had entered into free association with the United States and following the termination of the Trusteeship Agreement.

463. Mr. Takesy, Special Representative, stated that the Federated States of Micronesia had dispatched to Montego Bay a delegation entrusted with the signing of the Final Act of the Conference and the Convention resulting from that conference. To their dismay, however, they had only been able to sign the Final Act, since, in the view of the United States, they were still under trusteeship and therefore not eligible to sign the Convention. In view thereof, his Government once again officially sought the Trusteeship Council's assistance in its effort to sign the Convention before the termination of the Trusteeship Agreement. For the United States to prevent them from doing so was contrary to its obligations as Trustee. The resources of the sea within their jurisdiction belonged to the people of the Federated States.

464. The representative of the United Kingdom noted with approval the statement by the representative of the United States that irrespective of the attitude of his Government towards the Convention, no objection would be raised to the signing of that Convention by the Federated States of Micronesia, the Marshall Islands and Palau once the compact of free association had come into effect. The United Kingdom representative said that that stood in stark contrast with the comments of Mr. Borja, Senate President of the Northern Mariana Legislature, that the Northern Mariana Islands was engaged in a legal "tug of war" (see para. 453) with the United States Government concerning jurisdiction over ocean resources which derived from the difference between the status free association and commonwealth status.

465. The French delegation duly noted the statement by the representative of the United States that the constitutional Governments would be empowered to sign the Convention and become full parties to it. It observed that that issue had been brought to the attention of the 1982 Visiting Mission on numerous occasions. The representative of France considered that it would be deplorable if a solution could not be found for the Northern Mariana Islands in that regard. As the special representatives from those islands had stressed, there was no reason why they should be the object of discrimination merely because they had chosen commonwealth status.

Industry and tourism

466. At the fiftieth session of the Trusteeship Council, Mr. Tenorio, Special Representative, stated that despite a decline in the number of visitors in 1982, tourism continued to be the major industry in the Northern Mariana Islands. The commencement in April 1983 of daily flights to and from Japan by Continental/Air Micronesia, should result in increased passenger arrivals from Japan, their major market. The continued request by the Northern Mariana Islands for charter service from Japan, however, had become an issue caught in interpretational deadlock between the United States Government and the Japan Civil Aeronautics Board.

467. Mr. Fitial, Special Adviser, said that efforts to promote tourism, the major industry of the Northern Mariana Islands, had been halted by disputes between the United States and Japan over the proposed charter service from Japan. In that regard, he sought the Trusteeship Council's intervention with the two Governments in order that the situation might be resolved.

468. Mr. Oiterong, Special Representative, stated that the Palau Visitor Authority Act, which established a semi-autonomous tourism authority to run the tourist industry, was a legislative milestone which was expected to generate more than the \$1.9 million in 1982. A 50-room hotel presently under construction in the State of Airai, was scheduled to open by the end of 1983, another 50-room hotel on the island was in the planning stage and work had begun on the 100-room Palau-Tokyo hotel on the island of Arkebesang, Palau. A restaurant of high quality had been completed recently.

469. Mr. Takesy, Special Representative, stated that small industrial shops in Truk and Ponape had added new jobs, products, ideas and more income to the private sector. Furniture was being produced from local timber and the production of carved and woven handicrafts had increased. With government assistance, guilds were being formed to increase production, quality control and to stabilize prices.

470. Mr. Domnick, Special Representative, stated that two hotels were under construction in Majuro and plans were under way for more hotels. The Marshall Islands Government planned to build a tourist industry which, along with the fisheries industry, they desperately needed to supplement their limited resources and to boost copra, their only cash crop. In the process, they had to exercise great caution as the ecology of their small islands was very fragile and while they desired the jobs and the money associated with tourism, they did not want to hurt their customs and culture, which were quite unique.

Transport and communications

471. At the fiftieth session of the Trusteeship Council, Mrs. McCoy, Special Representative, stated that nearly all of the roads within the government centres had been either completed or were in the final stages of paving. In 1983, \$3 million had been spent or allocated for sewer improvements throughout the Trust Territory.

472. Mr. Takesy, Special Representative, stated that in the Federated States of Micronesia, the roads had finally been paved, although only in the state centres. Of Ponape's 82 kilometres of primary roads, only 18 kilometres had been paved. Truk was in the process of paving its roads, but it would face a similar situation as Ponape, as would be the case for Yap and Kosrae.

473. Mr. Domnick, Special Representative, stated that the Ebeye dock had been repaired and extended in 1982 and that a container yard and warehouse facility were being constructed adjacent to it.

474. Mr. Borja, Special Adviser, stated that the Northern Mariana Islands had subscribed to a resolution of the Association of Pacific Islands Legislatures (APIL) to establish a regional airline for the Pacific basin. Only through such a system could there be some measure of control over the operation and management of an airline and thus ensure that it met the true needs of their citizens. They

intended to play an active role by intervening with the airlines to reduce airfares and to improve services.

475. Mr. Oiterong, Special Representative, stated that Air Nauru had instituted weekly round-trip flights from Palau to Manila, although Palau was still a victim of the United States sabotage rule whereby it could not serve as a final disembarkation point in Micronesia for passengers on Air Nauru. However, that problem could and would be resolved during the post-Trusteeship period.

476. The Special Representative said that the extension of the airport in Airai had been completed in May 1983 with the construction of a 2,300 metre runway to accommodate big commercial airliners. New terminal facilities should be fully operational before the end of 1983.

477. Mr. Takesy, Special Representative, said that the airport runway in Kosrae was nearing completion, but that there were indications that the United States Federal Aviation Agency (FAA) might not certify it for normal operation owing to its serious deficiencies. Attempts by his Government to rectify the situation through its own resources had not been successful, thus prompting the Federated States of Micronesia to seek the Trusteeship Council's assistance on the matter.

478. Mr. Domnick, Special Representative, stated that during 1982, the Marshall Islands had acquired from British Aerospace an aircraft capable of carrying over 40 passengers and able to fly the 400 kilometres between Majuro and Kwajalein in one hour and 15 minutes. This had allowed the Marshall Islands to use smaller planes to service the outer islands more effectively and had eliminated the weeks of waiting for flights between Majuro and Kwajalein during the peak traffic season of the summer and winter months.

479. Mrs. McCoy, Special Representative, stated that satellite communications systems were now operating in Palau, the Marshall Islands, Ponape and Truk, and were soon to be completed in Kosrae and Yap. The corollary equipment and telephone systems still required some work, but the satellite systems were operational and the Governments could use the communications satellites to reach any part of the globe.

480. Mr. Oiterong, Special Representative, stated that passage of the Palau National Communications Corporation Act had made it possible for the Palau earth satellite station to commence operations on 15 November 1983. Their telecommunications system was managed and operated by the Corporation's board of directors, which was independent of any agency of the national Government.

481. Mr. Takesy, Special Representative, stated that telecommunications had come to the Federated States of Micronesia with the opening of the first COMSAT earth station on 25 March 1983 in Ponape. The station in Truk had become operational on 11 May and would be followed by those in Yap and Kosrae on 14 June and early September, respectively. Responsibility for all aspects of telecommunications was vested in the Federated States Telecommunications Corporation, an independent agency of the Government.

482. The Special Representative further stated that the introduction of modern communication facilities had been made possible by funds allocated for the purpose by the Administering Authority. The regional office of the International Telecommunication Union (ITU) in Suva had provided guidance, expertise, training

and technical assistance, while the Governments of Australia and New Zealand had financed rural telecommunication studies in an effort to help the whole western and south Pacific regions. Unfortunately, much remained to be done to upgrade the local telephone system which had lacked proper maintenance for years. In that regard, they had sought the assistance of the Administering Authority in making full use of the modern satellite communications.

483. According to the representative of the United States, the Administering Authority was upgrading portions of the existing telecommunications system - local telephone and outer-island radio - to the operational standards for which it had been designed. All outer-island radios would be replaced by solid state modular radios operating from solarpower batteries. Palau, the Marshall Islands and the Federated States of Micronesia had signed agreements with COMSAT for the installation of satellite earth stations for world-wide communication. The first station, in Palau, had gone into operation in November 1982, and was followed by those in Majuro and Ponape in February and March 1983, respectively. The remaining stations in Truk, Yap, Kosrae and Ebeye would become operational later in 1983.

484. The representative of the United States informed the Trusteeship Council that pursuant to an interim postal agreement with the United States which concerned a subsidiary agreement of the compact of free association, Palau had assumed responsibility for internal postal service and had issued its first postage stamps on 10 March 1983. In February 1983, the Federated States of Micronesia had signed a similar agreement with the United States which would soon be implemented. The Marshall Islands and the United States were completing negotiations on an interim agreement which they expected to sign in the near future.

485. Speaking on the condition of roads and airports in the Trust Territory, the representative of France stressed the immense efforts undertaken by the High Commissioner and by the constitutional Governments to improve the infrastructure with the termination of the Trusteeship Agreement in view. All the roads and airports that the 1982 Visiting Mission had been to were either under construction or being completed. He considered the Territory's airport operations to be significant as air service obviously made the distant islands more accessible, and recalled once again the importance of vigilant and regular maintenance of airport installations. The French representative also said that development of the roads and airports must benefit not only the major urban centres, but also the distant islands. He paid tribute to the Mokil and Pingelap communities, which had seen the necessity of taking things into their own hands and accordingly were building their own airports. Another major improvement during the past six months was the introduction of satellite-based telecommunications systems which would help free the distant islands from their isolation.

486. The representative of France paid tribute to the High Commissioner of the Trust Territory and to Vice-Admiral Bruce Demars for trying to resolve all the problems the 1982 Visiting Mission had raised. He was encouraged by the news from the High Commissioner that improvements were being carried out at Kosrae and Dublon and that funds had been made available for the construction of docks in those two areas.

D. SOCIAL ADVANCEMENT

1. Outline of conditions

Human rights

487. 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.

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

489. In its report, the 1982 Visiting Mission observed that as in many other countries, because of traditional and social barriers, women in the Trust Territory were still at a disadvantage when seeking positions even when they possessed the required training. The Mission urged the authorities to continue to keep in mind the importance of women playing a full and equal part in the economic, social and political development of the Trust Territory. It stressed that many problems lay ahead and that no country could afford to neglect the potential contribution of half of its population.

Medical and health services

490. The current annual report stated that with the emergence of the three constitutional Governments in the Trust Territory, all activities relating to co-ordination, administration and health care services had been transferred to the new Governments. The Office of Health Services at Trust Territory Headquarters provided technical advice to the new Governments and would continue to be the recipient of federal funds and to co-ordinate with the new Governments the implementation of federally funded programmes.

491. The annual report further stated that the three new Governments continued to be the sole providers of comprehensive health services in the Trust Territory. Religious missions provided medicines and health services for their own personnel and students and on occasion contributed medicines to government hospitals.

492. According to the same report, the Office of Health Services was responsible for health planning and resources development; the Division of Health Planning within that Office provided staff services to the Micronesia Health Coordinating Council and reviewed, on a periodic basis, all health services provided in the Trust Territory. The Coordinating Council, the majority of whose members were consumers of health care, reviewed triennially a territory-wide, five-year comprehensive health plan, conducted public hearings on the plan and reviews and commented annually on the implementation of the health plan.

493. There were 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). In 1981, agreement had been reached for the construction of a new hospital in Majuro, to be completed by mid-1984. In addition, there were 173 dispensaries throughout the Territory.

494. At its forty-ninth session, the Trusteeship Council stated that it continued to be concerned that the health services in Micronesia still had only two suitably qualified Micronesian doctors. However, it noted with satisfaction the increasing number of Micronesians entering medical school. It also noted with satisfaction that medical facilities on Majuro, Truk and in Palau were being renovated and that the new hospital at Kosrae was fully operational. The Council noted with satisfaction that, during 1981, WHO had provided consultants on tuberculosis and leprosy to the Trust Territory and welcomed the offer made by WHO to provide leprosy drugs free of charge. It also noted that the construction of a new and comprehensive medical facility in Saipan costing \$29.8 million might begin as early as February 1983.

495. The current annual report stated that the Governments of the Trust Territory were encouraging their students to go into the medical fields. The Council's attention was drawn to the statistical information contained in the annual report listing the type of scholarships and subjects being studied.

496. The annual report pointed out that renovation and maintenance of hospital facilities throughout the Trust Territory continued to be a very high priority for the Administering Authority. The new hospital in Yap was fully operational. A site had been selected for the new hospital in Saipan and construction was expected to begin in early 1983 with funds appropriated by the Congress of the United States.

497. The annual report further stated that the Administering Authority was extremely grateful for the valuable contributions of WHO to the health care systems of the Trust Territory. Of special note was the prompt and effective assistance given during the cholera epidemic in Truk State in late 1982. UNICEF had also provided valuable assistance in that unfortunate situation. United Nations volunteers were also being brought into the health services.

498. In its report, the 1982 Visiting Mission stated that the Administering Authority was to be commended for its continuing efforts to improve health standards in the Trust Territory, as demonstrated by the increase in appropriations for health care over the years. The Mission said that the 1980 Visiting Mission had reported that between 1970 and 1980 those appropriations had increased from \$4.3 million to \$7.6 million and that they now totalled \$8.1 million.

499. The 1982 Mission endorsed the recommendations of previous visiting missions that greater care should be taken to ensure that the facilities under construction be built to last for a reasonable number of years, and that sufficient funds should be set aside for regular maintenance and to train local personnel to carry out that work. The problem was particularly acute in the case of maintaining sophisticated equipment. The Mission was, however, pleased to note in that context the arrangements being made in both Yap and Majuro to provide for hospital maintenance on a continuing basis.

500. The Mission hoped that both the Administering Authority and the constitutional Governments would give priority to maintaining and expanding the dispensary

services in the Trust Territory, particularly in the outer islands. While recognizing the problem of staffing, supplying and maintaining isolated dispensaries, it believed that it was a false economy to allow the system to run down since that would only increase the number of patients referred to the hospitals. The Mission observed that referrals outside the Trust Territory were not only much more costly, but were also more capable of reduction. One way of reducing such referrals was to use the Ponape Hospital as a referral centre for the entire Trust Territory. But unfortunately, it had not so far proved possible to implement that proposal. An alternative was to reverse the present procedure and send specialists to the patients. The 1980 Mission had been told that the system would be both very much less expensive and less disruptive for the patients. It had considered the suggestion to be promising. The 1982 Mission noted that that idea had been taken up in Palau with satisfactory results.

Community development

501. At its forty-ninth session, the Trusteeship Council reiterated its hope that the people of Micronesia would 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 that connection, the Council regretted that the Administering Authority had 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.

502. In its report, the 1982 Visiting Mission stated that as previous missions had observed, there continued to be too much reliance on external aid for financing and carrying out community activities. The Mission hoped that the people in the various areas throughout the Territory would recognize the need to participate more actively in community projects and would voluntarily participate in such projects.

503. According to the current annual report, the facilities provided by the Trust Territory Archives Program would afford any competent researcher with more than adequate materials for research and analysis of the effects of the Trusteeship System. It was the position of the Administering Authority that studies for immediate application to policy-making in the area should be carried out by the constitutional Government concerned. The cultures in the Trust Territory had built-in means for encouraging community involvement in social and cultural projects, and it would be inappropriate for the Administering Authority to attempt to influence those processes.

504. The annual report stated that the civic action teams, with personnel and equipment provided by the United States Department of Defense and in partnership with the local governments, undertook various kinds of construction, including road, bridge and building projects. They also trained Micronesians in technical skills at places where the teams operated. Each team was composed of an engineer, 11 construction specialists and a medical specialist. During the period under review, a team had operated in Palau, Yap, Truk and Ponape. In 1982, the United States Department of the Interior had participated partially in the civic action team programme, at a cost of approximately \$4.5 million. The local Governments had contributed the balance.

505. According to the same report, \$400,000 had been approved for 1980/81 in grants under the Community Development Block Grant Program for the Northern Mariana Islands. An additional \$400,000 had been earmarked for 1982. Those funds had been utilized for water and road improvements and for house construction.

Labour

506. At its forty-ninth session, the Trusteeship Council stated that it continued 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 noted that responsibility for employment policies had been transferred from the Administering Authority to the new Governments but hoped that the Administering Authority would do everything possible to assist the Governments in their efforts to generate job opportunities for Micronesians.

507. In its report, the 1982 Visiting Mission observed that like its predecessors, it was deeply concerned about the unemployment problem in the Trust Territory, which appeared to be worsening. One of the problems, already noted in earlier reports of the Trusteeship Council, was the imbalance between wage earners employed in the public sector and those in the private sector. The constitutional Governments were trying to lessen that imbalance. Although it was clearly essential to do that in the longer term, given the present high rate of unemployment, the Mission believed that priority should be given to increasing jobs in the productive sector before substantially reducing employment in government service.

508. The Mission commended the various youth training programmes which were being organized by the individual Governments with financial assistance from the Administering Authority.

509. The current annual report stated that the Administering Authority acknowledged that there continued to be a serious imbalance in the employment of Micronesians in the public and private sectors. It believed also that as the private sector developed through the use of development loan funds, and government financed infrastructure, more opportunities would open up. The opening of employment possibilities in the outer islands would reduce migration to the centres where unemployment in the cash economy was a serious handicap to planned development. On the other hand, cash-based economies in the outer islands presented a threat to traditional life styles, customs and traditions. It would be up to the constitutional authorities to balance the investment for a maximum positive effect while at the same time limiting the effects on traditional ways of life which the people themselves wished to perpetuate.

Housing

510. In its report, the 1982 Visiting Mission stated that according to the 1981 annual report of the Administering Authority, housing construction programmes in which the Trust Territory Administration had a role, through grants from the Department of Housing and Urban Development (HUD), must meet certain standards set for durability, and that those standards could not be met by the use of locally available materials. The Mission questioned both of those assumptions. In its

experience, local materials were often better suited to the climatic conditions of Micronesia, as well as being cheaper and helping the economy of the Trust Territory, and precluding maintenance because it was expensive was a false economy. The Mission hoped that HUD, which had provided valuable services to the Trust Territory, would reconsider that policy.

511. The Mission pointed out that it had been informed by the Government of the Federated States of Micronesia that the house loan programme, which had begun in 1977 and made available a total of \$5 million in loans to date, was being discontinued. The representatives of the Federated States had said that it was essential to replace the programme with a similar one from other sources.

512. In a meeting with the representatives of the people of Ebeye, the Mission was informed that no improvements had been made in the houses given to them and that they were deteriorating. While they had requested both the Trust Territory Government and the Government of the Marshall Islands to remedy the situation, nothing had been done about the problem. The Mission confirmed that the houses were in very poor condition.

513. The current annual report stated that in the Northern Mariana Islands three new housing subdivisions had been completed consisting of 98 house units, all of which were occupied by eligible lower-income families. The total federal contribution made from 1 January 1980 to 31 July 1982 was approximately \$924,480, including contributions towards 45 units completed before 1980. A further payment of \$291,528 was expected for 50 units recently completed.

514. According to the annual report, the 1982 reimbursement collections of the low-cost housing programme in the Marshall Islands totalled \$53,017. Funds available at present totalled \$3,727.

Public safety

515. The current annual report stated that the public safety grant programme was administered by the Office of the Attorney-General of the Trust Territory Government and focused on subgranting funds to projects of the three constitutional Governments. The projects were directed at preventing juvenile delinquency and ensuring proper treatment of juvenile offenders in the justice system.

516. The annual report further stated that one of the most successful programme areas had been that of "Outward Bound" type of projects operating at Ponape, Truk, and Palau. Under that project, youths, most of them "dropouts" or "troubled", were engaged in a month-long survival course where emphasis was placed upon their learning to cope with their environment, themselves and others. Of the more than 300 young people who had graduated from the programme, only three were known to have reverted to negative contact with law enforcement officials.

517. At its forty-ninth session, the Trusteeship Council stated that it remained concerned about youth problems in the Trust Territory, particularly with respect to unemployment and juvenile delinquency and regretted that, as a result of current fiscal policies, the Young Adult Conservation Corps (YACC) programme would be phased out at the end of 1981/82. The Council considered that the constitutional Governments were best placed to find solutions to those problems but called upon

the Administering Authority to view sympathetically requests from the Governments for appropriate assistance and technical support.

518. According to the current annual report, while certain youth-related programmes had been phased out both in the United States and the Trust Territory, there had been an increase in funding under the Juvenile Justice and Delinquency Prevention Act which was specifically targeted against problems related to the handling of juveniles in the criminal justice system. The Administering Authority recognized that that was a major area of concern and stated that it would continue to provide technical assistance and support to the emerging Governments.

Peace Corps

519. According to the current annual report, Peace Corps volunteers, who were now invited jointly by the Presidents of the Micronesian Governments and the High Commissioner of the Trust Territory, served in the Federated States of Micronesia, the Marshall Islands and Palau. In 1982, Peace Corps volunteers in the Trust Territory numbered 76, of whom 44 were serving in the Federated States, 20 in Palau and 12 in the Marshall Islands. The Peace Corps programme in the Northern Mariana Islands had been phased out and was to be replaced by Volunteers in Service to America (VISTA), another federal programme that stressed local volunteer involvement in its activities.

520. In 1981/82, the Peace Corps volunteers served in such fields as architecture, business, forestry management, mechanics, carpentry, construction, health education and animal husbandry. In 1982, there were 17 Micronesian and 3 United States staff members in the Trust Territory. The headquarters for Peace Corps/Micronesia was scheduled to be transferred from Saipan to Kolonia, Ponape, in 1983.

521. The annual report stated that the decision taken in 1980 to shift assignments from government centres to villages, lagoon areas and the outer islands had continued to be implemented in 1982. More than 80 per cent of the new Peace Corps volunteers had been placed in the private sector or with municipal governments. Priority for volunteer assignments was given to development projects in the private sector. The first group of volunteers specializing in business administration had been assigned to five retail businesses in Palau.

2. Discussion in the Council and opinions expressed

Human rights

522. At the fiftieth session of the Trusteeship Council, the representative of the Soviet Union recalled that Secretary of Foreign Affairs of the Marshall Islands, on his return from negotiations on the compact of free association held at Washington, D.C., in 1982, had informed the Council that the Marshallese could only choose between forms of colonial power and nothing more than that. In view of such public statements which the Administering Authority could no longer accept, the Secretary of Foreign Affairs, who had been a member of the United States delegation in previous years, had not been invited to further sessions of the Council.

523. The representative of the Soviet Union also stated that instead of protecting and respecting the fundamental rights and freedoms of the indigenous population of

the Trust Territory, the Administering Authority had clearly been trampling on those rights and freedoms.

524. The representative of the United States strongly denied the allegations made by the representative of the Soviet Union that the Administering Authority had attempted to stifle the free expression of opinion by the Micronesian representatives by refusing to invite the Foreign Secretary of the Marshall Islands to the fiftieth session of the Trusteeship Council. He noted that the representative of the Marshall Islands had rejected that charge and that the representative of the United Kingdom had observed the obvious freedom of expression of the Micronesian representatives. He pointed out that the United States was a free society which prized freedom of speech above all, and that the Special Representatives of the Governments of the Trust Territory who served in the United States delegation were completely at liberty to state their views whether or not they were in consonance with those of the United States.

525. The representative of France stated that respect for fundamental human rights and freedom was manifest throughout the Territory, that the rights of children and women were fully respected, that there was no trace of racism or racial discrimination and that all the communities throughout Micronesia intermingled without any problem. On the question of women's rights which several non-governmental organizations had asked the Visiting Mission to look into, the Mission noted that women took a full part in the social and economic life, if only because heritage and titles were transmitted through women, and women had access to political life.

Medical and health services

526. At the fiftieth session of the Trusteeship Council, Mrs. McCoy, Special Representative, drew attention to the cholera epidemic in Truk, saying that conditions there were conducive to the spread of the disease despite years of health care, but that the loss of life had been relatively limited. The Centre for Communicable Disease Control in Atlanta, Georgia, had provided expert medical assistance and millions of dollars had been allocated to meet the crisis. The Administering Authority was particularly grateful to WHO, SPC and other international and regional organizations whose invaluable assistance had helped prevent the spread of cholera and greatly reduced its severity. Nevertheless, the people of Truk should adapt themselves to the existence of the disease and adjust to a life style geared towards improved sanitation, food handling and care in other areas of daily life.

527. The Special Representative said that in co-operation with international organizations, other agencies and the Government of the Federated States of Micronesia, the Administering Authority was providing \$8.5 million to complete the sewer and water project, to improve sanitation and health education and, in general, to take the necessary steps to eradicate the disease. Care was being taken to prevent the disease from spreading to other parts of Micronesia.

528. Mr. Tenorio, Special Representative, stated that construction work would soon begin on a new health care centre in the Northern Mariana Islands which would provide in-patient nursing, out-patient clinics, public health offices, dental clinics and support and supply facilities. In January 1983, the Congress of the United States had approved, and the President had signed into law, a bill providing

\$10 million as initial construction funds for the project. His Government was developing a plan which would keep operating costs, as well as the staff budget, within tolerable limits.

529. The representative of France noted that since the visit of the 1980 Visiting Mission, a number of hospitals had been opened or had undergone repair work. He paid tribute to the director of the hospital in Yap, whose outstanding work proved that proper maintenance of the facilities was fundamental to the good management of a hospital. In this connection, a meeting of hospital directors of the Trust Territory could be held in Yap so that they could see and be made aware of the importance of hospital maintenance.

530. The representative of France commended the medical training given to a number of Micronesians in Fiji, which had been geared to best suit the living conditions in that part of the Pacific.

Community development

531. At the fiftieth session of the Trusteeship Council, Mr. Donnock, Special Representative, stated that in the Marshall Islands the Mobile Training Unit (MTU), which was sponsored by SPC and UNDP, provided programmes for midwives and other personnel in the field of health care as well as training in the application and utilization of health statistics.

532. Mr. Takesy, Special Representative, pointed out that the unpredictability of medical referrals to facilities outside the Federated States of Micronesia had always undermined their best efforts in budget planning. To remedy the situation, the Federated States was reviewing draft agreements with the Naval Regional Medical Center in Guam and the Guam Family Health Program, as well as the Tripler Army Hospital in Hawaii; mutual agreement among the parties was expected soon. Family planning had been started and had been integrated with the immunization programme, with UNDP providing financial assistance. Proposals concerning the programme had also been submitted to UNICEF, which would provide funds for lay midwifery in outlying areas.

533. Mrs. McCoy, Special Representative, stated that the Administering Authority continued to undertake efforts to promote family planning and that all of the government health services, including what remained of the Trust Territory Bureau of Health Services, considered that area a priority.

534. The representative of the United Kingdom stated that the sensitive issue of family planning should be taken into account in the formulation of any development programme. He recalled that the 1982 Visiting Mission had addressed that problem and that the senators in Truk State had voiced a need for assistance in that area. Referring to the Mission's report that ESCAP was prepared to help finance a family planning programme, 25/ he urged that that be explored, taking into account respect for social and cultural traditions and bearing in mind that, as the Visiting Mission had recognized, it was the traditional chiefs who would best be able to explain the dangers of over-population to the people.

535. The representative of France observed an inchoate awareness of family planning as a means of controlling population growth and noted the remarkable efforts made in that regard in Yap and the surrounding islands by the Governor of Yap.

Labour

536. The representative of the United States said that unemployment, which was as serious a problem in the Trust Territory as it was in the United States and in many other countries, was a question that the Administering Authority was trying to address in a number of ways. A number of training projects were currently going on, including the Micronesian Trades Apprenticeship Program (MTAP), with 292 trainees from the Federated States of Micronesia, Palau and the Marshall Islands; short-term trades programmes; various work projects; and on-the-job training in the private sector.

537. The representative of the United Kingdom stated that unemployment remained high and that available work was heavily weighted in favour of the public sector, favouring state centres rather than the outlying areas.

Public safety

538. At the fiftieth session of the Trusteeship Council, Mr. Domnick, Special Representative, stated that the frustration of being idle and unemployed was breeding juvenile delinquency in the Marshall Islands, particularly in the population centres of Ebeye and Majuro. To combat that, the Government had instituted a juvenile delinquency prevention programme, under which basic vocational, music, health care and other skills were taught, and an on-the-job training programme whereby young people were given jobs in the government sector. In addition, the Mobile Training Unit provided training in leadership, health care, farming, livestock raising and village technology, the latter concentrating on rural life techniques such as building wood-burning stoves and ovens, drying and preserving food and installing small solar power pumps.

539. Mr. McCoy, Special Representative, stated that some of the social problems in the Trust Territory were due to unemployment, and some to cultural displacement. While there was a movement towards adapting Micronesian societies to the modern world, there was a strong desire to preserve traditional ways of life and in the process of determining which direction society would take, severe dislocation had occurred leading to a certain amount of social disruption. She noted the statements of the Micronesian representatives that every jurisdiction had ongoing programmes to combat alcoholism and juvenile delinquency, as well as to provide vocational training and counselling. There were also programmes designed specifically to alleviate those two problems and to keep the youth as productive members of those new societies. The Administering Authority would continue to provide assistance to those efforts as long as possible.

E. EDUCATIONAL ADVANCEMENT

1. Outline of conditions

General

540. The current annual report stated that during the year under review, the number of staff at the headquarters Office of Education had been further reduced as responsibility for the administration of educational programmes was increasingly assumed by the three new Governments in the Trust Territory. The Office had

retained those functions required by federal laws and regulations of a state educational agency for administration and oversight of programmes financed through the United States Department of Education.

541. At its forty-ninth session, the Trusteeship Council stated that it 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 termination of the Trusteeship Agreement.

542. The annual report stated that while ultimate legal responsibility for administration of federally funded educational programmes remained with the Office of the High Commissioner, programme and planning decisions for all educational programmes, as well as their implementation, were handled at the local level.

543. At its forty-ninth session, the Trusteeship Council expressed its concern about the deterioration of school facilities in certain areas. It considered that the 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.

544. In its report, the 1982 Visiting Mission reiterated the importance of providing adequate funds for the maintenance and expansion of school buildings and the need to train local maintenance staff to carry out the work.

545. The annual report stated that maintenance of existing facilities should rank among the highest priorities. Some local agencies had included repair and maintenance as part of their locally written consolidation programmes. Training in maintenance work could be written into educational projects under chapter 1 of the Education Consolidation and Improvement Act by local educational agencies as part of their vocational education programmes.

546. At its forty-ninth session, the Trusteeship Council reiterated the concern expressed at previous sessions of the Trusteeship Council 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 among unemployed high school graduates and high school drop-outs was a particularly disturbing trend. 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.

547. In the annual report, the Administering Authority acknowledged and deplored that social disorientation. It stated that as was true in many other developing countries of the world, such problems invariably accompanied the social and economic change associated with development. The Administering Authority stated that it was ready to assist in providing resources for youth programmes, employment opportunities such as Comprehensive Employment and Training Act (CETA) programmes and other federally funded projects addressing that problem. In general, however, the solution to those problems would depend largely on the policies and programmes adopted by the respective Governments.

548. At its forty-ninth session, the Trusteeship Council declared that it attached great importance to the preservation of the indigenous languages and cultures of

the Trust Territory. It believed 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 disseminating those languages. It welcomed 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 (PALM) Development Center at the University of Hawaii for the preparation of documentation in the 10 different languages of Micronesia.

549. According to the annual report, programmes for the preservation of indigenous languages and the broadening of their use were continuing in the Trust Territory and at the University of Hawaii. During the 1982/83 school year, model programmes in bilingual education under special federal funding were operating in five of the six local educational agencies. The PALM project conducted by the University of Hawaii in co-operation with the territorial and local offices of education continued to train indigenous language specialists in the production of local language materials used in classrooms throughout the Territory. The Bilingual Education Program for Micronesia (BEPM) at the University of Hawaii continued to provide to indigenous language specialists linguistic training in the major languages of the Territory.

550. In its report, the 1982 Visiting Mission commended the existing cultural programmes and expressed the hope that means would be found to support and encourage them in the future. It was pleased to note the increasing interest shown by the constitutional Governments in preserving their cultural heritage as they approached the final steps towards self-determination.

Primary and secondary education

551. According to the current annual report, pupils enrolled in public and private elementary schools in the Federated States of Micronesia in 1981/82 numbered 19,998, of whom 18,117 were attending public elementary schools. There were 4,279 pupils in public and private secondary schools, of whom 3,997 were attending public secondary schools.

552. In the Marshall Islands, 7,962 pupils were attending public and private elementary schools, of whom 6,193 were enrolled in public elementary schools. The number of pupils in public and private secondary schools totalled 1,402, of whom 806 were attending public secondary schools.

553. Pupils enrolled in public and private elementary schools in the Northern Mariana Islands totalled 3,235, of whom 2,687 attended public elementary schools. A total of 1,785 pupils were enrolled in public and private secondary schools, of whom 1,518 were attending public secondary schools.

554. There were 2,565 pupils in the public elementary schools in Palau and 750 in the public secondary school.

555. At its forty-ninth session, the Trusteeship Council stated that it 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 the programmes could be continued after the termination of the Trusteeship Agreement.

556. In the current annual report, the Administering Authority called attention to the fact that the inclusion of such programmes in regular or consolidated education programmes was a decision which would have to be made at the local governmental level.

557. At its forty-ninth session, the Trusteeship 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.

558. The Council stated that it continued 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 believed 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.

559. The Administering Authority stated in the annual report that it would continue to support improvement in facilities and attendance at school within available resources.

560. In its report, the 1982 Visiting Mission noted that previous missions had suggested that since universality of elementary education had been virtually achieved, the future thrust of educational policy should be to improve its quality. The Mission's attention had been drawn to school buildings which needed to be enlarged in order to accommodate more children; a shortage of qualified teachers; a lack of school supplies; and a shortage of funds, particularly in outlying areas. The Mission was, however, pleased to note the various steps being taken throughout the Territory since the visit of the 1980 Mission to train more teachers and to provide more textbooks in the local languages.

Higher education

561. The current annual report stated that the College of Micronesia, the only institution for higher education in the Trust Territory, continued to provide service to the Federated States of Micronesia, the Marshall Islands and Palau. During the period under review, the College had a student body of 1,540. In 1982, 97 students had received associate of science degrees in architecture, 25 in education, 11 in the humanities and 6 in health. In the same period, 35 students had received certificates in business administration, 11 in agriculture and 6 in home economics.

562. The annual report also stated that in August 1982, 22 students (the first graduating class) had received associate degrees in education from the Northern Mariana Islands Community College.

563. According to the annual report, almost 1,000 students were attending institutions of higher studies outside the Federated States of Micronesia. Of that number, 600 had applied for government student assistance and 284 had received financial aid. It is estimated that more than 200 students from the Marshall

Islands were enrolled in higher educational institutions abroad, most of them in the United States. Some 160 students had received grants and loans amounting to \$223,000 from the Nitijela (Legislature) of the Marshall Islands.

564. At its forty-ninth session, the Trusteeship Council stated that it continued to attach importance to the existence and future development of the College of Micronesia, which was the only institution for higher education in the Trust Territory. It also hoped that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau would continue to support the College after the termination of the Trusteeship Agreement. The Council continued to view 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.

565. In its report, the 1982 Visiting Mission stated that it hoped that priority would be given to providing the College of Micronesia with the aid required to enable it to improve its facilities and to raise the educational qualifications of its staff so that it might develop, as its founders had envisaged, to meet Micronesia's changing needs and to foster cultural links throughout the Territory. If those steps were not taken, the Mission feared that the College would lose the support of the other entities, which could then be tempted to develop their own institutions of higher learning. The Mission felt that that would be unfortunate, both on financial grounds and because the Trusteeship Council had always regretted the political divisions in the Territory and had sought to encourage the retention and development of common services.

566. The Administering Authority stated in the current annual report that it hoped that the College of Micronesia would continue to improve its services to the people of the Trust Territory and that it was making available to the College a variety of federal education programmes, so that it could enlarge its resource base prior to termination of the Trusteeship Agreement. It agreed that institutionalized links among the peoples of Palau, the Marshall Islands and the Federated States of Micronesia which survived the termination of the Trusteeship Agreement were desirable.

567. At its forty-ninth session, the Trusteeship Council stated that it welcomed the operation for the past two years in the Northern Mariana Islands of a junior Community College which co-ordinated practical training at the post-secondary level in the entity and its collaboration with several universities in the United States.

568. In its report, the 1982 Visiting Mission observed that the role of the Northern Mariana Islands Community College had been expanded and further defined to include additional training activities. It also granted associate of arts degrees in subjects such as office studies, police activities and tourism. For the past two years, the Community College had co-ordinated higher education in both the vocational and academic fields with the co-operation and participation of several United States universities.

569. The annual report stated that the College continued to provide higher education, particularly in the area of in-service teacher training (see para. 562).

Vocational training

570. At its forty-ninth session, the Trusteeship Council stated that it greatly appreciated the important contribution which the Micronesian Occupational College continued to make to vocational training in the Trust Territory.

571. The Council welcomed vocational training programmes such as the Micronesian Trades Apprenticeship Program (MTAP). It was concerned at the possible discontinuation of the programme at the end of 1981/82 because of a lack of funds. Consequently, it requested the Administering Authority to do its utmost to ensure the continuation of the programme. The Council reiterated the importance it attached to the acquisition of technical skills by young people as an essential factor in the economic development of the Territory.

572. The current annual report stated that the Micronesian Occupational College continued to be the primary public vocational institution in the Trust Territory. As a part of the College of Micronesia, it represented an important element in the training of Micronesians for employment in various developmental sectors. Many of the students had been employed by the Government or the private sector. The students were encouraged to take advantage of the good vocational education programmes offered at the College.

573. The annual report pointed out that students of the first four-year MTAP class had graduated in October 1982 and that funding to continue the programme had been assured. All graduates from the Federated States of Micronesia had been placed in jobs for which they had been trained.

574. In its report, the 1982 Visiting Mission stated that it had found the authorities to be concerned by the fact that the employment record of Micronesian Occupational College graduates had deteriorated recently, with only about 75 per cent finding employment on leaving. The proportion of those who had found work in their own field had decreased from 69 to 50 per cent between 1975 and 1981.

575. At its forty-ninth session, the Trusteeship Council stated that it hoped that the co-operation entered into between the constitutional Governments in the field of vocational training would be continued and would permit concerted preparation of training programmes and satisfactory correspondence between the training of young people and manpower needs throughout the Trust Territory.

576. The annual report stated that the Administering Authority would continue to encourage co-operation in the development of manpower trained for the actual job opportunities and needs in the various jurisdictions of the Trust Territory.

Teacher training

577. At its forty-ninth 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, the Council again expressed the hope that sufficient encouragement and incentives would be given to improve the prospects of the teaching profession in relation to the civil service.

578. In the current annual report, the Administering Authority noted that each of the Governments had its own civil service system and was responsible for the

classification of members of the teaching profession. Steps had been taken to improve the qualifications of elementary and secondary school teachers. Over 90 per cent of the teachers in Kosrae, Ponape and Yap had obtained associate of science degrees, and about 60 per cent of the teachers in Truk had obtained associate of science or bachelor of arts degrees. The rest of the teachers were being encouraged to participate in summer training programmes in order to earn their degrees.

579. The annual report stated that in the area of teacher training, several higher education extension programmes had been established in the Federated States of Micronesia. The programmes had been developed to enable teachers to up-grade their skills as well as to acquire college degrees. The sponsors of the extension programmes included the College of Micronesia, the University of Hawaii, the University of Guam, San Jose State University, East Texas State University and Eastern Oregon State College.

580. The annual report indicated that as a result of the teacher-training programme co-ordinated by the Community College, there had been a dramatic increase in the educational qualifications of teachers in the Northern Mariana Islands. Since 1980, an additional 28 per cent of the teachers had earned at least an associate of arts degree and many were following courses offered by the College and working towards bachelor of arts degrees.

581. The annual report stated that in 1982, an extensive and varied selection of training opportunities had been offered to teachers in the Marshall Islands, both on a credit and non-credit basis. Off-campus courses were again being conducted by the University of Hawaii. Over 150 teachers had satisfactorily completed courses given by the University of Hawaii, all of them supported financially by federal programmes. Other teachers had taken advantage of the opportunity to earn associate of science degrees in elementary education from the College of Micronesia through the local extension centre. By September 1982, 55 teachers had received associate of science degrees, bringing the total number of teachers holding such a degree to 165.

582. According to the current annual report, San Jose State University, the Community College of Micronesia and the University of Guam offered extension courses in Palau in 1982 and teachers took courses leading to associate of arts or science degrees. Consequently, about 95 per cent of elementary school teachers and principals had completed degree requirements and would be so certified.

Dissemination of information on the United Nations

583. According to the current annual report, several hundred copies of the 1981 annual report of the Administering Authority to the United Nations were distributed throughout the Territory. United Nations publications and radio programmes were distributed directly to each Government in the Trust Territory through the United Nations Information Centre at Tokyo. The Trust Territory archives programme included the distribution of books from offices that had closed in 1981 to the new Governments for dissemination to public libraries, schools and local government offices.

584. In its report, the 1982 Visiting Mission observed that most Micronesians appeared to attach importance to their special relationship, as inhabitants of a

Trust Territory, with the United Nations. In the Mission's view, however, that relationship could well be eroded and the prestige of the United Nations undermined if the inhabitants of Micronesia came to believe that the world Organization was either uninterested in the Trust Territory, or impotent. To avoid that happening, the people of the Trust Territory should be kept fully informed about the steps taken by the Trusteeship Council to familiarize itself with their problems, including the extent to which it was engaged in formulating and encouraging policies designed to promote the advance of the Trust Territory in accordance with the provisions set out in Article 76 b of the Charter. The records and reports of the Trusteeship Council and its visiting missions constituted the most detailed and reliable source of such information. The Mission stated that in raising that issue, it was not only concerned with the prestige of the United Nations, it also believed that local leaders and other members of the population in all fields of activity should be aware of the recommendations which the Trusteeship Council had been making on their behalf.

2. Discussions in the Council and opinions expressed

General

585. At its fiftieth session of the Trusteeship Council, Mr. Takesy, Special Representative, stated that in a national effort to orient human resources to the many tasks of nation building, steps had been taken to develop relevant curricula for the various levels of education in the Federated States of Micronesia. Many students were being sent to institutions in the Pacific to follow educational programmes which were relevant to the needs of the Federated States. Efforts had been made to improve the overall educational standards in the nation through management training and the retraining of teachers, by means of comparative analyses of test results. Integration of traditional and modern educational systems was undertaken to ensure social cohesiveness and to protect the heritage of Micronesia. In addition, on-the-job training continued at home and abroad.

586. The representative of France said that the culture of Micronesia was truly rich. An initiative such as the Majuro museum was to be encouraged, while the Koror museum and the anticipated Kosrae museum should be the subject of vigilant care by UNESCO, the Office of the High Commissioner and the local authorities. The invaluable treasure being transmitted and presented by the Micronesian Cultural Center should be supported if that centre was to remain alive.

Higher education

587. At the fiftieth session of the Trusteeship Council, Mr. Oiterong, Special Representative, stated that while the Palauans prided themselves on the proportionately larger number of current high school graduates, those students still faced the perennial problem of insufficient scholarships or student loans to pursue a college education abroad. As reported previously, the agricultural training programme conducted by the Organization for Industrial, Spiritual and Cultural Advancement (OISCA) had been successful and male and female students continued to be sent to Japan under the programme. Some had returned to apply new farming techniques in the field.

Vocational training

588. At the fiftieth session of the Trusteeship Council, Mr. Oiterong, Special Representative, stated that social groups and private associations had begun fund-raising activities to promote Palauan culture and training. Lessons in basket-weaving, arts and crafts, and traditional chants and dances were being taught in high schools to preserve the indigenous heritage of Palau.

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

1. Outline of conditions

589. At its forty-ninth 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.

590. The Council noted that following the inauguration of a constitutional Government in Palau in January 1981, each of the political components of the Trust Territory had practically achieved full functional self-government under the Trusteeship Agreement.

591. The Council noted that the United States had 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 had stated that his Government 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.

592. The Council noted that further progress had been made during 1981 in the negotiations on political status and that those negotiations had been continuing throughout the forty-ninth session of the Council.

593. The Council took note of a statement by the representative of the Administering Authority that an agreement had been reached at Honolulu on 30 May 1982 between the Administering Authority and the Government of the Marshall Islands.

594. The 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 termination of the Trusteeship Agreement.

595. In its current annual report, the Administering Authority reaffirmed its previously stated policy that the people of Micronesia would, following a thorough political education programme, have the opportunity to choose their future political status from a range of options which included independence.

596. The annual report stated that functional self-government had in fact been established, within certain limits required by the Trusteeship Agreement and the continuing responsibilities of the Administering Authority. Achievement of full functional self-government would be realized with the termination of the Trusteeship Agreement and the assumption of a new political status.

597. Referring to the statements made by the representatives of the constitutional Governments in the Trusteeship Council who had emphasized their desire to maintain preferential and close relations with the Administering Authority after the termination of the Trusteeship Agreement, the annual report stated that the Administering Authority was honoured at that expression of views by the representatives and noted that their aspiration was embodied in the compact.

598. In its report, the 1982 Visiting Mission noted that the 13 years of negotiations between the United States and the Trust Territory had been concluded with the signing of the compact and its subsidiary agreements by the United States and the Marshall Islands on 30 May 1982, Palau on 26 August and the Federated States of Micronesia on 1 October. The Mission further noted that the Micronesian Governments concerned wished to maintain close and preferential relations with the United States after termination of the Trusteeship Agreement, particularly in the fields of economic development and defence.

599. At its forty-ninth session, the Trusteeship Council stated that it trusted that the negotiations between the Administering Authority and the constitutional Governments concerned would lead to a mutually satisfactory outcome which respected the personality of every party.

600. The Council noted that once the compact had been signed, the Government of the United States and the constitutional Governments would submit it to a plebiscite which would be held simultaneously in each of the areas to which the compact applied. It understood that it remained the intention of the Administering Authority to invite the international community to observe the plebiscite through the intermediary of the appropriate United Nations organs.

601. The Council strongly reiterated its opinion that all the people of Micronesia should be given the fullest opportunity, before the plebiscite, to inform themselves about the various political choices open to them, including independence. To that end, it wished a programme for political education to be undertaken seriously and speedily.

602. The current annual report stated that the Administering Authority joined the Governments of the Federated States of Micronesia, the Marshall Islands and Palau in their desire for an early termination of the Trusteeship Agreement. Now that negotiations had been completed, only the completion of the formal approval process of the compact remained before the termination of the Trusteeship Agreement. In that connection, the Administering Authority was grateful to the Trusteeship Council for facilitating the process of self-determination in the Trust Territory by creating and dispatching visiting missions to observe the plebiscites as they were held in Palau, the Marshall Islands and the Federated States of Micronesia.

603. In its annual report, the Administering Authority pointed out that it had noted the Council's long-standing and well-founded opinion that the choices available to the people of the Trust Territory with respect to their future political status should be objectively, openly and fully explained. To that end,

and in fulfilment of its obligations under the Trusteeship Agreement, the Administering Authority, in October 1981, had invited the three constitutional Governments to submit voter information plans, including funding requirements, for their own public education programme. That had been accomplished and, by the end of 1982, the Administering Authority had contributed funds to initiate the programmes. The total funding would be very close to the amounts originally requested by the three constitutional Governments. The programmes themselves, all of which were comprehensive and involved all segments of the populations, had commenced by the beginning of 1983.

604. With regard to the timing of the Palau plebiscite, the Visiting Mission to Observe the Plebiscite in Palau concluded that the plebiscite had not been held prematurely as the broad issues at stake had generally been understood by the voters. It further concluded that to have held the plebiscite in November or December 1982, as had at one time been contemplated by the Governments of Palau and the Administering Authority, would have been premature because it would not have allowed enough time for the political education programme and the political campaign. The Mission believed that the successive postponements of the date, and the fact that it had remained in doubt until the last moment, had created some uncertainty in the minds of some voters.

605. The Mission had arrived in Palau after the Palau Supreme Court had ruled out the wording of the ballot paper on proposition one, question B, 26/ should revert to the language specified in Public Law No. 1-43. The Mission had not therefore had to take a view on whether the alternative language promulgated in November would, as had been widely alleged, have been unfair or prejudicial. Nevertheless, the Mission noted that the effect of the Court's ruling had been to return to the language which had undoubtedly been impartial and unbiased and which had been previously approved by the Government and legislature of Palau.

606. The Mission believed that the rules and regulations promulgated under Public Law No. 1-43 had been professionally drawn up and applied. However, the Mission had received complaints that three separate amendments to the rules and regulations had been issued since 30 December 1982 and in particular that a fourth amendment, relating to the rules on the validity of ballots, had not appeared until the day of the plebiscite itself. Under that amendment, the condition that ballots were to be considered valid only if the voter had answered the question on approval of the compact, had been removed and the ballot became valid if all or any of the questions were answered. The Mission had welcomed that amendment although it had found it unfortunate and regrettable that it should have been issued so late.

607. The Mission declared that the conduct of the plebiscite had been entirely the responsibility of the Government of Palau and the Administering Authority had undertaken to provide a substantial contribution to the costs. The Mission had not observed any improper intervention by the Administering Authority during the political campaign. The supporters of the compact had alleged that foreign political organizations and associations had interfered in the political campaign by providing funds and propaganda material designed to bring about rejection of the compact. The opponents of the compact had alleged that the Government had diverted certain funds intended for the political education programme for the purpose of propaganda in favour of the compact, notably by organizing entertainment and distributing presents. The Mission had not received any concrete evidence which would substantiate the allegations of either side. The Mission was satisfied that the political campaign had been conducted in complete freedom by both sides.

608. The Mission noted that on polling day, the few changes which it had suggested, notably to the arrangements of the polling booths, had been made on the spot by members of the Plebiscite Board. The Mission had not received any complaint in that context, except over the problem of the votes from Guam to which its attention had been drawn several times. The Mission noted that that complaint had been later examined and dismissed by the Supreme Court of Palau.

609. The Mission noted that the counting of the votes had been scrupulously and carefully carried out by a single team, thus enabling both the Mission and the general public to verify that the counting had been properly conducted.

610. The Mission pointed out that the results which had been certified by the President of Palau after the Supreme Court of Palau had rejected the plea for invalidation of the plebiscite had led the Mission to observe that although the compact had been approved by the people of Palau, it could not enter into force because of the insufficient number of votes in favour of question B of proposition one. Thus, it appeared to the Mission to be for the Governments of the United States and of Palau to look for a mutually acceptable solution which would make it possible to bring about harmony between article II, section 3 of the Constitution, which had been approved in 1979, and section 314 of the compact which had itself been approved on 10 February 1983.

611. With regard to the political status arrangements which might have been negotiated if the compact had been rejected, the Mission noted that 43.9 per cent of the voters had not replied to the question put to them. The Mission was unable to say with certainty what the voters' motives had been but it considered that the attitude they had adopted derived directly from the preference they had expressed for the status of free association in the advisory referendum of 1975. The Mission further noted that of the bare majority who had expressed a view on that point, 55.5 per cent had favoured a closer relationship with the United States and 44.5 per cent, independence. It appeared that a possible closer relationship with the United States had found favour with Palauan residents overseas while possible independence had found favour with the urban population, especially that of the capital, Koror.

612. As in previous years, the Trusteeship Council, at its forty-ninth session, stated that it did not wish to make precise recommendations on the future political status of the various Micronesian entities. It 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.

613. The Council 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 Trusteeship Agreement at the appropriate time with the Trusteeship Council and the Security Council.

614. The Council again urged the Administering Authority to consider maintaining the amount of its aid, after the end of its mandate, at a level comparable to that provided during recent years.

615. 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.

616. The Administering Authority noted in its annual report the Trusteeship Council's 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 appreciated the forbearance of the Council while awaiting the completion of the negotiations and the presentation of the resultant documents to the approval process. During the negotiations, the Government of the United States had been guided by the aims of the Trusteeship Agreement and the Charter and believed that the compact was fully consistent with those aims.

617. According to the annual report, it remained the policy of the Administering Authority that the matter of termination of the Trusteeship Agreement would be taken up with the appropriate bodies of the United Nations as soon as it was possible to consider termination for all parts of the Trust Territory simultaneously. The Administering Authority might, however, be constrained to consider other options should there be developments to the contrary.

618. The annual report stated that the Administering Authority concurred in the philosophy underlying the Council's urging (see para. 614), believing that termination of the Trusteeship Agreement and assumption of a new political status should not create hardships for the developing economies of the Federated States of Micronesia, the Marshall Islands and Palau. To that end, the United States and the three constitutional Governments had taken steps in the negotiations to assure that United States economic assistance during the initial period of the free association relationship would allow those Governments to continue programmes at approximately the levels experienced during the closing years of the Trusteeship period. The United States and the three constitutional Governments had each expressed the goal that, during the free association period, the primary objective of United States economic assistance should be to engender self-sustained economic growth and to lessen the need for outside resources.

619. The annual report further stated that the United States continued to support the all-Micronesian entity and pledged its co-operation, both currently and after termination of the Trusteeship Agreement, in efforts for its formation and maintenance. The Administering Authority noted with pleasure that new areas of co-operation among the three constitutional Governments had evolved during the year under review.

2. Discussion in the Council and opinions expressed

620. At the fiftieth session of the Trusteeship Council, the representative of the United States said that his Government had conscientiously sought to implement the goals of self-government and self-determination for the peoples of the Trust Territory in accordance with the Charter and the Trusteeship Agreement. As reported in earlier years, his Government had concurred in the establishment of constitutional Governments in each of the Trust Territory's political subdivisions and had delegated a significant degree of authority and responsibility to each of them.

621. The United States representative said that the negotiations on the future political status between the constitutional Governments of the Trust Territory and the United States had been successfully concluded during 1982, with the signing of the compact of free association and all of its subsidiary agreements.

622. The representative of the United States said that following the signing of the compact, Palau had begun its programme of public information on 9 September 1982 in preparation for the plebiscite held on 10 February 1983. The plebiscite had been observed by a visiting mission of the United Nations consisting of two members of the Trusteeship Council and two non-members from the Pacific region. The results of the plebiscite, as certified by the President of Palau, had showed that approximately 62 per cent of the voters favoured the compact.

623. The representative of the United States pointed out that a question on the ballot paper seeking popular approval of an agreement related to the compact which the Government of Palau had sought to use as a means of reconciling a provision of the Palauan Constitution with the compact, had failed to obtain the three-fourths votes required for its approval although a majority of the voters had voted affirmatively on the question. Consequently, the United States was of the view that the Palauan leadership must take the initiative in reconciling the constitutional provision with the compact. His Government was aware that that issue was the subject of intensive discussion in Palau and it remained prepared to join in that process.

624. The representative of the United States said that the negotiations between his Government and the Federated States of Micronesia had been completed with the signing of the compact of free association and its subsidiary agreements on 1 October 1982, and that the plebiscite would take place on 21 June 1983. In that connection, the Federated States had created a Plebiscite Commission which was vigorously engaged in carrying out a public information programme, much of it decentralized at the state level, which included the planning and the conduct of the plebiscite. Both Governments looked forward to the visit to the Federated States by the Visiting Mission from the Council to observe that historic act of self-determination.

625. The representative of the United States pointed out that his Government and the Marshall Islands had signed the compact of free association and its subsidiary agreements in 1982 and that they had hoped to be able to hold the plebiscite in the Marshall Islands soon thereafter. Unforeseen developments in the Marshall Islands, however, had made it necessary for both Governments to postpone the plebiscite in order to undertake further discussions and to amend two of the subsidiary agreements to the compact. The two Governments were again most intensively engaged in the negotiating process and expected to be able, in the near future, to announce the date of the plebiscite in the Marshall Islands.

626. The representative of the United States said that assuming that the compact was approved in the plebiscites in the Federated States of Micronesia and the Marshall Islands, each of those Governments would act on the compact in accordance with its own constitutional process. In the case of the Federated States, each of the four state legislatures would consider the compact and if at least three States approved it, it would be acted upon by the National Congress of the Federated States. The Governments of the United States and the Federated States hoped that that legislative process could be accomplished soon after the plebiscite on 21 June 1983. In the case of the Marshall Islands, its Government would need to determine what additional steps would be required to comply with its own constitutional processes. The United States would then proceed to act upon the compact in accordance with its own Constitution and submit it to both Houses of the United States Congress. While the executive branch of the United States Government could not dictate the pace of action by the United States Congress, it expected

congressional consideration to be prompt and favourable and, once completed, the Administering Authority would promptly take up the matter of termination of the Trusteeship Agreement with the Trusteeship Council and the Security Council.

627. Mr. Tenorio, Special Representative, requested the Trusteeship Council's assistance in securing termination of the Trusteeship Agreement for the Northern Mariana Islands at the earliest possible date so that its people might become full-fledged members of the American family.

628. Mr. Fitial, Special Adviser, said that although he was concerned with the recent decision of the Federal Appeals Court to declare as unconstitutional an essential provision of the Covenant of the Northern Mariana Islands, he would continue to seek termination of the Trusteeship Agreement at the earliest possible date so that the benefits of United States citizenship could be enjoyed by the people of the Northern Mariana Islands. He requested, however, that termination of the Trusteeship Agreement should include a continuing obligation on the part of the United States and the Northern Mariana Islands to abide by the Covenant; he was pleased to note that some progress towards that goal had been made during 1983.

629. Mr. Borja, Special Adviser, said that since portions of the Covenant had taken effect upon its approval by the people of the Northern Mariana Islands and the establishment of their constitutional Government, they had been specifically concerned about that provision in the Covenant affecting their achieving United States citizenship, which was contingent upon the termination of the Trusteeship Agreement. The people were not in any way insensitive to the negotiations between the Administering Authority and the other political entities in the region and were well aware of the fact that until such time as their status agreements were approved by the United States Congress and its constituents, that issue could not be discussed legitimately.

630. Mr. Guerrero, Adviser, said that the relationship between the Northern Mariana Islands and the United States had been, and continued to be, very good and that his Government encouraged early termination of the Trusteeship Agreement so that the wish of its people to become full-fledged members of the American family could be realized.

631. According to Mr. Oiterong, Special Representative, the people of Palau had freely exercised their sovereign right to self-determination, as required by the Charter and the Trusteeship Agreement and as evidenced by the 62 per cent vote in favour of the compact of free association. The official position of Palau, therefore, was that the compact had been duly approved by the people of Palau, irrespective of the outcome of the referendum on the subsidiary agreement concerning nuclear and harmful substances. He was happy to report that a special task force had been established to work with the representative of Palau for the political status negotiations in facilitating the implementation of the compact.

632. The Special Representative said that Palau wished to know what role, other than that of ratifying the compact, it was expected to play in the process leading to the termination of the Trusteeship Agreement. With the end of an era in view, it was incumbent upon all concerned collectively to plan a course of action to ensure the smooth and orderly transition of Palau to the status of free association.

633. Mr. Salii, Special Adviser, said that more than 62 per cent of the electorate had approved the compact in Palau and pointed out that while a majority of the

voters in the plebiscite had also approved section 314 of the compact relating to harmful substances, the number of votes had not been sufficient to meet the constitutional requirement of approval by at least 75 per cent in order for the section to be implemented. According to its own terms and the provisions of the Constitution of Palau, therefore, the compact had been approved by the voters, while the subsidiary agreement concerning nuclear and other harmful substances had been rejected.

634. The Special Adviser further said that any Government purporting to represent a people democratically had the moral and legal obligation to abide by the desires of that people as expressed in a freely conducted plebiscite. As manifested by the results of the plebiscite on the compact, the will of the Palauans on the question of political status had simply been to approve the compact, to supplant the Trusteeship Agreement, but not the provision concerning the presence of any of the harmful substances mentioned in section 314 of the compact and its subsidiary agreements. Bearing that in mind, the Government of Palau had presented the expressed wishes of the people to the representatives of the United States.

635. The Special Adviser stated that the United States had accepted the decision of the people of Palau and had communicated to the Government of Palau its readiness to dispense with the provisions of section 314 of the compact. It was for the latter Government to take whatever steps were required under its Constitution and its laws to implement the compact, excluding the provisions which had been rejected by the voters. To that end, the President of Palau had established a special task force to recommend steps which would ensure the early implementation of the compact of free association between Palau and the United States.

636. The Special Adviser said that with the assistance of the special task force and the Administering Authority's recognition and acceptance of the results of the plebiscite, he was prepared to resume negotiations with the Personal Representative of the President of the United States for Micronesian Status Negotiations, with a view to finding the best and speediest means of implementing the compact.

637. Mr. Wilter, Adviser, stated that the plebiscite in Palau had been the single most significant political achievement during the period under review. Regardless of the many allegations made by some petitioners, the people of Palau had indeed exercised their right to self-determination with regard to their political destiny. In the plebiscite observed by members of the Trusteeship Council, the Palauans had freely and democratically chosen free association over any other political alternatives available to them. The people had spoken and it was therefore incumbent upon their elected national Government to carry out their mandate.

638. The Adviser said that the inconsistencies between the provisions of the Constitution of Palau and those of the compact had existed only when both were still in draft form in 1979, and had involved the 200-mile zone jurisdiction; land use and operating rights; and nuclear and harmful substances. Those three issues which were embodied in the subsidiary agreements had been mutually and satisfactorily resolved in 1980 through long negotiations. The first two, together with eight other subsidiary agreements, had been approved as a package, along with the compact of free association. The third agreement, dealing with radioactive, chemical and biological substances, which had been negotiated together with, and pursuant to, section 314 of the compact, had failed to gain the approval required by a vote of 75 per cent; that was the only remaining issue to be discussed. The

Adviser made it clear that it was not the intention of Palau to seek amendment to its Constitution, the supreme law of the land, for reconciliation or for any other purpose.

639. Mr. Takesy, Special Representative, reported that the negotiations on future political status had finally reached a mutually satisfactory conclusion. The President of the Federated States of Micronesia had proclaimed 21 June 1983 as plebiscite day, the Plebiscite Commission had commenced its work and task forces were currently in the field, conducting public information programmes on the compact of free association. The Plebiscite Commission was closely monitoring the political education programmes to ascertain their effectiveness.

640. Mr. Domnick, Special Representative, said that the Marshall Islands took pride in its achievements over the past year. The dominant issue in the political area had been the compact of free association which, together with a number of subsidiary agreements, the Marshall Islands and the United States had signed in May 1982. As a result of opposition by a number of Kwajalein landowners whose land was being used for the Kwajalein missile range, it had been necessary to revise those agreements dealing with the military use rights and the nuclear claims. The opposition had taken the form of occupation by the landowners of the missile range, demands for increased land use payments and a reduction in the term of the use rights agreement. After extensive consultations with the landowners, his Government had entered into further negotiations with the United States on the military use rights agreement. During the talks, the landowners had been given the opportunity to be a part of his Government's delegation in order to convey their concerns directly to the United States. As a result of those negotiations, the term of the military use rights agreement had been reduced from 50 to 30 years and the United States Government had agreed to provide an additional \$6 million over two years for Kwajalein Atoll development projects. In that connection, his Government had concluded an agreement with the Kwajalein landowners parallel to that negotiated with the United States. The revised agreement incorporated the reduced term with provisions for development funds and provided for land use payments to be made to the landlords through his Government.

641. The Special Representative stated that a number of people affected by the nuclear claims agreement had complained that the funds offered by the United States were insufficient and that they should have access to the courts of the United States to sue for damages. After four years of negotiations, however, the United States Government had taken the position that it would not pay more than \$150 million in settlement of the claims and once they had been settled, access to the United States courts would be denied. There could be no compact for the Marshall Islands without settlement of the nuclear claims issue.

642. The Special Representative said that his Government was of the view that, given the firm position taken by the United States, its offer should be submitted to a plebiscite. To that end his Government, in consultation with the people of the Marshall Islands, was arranging for an equitable allocation of the funds among the people so as to meet their current claims and provide a means of covering their future needs resulting from the nuclear testing. His Government had achieved a tentative agreement with the United States to make the full \$150 million available to it on the effective date of the compact, so that it might establish a fund in perpetuity which would generate interest to meet the current and future needs of all the people affected.

643. The Special Representative said that upon conclusion of the revised nuclear claims agreement, his Government would resume its political education programme on the compact which had been suspended following an interruption in funding by the United States. On completion of that programme, a plebiscite on the compact would be conducted. The Governments of the United States and the Marshall Islands were prepared to discuss the date of the plebiscite with the President of the Trusteeship Council.

644. The Special Representative said that the time had come to put forth to the people, in a plebiscite, the results of the negotiations in Washington, D.C. He invited the Trusteeship Council to observe that milestone in the political history of the Marshall Islands.

645. The Special Representative, reiterating the desire of the Marshall Islands to terminate the Trusteeship Agreement as soon as possible, said that funds received from the Administering Authority had gradually declined as the Marshall Islands assumed greater governmental responsibilities. Moreover, because of their present political status, their attempts to obtain financial assistance from international organizations were being turned down. It was for those reasons that they were very anxious to terminate the Trusteeship Agreement and take their place among the countries of the third world. The Trusteeship Agreement had to be terminated if they were to develop as a people and as a nation.

646. The representative of the United Kingdom stated that his delegation had been impressed by the political maturity of the islanders, especially by the articulate and forthright way in which the Special Representatives of the four entities had put across their views. It was a tribute to the Administering Authority that it had so obviously encouraged free speech and full political participation in the affairs of the Territory. Some, unused to the free interplay of democratic forces, might construe that the criticisms heard reflected fundamental dissatisfaction with the pace and nature of constitutional development. The United Kingdom delegation drew a different conclusion. While it was clear that much remained to be done and the Administering Authority had admitted that it had not been faultless, what they had witnessed during the Trusteeship Council's session was the eminently satisfactory spectacle of the democratic process at work.

647. He reiterated the Trusteeship Council's view that it regretted the decision of the peoples of Micronesia to seek their future status separately rather than as one unified Territory. He considered it would be unfortunate if frustrations were to arise between the States over perceived inequalities in their newly-won relationship with the United States Government, at a time when practical co-operation and partnership between the peoples of Micronesia would be essential. The United Kingdom delegation urged the Administering Authority to do what it could to ensure that constitutional differences were not allowed to become irritants in the relations between the States.

648. On the question of reconciling the nuclear-free provisions of the Palau Constitution with the agreement negotiated between the United States and the Palau Governments pursuant to article 314 of the compact, the United Kingdom delegation said that it was grateful to the United States representative for his presentation which helped to clarify the issue, and to set aside many of the misunderstandings and misconceptions that surrounded that extremely sensitive issue. It was pleased to see that the President of Palau had established a working commission to look into the matter and that intensive discussion between Palau and the United States

would take place on that subject. It took note of the statements by the Micronesian representatives that the matter was to be resolved between Palau and the Administering Authority, and hoped that it would be possible to arrive at a mutually satisfactory solution.

649. The representative of France noted that the Administering Authority and the Governments of all entities throughout the Territory had agreed on the need to put a swift end to the Trusteeship status, a desire also shared by his delegation. The Administering Authority had already transferred a considerable portion of its responsibilities to the constitutional Governments and, although it might be deplored that the financial and economic means of the entities were not commensurate with their political and administrative competence, one could welcome the fact that, in keeping with the objectives of the Trusteeship System set out in Article 76 of the Charter, decisive progress had been accomplished in providing self-administration to the people.

650. The French delegation thought that the options open to the electors in a referendum about their future should not be confined to approving the compact but should include, in conformity with the Charter, the possibility of choosing the status of independence, although such an eventuality had been rejected several years ago by the people who were consulted. He stressed that the wording of the ballot submitted to the Palau electors included those very options and the same should apply to the other entities of the Trust Territory.

651. The representative of France pointed out that his delegation had participated in the referendum on self-determination conducted in Palau on 10 February 1983 and together with the other three members of the Mission had adopted conclusions, without any dissenting opinion, which appeared in the report of the Visiting Mission. 27/ In particular, his delegation shared the Mission's view that it would be for the Governments of the United States and Palau to seek a solution that would reconcile the Constitution of Palau with the compact.

652. The representative of France stated that his delegation would participate in the plebiscite in the Federated States of Micronesia on 21 June 1983 and voiced the hope that the forthcoming talks between the negotiators of the United States and the Marshall Islands would come to a rapid conclusion. He reiterated his delegation's opinion that simultaneous plebiscites would have been desirable and hoped that the plebiscite of the populations concerned would be completed at the earliest possible date.

653. With respect to progress in the political, social and educational areas, the French representative stated that the Administering Authority could be favourably assessed although it would have been desirable for such success to have been accompanied by a corresponding economic progress. Increased financial efforts by the Administering Authority before the termination of the Trusteeship Agreement would enable the constitutional Governments to face the post-Trusteeship period with confidence and serenity.

654. Speaking on the kind of economic assistance envisaged for Micronesia under the compact, the representative of the United States said that the overall level of grant assistance to the Federated States of Micronesia, the Marshall Islands and Palau would be somewhat greater than that provided by the United States during the last years of the Trusteeship. Contrary to what the Soviet representative had stated, the United States had not promised greater assistance under the compact

than that under the present arrangement. The amount of funds would be substantially the same, since the figures were based on actual operating expenses. However, the Governments would receive the funds as a package, and would have total freedom in deciding their disbursement. Essentially, there would be parity among the three freely associated states in per capita levels. The major difference in the post-Trusteeship period would be that United States assistance would be heavily directed towards generating development and economic self-reliance. The compact specified that at least 40 per cent of United States assistance would be devoted to revenue-producing projects and capital development.

655. With regard to the political development in the Trust Territory, the United States representative said that the basic principle of the status negotiated by the Micronesian Governments and proposed to their peoples, was free association, which was the term used to describe the relationship set forth in the compact. That term described a political relationship in which the freely associated states would have full internal self-government and substantial control over their foreign affairs, while the United States would have authority and responsibility for security and defence matters. The United States would also provide economic assistance.

656. The representative of the United States said that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau had signed the compact freely, without any pressure or coercion from the United States or any other party. He was sure that the representatives from each of those Governments who were participating in the fiftieth session of the Trusteeship Council would attest to that indisputable fact.

657. In response to the point raised by one delegation that the Charter and the Trusteeship Agreement called for independence or self-government, the representative of the United States said that several alternatives to independence were recognized in international law as viable outcomes of the full exercise of the fundamental rights of self-determination. The goal of the United States in fulfilling that trust had been to promote and make possible self-determination as the realization of political development. What form or course that self-determination might take was precisely what the United States had encouraged the Micronesians to choose. His delegation grew weary, but not discouraged, with the constant references to independence as the only course they might choose and the implied insult to the autonomy, intelligence and integrity of the Micronesians. They had the guarantee of the United States that they could choose their status freely, as well as that of the Trusteeship Council, which had observed the acts of self-determination in the Northern Mariana Islands and in Palau. The Micronesians would make a free choice and the United Nations would ensure it.

658. The representative of the United States pointed out that the free association currently being contemplated was very much consistent with the visions of the Trusteeship Agreement, as well as with the letter and the spirit of the Charter. His delegation considered that aspect of political development a trust fulfilled. While General Assembly resolution 1541 (XV) itself in no way applied to the strategic Trust Territory of the Pacific Islands, it nevertheless recognized attributes of the political status of free association. The type of free association set forth in the compact conformed to the major benchmarks for free association generally recognized in international law and set forth in that resolution: the arrangement would be freely entered into through informed and democratic processes; the freely associated entities would have the right to adopt

their own constitutions without outside interference; and the political status and relationship of free association would be terminable at any time by any party.

659. The United States representative believed that one of its main goals, the establishment of democratic institutions and principles as a means of resolving the political issues, had been largely achieved. As was characteristic and desirable in a democratic system, his Government would not expect complete unanimity of opinion on every aspect of the Territory's affairs or its political future. The decisions vitally affecting the people of the Trust Territory, including their future constitutional and governmental arrangements, had been and were being freely made by the peoples of Micronesia through democratic processes observed by United Nations representatives.

660. the representative of the United States said that the Governments of the Federated States of Micronesia, the Marshall Islands and Palau were currently functioning under locally approved constitutions, subject to the Trusteeship Agreement, and were fully capable of continuing to govern themselves, after the termination of the Trusteeship Agreement. According to their constitutions, those Governments had adequate authority to execute an agreement on free association, under which they would not be fully independent but would be fully self-governing. They would generally have the authority and responsibility to engage in foreign affairs which was expected to include entering into agreements with other nations as well as receiving assistance from, and participating in, international conferences and organizations. In the exercise of their authority in foreign affairs, the freely associated states would refrain from actions inconsistent with United States responsibilities in security and defence.

661. The United States representative said that his delegation had informally consulted with the members of the Trusteeship Council to update them on the progress of the negotiations and the issues involved, and had reported fully on the negotiations at the annual sessions of the Council; his Government intended to continue that practice. Further, the United States had furnished all members of the Council and its secretariat with copies of the compact and all subsidiary agreements, upon their completion and signature. The compact had been approved in a plebiscite in Palau on 10 February 1983 and would be put before similar plebiscites in the Federated States of Micronesia on 21 June 1983 and in the Marshall Islands in the near future. Thereafter, the compact would be submitted to the Congress of the United States for consideration and approval.

662. The representative of the United States said that throughout the political status negotiations, his Government had maintained its willingness to negotiate with the Federated States of Micronesia, the Marshall Islands and Palau a relationship consistent with the status of independence. His Government had also informed the Trusteeship Council that the independence option could properly appear on a political status ballot should that be the desire of the entities. Such an option, in fact, had appeared on the ballot in Palau, where independence had received 44.4 per cent of the votes cast on that question and a relationship with the United States closer than free association had received 55.6 per cent. However, only about half of the voters in the plebiscite had chosen to express a preference on that question so that a quarter of those voting had favoured independence, while one third had preferred a closer relationship. Since the voters of Palau had overwhelmingly approved the political status of free association, the results of the independence or closer relationship question were academic.

663. The representative of the United States said that an independence option would appear on the ballot drawn up for the plebiscite on 21 June 1983 in the Federated States of Micronesia and that it was expected that an independence option would also appear on the ballot formulated for the Marshall Islands. He further stated that in accordance with Article 83 of the Charter and Security Council resolution 70 (1949) of 7 March 1949, the Security Council had been kept fully informed of developments in the Trust Territory, including the political status negotiations, through the reports of the Trusteeship Council.

664. The United States representative believed that the choice of future political status by the inhabitants of any Trust Territory depended ultimately on their decision as reflected in the free expression of their popular will which constituted an act of self-determination. His Government believed that the most appropriate and profitable time for discussion by the Council of the compact and its related agreements would be if, and when, those documents had been formally approved. The United States Government assumed that the Council would concern itself primarily with the manner in which the compact and the subsidiary agreements had been or would be explained to the voters of the Federated States of Micronesia, the Marshall Islands and Palau; it also assumed the Council's concern with the conduct of the act of self-determination in which the compact and the agreements had been or would be approved inasmuch as approval of a valid, fully informed act of self-determination would demonstrate acceptance of the contents by the people directly concerned. That assumption applied equally to the Covenant of the Northern Mariana Islands.

665. The representative of the United States said that his Government, together with the Trusteeship Council, had long supported the unity of the Trust Territory. Political separation had nevertheless occurred as a result of the clearly expressed will of the people in referenda which had been observed and judged to be fair by the Trusteeship Council. The United States was aware of the sentiment favouring further fragmentation in some parts of the Trust Territory and had encouraged individuals and groups who had such views to present them to the Governments of the Federated States of Micronesia, the Marshall Islands or Palau, as appropriate.

666. The representative of the United States said that the Administering Authority, having virtually concluded the political status negotiations and having seen the approval process begin, wished to complete that process as soon as possible, but that it had established no specific deadline. He recalled that in a message to the peoples of the Trust Territory in October 1981, the President of the United States had said that his Administration was committed to an early termination of the Trusteeship Agreement and wished to complete the political status negotiations as expeditiously as possible. The representative of the United States pointed out that that statement remained the policy of the United States. He said that his Government intended to take up the matter of the termination of the Trusteeship Agreement with the Trusteeship Council and the Security Council at the appropriate time, adding that it contemplated simultaneous termination of that Agreement for all parts of the Territory.

667. The representative of the United States said that he had given the Trusteeship Council the firm and categorical response of his Government to allegations that it had failed to fully carry out its commitments, including that of political growth and the development of infrastructure. The Administering Authority was cognizant of its obligations and undertakings and was making every effort to meet them.

668. The representative of the Soviet Union stated that his delegation had familiarized itself with the report of the Administering Authority on the situation in the strategic Trust Territory, as well as with the policy it exercised in that Territory. After listening attentively to statements by the delegation of the United States and by the petitioners, his delegation was of the opinion that the contents of the report, the various statements, the information submitted by visiting missions of the Trusteeship Council, as well as other data on the situation in Micronesia, showed that the United States was continuing its illegal actions in violation of the Charter regarding the strategic Trust Territory.

669. The representative of the Soviet Union said that pursuant to Article 83 of the Charter, the Security Council bore major responsibility for ensuring peace and security in the strategic Trust Territory and was endowed with the exclusive right to implement all functions of the United Nations in that Territory. The United Nations as a whole could not stand idly by in the face of violations by the Administering Authority of the Trusteeship Agreement and the major goal of the Trusteeship System which the United States itself had undertaken to promote, pursuant to Article 76 of the Charter and the relevant United Nations resolutions.

670. The representative of the Soviet Union said that at the present time, the United States was trying to complete its fragmentation and annexation of the strategic Trust Territory under the rubric of neo-colonial formulas such as co-operation and free association. The United States was planning to present the United Nations with a fait accompli and was trying everything possible to induce the United Nations to legalize its annexationist plans. Those expansionist actions aimed at removing Micronesia from international jurisdiction and at imposing its own undivided dominion over that Territory were being undertaken in violation of the Charter, the Trusteeship Agreement and the Declaration on the Granting of Independence to Colonial Countries and Peoples. Moreover, plans by the United States to transform that Territory into a military-strategic beachhead in the western Pacific posed a serious threat to the security not only of Micronesia but also of the countries in Asia and Oceania, and could lead to the creation of a new hotbed of tension in the world.

671. The Soviet Mission to the United Nations had repeatedly informed the Secretary-General of the United Nations and various bodies of the Organization of its position and of the illegal actions and violations committed by the Administering Authority against the Charter; the Soviet delegation had insisted on the immediate cessation of such actions.

672. The representative of the Soviet Union said that in discussions in 1982 in the Special Committee and in the Fourth Committee of the General Assembly, the Soviet delegation had brought to the attention of the members of the committees the abnormal situation in that Territory. On 10 August 1982 the Special Committee had adopted conclusions and recommendations on Micronesia, 12/ which had been brought to the attention of the Government of the United States and to the Presidents of both the Security Council and the Trusteeship Council.

673. The representative of the Soviet Union said that the existing situation, as had been demonstrated by discussions in the Trusteeship Council, had obliged his delegation to bring that matter once again to the attention of the Trusteeship Council, the Security Council and other United Nations bodies which had responsibility for the Trust Territory. The Territory, which in the past had been united, had been fragmented by the Administering Authority into four separately-

administered entities with a definite political goal - to weaken the resistance of the people of Micronesia through the neo-colonialist and annexationist policy of the Administering Authority. As was well known, the General Assembly, in its resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, had declared that 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.

674. The first victim of the United States policy of divide and conquer had been the Northern Mariana Islands, which in 1975 had been given the status of a so-called commonwealth in political union with the United States. In so doing, that part of the Trust Territory had been transformed into a United States possession. As had been recognized in the United States itself, the Northern Mariana Islands had become the first Territory which the United States had absorbed since 1914.

675. The representative of the Soviet Union pointed out that by taking advantage of the total dependence of the islanders who, under United States Trusteeship, had lost all possibility for self-sufficiency, the Administering Authority had exerted pressure on the Micronesians and had intimidated them through a propagandistic use of the communist threat and through attempts to make the provision of economic aid dependent on certain conditions.

676. The representative of the Soviet Union said that similar measures of fragmentation had been undertaken by the United States regarding the Carolinas and the Marshall Islands by imposing on them the status of that notorious free association with the United States which, for practical purposes, was tantamount to annexation. Moreover, a propaganda campaign had been waged to cover up a policy of open expansionism in the Pacific and to make it appear as a manifestation of the will of the Micronesians and as an act of self-determination on their part.

677. The representative of the Soviet Union said that the latest example of the shameless manoeuvres by the United States was the Palau plebiscite carried out on 10 February 1983 where the inhabitants of Palau were supposed to come out for or against the imposition by the United States of a new colonial status under the label of free association. In the course of the campaign it had been made clear that a vote against association with the United States would mean a cessation of United States economic assistance - that very assistance which, by holding back the development of the economy of Palau, had put that Trust Territory in a position of full dependence on its overseas trustee. Another example of crude pressure by the United States was when it used its right as Administering Authority to cancel the referendum in the Marshall Islands which had been scheduled for 17 August 1982.

678. The representative of the Soviet Union recalled the declaration made by the Secretary of Foreign Affairs of the Marshall Islands at the forty-ninth session of the Trusteeship Council that a referendum would be held in the Marshall Islands on dates which he had specified. It had even been announced that that part of Micronesia had been acquiring independent political status within which it would enter into free association with the United States. In the plebiscite which had been cancelled by the United States, the local authorities of the Marshall Islands would have submitted the compact of free association for approval while keeping as an alternative the option of full independence.

679. The representative of the Soviet Union pointed out that the United States was clearly not satisfied by such manifestations of freedom on the part of the Trust Territory which would affect the Administering Authority's questionable use of Kwajalein, one of the major atolls of the Marshall Islands.

680. The representative of the Soviet Union said that the story of the referendum in the Marshall Islands was not the sole example of such crude manifestations of arbitrary will by the Administering Authority regarding Micronesia. The United States had changed the date for the recently conducted referendum in Palau three times and had, on three occasions, annulled the results of the plebiscite on the Constitution of Palau since the latter forbade any United States operations with nuclear weapons on those islands.

681. The Soviet Union representative stated that in linking the fate of the people of the Trust Territory with its strategic plans, the United States was ignoring its international obligations under the Trusteeship Agreement, the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples. That neo-colonialist policy and practice had aroused indignation and protests not only among the indigenous population of the Territory, but also within the international community.

682. According to the representative of the Soviet Union, the representative of the United States had tried to create the impression that statements made in the Trusteeship Council by the Soviet delegation were unfounded or aimed at distracting the attention of the Council from the questions under consideration. He wished to emphasize that all data cited by his delegation were based on official documents and materials prepared by the Congress of the United States; on Trusteeship Council documents; on official and semi-official statements by well-known representatives of the United States; on statements by the United States delegation; and those made during the current session of the Council.

683. The representative of the Soviet Union stated that his delegation could continue to list facts attesting to the failure of the Administering Authority to carry out its obligations under the Charter, the Trusteeship Agreement and the Declaration on the Granting of Independence to Colonial Countries and Peoples, although there was no particular need to do so since it was obvious that such a policy and such actions by the Administering Authority were totally unilateral, circumvented the Security Council and violated the Charter.

684. The representative of the United States said that large parts of the statement made by the representative of the Soviet Union were unfounded, not as assessed by him, but by the Micronesian representatives in the Trusteeship Council who presented an area and a people with which and with whom the Soviet Union representative had no direct experience, and as assessed by a free press and free votes conducted under United Nations observation, with which the Soviet representative might be unfamiliar. The representative of the Soviet Union had alleged as facts his own interpretations which had frequently been contradicted by the reports of the visiting missions and by the testimony of others in the Council who had been to the area and had observed what was taking place.

685. The United States firmly believed and categorically asserted to the Council that the statements made in its closing summary were correct. The representative of the Soviet Union was perfectly free to make his own interpretations, but he should not assert them to be facts.

G. CONCLUSIONS AND RECOMMENDATIONS

686. At its 1561st meeting, on 10 June 1983, the Trusteeship Council adopted the following conclusions and recommendations by a vote of 3 to 1. 28/

1. General

Land and people

687. The Trusteeship Council takes note of the concern expressed once again, to the 1982 Visiting Mission, 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, Mr. Fitial, President of the House of Representatives, and Senate President Olympio T. Borja of the Commonwealth of the Northern Mariana Islands during the 1545th meeting of the Council (see T/PV.1545).

688. The Council notes that the United States Government has reiterated that it does not intend to dispose of nuclear wastes in the Trust Territory of the Pacific Islands or in the adjacent waters. The Council takes note of the assurances given by the Administering Authority that the competent agencies have taken and continue to take this problem into consideration.

689. The Council notes that the Northern Marianas Commonwealth Legislature recently passed a law declaring a nuclear-free and chemical-free zone in and around the Northern Mariana Islands.

690. The Council welcomes the establishment of ground stations for satellite communications throughout the Trust Territory. The Council notes with satisfaction the establishment of new installations at Ponape and Truk and the entry into operation of the ground stations on Palau and the Marshall Islands. The Council notes that the Administering Authority and the constitutional Governments concerned intend to develop the private telephone communications system and the connection of those systems to the ground stations network.

691. The Council takes note of the concerns expressed by petitioners about the leasing of land by the Administering Authority on several of the Northern Mariana Islands, especially on Tinian. The Council notes that a lease agreement has been signed between the Governments of the United States and the Northern Mariana Islands and that the latter has undertaken to arrive at just and equitable solutions with the landowners concerned.

692. The Council notes that the Administering Authority is continuing its efforts to return the balance of public land to the Government of Palau, which will be accomplished when homesteading procedures have been developed. All of the other public land in the Trust Territory has been turned over to the respective constitutional Governments.

Population movements

693. 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 once again that the health programme proposed under United States legislation has not been implemented.

694. The Council takes note of the approval, in 1982, by the United States Congress of a supplementary appropriation of \$21.4 million for the resettlement of the people of Bikini and of a number of practical measures taken by the Administering Authority to assist and compensate nuclear test victims and dispel their fears.

695. 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.

696. The Council recalls that the wish of the Bikinians of Ejit is to be resettled on another island; failing such resettlement, it urges the Administering Authority to develop the installations on the island of Ejit, in accordance with the wish expressed by the people of Bikini to the Visiting Mission.

697. The Council, like the Visiting Mission, hopes that the Administering Authority will interpret its obligations to these inhabitants generously, particularly in monitoring the health of the population and according compensation, in view of the as yet inadequate data on the long-term effects of radiation on both humans and the environment.

698. The Council hopes that the negotiations under way between the Administering Authority and the Marshallese authorities on the establishment of a Bikinians' compensation fund and referral of complaints to the competent courts will be speedily concluded.

699. The Council notes that a mission composed of researchers and scientists is currently studying the possible rehabilitation of the island of Bikini.

700. The Council, taking up the conclusions of the Visiting Mission to the Territory, 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 has taken note of the Administering Authority's intention to improve living conditions on the island and to grant an appropriation of \$6 million and calls upon the Administering Authority to continue to give a high priority to the solution of the problems faced by the inhabitants of Ebeye.

701. The Council has taken cognizance of the report of the Visiting Mission on the sit-ins by the landowners of Kwajalein and Roi-Namur. The Council takes note of the statements of the Administering Authority that the incidents which occurred in July and August 1982 between the landowners in Kwajalein Atoll and the Government of the Marshall Islands have been settled.

702. The Council urges the Administering Authority to spare no effort to arrive at universally satisfactory solutions to the specific problems raised by the United

States military installations on Kwajalein Atoll and to avoid a repetition of incidents such as the sail-in.

War and post-war damage claims

703. 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. It notes that this question was raised repeatedly to the Visiting Mission throughout its stay in the Territory. In this connection, the Council welcomes the statements of the Administering Authority that all the parties are continuing their efforts to settle the claims under Title I, that nearly 30 per cent of the \$34 million awarded has been paid and that all claims under Title II have been settled.

704. The Council, while taking note of those statements, wishes, like the Visiting Mission, to recall the concern expressed by the population of the Territory, which is shared by the Visiting Mission, that the sums still outstanding under Title I be paid in full as soon as possible and, in any event, before the termination of the Trusteeship Agreement. It urges the United States and Japan to resume negotiations for the resolution of this issue.

2. Political advancement

General political structure

705. The Trusteeship Council welcomes the continuing devolution of administrative responsibility for the Trust Territory to the constitutional Governments and the confidence placed by the Administering Authority in the abilities of those Governments to handle all aspects of the governmental process.

706. The Council notes with satisfaction that the Administering Authority is continuing to encourage the constitutional Governments to expand and strengthen their participation in regional and international organizations and to maintain links with other Governments on matters of common interest.

Territorial Government

Legislatures

707. The Council reiterates its satisfaction at the performance of the legislative bodies of the Trust Territory. It notes with interest that the Asian-Pacific Parliamentary Union (APPU) met in Ponape in 1982 and will do so again in Saipan in 1983.

708. The Council notes that the constitutional Governments which signed the compact of free association with the United States would, assuming majority approval of the compact by their respective electorates, be required to act on the compact in accordance with their own legislative and constitutional processes in order to bring it into effect.

709. The Council notes with satisfaction that, with the agreement of the Administering Authority, the constitutional Governments have signed fisheries and aid agreements with other nations and regional organizations.

710. In keeping with its view that governmental responsibilities should be transferred increasingly to the Trust Territory administration, the Council greatly welcomes the fact that all four constitutional Governments are now fully organized and operating according to their own freely adopted constitutions.

Civil service

711. The Trusteeship Council notes that the Administering Authority provided advice and counsel to the Palauan Government concerning the events relating to a strike of government employees in September 1981. It expresses the hope that a repetition of those unfortunate events can be avoided.

712. The Council notes with concern that the minimum hourly wage in Palau has more than doubled in the space of two years and that in 1981/82, 84 per cent of its operational budget was absorbed by personnel costs. The Council reiterates its view that while authority and responsibility for development of the economy of the Trust Territory now lies with the constitutional Governments, the Administering Authority should continue to assist the constitutional Governments to stimulate the creation of private sector employment.

713. The Council notes that in pursuance of its policy of transferring administrative responsibility to the constitutional Governments, the Administering Authority reduced its headquarters staff in 1982 by 200 employees.

Political education

714. The Trusteeship Council notes with satisfaction that up to the end of 1982, the Administering Authority had provided a total of \$375,000 to the three constitutional Governments for political education programmes in advance of the plebiscites on the compact of free association and that more financial assistance would be forthcoming.

715. The Council welcomes the findings of the 1982 Visiting Mission to the Trust Territory that the local population appeared well informed about the political issues which affected them and the state of negotiations with the United States on their future.

716. The Council further welcomes the fact that complete freedom of expression is enjoyed by the inhabitants of the Trust Territory.

717. The Council notes with satisfaction the view of the Visiting Mission to Observe the Plebiscite in Palau in February 1983 that the political education programme in Palau had been useful and effective and that the broad issues documented in the compact, as well as the wording of the ballot paper, had been generally understood.

718. The Council endorses the emphasis given by the Mission to the importance of conducting adequate programmes of political education prior to the forthcoming

plebiscites in the Federated States of Micronesia and the Marshall Islands. The Council stresses that the programmes should cover both the economic and political issues.

719. The Council notes with satisfaction the statement by Mr. Takesy of the Federated States of Micronesia that the programme for the 21 June plebiscite was proceeding well and would be completed by the end of May.

720. The Council welcomes the extent to which the constitutional Governments are able to play a role in the execution of political education programmes. The Council believes that it is essential that voters be fully aware of the choices before them.

Decentralization

721. The Trusteeship Council welcomes the continuing efforts by the Administering Authority to transfer responsibilities to the constitutional Governments as they are prepared to accept them.

Judiciary

722. The Trusteeship Council notes with satisfaction that the juridical systems in the Trust Territory are now fully established and functioning.

3. Economic advancement

General

723. The Trusteeship Council notes with regret that Micronesia is still, to a large extent, economically and financially dependent on the Administering Authority. As the 1982 Visiting Mission pointed out, the structural imbalances in the economy have not been significantly reduced. The Council therefore feels that economic and financial assistance is essential in order to maintain the present level of living of the population and the functioning of the existing administrative structures.

724. The Council notes the efforts made by the Administering Authority to assist the local Governments in developing their economic activities. It takes note of the Administering Authority's assurance that assistance to the constitutional Governments will be greater in the post-Trusteeship period. It welcomes the overall increase of 9 per cent in the budgetary allocation to those Governments, the appropriation of \$US 18.4 million to continue the capital improvement programme, the progress achieved in the operations of the Economic Development Loan Fund and the encouragement given to foreign investment, exports and tourism.

725. The Council notes that some of the funds allocated under the capital improvement programme have had to be diverted to meet immediate needs for cholera control in Truk. It hopes, however, that the projects which have been held up as a result of this can be completed.

726. The Council regrets that implementation of the second phase of the capital improvement programme has not begun. In that connection, the Council hopes that

the Administering Authority will carry out its expressed intention of providing substantial budgetary support through the compact of free association, which will enable the Governments, including those of the outer islands, to determine and meet their own priorities in development programmes. The Council notes that most of the projects under the five-year capital improvement programme are now completed or under way.

727. The Council endorses the conclusions of the Visiting Mission and wishes to lay stress on the problems of infrastructure, transport and outer island development, and on the need for the speedy introduction of a viable statistical system.

728. While noting that the primary responsibility for the development of the Trust Territory rests with the four constitutional Governments and that efforts to that end have already been undertaken, the Council considers that an essential prerequisite for the encouragement of inward investment is the preparation of an overall development programme. The Council urges the Administering Authority to give the matter serious consideration.

Public finance

729. The Trusteeship Council notes that in 1981/82, the Administering Authority provided the constitutional Governments with a total of \$98.6 million. Federal categorical grants for the same period totalled \$21.3 million.

730. The Council regrets that certain federal programmes have been reduced or even discontinued in keeping with general United States policy or in anticipation of termination of the Trusteeship Agreement. It notes, however, that the number of health and education programmes has been increased and earnestly hopes that most of those programmes can be continued under conditions decided upon as part of the negotiations on the future political status of the Territory.

731. The Council notes that the constitutional Governments have prepared their own budgets and now have the opportunity to determine their own priorities, taking into account certain budgetary ceilings.

732. The Council joins the Visiting Mission in noting a desire on the part of the various Micronesian entities, and in particular the financial management services, to expedite the process of establishing separate financial management systems for each Government.

733. The Council endorses the conclusions of the Visiting Mission that the system of taxation remains heavily dependent on income tax. The Council shares the view of the Visiting Mission that it would be advisable to levy import duties, especially on goods which compete with locally produced items and on non-essential goods that could become an important new source of revenue and could help to correct the external trade imbalance of the Trust Territory, reduce the growing dependence on imports and encourage local production and industry.

Assistance from international institutions and other countries

734. The Trusteeship Council welcomes the continuing development of relations between the Governments of the Territory, on the one hand, and the States of the

region, the international organizations and the various regional and international programmes, on the other.

735. The Council notes with satisfaction that the Trust Territory has received assistance from several United Nations institutions and organizations, including ESCAP, UNDP, the United Nations Multi-National Inter-Disciplinary Development Advisory Team, UNFPA and WHO, particularly during the cholera outbreak in Truk. Furthermore, SPC and SPEC as well as other regional organizations, have provided economic, social and technical assistance in various fields and for a number of projects.

736. The Council notes that the Federated States of Micronesia and Japan have signed a technical co-operation agreement and that the Marshall Islands and Japan have signed a fisheries agreement.

737. The Council considers that international assistance is and will continue to be of considerable importance to the economy of Micronesia; in that connection, it is pleased to note that the Administering Authority has encouraged the Governments of the Territory to establish contacts and to expand relations with bilateral and multilateral organizations and with third countries.

Credit

738. The Trusteeship Council notes with satisfaction that EDLF is fully operational through the central banks in each government centre.

739. The Council notes that loan funds totalling approximately \$6 million are available for the Territory as a whole. Those funds would be shared in the following way: 56.5 per cent for the Federated States of Micronesia, 25 per cent for the Marshall Islands and 18.5 per cent for Palau.

740. The Council notes the recent approval of loans amounting to \$236,000 for small and medium-sized enterprises, for the purpose of initiating or improving operations in the field of agriculture and tourism. The Council expresses the hope that the programme will be expanded.

Land

741. The Trusteeship Council hopes that the administrative and legal difficulties encountered in the transfer of certain public lands in Palau will be resolved in the near future.

742. The Council notes that, in Palau, the President and other officials had pointed out to the Visiting Mission that the public land should be transferred to the duly elected Government when it was ready to assume responsibility.

743. The Council notes the concern expressed by the representative of the Federated States of Micronesia with regard to the payment of claims concerning the use of certain lands by the Administering Authority. It hopes that a speedy and satisfactory solution for the inhabitants concerned will be found.

744. The Council shares the view of the Visiting Mission that the cadastral survey of private lands should be continued in order to facilitate the settlement of land disputes, and that arable public land should be used for the development of commercial agriculture, which could become an important source of export earnings, revenue and employment.

Agriculture and livestock

745. The Trusteeship Council, noting that responsibility for agriculture has been transferred to the constitutional Governments, reaffirms that the Administering Authority none the less has a duty to help them to expand agricultural and livestock production as a matter of priority.

746. The Council, like the Visiting Mission, notes that, in the five-year development plans which have been or are being formulated, the various territorial entities are according high priority to the need to developing their food, agriculture and livestock sectors with a view to reducing dependence on food imports and achieving greater self-sufficiency.

747. While the Council recognizes the obstacles to agricultural development, it encourages the Governments of the Territory and the Administering Authority to continue their efforts in that field in order to meet the needs of the population and to promote export-oriented agriculture.

Marine resources

748. The Trusteeship Council reiterates that the development of the marine resources of the Territory deserves to be given high priority in the future development of Micronesia. To that end, encouragement should be given not only to the development of fisheries complexes wherever feasible but also to the development in the outer islands of the infrastructure, including storage facilities and power and transportation systems, as well as to the establishment of co-operatives, the institution of technical training programmes and the organization of marketing arrangements.

749. The Council notes the Administering Authority's intention to endorse the efforts of the constitutional Governments to develop their fishing industries and its undertaking to extend its assistance, even after the termination of the Trusteeship Agreement, to ensure respect for the rights of the Micronesians over their 200-mile zones.

750. The Council takes note of the wish expressed on several occasions by the representatives of the Northern Mariana Islands that the Commonwealth should be able to exercise its full jurisdiction over all the living and other ocean resources within its 200-mile zone.

751. The Council expresses the hope that the dispute between the United States and the Northern Mariana Islands can be settled in the best interests of the Mariana Islanders so that the latter are not discriminated against or penalized vis-à-vis the inhabitants of the other Micronesian entities.

Third United Nations Conference on the Law of the Sea

752. The Trusteeship Council notes that the constitutional Governments of the Federated States of Micronesia, the Marshall Islands and Palau hope to sign the Convention on the Law of the Sea, even before the termination of the Trusteeship Agreement, and thereby benefit from the protection of their 200-mile economic zones, as well as from the other provisions of the Convention when it enters into force.

753. The Council notes that the Administering Authority has no objection to the signing of the Convention by the three constitutional Governments after the termination of the Trusteeship Agreement.

Tourism

754. The Trusteeship Council stresses once again that Micronesia could be considered to be an attractive region for tourists. It notes the remarkable growth of the tourist industry in the Northern Mariana Islands - although the number of visitors declined by 4 per cent between 1981 and 1982 - and the more modest progress achieved in other parts of the Territory.

755. The Council welcomes the admission of the Governments of the Territory to the Micronesian Regional Tourism Council. It notes the institution of new charter flights from Japan to Saipan, which should give a renewed impetus to tourism throughout the Territory, and the important efforts made by the Mariana Tourism Bureau.

756. The Council endorses the conclusions of the Visiting Mission to the effect that the development of tourism should be gradual and carefully planned in order not to overwhelm the small and fragile economies, social structures, environment and cultural traditions of the Territory.

Light industry

757. The Trusteeship Council reiterates its concern at the poor development of small industrial enterprises in the Territory.

Transport and communications

758. The Trusteeship Council notes, as did the Visiting Mission, the serious efforts made by the various entities and the Administering Authority to develop an adequate system of sea, air and land transport, the basis for the development of the Territory.

759. The Council notes, however, that, during the visit of the United Nations Visiting Mission, the Micronesians called for better and more regular sea transport so that the outer islands could be integrated into the economy of the Territory as a whole. The Council considers that that problem deserves particular attention.

760. The Council welcomes the development of air links and the construction of new air strips, especially in the Marshall Islands and the Federated States of Micronesia. It hopes that that programme can be brought to a speedy conclusion.

761. The Council notes the improvements in the road network, particularly in Koror and Ponape. It considers, however, that much remains to be done in order to provide a minimum road network in all the main population centres as well as in the outer islands, whenever possible. To that end, in addition to public works, encouragement should be given to community and self-help programmes.

762. The Council notes with satisfaction the inauguration of satellite ground stations in Palau and the Marshall Islands, and the gradual putting into service of all the stations in the Federated States of Micronesia.

4. Social advancement

Medical and health services

763. The Trusteeship Council notes that all activities relating to the co-ordination and administration of health services in the Trust Territory have been transferred to the constitutional Governments.

764. The Council notes with satisfaction that the number of doctors in the Trust Territory has increased and that the constitutional Governments are encouraging students to go into the medical field. The Council urges the Administering Authority to continue to offer financial and administrative assistance in this area.

765. The Council welcomes the emphasis given by the Administering Authority to the improvement, renovation and maintenance of hospital facilities in the Trust Territory. It notes with particular satisfaction that the new hospital in Yap is now fully operational; and that sites have been selected for new hospitals in Saipan and Majuro to be constructed with funds provided by the Administering Authority.

766. The Council welcomes the efforts of the constitutional Governments and the Administering Authority to eradicate the cholera epidemic in Truk state. It notes in particular the contribution of WHO and UNICEF in containing the disease. The Council notes with satisfaction that the Administering Authority is providing some \$8.5 million to complete sewer and water projects and to improve sanitation and health education.

767. The Council notes with satisfaction the continuing efforts by the Administering Authority, as described in the report of the 1982 Visiting Mission, to improve health standards in the Trust Territory. The Council notes with particular satisfaction that between 1970 and 1980, health care appropriations almost doubled to \$8.1 million per annum.

768. The Council associates itself with the view expressed by the Visiting Mission that both the Administering Authority and the constitutional Governments should give priority to maintaining and expanding dispensary services in the Trust Territory, particularly away from state centres. The Council endorses the Visiting Mission's opinion that to allow dispensaries to close could prove counter-productive in that it could increase the number of patients referred to hospitals.

769. The Council particularly welcomes the announcement by Mr. Tenorio of the Northern Mariana Islands that the construction of a new health-care centre will

commence soon, with \$10 million in financial assistance from the Administering Authority.

Community development

770. The Trusteeship Council notes with regret that community activities in the Trust Territory continue to rely too much on external aid. The Council reiterates the importance it attaches to the need for the inhabitants of the Trust Territory to participate more actively in community projects, and to make more use of existing facilities.

771. The Council notes with satisfaction the participation of the Administering Authority in the activities of the civic action teams, in the construction of various types of infrastructure projects. It urges the Administering Authority to continue to render financial and manpower assistance to those projects.

772. The Council emphasizes the importance of continuing efforts in the area of family planning, taking into account social and cultural traditions prevailing in the Trust Territory. It notes from the report of the 1982 Visiting Mission that ESCAP was prepared to help frame a family planning programme and urges that this be explored.

Labour

773. The Trusteeship Council notes with considerable concern that the unemployment problem in the Trust Territory appears to be worsening. A particular worry to which the Council has alluded in previous reports is the imbalance between those employed in the public sector and those in the private sector. It urges the Administering Authority and the constitutional Governments to give high priority to solving this problem and to concentrate in particular on creating jobs in the outer islands so as to prevent migration towards the state centres with all the attendant problems that this can create.

Housing

774. The Trusteeship Council notes with concern the information contained in the report of the 1982 Visiting Mission that the housing loan programme for the Federated States of Micronesia begun in 1977 was being discontinued. The Council hopes that the Administering Authority will continue to give high priority to housing programmes in the Trust Territory and will make due allowance for local construction standards and materials in authorizing building grants.

Youth questions

775. As in previous years, the Trusteeship Council continues to be concerned about youth problems in the Trust Territory and the increasing incidence of juvenile delinquency. It regrets that youth-related programmes are being phased out, but is encouraged to learn that the Administering Authority recognizes the problem as an important one requiring continued technical assistance and support from the United States.

776. The Council notes with satisfaction that the funding under the Juvenile Justice and Delinquency Prevention Act has been increased. Particularly gratifying too is the success of the "Outward Bound" project operating in Ponape, Truk and Palau, which has contributed substantially to the rehabilitation of young offenders.

Public safety

777. The Trusteeship Council welcomes the assurance of the Administering Authority that it will continue to provide the constitutional Governments with assistance in the areas of public safety and order, as well as training to their juridical, legal and police agencies.

778. In particular, the Council welcomes the Administering Authority's undertaking to continue to support regional and international co-operation in the area of narcotics, anti-fraud, and anti-smuggling training. It notes in particular the assistance provided by ESCAP and SPC in these fields.

5. Educational advancement

General

779. The Trusteeship Council congratulates the Administering Authority for the sound educational foundations it has laid in the Territory and for providing a system of free and universal primary education.

780. The Council notes with regret, however, that perennial problems such as inadequate funds and shortages of qualified teachers, school supplies and accommodation, remain. The Council also takes note that these inadequacies tend to be most pronounced in the outlying areas.

781. The Council continues to be concerned about the deterioration of school facilities and building maintenance standards in the Territory. The Council is pleased to note that the Administering Authority considers that the maintenance of existing facilities should rank amongst the highest priorities and that training in maintenance work should be written into educational projects.

782. The Council reiterates its concern that social problems among unemployed youth, both university graduates and school drop-outs, continues to be widespread. The Council recommends that incentives might be considered to encourage young people to pursue studies which are relevant to conditions in Micronesia and would be likely to provide opportunities for employment.

Primary and secondary education

783. The Trusteeship Council notes that the Administering Authority shares its concern about the deterioration of primary school buildings, particularly in the Federated States of Micronesia.

784. The Council once again urges the Administering Authority to consider providing funding for maintenance programmes after termination of the Trusteeship Agreement.

785. The Council is pleased to note that measures have been taken throughout the Trust Territory since the visit of the 1980 Visiting Mission to train more teachers and to provide more school books in local languages. The Council commends the activities promoted by the Territorial Teacher Training Assistance Program and hopes that funding will continue at least until the termination of the Trusteeship Agreement.

Higher education

786. The Trusteeship Council is pleased to note that the College of Micronesia, the only institution for higher education in the Trust Territory, continues to provide service to the Federated States of Micronesia, the Marshall Islands and Palau. None the less, the Council expresses concern at the fact that the buildings of the College are old and dilapidated. This has caused overcrowding and resulted in a lowering of standards. Particularly disturbing is the information that the College has been threatened with losing its accreditation. The Council notes that a new campus for the College has been earmarked by the Administering Authority. The Council recommends that this project be undertaken with the minimum of delay, and that funding for the construction of the new facilities be provided by the Administering Authority.

787. The Council notes with satisfaction that the role of the Northern Mariana Islands Community College has been expanded and further defined to include additional training activities.

788. The Council notes the concern expressed by Vice-President Oiterong of Palau about insufficient scholarships and student loans for graduates to pursue studies abroad. It urges the Administering Authority to offer assistance in this area.

Indigenous languages and cultures

789. The Trusteeship Council is pleased to note the increasing interest shown by the constitutional Governments in preserving their cultural heritage as they approach the final steps to self-determination.

790. The Council notes with concern the deterioration of the buildings of the Palau Museum. It notes that the matter is under serious consideration and that it will be accorded priority.

791. The Council notes with pleasure that programmes for the preservation of indigenous language and the broadening of their use continue in the Trust Territory and at the University of Hawaii. It welcomes the fact that the Bilingual Education Program for Micronesia (BEPM) at the University of Hawaii continues to provide linguistic training in the major languages of the Territory.

Vocational training

792. The Trusteeship Council notes that the Micronesian Occupational College continues to be the primary public vocational institution in the Trust Territory. The Council further notes that the College represents a very important element in the training of Micronesians for employment in a variety of development sectors.

793. The Council notes with pleasure that the Micronesian Trades Apprenticeship Program (MTAP) graduated its first four-year class in October 1982 and that funding to continue the programme has been assured. The Council notes with particular satisfaction that all graduates from the Federated States of Micronesia have been placed in jobs for which they were trained.

794. The Council welcomes the statement of the Administering Authority that it will continue to encourage co-operation in the development of manpower trained for actual job opportunities and needs in the various jurisdictions of the Trust Territory.

795. The Council expresses concern however that the overall employment record of Micronesian Occupational College graduates has deteriorated recently, with only about 75 per cent finding employment on leaving. The Council considers that close correlation between vocational training and job requirements is essential.

796. The Council welcomes the statement of Mr. Takesy of the Federated States of Micronesia that students are being sent to study at regional institutions offering training relevant to the needs of the area.

Teacher training

797. The Trusteeship Council notes with concern that a shortage of qualified teachers is still a problem throughout the Trust Territory. The Council, however, commends the efforts that are currently being made to remedy the situation.

798. The Council notes with satisfaction that several higher education extension programmes have been established in the Federated States of Micronesia to enable teachers to upgrade their skills as well as to acquire college degrees. The Council also welcomes the dramatic increase in the educational qualifications of teachers in the Northern Mariana Islands.

799. The Council once again reiterates that special attention should be given to the College of Micronesia as the principal institution for teacher training and urges the Administering Authority to make every effort to improve the level of educational qualifications in the period preceding termination of the Trusteeship Agreement.

Dissemination of information on the United Nations

800. The Trusteeship Council takes note of views expressed in the course of the fiftieth session concerning this subject. It urges the Administering Authority to co-operate fully with the constitutional Governments and the United Nations Information Centre at Tokyo in ensuring rapid, efficient and comprehensive dissemination of information on the United Nations and the International Trusteeship System in the Trust Territory.

6. Constitutional development and progress towards self-government or independence

801. 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.

802. The Council notes that plebiscites on the future political status of the Trust Territory have now taken place in the Northern Mariana Islands and Palau and that a further plebiscite is scheduled for 21 June in the Federated States of Micronesia. The Council also takes note of the assurance by the Administering Authority that a plebiscite will also take place in the Marshall Islands in the near future.

803. The Council takes note of the statements made by the representatives of the constitutional Governments emphasizing their wish to maintain links with the Administering Authority after termination of the Trusteeship Agreement.

804. The Council takes note of the fact that full functional self-government in the Trust Territory will be realized with the termination of the Trusteeship Agreement and the assumption of a new political status.

805. The Council notes with satisfaction the Administering Authority's reaffirmation that the people of Micronesia will, following a thorough political education programme, have the opportunity to choose their future political status from a range of options, including independence.

806. The Council takes note of the outcome of the plebiscite held in Palau on 10 February 1983, in which 61.4 per cent of those voting opted for free association with the United States. It further takes note that 51.3 per cent voted for a provision of the compact relating to the introduction of radioactive substances into Palau. It notes in particular the view of the Visiting Mission to Observe the Plebiscite in Palau that since the figure of 51.3 per cent fell short of the 75 per cent required under the Palau Constitution for the adoption of such a provision, the compact had been approved by the people of Palau but could not enter into force. The Council endorses the view of the Visiting Mission that it appeared to be for the Governments of the United States and of Palau to look for a mutually acceptable solution which would make it possible to bring about harmony between article II, section 3 of the Palau Constitution and section 314 of the compact of free association. To this end, it notes that a task force has been established by the Palau Government and that the Administering Authority stands ready to pursue intensive discussions with the Palau Government with a view to resolving the problem.

807. The Council notes with concern the successive postponements of the date of the Palau plebiscite and the view of the Visiting Mission that those postponements had created some uncertainties in the minds of some of the voters. The Council expresses the hope that no such delays will affect the forthcoming plebiscite in the Federated States of Micronesia on 21 June, and that the date for the plebiscite in the Marshall Islands will be announced well in advance and adhered to.

808. The Council notes with satisfaction the conclusion of the Visiting Mission that the political campaign had been conducted in complete freedom with no improper intervention by the Administering Authority. It welcomes the Visiting Mission's

conclusion that there had been no voting irregularities and the counting of the votes had been scrupulously and carefully carried out.

809. The Council notes that following approval of the compact in accordance with the constitutional processes of the Governments concerned and the United States Congress, the Administering Authority will take up the matter of the termination of the Trusteeship Agreement with both the Trusteeship Council and the Security Council in accordance with the provisions of Article 83 of the United Nations Charter.

810. As in previous years, the Council does not wish to make precise recommendations on the future political status of the various Micronesian entities. It reiterates its view that free association is an option that is not incompatible with the Trusteeship Agreement, provided that the populations concerned have freely accepted it.

811. The Council welcomes the statement in the Administering Authority's report for 1982 that termination of the Trusteeship Agreement and assumption of a new political status should not create hardships for the economies of the constitutional Governments. In this context, it further welcomes the Administering Authority's commitment to provide economic assistance during the initial period of the free association relationship.

812. The Council notes with interest the statement by Mr. Oiterong, the Vice-President of Palau, that an inter-agency group was being formed to serve as a liaison arm of the United States Government for the post-Trusteeship period.

813. The Council expresses the hope that the Trusteeship Agreement can be speedily terminated as soon as the peoples of Micronesia have determined their future political status and that those Territories will as before have Governments which are elected in accordance with their Constitutions.

814. While fully accepting that the will of the peoples must be the principal determinant of the future political status of the Trust Territory, the Council expresses some regret at the decision of the peoples of Micronesia to seek their future separately rather than as one unified Territory. Accordingly, the Council again expresses the hope that the Micronesians will take all necessary steps to establish, after termination of the Trusteeship Agreement, the all-Micronesian entity which they agreed upon at Molokai in October 1977. It further emphasizes the need for practical co-operation and partnership between the peoples of Micronesia and urges the Administering Authority and the four constitutional Governments to co-operate fully towards that end.

Notes

1/ 1982 Trust Territory of the Pacific Islands, October 1, 1981 to September 30, 1982, thirty-fifth annual report to the United Nations on the administration of the Trust Territory of the Pacific Islands. Transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations (Department of State Publication 9336).

Notes (continued)

2/ Official Records of the Trusteeship Council, Fiftieth Session, Sessional Fascicle, annexes, document T/L.1238. For the text of the conclusions and recommendations adopted, see paras. 687-814.

3/ See T/PV.1561 for the results of the voting on the individual sections of the draft conclusions and recommendations.

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

5/ Official Records of the Trusteeship Council, Fiftieth Session, Supplement No. 2 (T/1850).

6/ Ibid., Sessional Fascicle, annexes, document T/1844.

7/ For the text of the statement, see Official Records of the Trusteeship Council, Forty-fifth Session, Sessional Fascicle, annexes, document T/1789, enclosure.

8/ Official Records of the Security Council, Thirty-seventh Year, Special Supplement No. 1 (S/15705).

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

10/ For the text of the Constitution, see T/COM.10/L.174, annex I.

11/ Official Records of the Trusteeship Council, Fiftieth Session, Supplement No. 3 (T/1851).

12/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 23 (A/37/23/Rev.1), chap. XIX, para. 11.

13/ Ibid., Thirty-sixth Session, Annexes, document A/36/677/Add.2, para. 29.

14/ Ibid., Thirty-seventh Session, Annexes, document A/37/621, para. 26.

15/ Ibid., Thirty-seventh Session, Supplement No. 18 (A/37/18).

16/ Official Records of the Trusteeship Council, Fiftieth Session, Sessional Fascicle, annexes, document T/1854.

17/ Ibid., document T/1855.

18/ Ibid., Forty-ninth Session, Sessional Fascicle, annexes, document T/1841.

19/ For the report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1980, see Official Records of the Trusteeship Council, Forty-seventh Session, Supplement No. 2 (T/1816).

Notes (continued)

- 20/ The local currency is the United States dollar.
- 21/ United Nations, Treaty Series, vol. 480, No. 6964, p. 43.
- 22/ Official Records of the Security Council, Thirty-seventh Year, Special Supplement No. 1 (S/15705), para. 828.
- 23/ Ibid., Thirty-sixth Year, Special Supplement No. 1 (S/14709), para. 778.
- 24/ Official Records of the Trusteeship Council, Fiftieth Session, Supplement No. 2 (T/1850), para. 393.
- 25/ Ibid., para. 484.
- 26/ Ibid., Supplement No. 3 (T/1851), paras. 35, 63-65 and 70-71.
- 27/ Ibid., paras. 116-135.
- 28/ For details of voting and explanations of vote, see paras. 13 and 15-29.
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