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TO : L/UNA - Mr. Schwebel
FROM : UNP - Elizabeth A. Brown
SUBJECT: Trust Territory Activities under Article 8 of the Trusteeship Agreement.

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Except for certain restricted areas, entry into the Trust Territory of the Pacific Islands is controlled by the High Commissioner under the terms of the High Commissioner's Executive Order No. 98 of February 7, 1964 (copy attached). When we recently were asked to consider a proposed joint U.S.-Japan scientific project in the Trust Territory, the question arose whether the new regulations might be administered in a way that the protection granted the United States under the most-favored-nation provision of Article 8 of the Trusteeship Agreement would be compromised.

We have noted the September 11, 1964 opinion of your office that the proposed joint scientific project would not require similar treatment of third country nationals and therefore would not create any difficulties under Article 8, but we would like your opinion on whether other kinds of activities and if so of what nature, could be conducted with other individual countries without requiring similar obligations to third countries. We think it might be useful to furnish guidance on this point to the Department of the Interior for the use of the High Commissioner and would use your memorandum as the basis for this.

DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY: <u>A. Sebr</u>	DATE: <u>1/3/85</u>
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