

10/21/68

FIFTEENTH REGULAR SESSION, 1968

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MARSHALL ISLANDS NITIJELA

RESOLUTION NO. 71

A RESOLUTION

A Resolution requesting the United Nations to reconsider the legal and political status of the Trust Territory of the Pacific Islands.

1 WHEREAS, on April 2, 1947, the United Nations Security Council by  
2 unanimous vote, and on July 18, 1947, the United States Senate did approve  
3 a Trusteeship Agreement between the United States and the United Nations  
4 regarding the administration of the islands, exclusive of Guam, known  
5 collectively as Micronesia; and

6 WHEREAS, by the acceptance of this Agreement, the United States  
7 bound itself to act in accordance with the letter and spirit of the  
8 United Nations Charter, the International Trusteeship System, and the  
9 Trusteeship Agreement itself; and

10 WHEREAS, the said Charter, System, and Agreement demanded of the  
11 United States, and of all other signees, certain obligations, which the  
12 United States did freely and of its own accord, take upon itself in regard  
13 to the islands of Micronesia, hereinafter referred to as the Trust Territory;  
14 and

15 WHEREAS, under the Trusteeship Agreement the United States undertook  
16 to "foster the development of such political institutions as are suited  
17 to the trust territory" and to "promote the development of the inhabitants  
18 of the trust territory to self-government or independence," according  
19 to the "freely expressed wishes of the people concerned," and, to these  
20 ends, to give the inhabitants a progressively increasing share in the  
21 administrative services of the trust territory, to develop their partici-  
22 pation in government, and to give due recognition to the customs of  
23 the inhabitants; and

24 WHEREAS, under the said Agreement, the United States undertook to  
25 "promote the economic advancement and self-sufficiency of the inhabitants,"  
26 and, to this end, to regulate the use of natural resources, to encourage  
27 the development of fisheries, agriculture, and industry; to improve

1 transportation and communication facilities, and to protect the inhabitants  
2 against the loss of their lands and resources; and

3 WHEREAS, under the said Agreement, the United States undertook to  
4 "promote the social advancement of the inhabitants," and to this end,  
5 to protect the rights and fundamental freedoms of the inhabitants without  
6 discrimination, to protect the health of the inhabitants, to control the  
7 traffic in arms and ammunition, dangerous drugs, and alcoholic beverages,  
8 and to protect the inhabitants against other social abuses; and

9 WHEREAS, under the said Agreement, the United States undertook to  
10 "promote the educational advancement of the inhabitants," and, to this  
11 end, to establish a general system of elementary education, to facilitate  
12 the vocational and cultural advancement of the population; and to  
13 encourage qualified students to pursue higher education, including  
14 professional education; and

15 WHEREAS, the International Trusteeship System (Article 73 of the United  
16 Nations Charter) requires the United States to "promote to the utmost"  
17 the well-being of the inhabitants; and

18 WHEREAS, the Trusteeship System (Article 76a of the Charter) requires  
19 the administration of the Trust Territory in such a way as to further  
20 international peace and security; and

21 WHEREAS, the Trusteeship System (Article 76c) requires administration  
22 in such a way as to "encourage respect for human rights and for fundamental  
23 freedoms for all without distinction as to race, sex, language, or religion,  
24 and to encourage recognition of the inter-dependence of the peoples of  
25 the world;" and

26 WHEREAS, the Trusteeship System (Article 76d) requires the administering  
27 authority (the United States, in this case) to "ensure equal treatment  
28 in social, economic, and commercial matters for all Members of the United  
29 Nations and their nationals;" and

1 WHEREAS, the United States has attempted to transplant in the Trust  
2 Territory a system of government far too closely resembling its own to  
3 be relevant to the actual political conditions of Micronesia; and

4 WHEREAS, the United States, in considering political alternatives  
5 for the Trust Territory, has consistently refused to discuss seriously  
6 the possibilities of independence or alliance with a country other than  
7 the United States, apparently taking for granted a continued association  
8 with itself, whether the Micronesian peoples desire this or not; and

9 WHEREAS, the United States has, for over twenty years, deferred any  
10 program of political education for the inhabitants, and appears to be  
11 doing so now in order to further delay the plebiscite now scheduled for  
12 1972; and

13 WHEREAS, the number of Micronesians in policy-making positions in  
14 the administration is, after twenty-one years, distressingly small; and

15 WHEREAS, regardless of the "practical necessity" of such action, so  
16 many Congress of Micronesia bills are vetoed annually as to constitute  
17 a major thwarting of the will of the inhabitants, bringing to naught  
18 their already limited participation in government; and

19 WHEREAS, the Micronesian people have no voice in the selection of  
20 members of the judiciary branch, of the High Commissioner or even of  
21 district administrators; and

22 WHEREAS, the district and territorial administrative systems impose  
23 upon the Micronesian peoples a system of government totally alien to  
24 their respective cultures; and

25 WHEREAS, to date there has been no significant development of  
26 either fisheries or industries in the Trust Territory; and

27 WHEREAS, the people of Kwajalein were forced to surrender on  
28 ninety-nine year lease approximately seven hundred fifty acres of land in  
29 return for seven hundred fifty thousand dollars, or about ten dollars

1 per acre per year in an area where land is scarce and therefore precious  
2 beyond the comprehension of outsiders; and  
3 WHEREAS, the islands of Roi-Namur in Kwajalein Atoll were expropriated  
4 without compensation; and  
5 WHEREAS, the people of Eniwetok and Bikini surrendered their land  
6 for a nominal cash fee plus a larger amount held in trust, from which  
7 the people in question are permitted to receive only the interest of a  
8 few dollars per person per year; and  
9 WHEREAS, this trust fund was granted with the provision that it could  
10 be invested only in United States Government securities, meaning that,  
11 with inflation, the United States Government got the use of Eniwetok  
12 and Bikini for almost no cost to itself, and at the cost of great hardship  
13 and suffering to the former residents of those atolls; and  
14 WHEREAS, the atolls of Eniwetok and Bikini were used for the detonation  
15 of several series of nuclear and thermonuclear test explosions, all with  
16 disastrous results to the atolls themselves and to the animal and plant  
17 life, both land and marine; and  
18 WHEREAS, the Marshallese people do not believe that such explosions  
19 are consistent with the maintenance of international peace and security;  
20 and  
21 WHEREAS, communication remains, for the most part, slow and inadequate;  
22 and  
23 WHEREAS, firearms and ammunition are freely available in most areas  
24 to those who can afford them; and  
25 WHEREAS, liquor control laws are inadequately enforced; and  
26 WHEREAS, Micronesians suffer from discriminatory wage scales which  
27 permit an indigenous District Administrator to earn less than an American  
28 contract high school teacher, strictly on the basis of his national origin;  
29 and

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1 WHEREAS, most Micronesians still live in inadequate housing, and,  
2 even in the district centers, without electricity, running water, or  
3 adequate sanitation; and  
4 WHEREAS, on the islands of Kwajalein Atoll, the most rigid form of  
5 segregation is practiced, in which Micronesians are not permitted  
6 to live on the same islands as Americans, to shop in Global Associates'  
7 stores, or even to take home with them anything of any value which Americans  
8 might freely give them; and  
9 WHEREAS, some district hospitals remain inadequately and/or incompetently  
10 staffed; and  
11 WHEREAS, provisions for the health of Micronesians generally are so  
12 bad as to render the population highly susceptible to periodic epidemics  
13 of hepatitis, measles, and other diseases; and  
14 WHEREAS, while there is a general system of elementary education within  
15 the meaning of the Agreement, it is, in many areas, inadequately or  
16 incompetently staffed, and poorly supplied; and  
17 WHEREAS, the system of secondary education, such as it is, is a very  
18 recent innovation in the Trust Territory, and in many areas still lacks  
19 even basic curriculum planning; and  
20 WHEREAS, excepting a handful of Micronesian doctors, the vocational  
21 advancement of the populace has not been advanced at all; and  
22 WHEREAS, far from promoting cultural advancement of Micronesians,  
23 the administering authority has managed to downgrade and even virtually  
24 destroy the native culture in certain areas, replacing it with low-grade  
25 American mass culture; and  
26 WHEREAS, it is difficult to see how the pursuit of higher education  
27 has been greatly encouraged by the veto of a two hundred thousand dollar  
28 scholarship bill; and  
29 WHEREAS, there is no professional or college-level training institution  
30 in the Trust Territory after twenty-one years of United States administration  
31 and

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1 WHEREAS, the equal treatment which all other members of the United  
2 Nations and their nationals receive has been the systematic prohibition  
3 of entry into the Trust Territory;

4 NOW, THEREFORE, BE IT RESOLVED by the Marshall Islands Nitijela that  
5 the manifestly unequal treatment which the Micronesian peoples receive  
6 even in their own homelands is positively destructive of the respect  
7 for human rights and for fundamental freedoms which the United States  
8 under Article 76c of the United Nations Charter, is required to promote;  
9 and

10 BE IT FURTHER RESOLVED that it is the sense of the Nitijela that no  
11 reasonable man could maintain that the United States has acted to "promote  
12 to the utmost" the well-being of the inhabitants, as it is required to do  
13 under Article 75 of the United Nations Charter; and

14 BE IT FURTHER RESOLVED that the Nitijela hereby respectfully petitions  
15 the United Nations Trusteeship Council to commission a thorough investigation  
16 into the performance or non-performance of the United States Government in  
17 the fulfillment of its obligations under the United Nations Charter and  
18 the Trusteeship Agreement; and

19 BE IT FURTHER RESOLVED that the Nitijela hereby respectfully petitions  
20 the United Nations Security Council, under Article 83 of the Charter, to  
21 review the entire basis for continuation of the United States' presence  
22 in Micronesia, with a view to revision or abolition of the Trusteeship  
23 Agreement, as may be necessary to promote to the utmost the well-being  
24 of Micronesians; and

25 BE IT FURTHER RESOLVED that, failing action by the Security Council,  
26 the United Nations General Assembly, under Articles 10, 12, 13, 14 and 16  
27 of the United Nations Charter, is hereby petitioned to review the per-  
28 formance of the United States, as above; and

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1 BE IT FURTHER RESOLVED that, upon passage by the Nitijela, copies  
2 of this Resolution shall be sent to all interested persons and agencies.

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5 Certified: October 21, 1968

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9 Amata Kabua, Speaker

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13 Ailan Anien, Legislative Secretary

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