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~~Aug 21, 1967~~

made by his Government to the Government of Japan envisaging a joint disposition of the claims and that both Governments intend to pursue vigorously a solution of this question. The Council, reiterating its suggestion to consider employing the good offices of the Secretary-General to seek a prompt settlement of these claims, strongly urges the Administering Authority to continue to make every effort to settle them with the least possible delay and again expresses the hope that a definite settlement will be reached by its next session.

"2. The Council once more notes that no settlement of the claims against the United States has yet been made but that the claims offices established in the office of the Attorney-General are evaluating existing claims and that the date of 15 September 1968 has been fixed as a deadline for claims to be received. The Council again urges the Administering Authority to seek an early solution to the problem."

T/L 1138, June 13, 1968.

U.S. Status  
Commission  
proposed

On August 21, 1967, President Johnson sent identical letters to the President of the Senate (Vice President Humphrey) and to the Speaker of the House of Representatives (McCormack), which read in part:

"In 1966, the people of the territory [Trust Territory of the Pacific Islands], acting through their popularly elected legislature, called upon the President of the United States to create a Commission to consider their future status [Congress of Micronesia, 2d Sess., H.J. Res. 47, Aug. 9, 1966].

"I am happy to honor their request. The Joint Resolution I am submitting would provide for such a Commission."

LVII *Bulletin*, Department of State, No. 1473, Sept. 18, 1967, p. 363. The joint resolution submitted by President Johnson became S.J. Res. 106, 113 *Cong. Rec.*, Aug. 23, 1967, No. 135 (daily ed.), p. S12111.

→ On May 8, 1968, Under Secretary of State Katzenbach made a statement before the Subcommittee on Territories and Insular Affairs of the Senate Committee on Interior and Insular Affairs which read in part as follows:

"... Two years ago the Congress of Micronesia petitioned President Johnson, stating that 'This generation of Micronesians should have an early opportunity to determine the ultimate constitution and political status of Micronesia.' It requested the President to establish a status commission which, after ascertaining the views of the people of Micronesia, would study and critically assess the available political alternatives.

"Micronesia's petition was hardly surprising in a day when peoples throughout the world are seeking greater control over their own affairs. Moreover, the United States shares the conviction that there should be less uncertainty about the territory's political future.

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"The United States fully supports self-determination by the people of the trust territory. Both our history and our foreign policy have been deeply identified with the principle of self-determination. The only question before us is one of appropriate timing.

"The trusteeship agreement does not specify procedures for its termination. Both the agreement and the U.N. Charter leave no doubt, however, that an exercise of self-determination in the TTPI would require that we offer the Micronesian people the choice of self-government or independence. Article 6 explicitly enjoins the United States to 'promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the people concerned.'

"While neither the charter nor the agreement specify how self-determination should be brought into being, the precedent of similar cases indicates the need for a plebiscite to ascertain the wishes of the inhabitants.

"The choices offered to the Micronesians in such a plebiscite must include self-government or independence. The plebiscite should represent a genuine and meaningful decision by all the inhabitants of the territory. As such, it would require all the preparation and care that must accompany such a solemn decision.

"The proposed resolution [S.J. Res. 106] envisages a plebiscite in Micronesia not later than June 30, 1972. The timing of a plebiscite must avoid two dangers. If the target date is postponed too long, we shall create serious disappointments which could cause us grave difficulties at a later time. A premature plebiscite, on the other hand, would not allow time to prepare a realistic program for carrying out the alternative chosen or to permit the education necessary if the Micronesian people are to make a meaningful choice. We believe that 1972 gives us enough time for preparation and education without risking the dangers inherent in extended delay.

"We propose a status commission because we are convinced that a qualified body should recommend how to give a fuller meaning to terms like 'independence,' 'self-government.' It would not be fair if the Micronesians—who are looking for greater, not less, certainty—were presented with a plebiscite in which the bare words describing each alternative were not backed up by a plausible and practical program. For example, it would be meaningless to offer Micronesia some form of self-government in free association with the United States if our proposals on such things as citizenship, form of government, budgetary arrangements, and economic relationships were not well understood ahead of time by the Micronesians. A status commission would study the range of possibilities and recommend to the President and the Congress the arrangements most suitable to the trust territory's special circumstances.

"The joint resolution proposes that the status commission include, in addition to the chairman, eight members representing

the Congress and eight members appointed by the President. This composition would, we think, allow the President and the Congress to work together in the smoothest possible way. The President has clear obligations regarding the TTPI, and the Congress has explicit constitutional obligations."

LVIII *Bulletin*, Department of State, No. 1510, June 3, 1968, pp. 729-730.

For the text of S.J. Res. 106 as amended and adopted by the Senate, May 29, 1968, see 114 *Cong. Rec.*, May 29, 1968, No. 93 (daily ed.), pp. S6656, S6657.

The resolution was transmitted to the House of Representatives and referred to the House Committee on Interior and Insular Affairs on June 3, 1968. See 114 *Cong. Rec.*, June 3, 1968, No. 94 (daily ed.), p. H4488.

### *Chapter XI of the Charter; Committee on Information From Non-Self-Governing Territories*

#### § 13

Chapter XI of the Charter of the United Nations reads:

#### *"Article 73*

Charter  
provi-  
sions  
re non-self-  
governing  
territories

"Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

"a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

"b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

"c. to further international peace and security;

"d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

"e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively respon-