

## The Trust Territory of the Pacific Islands

*Statement by Frederick H. Sacksteder, Jr.  
U.S. Representative on the U.N. Trusteeship Council*<sup>1</sup>

The United States delegation is pleased to report once more on our administration of the Trust Territory of the Pacific Islands during the past year. We believe that this has been a particularly significant period in our administration of the territory, a time in which meaningful progress has been achieved on several fronts toward the eventual termination of the trusteeship and in which the United States has continued major efforts in meeting its trusteeship and charter obligations to bring about the political, economic, and social advancement of the territory.

When Ambassador Phillips appeared before the Council last year to present our report, he noted that President Nixon had shown his deep interest in the question of the future status of the trust territory by naming Ambassador Franklin Haydn Williams to act as his personal representative in carrying on discussions with members of the Joint Committee on Future Status of the Congress of Micronesia in accordance with the stated desire of the Congress to negotiate entry into free association with the United States.<sup>2</sup> Ambassador Williams has now had the opportunity to lead U.S. delegations to two formal sessions of negotiations with the Joint

Status Committee, one at Hana on the Island of Maui in Hawaii in October 1971 and another at Koror in the Palau District of the trust territory in April of this year.

At the Hana talks, broad agreement was reached between the U.S. and Micronesian representatives on several issues of principle that had previously divided the two sides. In the words of the final joint communique ending the session, "both sides expressed appreciation for the spirit and atmosphere surrounding the Third Round of Talks on Micronesian Future Political Status," and both the Micronesian and the American sides "found the open exchange and the exploration of each other's point of view highly useful," and both agreed that "substantive progress was made in narrowing differences and in reaching preliminary understandings in some important areas."

In keeping with Ambassador Williams' instruction from the President, the U.S. delegation at Hana introduced a number of new proposals that reflected concern at the highest levels of the U.S. Government that agreement on a new status for Micronesia should serve the long-term welfare and needs of the Micronesian people. These proposals centered on those issues which the Micronesians had said were of the greatest importance to them and their future.

The U.S. delegation accordingly suggested at Hana that a compact of association would be freely entered into by the people of Micronesia through a sovereign act of self-deter-

<sup>1</sup> Made before the 39th session of the United Nations Trusteeship Council on May 24 (USUN press release 55).

<sup>2</sup> For a statement by Christopher H. Phillips, U.S. Representative on the Trusteeship Council, see USUN press release 69 dated May 26, 1971.

mination at the time of termination of the trusteeship. This compact would define the terms of the future association between the United States and Micronesia, including the rights and responsibilities of both parties.

In accordance with such a compact, the rights of the people of Micronesia to govern their own internal affairs would be fully recognized and protected. This would include the right to adopt their own constitution and their own laws. U.S. laws and programs would apply to Micronesia only as agreed to by the Micronesians and as detailed in the compact or as subsequently agreed upon by mutual consent.

As for the conduct of foreign affairs and defense matters after the termination of the present trusteeship, the U.S. position at Hana was similar to a proposal made in July 1970 by the political status delegation of the Congress of Micronesia. This proposal was that "the responsibility for external affairs and defense would be handled by the United States and it would be therefore necessary for the United States to retain sufficient power in those areas to enable it to fulfill its responsibilities."

Perhaps one of the most important factors leading to the positive atmosphere at Hana was the full recognition in the U.S. proposal of the vital significance of land to the Micronesians.

Under the terms of the proposed compact of association put forward by the U.S. side, all Micronesian land would be under the control of Micronesians and the United States would commit itself not to exercise the powers of eminent domain. The United States further proposed that private ownership of land by non-Micronesians should be determined by the Micronesians and that any future acquisition of land would only be in accordance with Micronesian law.

Despite the heartening progress noted by the Micronesian and U.S. delegations at Hana, both sides felt that there were certain remaining divergencies to be resolved prior to the conclusion of an agreement that could form the basis for the termination of the present trusteeship. A principal issue that

remained unresolved after the Hana talks was the question of the method by which the future relationship between Micronesia and the United States might be modified or terminated.

Further U.S. flexibility on this issue at the next round of talks at Palau in April of this year undoubtedly contributed to the successful completion of this most recent session of the negotiations. The Micronesian delegation stated after the talks:

We believe that we have laid the foundations of an agreement which may enable us to end the Trusteeship and create a new Micronesian state in free association with the United States. With the end of this round of talks, we find ourselves closer than we have ever been to self-government in Micronesia.

In particular, Senator [Lazarus] Salii of the Joint Committee on Future Status stated that:

The Micronesian Delegation believes that United States acceptance of Micronesia's right of unilateral termination, combined with previous acceptance of Micronesia's control over laws and lands, constitute the basis of an eventual agreement with the United States. Micronesia's four basic principles and legal rights have been recognized.

The final joint communique at Palau cited specific basic agreement on several important issues. In particular, both sides noted in the communique that:

... the future relationship between Micronesia and the United States will be determined by a Compact. That Compact will be based on the sovereign right of the people of Micronesia to choose their own future. The Compact will have to be approved by the Congress of Micronesia, the United States Congress, and by the people of Micronesia.

The Compact will establish a mutually beneficial relationship of Free Association between Micronesia and the United States and constitute the basis of the respective rights of the parties. Under it the people of Micronesia will vest in the Government of Micronesia authority over their internal affairs while authority over and responsibility for foreign affairs and defense will be vested in the Government of the United States.

As Ambassador Williams noted in a statement issued April 19 after the talks at Palau:

The agreements reached at Hana and the new agreements arrived at in Koror have provided a

foundation on which the U.S. and Micronesia Delegations can direct their future efforts. The agreements and understandings reached thus far are interdependent and provisional; and the ultimate task of drafting a compact will be a long and complex one.

Nevertheless, we agree with the Micronesian representatives that our negotiators have indeed built the framework of a new relationship.

Representatives of both delegations will probably meet later this summer to begin the difficult task of translating agreement in principle into a formal compact of free association.

These have not been easy negotiations for either side. The United States has unusual requirements and responsibilities in the Micronesian area that were recognized by the Security Council when the strategic trust was established and that are not easily reconciled with a new status for the territory. The Micronesian side has had problems of a different sort stemming from the dissimilar views of peoples living on scores of islands scattered over thousands of miles of ocean. Their efforts to achieve a consensus in the status talks constitute ample evidence of the growing political maturity of the people of Micronesia and their freely elected leaders.

I should point out, however, that although five of the six districts of the territory have reached some agreement on a common position in the negotiations, the sixth, the Mariana Islands, has chosen a different path. The Marianas representatives at the Palau talks, and subsequently at Saipan, approached the U.S. delegation and requested separate negotiations leading toward a close and permanent union with the United States. In their approach, they had both a mandate from the Marianas District legislature and the permission of the other members of the Micronesian Joint Status Committee. The U.S. delegation informed the Micronesian and Marianas representatives that it would respond affirmatively.

While it has been U.S. policy to develop all of Micronesia toward a common future status, events in the Marianas over the past

10 years have plainly demonstrated that the full implementation of that policy is not feasible. As the Council is well aware, the people and leaders of the Marianas have shown through referenda, petitions to this Council and to my government, and repeated resolutions of their district legislature that they preferred much closer bonds to the United States than did the other districts.

The Council will, we understand, once again be hearing from representatives of the Marianas District during the current session. I am sure that they can explain more clearly than I the reasons why they desire a separate solution to the question of what future relationship with the United States best suits the people of the Marianas. However, I believe that the Council may find it useful if I describe the present U.S. position in regard to the opening of separate talks with the Status Committee that has recently been established by the Marianas District legislature.

As Ambassador Phillips pointed out to the Council last year in his opening statement, we have encouraged the leadership in the Marianas to work within the system and urged them to participate in territory-wide activities such as the Congress of Micronesia and its Joint Status Committee and to seek accommodation of their views within these forums. They have now done so for another year and two additional sessions of status talks, at Hana and Palau.

They have had ample opportunity to observe the kind of solution to the status question desired by the other five districts of the territory. Their hopes for a different solution have been confirmed and noted by the representatives of the other districts who have agreed to the approach made by the Marianas at the last session of the negotiations.

Thus, not only do we believe that we have ample grounds to consider that the decision transmitted to us by the Marianas leaders represented the freely expressed wishes of the people concerned, but also we believe that they have done so with the full understanding

of the people of the other districts. For the United States to have responded other than positively to the Marianas initiative could have led ultimately to an imposition of a political status upon the people of that district that they had made abundantly clear that they did not want. Although we have made the decision to enter into talks with the new Marianas Status Committee, we have reaffirmed our policy that the trusteeship is to be terminated simultaneously in all of the districts of the territory.

I have discussed the outcome of the talks at Hana and at Palau and our recent response to the initiative taken by the Marianas leaders at some length, feeling that these are events of the last year of the greatest interest to the Council and of the most importance ultimately to the people of the territory. In addition, the U.S. Special Representative, High Commissioner [Edward J.] Johnston, will, of course, be in a far better position to describe other developments in our administration of the territory during the past year and will discuss in some detail some of the plans for the future in key areas of our responsibility. He will describe our efforts since the last session of the Council to promote the economic welfare of the territory and to advance the people of Micronesia toward self-government. As he will point out, we have achieved progress in several areas of longstanding interest to the Council: new efforts to improve the economic infrastructure following on continued high levels of grant funds appropriated by the U.S. Congress, authorization by the U.S. Congress of \$5 million to be matched by a similar amount to be provided in kind by the Government of Japan for the settlement of war claims, \$5 million in appropriations for the Micronesian Economic Development Loan Fund, and new developments in the fields of health and education.

In addition, we believe that significant gains have been made within the territory toward increased self-government. During a long and productive legislative session at Palau, the Congress of Micronesia passed

several important acts including one granting the Congress the right of "advice and consent" on key appointments within the administration. The administration, for its part, has named an increasing number of Micronesians to important positions within the executive branch.

[Mr. Sacksteder concluded his statement by introducing the members of the U.S. delegation to the 39th session of the Trusteeship Council.]

## Security Council Approves Proposal for U.N. Representative on Namibia

*Following is a statement made in the U.N. Security Council on August 1 by U.S. Representative George Bush, together with the text of a resolution adopted by the Council that day.*

### STATEMENT BY AMBASSADOR BUSH

USUN press release 78 dated August 1

My delegation has followed with great interest the efforts of the Secretary General in his consultations with the Government of South Africa and other parties to meet the objectives set by the Council at our historic meeting in Addis Ababa. We are encouraged that progress has been made, as indicated by the Secretary General's report which we are now meeting to consider. The task which we have set for the Secretary General has not indeed been an easy one, and I think we should all applaud the adroit manner in which the Secretary General and his very able staff along with the wise counsel of the Group of Three have handled a most difficult situation.

The representative of the Secretary General will have a very delicate responsibility in the months ahead in pursuing the role established by the current resolution and outlined in the Secretary General's report.