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FILE DESIGNATION

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A-107

HANDLING INDICATOR

NO.

TO : USUN NEW YORK

JUN 3 11 28 AM '69

FROM : Department of State

DATE:

SUBJECT : Observations to Trusteeship Council Petitions

T/PET.10/44; T/PET.10/45; T/PET.10/46;

REF : T/PET.10/50; T/PET.10/51; T/PET.10/52;

T/PET.10/53; and T/PET.10/54

REF : USUN's A-456 of March 19, 1969; A-355 of March 4, 1969; A-501 of March 27, 1969; and A-661 of April 17, 1969

SUGGESTED DISTRIBUTION

The Mission is requested to submit to the UN Secretariat the attached responses as the formal written observations on the petitions in question.

ROGERS

DEPARTMENT OF STATE A/CDC/MR

FEB. 25 1969

REVIEWED BY *W. ref* DATE _____

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Attachments:

1. Observation to T/PET.10/44
2. Observation to T/PET.10/45
3. Observation to T/PET.10/46
4. Observation to T/PET.10/50
5. Observation to T/PET.10/51
6. Observation to T/PET.10/52
7. Observation to T/PET.10/53
8. Observation to T/PET.10/54

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FORM 10-64 DS-323

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For Dep

Drafted by: IO:UNP:SRPeale:jkb Drafting Date: Phone No.: 3116 Contents and Classification Approved: IO:UNP - William

Clearances: EA - Miss McNutt Interior - Mr. Milner Interior - Mrs

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T/PET.10/44, a petition from the Mariana Islands District Legislature:

BEGIN QUOTE

PETITION FROM THE MARIANA ISLANDS DISTRICT
LEGISLATURE CONCERNING THE TRUST TERRITORY
OF THE PACIFIC ISLANDS (T/PET.10/44)

Observations of the Government of the United
States of America as Administering Authority

The representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of March 21, 1969 to which was attached a petition from the Mariana Islands District Legislature concerning the final report of a Select Committee on Land Problems in the district and requesting permission to send a delegation to appear before the Council.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Mariana Islands District Legislature's petition.

This petition presents a detailed discussion, including many case studies, of the land problems in the district and also makes a number of recommendations and suggestions for dealing with this issue.

As the Council is well aware, the problem of land title and the settlement of land claims in the Territory has a history beginning far before the creation of the trusteeship. It is a problem not only in the Mariana Islands District, but throughout the Territory. The Administering Authority is very much aware of the need to resolve this issue, but it is equally aware that some earlier attempts have only served to complicate the issue.

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The Administration is therefore carefully studying this problem with the intention of taking definite steps to reach an equitable solution throughout the Territory and will work with the Micronesians in this effort. As Secretary Hickel said in Saipan on May 5, 1969: "We realize very much the need to work with you to develop a system of laws and procedures which will provide protection for Micronesian land owners." In attempting to develop such a system the work of the Mariana District Legislature's Select Committee as contained in this petition will undoubtedly prove most valuable. Both it and the testimony which the Legislature's Delegation makes before the Council will be carefully considered and evaluated in reaching a final proposal.

END QUOTE

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T/PET.10/45, a petition from Iroij Lorenji and others,
Ujelang Atoll, Marshall District:

BEGIN QUOTE

PETITION FROM THE PEOPLE OF UJELANG ATOLL
CONCERNING THE TRUST TERRITORY OF THE
PACIFIC ISLANDS (T/PET.10/45)

Observations of the Government of the United
States of America as Administering Authority

The Representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of February 25, 1969 to which was attached a petition from the people of Ujelang Atoll concerning conditions on Ujelang and asking assistance in securing permission to return to their home island of Eniwetok.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Mariana Islands District Legislature's petition.

This petition describes what the former inhabitants of Eniwetok believe to have been their mistreatment at the time they left their former home for resettlement in Ujelang; claims that the people did not understand the agreement they signed; describes the hard conditions reportedly existing on Ujelang; and asked the United Nations to determine the date on which they will be able to return to their former home.

The United States is unable to return the former residents of Eniwetok to that island at this time. The United States is, however, very mindful of the welfare of these people and has taken active steps to insure that any past injustices are

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corrected and that current conditions on Ujelang are improved. The United States now has under consideration, and hopes in the near future to conclude with the people of Ujelang an arrangement which will remove the current causes of complaint. The Trust Territory Government has made extensive surveys of conditions on Ujelang and of the needs of its inhabitants. Preliminary steps have already been taken during the past year to improve the situation there, and a major effort has been programmed for Fiscal Year 1970 and has been included in the proposed Territorial budget. In this way the United States believes that the basic complaints of the people of Ujelang will be met. Of course, should it be possible in the future to return them to Eniwetok they will be offered this opportunity and will be assisted in returning if they decide to do so.

END QUOTE

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T/PET.10/46, a petition from the Marshall Islands Nitijela:

BEGIN QUOTE

PETITION FROM THE MARSHALL ISLANDS NITIJELA
CONCERNING THE TRUST TERRITORY OF THE
PACIFIC ISLANDS (T/PET.10/46)

Observations of the Government of the United
States of America as Administering Authority

The Representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of February 25, 1969 to which was attached a petition from the Marshall Islands Nitijela (District Legislature) concerning the unsatisfactory performance by the United States of its obligation under the United Nations Charter and the Trusteeship Agreement.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Marshall Islands Nitijela's petition.

This petition presents a long list of complaints and accusations against the US administration of the Territory. This list is a mixture of misstatements, half-truths and valid complaints. For example, although local judges are formally appointed by the Administration, they are actually recommended by the local population. The Administration has exercised its right of eminent domain on several occasions. The United States knows of no cases of expropriation without compensation, and inadequate agreements have been and will continue to be revised and improved as needed. Finally, matters such as the dual pay scales are problems of which the Administration is well aware and for which it is actively seeking solutions. In this connection, a number of the issues raised in this petition were addressed by Secretary Hickel in his recent speech in Saipan with the pledge that the administration would seek ways, in consultation with the Micronesians, to resolve them.

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Basically, this petition, as is demonstrated by its call for the revision or abolition of the Trusteeship Agreement, reflects the desire of the Micronesians, also expressed in a number of other petitions before the Council this year, for a greater voice in their own affairs. It is the wish and intention of the United States to meet this desire, not only in a temporary fashion under the trusteeship arrangements, but in more basic terms in seeking together with the Micronesians a more permanent answer to the Territory's political future.

END QUOTE

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T/PET.10/50, a petition from the Congress of Micronesia:

BEGIN QUOTE

PETITION FROM THE CONGRESS OF MICRONESIA
CONCERNING THE TRUST TERRITORY OF THE
PACIFIC ISLANDS (T/PET.10/50)

Observations of the Government of the United
States of America as Administering Authority

The Representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of March 18, 1969 to which was attached a petition from the Congress of Micronesia concerning its desire to have the terms of the Trusteeship Agreement be renegotiated so as to provide for ratification by the Congress of Micronesia of any taking of land in the Territory for military use.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Congress of Micronesia's petition.

As the United States has said in response to T/PET.10/48 and T/PET.10/56, it believes that solutions to problems in the Territory should not be resolved through amendment to the Trusteeship Agreement, but through a joint effort on the part of the Micronesians and the United States to devise a permanent future status for the Territory. Clearly such a result will provide a far more lasting solution to the problem of land control, whether for military or other purposes, than would an amendment of the Agreement.

In the meantime, Secretary Hickel clearly stated the position of the United States on questions of land acquisition when he told the people of Micronesia that "land will not be taken from Micronesians for any Government purpose without full discussion with all parties involved and full and adequate compensation to land owners." Thus the current policy of the

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United States on this issue is clear, and working together with the Micronesians we expect to be able to develop a more permanent solution satisfactory to all concerned.

END QUOTE

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T/PET.10/51, a petition from the Mariana Islands District
Legislature:

BEGIN QUOTE

PETITION FROM THE MARIANA ISLANDS DISTRICT
LEGISLATURE CONCERNING THE TRUST TERRITORY
OF THE PACIFIC ISLANDS (T/PET.10/51)

Observations of the Government of the United
States of America as Administering Authority

The Representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of March 18, 1969 to which was attached a petition from the Mariana Islands District Legislature concerning its desire that the United Nations notify the Mariana Islands District Legislature of the scholarships offered for Micronesians to study in member countries of the United Nations.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Mariana Islands District Legislature's petition.

The United States, although recognizing that more needs to be done in improving educational opportunities in the Territory, believes that this petition does not give adequate credit to the major effort which has been made in regard to higher education. As indicated in this year's report on the Territory before the Council, 233 students were being provided scholarship support by the Trust Territory Government for higher education in the year ended June 30, 1968. This represents an increase of approximately 66 percent from the number of students supported only four years previously. We recognize, of course, that more still needs to be done, and Secretary Hickel pledged increased support for this program. Nevertheless, the past record is hardly one of "little progress" as described in this petition.

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As for the offers of scholarships from member states for study by Micronesians, they have been consistently forwarded to the Territory and have been circulated to each of the Districts. Thus any Micronesian interested in such opportunities need only inquire and the information will be provided to him.

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T/PET.10/52, a petition from F. T. Uludong, President of the Micronesian Student Club:

BEGIN QUOTE

PETITION FROM F. T. ULUDONG, PRESIDENT OF THE MICRONESIAN STUDENT CLUB, CONCERNING THE TRUST TERRITORY OF THE PACIFIC ISLANDS (T/PET.10/52)

Observations of the Government of the United States of America as Administering Authority

The representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of April 16, 1969 to which was attached a petition from Mr. F. T. Uludong, President of the Micronesian Student Club of Honolulu, concerning the opposition of the Club to military activities in the Territory and expressing its support of the request contained in T/PET.10/50.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on Mr. Uludong's petition.

The United States has already responded in its observations on T/PET.10/50 to most of the points raised in this petition, which is essentially an expression of support for the earlier petition. The United States cannot, of course, accept the contention that military facilities are by definition against the interests of the people of the Territory, nor do we believe that to be the view of the majority of the people of the Territory. The resolution of the basic question of the permanent future status of the Territory will provide a more adequate means of dealing with the issues raised in this petition.

END QUOTE

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T/PET.10/53, a petition from the Mariana Islands District Legislature:

BEGIN QUOTE

PETITION FROM THE MARIANA ISLANDS DISTRICT
LEGISLATURE CONCERNING THE TRUST TERRITORY
OF THE PACIFIC ISLANDS (T/PET.10/53)

Observations of the Government of the United
States of America as Administering Authority

The representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of March 25, 1969 to which was attached a petition from the Mariana Islands District Legislature concerning the alleged threat of the Administration to violate freedom of the press in the Territory.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Mariana Islands District Legislature's petition.

This petition accuses the Administering Authority of denying the use of the Government-owned printing shop to the publishers of the "Micronesian Free Press" and to them alone. It further accuses the Administration of threatening to prevent the entry of this publication into the Territory from Guam, thus violating the rights of freedom of the press and free speech.

The workload of the government print shop and the limitations of its facilities preclude its use by any and all newspapers. This is not limited to the "Micronesian Free Press."

As for the threat to prevent the entry of the "Micronesian Free Press" from Guam, such an order was issued in error and was rescinded almost immediately thereafter. The "Micronesian Free Press" was not denied entry to the Territory and is currently in circulation there. Free speech and freedom of the press are carefully guarded rights throughout the Territory.

END QUOTE

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T/PET.10/54, a petition from the Senate of the Congress
of Micronesia:

BEGIN QUOTE

PETITION FROM THE CONGRESS OF MICRONESIA
CONCERNING THE TRUST TERRITORY OF THE
PACIFIC ISLANDS (T/PET.10/54)

Observations of the Government of the United
States of America as Administering Authority

The representative of the United States of America to the United Nations presents his compliments to the Secretary General of the United Nations and has the honor to refer to the latter's note of March 25, 1969 to which was attached a petition from the Senate of the Congress of Micronesia concerning the unsatisfactory performance by the United States of its obligations under the United Nations Charter and the Trusteeship Agreement.

In accordance with rule 86, paragraph 4, of the rules of procedure in the Trusteeship Council, the United States Government as Administering Authority has the honor to make the following comments on the Congress of Micronesia's petition.

This petition is virtually identical with T/PET.10/46 except that the originating body is the Senate of the Congress of Micronesia rather than the Marshall Islands Nitijela. The observations submitted on T/PET.10/46 will therefore serve equally well for this petition and it is recommended that interested parties refer to those observations.

END QUOTE

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