



STORAGE

09

TRUSTEESHIP COUNCIL
OFFICIAL RECORDS

FORTY-SECOND SESSION

27 May - 29 August 1975

SESSIONAL FASCICLE

UNITED NATIONS

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AGENDA

**of the forty-second session adopted by the Council at its 1435th meeting
on 27 May 1975**

1. Adoption of the agenda.
2. Report of the Secretary-General on credentials.
3. Election of the President and the Vice-President
4. Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands.
5. Examination of petitions listed in the annex to the agenda [see below].
6. Arrangements for the dispatch of a visiting mission to observe the plebiscite in the Mariana Islands District, June 1975.
7. Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands, 1976.
8. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General [General Assembly resolutions 557 (VI) and 753 (VIII)].
9. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General [Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII)].
10. Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106 B (XX) and 3266 (XXIX)].
11. Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 3223 (XXIX)].
12. Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Papua New Guinea.
13. Consideration of the dispatch of a visiting mission to Papua New Guinea.
14. General Assembly resolution 3284 (XXIX) on the question of Papua New Guinea.
15. Attainment of self-government or independence by the Trust Territories [Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)] and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolutions 1514 (XV) and 3328 (XXIX)].
16. Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolution 1654 (XVI)].
17. Adoption of the report of the Trusteeship Council to the Security Council.
18. Adoption of the report of the Trusteeship Council to the General Assembly.

ANNEX

**List of petitions and communications received by the Secretary-General
and circulated to members of the Council**

<i>Petitioners</i>	<i>Document symbols</i>	<i>Observations by the Administering Authority</i>
<i>Trust Territory of the Pacific Islands</i>		
Congress of Micronesia (Senate)	T/COM.10/L.137	Not received
Congress of Micronesia (Senate)	T/COM.10/L.138	Not required
Congress of Micronesia (Senate)	T/COM.10/L.139	Not required
Fourth Mariana Islands District Legislature	T/COM.10/L.140	Not required
Fourth Mariana Islands District Legislature	T/COM.10/L.141	Not required
Fourth Mariana Islands District Legislature	T/COM.10/L.142	Not required

<i>Petitioners</i>	<i>Document symbols</i>	<i>Observations by the Administering Authority</i>
Twenty-fifth Saipan Municipal Council	T/COM.10/L.143	Not required
Palau District Legislature	T/COM.10/L.144	Not required
Palau District Legislature	T/COM.10/L.145	Not required
Palau District Legislature	T/COM.10/L.146	Not required
Fourth Mariana Islands District Legislature	T/COM.10/L.147	Not required
Congress of Micronesia (Senate)	T/COM.10/L.148	Not required
Congress of Micronesia (House of Representatives)	T/COM.10/L.149	Not required
Congress of Micronesia (House of Representatives)	T/COM.10/L.150	Not required
Congress of Micronesia (Senate)	T/COM.10/L.151	Not required
Fourth Mariana Islands District Legislature	T/COM.10/L.152	Not required
Congress of Micronesia (Senate)	T/COM.10/L.153	Not required
Mike Malone, Staff Assistant, Office of the Legislative Counsel, Congress of Micronesia	T/COM.10/L.154	Not required
Palau District Legislature	T/COM.10/L.155	Not required
Niall MacDermot, Chairman, Special NGO Committee on Human Rights	T/COM.10/L.156	Not required
Conference of Traditional Leaders of Ponape	T/COM.10/L.157	Not required
Twenty-fifth Saipan Municipal Council	T/COM.10/L.158	Not required
Twenty-fifth Saipan Municipal Council	T/COM.10/L.159	Not required
Twenty-fifth Saipan Municipal Council	T/COM.10/L.160	Not required
Howard Schomer, United Church Board for World Ministers	T/COM.10/L.161	Not required
Edward DLG. Pangelinan, Chairman, Marianas Political Status Commission	T/COM.10/L.162 ¹	—
Balerio U. Pedro	T/COM.10/L.163 ¹	—
Felipe C. Mendiola, Mayor of Tinian, and Sylvester T. Cruz, Speaker of the Municipal Council of Tinian, Mariana Islands	T/PET.10/85	Not received
Municipal Council of Tinian	T/PET.10/86	Not received
Stephen C. Murray, Friends of Micronesia	T/PET.10/87	Not required
Alison Arblaster, International Officer, Australian Student Christian Movement (ASCM)	T/PET.10/88	Not received
Felix Rabauliman, President, United Carolinian Association	T/PET.10/89	—
Marian Shipley, Corresponding Secretary, Voice of Women	T/PET.10/90	Not received
Asaichy Robert, Magistrate, Parem Municipality, Truk	T/PET.10/91	Not received
Edward DLG. Pangelinan, Chairman, Marianas Political Status Commission	T/PET.10/92 and Add.1	Not required
Bharat K. Jamnadas, Secretary, Continuation Committee, Conference for a Nuclear Free Pacific	T/PET.10/93	Not received
Ruth M. Harris, Assistant General Secretary of Development and Planning, Board of Global Ministries, United Methodist Church	T/PET.10/93/Add.1	Not received
Balerio U. Pedro	T/PET.10/94	Not received
<i>Papua New Guinea</i>		
Father John Momis; John Teosin	T/PET.8/40	T/OBS.8/26

¹ This document was issued after the Council had concluded its consideration of petitions and communications relating to the Trust Territory of the Pacific Islands.

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CONTENTS OF THE MEETINGS
of the forty-second session of the Council

NOTE: The numbers in brackets after the title of the item indicate the number of the item on the agenda.

1435th (opening) meeting

Tuesday, 27 May 1975, at 10.30 a.m.

Opening of the forty-second session

Adoption of the agenda [1]

Report of the Secretary-General on credentials [2]

Election of the President and the Vice-President [3]

Programme of work

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4]

1436th meeting

Wednesday, 28 May 1975, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5]

Hearing of petitioners

1437th meeting

Wednesday, 28 May 1975, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

Hearing of petitioners

Programme of work

1438th meeting

Thursday, 29 May 1975, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

1439th meeting

Thursday, 29 May 1975, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

Programme of work

1440th meeting

Friday, 30 May 1975, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

1441st meeting

Monday, 2 June 1975, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

1442nd meeting

Tuesday, 3 June 1975, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

Appointment of the Drafting Committee on the Trust Territory of the Pacific Islands

Programme of work

1443rd meeting

Wednesday, 4 June 1975, at 3 p.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*continued*)

Arrangements for the dispatch of a visiting mission to observe the plebiscite in the Mariana Islands District, June 1975 [6]

Arrangements for the dispatch of a periodic visiting mission to the Trust Territory of the Pacific Islands, 1976 [7]

Report of the Secretary-General on credentials [2] (*continued*)

Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General [General Assembly resolutions 557 (VI) and 753 (VIII)] [8]

Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General [Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII)] [9]

Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106B (XX) and 3266 (XXIX)] [10]

Decade for Action to Combat Racism and Racial Discrimination [General Assembly resolutions 3057 (XXVIII) and 3223 (XXIX)] [11]

1444th meeting

Thursday, 5 June 1975, at 11 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Papua New Guinea [12]

Consideration of the dispatch of a visiting mission to Papua New Guinea [13]

General Assembly resolution 3284 (XXIX) on the question of Papua New Guinea [14]

Attainment of self-government or independence by the Trust Territories [Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)] and the situation in the Trust Territories with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolutions 1514 (XV) and 3328 (XXIX)] [15]

Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolution 1654 (XVI)] [16]

Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General [Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII)] [9] (*concluded*)

Report of the Secretary-General on credentials [2] (*continued*)

1445th meeting

Saturday, 7 June 1975, at 10.30 a.m.

Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General [General Assembly resolutions 557 (VI) and 753 (VIII)] [8] (*concluded*)

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Trust Territory of the Pacific Islands [4] (*concluded*)

Adoption of the report of the Trusteeship Council to the Security Council [17]

Adjournment of the forty-second session

1446th meeting

Thursday, 28 August 1975, at 10.30 a.m.

Opening of the resumed forty-second session

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Papua New Guinea [12] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*continued*)

1447th meeting

Thursday, 28 August 1975, at 3 p.m.

Hearing of petitioners

Examination of petitions listed in the annex to the agenda [5] (*continued*)

1448th meeting

Friday, 29 August 1975, at 10.30 a.m.

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Papua New Guinea [12] (*continued*)

Examination of petitions listed in the annex to the agenda [5] (*concluded*)

1449th meeting

Friday, 29 August 1975, at 3 p.m.

General Assembly resolution 3284 (XXIX) on the question of Papua New Guinea [14] (*concluded*)

Examination of the annual report of the Administering Authority for the year ended 30 June 1974: Papua New Guinea [12] (*concluded*)

Consideration of the dispatch of a visiting mission to Papua New Guinea [13] (*concluded*)

Report of the Secretary-General on credentials [2] (*concluded*)

Co-operation with the Committee on the Elimination of Racial Discrimination [General Assembly resolutions 2106B (XX) and 3266 (XXIX)] [10] (*concluded*)

Attainment of self-government or independence by the Trust Territories [Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)] and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolutions 1514 (XV) and 3328 (XXIX)] [15] (*concluded*)

Co-operation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolution 1654 (XVI)] [16] (*concluded*)

Adoption of the report of the Trusteeship Council to the General Assembly [18]

Closure of the forty-second session.

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LIST OF DELEGATIONS

Members of the Council

AUSTRALIA

Representative

H.E. Mr. Ralph L. Harry, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations

Alternate Representative

Mr. Archibald Duncan Campbell, Minister, Deputy Permanent Representative to the United Nations

Special Representative of the Administering Authority

Mr. Ebia Olewale, Minister for Justice of Papua New Guinea

Advisers

Mr. Paulias Nguna Matane, Papua New Guinea Representative in the United States

Mr. Ralph Karepa, First Secretary, Permanent Mission

Mr. Rabbie Namaliu, Principal Private Secretary to the Chief Minister of Papua New Guinea

Mr. Peter Christopher Reid, Second Secretary, Permanent Mission

CHINA

[Did not participate in the session]

FRANCE

Representatives

Mr. Bertrand de Guilhem de Lataillade, Counsellor, Permanent Mission

Alternate Representative

Mr. Pierre Garrigue-Guyonnaud, First Secretary, Permanent Mission

UNION OF SOVIET SOCIALIST REPUBLICS

Representatives

H.E. Mr. Vasily S. Safronchuk, Ambassador Extraordinary and Plenipotentiary, Deputy Permanent Representative to the United Nations

Mr. I. G. Neklessa, Chief of the Decolonization Section of the Department of International Organizations, Ministry of Foreign Affairs

Alternate Representative

M. V. P. Kovalenko, Senior Counsellor, Permanent Mission

Advisers

Mr. I. E. Kartashov, Second Secretary, Permanent Mission

Mr. Y. Y. Belobrov, Second Secretary, Permanent Mission

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Representative

Mr. James Murray, Minister, Alternate Representative to the United Nations

Alternate Representatives

Mr. Thomas L. Richardson, First Secretary, Permanent Mission

Ms. Sheila E. Harden, First Secretary, Permanent Mission

UNITED STATES OF AMERICA

Representative

H.E. Ms. Barbara M. White, Ambassador, Alternate Representative for Special Political Affairs, Permanent Mission

Special Representative

Mr. Edward E. Johnston, United States High Commissioner of the Trust Territory of the Pacific Islands

Special Advisers

Mr. Wilfred Kendall, Senator, Congress of Micronesia

Mr. Raymond Setik, Representative, Congress of Micronesia

Senior Advisers

Mr. Jay K. Katzen, Adviser, Political and Security Affairs, Permanent Mission

M. John Kriendler, Adviser, Political and Security Affairs, Permanent Mission

Mr. Charles A. Schmitz, United States Deputy Representative for Micronesian Status Negotiations, Office for Micronesian Status Negotiations

Mr. Fred M. Zeder, Director, Office of Territorial Affairs, Department of the Interior

Congressional Staff Adviser

Mr. Thomas S. Dunmire, United States House of Representatives

Advisers

Mr. Bonifacio Basilius, Chief of Public Administration, Trust Territory of the Pacific Islands

Mr. Mitaro Danis, District Administrator Truk District, Trust Territory of the Pacific Islands

Mr. Brian Farley, Information Specialist, Congress of Micronesia

Mr. James Hall, Information Specialist, Staff of the High Commissioner, Trust Territory of the Pacific Islands

Mr. André M. Surena, Office of the Legal Adviser,
Department of State

Mr. Michael A. White, Assistant Legislative Counsel,
Congress of Micronesia

Mr. Strik Yoma, Director of Public Affairs, Trust
Territory of the Pacific Islands

Mr. John E. deYoung, Office of Territorial Affairs,
Department of the Interior

Specialized agencies

INTERNATIONAL LABOUR ORGANISATION

Mr. Abdul M. Aziz, Senior Liaison Officer, Liaison
Office with the United Nations, New York

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Mr. Charles H. Weitz, Representative at the United
Nations, Liaison Office with the United Nations,
New York

Mr. Frédéric H. Weibgen, Liaison Officer, Liaison
Office with the United Nations, New York

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Mr. André Varchaver, Director, Office for Liaison
with the United Nations, New York

Mr. Yemi Lijadu, Deputy Director, Office for Liaison
with the United Nations, New York

WORLD HEALTH ORGANIZATION

Dr. Stavros A. Malafatopoulos, Director, Liaison Office
with the United Nations, New York

* * *

OFFICERS OF THE COUNCIL

President: Mr. James Murray (United Kingdom of Great Britain and Northern
Ireland)

Vice-President: H.E. Ms. Barbara M. White (United States of America)

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CHECK LIST OF DOCUMENTS

NOTE: Listed below are the documents referred to during the forty-second session of the Council. An asterisk after the document symbol indicates that the document is published in the present volume.

<i>Document No.</i>	<i>Title or description</i>	<i>Agenda item</i>	<i>Observations and references</i>
A/9618	Report of the Committee on the Elimination of Racial Discrimination	10	<i>Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 18</i>
A/10004	Report of the Trusteeship Council (24 October 1974-29 August 1975)	18	<i>Ibid., Thirtieth Session, Supplement No. 4</i>
A/AC.109/509	Letter dated 2 September 1975 from the President of the Trusteeship Council to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	16	Mimeographed
S/11735	Report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands (15 June 1974-7 June 1975)	17	<i>Official Records of the Security Council, Thirtieth Year, Special Supplement No. 1</i>
T/1759*	Note verbale dated 3 March 1975 from the representative of the United States of America to the Secretary-General	4	
T/1760*	Letter dated 21 April 1975 from the representative of the United States of America to the acting President of the Trusteeship Council	4	
T/1761 and Add.1	Provisional agenda of the forty-second session of the Trusteeship Council	1	Adopted without change at the 1435th meeting of the Trusteeship Council; see p. iv of this volume
T/1762 and Add.1	Note by the Secretary-General transmitting the report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period from 1 July 1973 to 30 June 1974	4	Mimeographed
T/1763*	Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General	9	
T/1764 and Add.1*	Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General	8	
T/1765	Note by the Secretary-General transmitting the supplementary report on the administration of Papua New Guinea for the period from 1 September 1974 to 23 May 1975	12	Ditto
T/1766 and Corr.1*	Note verbale dated 19 May 1975 from the representative of the United States of America to the Secretary-General	4	
T/1767 and Add.1	Report of the Secretary-General on credentials	2	Ditto. For the list of delegations, see p. (viii) of this volume
T/1768*	Letter dated 19 June 1975 from the representative of Australia to the President of the Trusteeship Council	14	
T/1769*	Letter dated 6 August 1975 from the representative of Australia to the President of the Trusteeship Council	13	
T/1770	Resolutions adopted by the Trusteeship Council during its forty-second session (27 May-29 August 1975)		<i>Official Records of the Trusteeship Council, Forty-second Session, Supplement No. 1</i>
T/L.1191 and Add.1-3	Conditions in the Trust Territory of the Pacific Islands: working paper prepared by the Secretariat	4	For an outline of the information contained in the working paper, which was adopted by the Trusteeship Council at its 1445th meeting, see S/11735
T/L.1192 and Add.1 and 2	Conditions in Papua New Guinea: working paper prepared by the Secretariat	12	For an outline of the information contained in the working paper, which was adopted by the Trusteeship Council at its 1449th meeting, see A/10004

<i>Document No.</i>	<i>Title or description</i>	<i>Agenda item</i>	<i>Observations and references</i>
T/L.1193	Draft report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands covering the period from 15 June 1974 to 7 June 1975: working paper prepared by the Secretariat	17	Adopted, as amended, at the 1445th meeting of the Trusteeship Council; see S/11735
T/L.1194	Draft report of the Trusteeship Council to the General Assembly for the period covering 24 October 1974 to 7 June 1975: working paper prepared by the Secretariat	18	Adopted, as amended, at the 1449th meeting of the Trusteeship Council; see A/10004
T/L.1195	Terms of reference of the United Nations Visiting Mission to observe the plebiscite in the Mariana Islands District of the Trust Territory of the Pacific Islands, 1976: draft resolution	7	Adopted without change at the 1443rd meeting of the Trusteeship Council; see resolution 2161 (XLII)
T/L.1196	Arrangements for the dispatch of a Visiting Mission to observe the plebiscite in the Mariana Islands District of the Trust Territory of the Pacific Islands, June 1975: draft resolution	6	Adopted without change at the 1443rd meeting of the Trusteeship Council; see resolution 2160 (XLII)
T/L.1197*	Administrative and financial implications of the draft resolutions contained in documents T/L.1196 and T/L.1195: note by the Secretary-General	6 and 7	
T/L.1198 and Add.1 and 2*	Report of the Drafting Committee on the Trust Territory of the Pacific Islands	4	
T/L.1199	General Assembly resolution 3284 (XXIX) on the question of Papua New Guinea: draft resolution	14	Adopted without change at the 1449th meeting of the Trusteeship Council; see resolution 2162 (XLII)
T/RES/2160 (XLII)	Resolution adopted by the Trusteeship Council at its forty-second session (27 May-29 August 1975)	6	See <i>Official Records of the Trusteeship Council, Forty-second Session, Supplement No. 1</i>
T/RES/2161 (XLII)	Resolution adopted by the Trusteeship Council at its forty-second session (27 May-29 August 1975)	7	<i>Ibid.</i>
T/RES/2162 (XLII)	Resolution adopted by the Trusteeship Council at its forty-second session (27 May-29 August 1975)	14	<i>Ibid.</i>
T/COM...../.....		5	Documents in this series are mimeographed
T/PET...../.....		5	<i>Idem</i>
T/OBS...../.....		5	<i>Idem</i>

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ANNEXES

DOCUMENT T/1759

[Agenda item 4]

Note verbale dated 3 March 1975 from the representative of the United States of America to the Secretary-General

[Original: English]
[10 March 1975]

The representative of the United States of America presents his compliments to the Secretary-General and has the honor to request circulation as a Trusteeship Council document of the enclosed Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, which was signed on Saipan on 15 February 1975.

COVENANT TO ESTABLISH A COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN POLITICAL UNION WITH THE UNITED STATES OF AMERICA

WHEREAS, the Charter of the United Nations and the Trusteeship Agreement between the Security Council of the United Nations and the United States of America guarantee to the people of the Northern Mariana Islands the right freely to express their wishes for self-government or independence; and

WHEREAS, the United States supports the desire of the people of the Northern Mariana Islands to exercise their inalienable right of self-determination; and

WHEREAS, the people of the Northern Mariana Islands and the people of the United States share the goals and values found in the American system of government based upon the principles of government by the consent of the governed, individual freedom and democracy, and

WHEREAS, for over 20 years, the people of the Northern Mariana Islands, through public petition and referendum, have clearly expressed their desire for political union with the United States;

NOW, THEREFORE, the Marianas Political Status Commission, being the duly appointed representative of the people of the Northern Mariana Islands, and the Personal Representative of the President of the United States have entered into this Covenant in order to establish a self-governing commonwealth for the Northern Mariana Islands within the American political system and to define the future relationship between the Northern Mariana Islands and the United States. This Covenant will be mutually binding when it is approved by the United States, by the Mariana Islands District Legislature and by the people of the Northern Mariana Islands in a plebiscite, constituting on their part a sovereign act of self-determination.

ARTICLE I

Political relationship

Section 101

The Northern Mariana Islands upon termination of the Trusteeship Agreement will become a self-govern-

ing commonwealth to be known as the "Commonwealth of the Northern Mariana Islands", in political union with and under the sovereignty of the United States of America.

Section 102

The relations between the Northern Mariana Islands and the United States will be governed by this Covenant, which, together with those provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands, will be the supreme law of the Northern Mariana Islands.

Section 103

The people of the Northern Mariana Islands will have the right of local self-government and will govern themselves with respect to internal affairs in accordance with a constitution of their own adoption.

Section 104

The United States will have complete responsibility for and authority with respect to matters relating to foreign affairs and defense affecting the Northern Mariana Islands.

Section 105

The United States may enact legislation in accordance with its constitutional processes, which will be applicable to the Northern Mariana Islands, but if such legislation cannot also be made applicable to the several states [of the United States] the Northern Mariana Islands must be specifically named therein for it to become effective in the Northern Mariana Islands. In order to respect the right of self-government guaranteed by this Covenant, the United States agrees to limit the exercise of that authority so that the fundamental provisions of this Covenant, namely articles I, II and III and sections 501 and 805, may be modified only with the consent of the Government of the United States and the Government of the Northern Mariana Islands.

ARTICLE II

Constitution of the Northern Mariana Islands

Section 201

The people of the Northern Mariana Islands will formulate and approve a Constitution and may amend their Constitution pursuant to the procedures provided therein.

Section 202

The Constitution will be submitted to the Government of the United States for approval on the basis

of its consistency with this Covenant and those provisions of the Constitution, treaties and laws of the United States to be applicable to the Northern Mariana Islands. The Constitution will be deemed to have been approved six months after its submission to the President on behalf of the Government of the United States unless earlier approved or disapproved. If disapproved, the Constitution will be returned and will be resubmitted in accordance with this section. Amendments to the Constitution may be made by the people of the Northern Mariana Islands without approval by the Government of the United States, but the courts established by the Constitution or laws of the United States will be competent to determine whether the Constitution and subsequent amendments thereto are consistent with this Covenant and with those provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands.

Section 203

(a) The Constitution will provide for a republican form of government with separate executive, legislative and judicial branches, and will contain a bill of rights.

(b) The executive power of the Northern Mariana Islands will be vested in a popularly elected Governor and such other officials as the Constitution or laws of the Northern Mariana Islands may provide.

(c) The legislative power of the Northern Mariana Islands will be vested in a popularly elected legislature and will extend to all rightful subjects of legislation. The Constitution of the Northern Mariana Islands will provide for equal representation for each of the chartered municipalities of the Northern Mariana Islands in one house of a bicameral legislature, notwithstanding other provisions of this Covenant or those provisions of the Constitution or laws of the United States applicable to the Northern Mariana Islands.

(d) The judicial power of the Northern Mariana Islands will be vested in such courts as the Constitution or laws of the Northern Mariana Islands may provide. The Constitution or laws of the Northern Mariana Islands may vest in such courts jurisdiction over all causes in the Northern Mariana Islands over which any court established by the Constitution or laws of the United States does not have exclusive jurisdiction.

Section 204

All members of the legislature of the Northern Mariana Islands and all officers and employees of the Government of the Northern Mariana Islands will take an oath or affirmation to support this Covenant, those provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands and the Constitution and laws of the Northern Mariana Islands.

ARTICLE III

Citizenship and nationality

Section 301

The following persons and their children under the age of 18 years on the effective date of this section who are not citizens or nationals of the United States under any other provision of law, and who on that date do not owe allegiance to any foreign State, are declared to be citizens of the United States, except as otherwise provided in section 302:

(a) All persons born in the Northern Mariana Islands who are citizens of the Trust Territory of the Pacific Islands on the day preceding the effective date of this section and who on that date are domiciled in the Northern Mariana Islands or in the United States or any Territory or possession thereof;

(b) All persons who are citizens of the Trust Territory of the Pacific Islands on the day preceding the effective date of this section, who have been domiciled continuously in the Northern Mariana Islands for at least five years immediately prior to that date and who, unless under age, registered to vote in elections for the Mariana Islands District Legislature or for any municipal election in the Northern Mariana Islands prior to 1 January 1975; and

(c) All persons domiciled in the Northern Mariana Islands on the day preceding the effective date of this section who, although not citizens of the Trust Territory of the Pacific Islands, on that date have been domiciled continuously in the Northern Mariana Islands beginning prior to 1 January 1974.

Section 302

Any person who becomes a citizen of the United States solely by virtue of the provisions of section 301 may within six months after the effective date of that section or within six months after reaching the age of 18 years, whichever date is the later, become a national but not a citizen of the United States by making a declaration under oath before any court established by the Constitution or laws of the United States or any court of record in the Commonwealth in the form as follows:

"I being duly sworn, hereby declare my intention to be a national but not a citizen of the United States."

Section 303

All persons born in the Commonwealth on or after the effective date of this section and subject to the jurisdiction of the United States will be citizens of the United States at birth.

Section 304

Citizens of the Northern Mariana Islands will be entitled to all privileges and immunities of citizens in the several states of the United States.

ARTICLE IV

Judicial authority

Section 401

The United States will establish for and within the Northern Mariana Islands a court of record to be known as the "District Court for the Northern Mariana Islands". The Northern Mariana Islands will constitute a part of the same judicial circuit of the United States as Guam.

Section 402

(a) The District Court for the Northern Mariana Islands will have the jurisdiction of a district court of the United States, except that in all causes arising under the Constitution, treaties or laws of the United States it will have jurisdiction regardless of the sum or value of the matter in controversy.

(b) The District Court will have original jurisdiction in all causes in the Northern Mariana Islands

not described in subsection (a), jurisdiction over which is not vested by the Constitution or laws of the Northern Mariana Islands in a court or courts of the Northern Mariana Islands. In causes brought in the District Court solely on the basis of this subsection, the District Court will be considered a court of the Northern Mariana Islands for the purposes of determining the requirements of indictment by grand jury or trial by jury.

(c) The District Court will have such appellate jurisdiction as the Constitution or laws of the Northern Mariana Islands may provide. When it sits as an appellate court, the District Court will consist of three judges, at least one of whom will be a judge of a court of record of the Northern Mariana Islands.

Section 403

(a) The relations between the courts established by the Constitution or laws of the United States and the courts of the Northern Mariana Islands with respect to appeals, *certiorari*, removal of causes, the issuance of writs of *habeas corpus* and other matters or proceedings will be governed by the laws of the United States pertaining to the relations between the courts of the United States and the courts of the several states [of the United States] in such matters and proceedings, except as otherwise provided in this article; provided that for the first 15 years following the establishment of an appellate court of the Northern Mariana Islands the United States Court of Appeals for the judicial circuit which includes the Northern Mariana Islands will have jurisdiction of appeals from all final decisions of the highest court of the Northern Mariana Islands from which a decision could be had in all cases involving the Constitution, treaties or laws of the United States, or any authority exercised thereunder, unless those cases are reviewable in the District Court for the Northern Mariana Islands pursuant to subsection 402(c).

(b) Those portions of Title 28 of the United States Code which apply to Guam or the District Court of Guam will be applicable to the Northern Mariana Islands or the District Court for the Northern Mariana Islands, respectively, except as otherwise provided in this article.

ARTICLE V

Applicability of laws

Section 501

(a) To the extent that they are not applicable of their own force, the following provisions of the Constitution of the United States will be applicable within the Northern Mariana Islands as if the Northern Mariana Islands were one of the several states [of the United States]: article I, section 9, clauses 2, 3 and 8; article I, section 10, clauses 1 and 3; article IV, section 1, and section 2, clauses 1 and 2; amendments 1 through 9, inclusive; amendment 13; amendment 14, section 1; amendment 15; amendment 19; and amendment 26—provided, however, that neither trial by jury nor indictment by grand jury shall be required in any civil action or criminal prosecution based on local law, except where required by local law. Other provisions of or amendments to the Constitution of the United States which do not apply of their own force within the Northern Mariana Islands will be applicable within the Northern Mariana Islands only with the approval of the Government of the Northern Mariana Islands and of the Government of the United States.

(b) The applicability of certain provisions of the Constitution of the United States to the Northern Mariana Islands will be without prejudice to the validity of and the power of the Congress of the United States to consent to sections 203, 506 and 805 and the proviso in subsection (a) of this section.

Section 502

(a) The following laws of the United States in existence on the effective date of this section and subsequent amendments to such laws will apply to the Northern Mariana Islands, except as otherwise provided in this Covenant:

(1) Those laws which provide federal services and financial assistance programs and the federal banking laws as they apply to Guam; section 228 of Title II and Title XVI of the Social Security Act as it applies to the several states [of the United States]; the Public Health Service Act as it applies to the [United States] Virgin Islands; and the Micronesian Claims Act as it applies to the Trust Territory of the Pacific Islands;

(2) Those laws not described in paragraph (1) which are applicable to Guam and which are of general application to the several states [of the United States] as they are applicable to the several states; and

(3) Those laws not described in paragraphs (1) or (2) which are applicable to the Trust Territory of the Pacific Islands, but not their subsequent amendments unless specifically made applicable to the Northern Mariana Islands, as they apply to the Trust Territory of the Pacific Islands until termination of the Trusteeship Agreement and will thereafter be inapplicable.

(b) The laws of the United States regarding coastal shipments and the conditions of employment, including the wages and hours of employees, will apply to the activities of the United States Government and its contractors in the Northern Mariana Islands.

Section 503

The following laws of the United States, presently inapplicable to the Trust Territory of the Pacific Islands, will not apply to the Northern Mariana Islands except in the manner and to the extent made applicable to them by the Congress [of the United States] by law after termination of the Trusteeship Agreement:

(a) Except as otherwise provided in section 506, the immigration and naturalization laws of the United States,

(b) Except as otherwise provided in subsection 502 (b), the coastwise laws of the United States and any prohibition in the laws of the United States against foreign vessels landing fish or unfinished fish products in the United States; and

(c) The minimum wage provisions of section 6, Act of June 25, 1938, 52 stat. 1062, as amended.

Section 504

The President will appoint a Commission on Federal Laws to survey the laws of the United States and to make recommendations to the United States Congress as to which laws of the United States not applicable to the Northern Mariana Islands should be made applicable and to what extent and in what manner, and which applicable laws should be made inapplicable and to what extent and in what manner. The Commission will consist of seven persons (at least four of whom

will be citizens of the Trust Territory of the Pacific Islands who are and have been for at least five years domiciled continuously in the Northern Mariana Islands at the time of their appointments) who will be representative of the federal, local, private and public interests in the applicability of laws of the United States to the Northern Mariana Islands. The Commission will make its final report and recommendations to the Congress within one year after the termination of the Trusteeship Agreement, and before that time will make such interim reports and recommendations to the Congress as it considers appropriate to facilitate the transition of the Northern Mariana Islands to its new political status. In formulating its recommendations the Commission will take into consideration the potential effect of each law on local conditions within the Northern Mariana Islands, the policies embodied in the law and the provisions and purposes of this Covenant. The United States will bear the cost of the work of the Commission.

Section 505

The laws of the Trust Territory of the Pacific Islands, of the Mariana Islands District and its local municipalities and all other executive and district orders of a local nature applicable to the Northern Mariana Islands on the effective date of this section and not inconsistent with this Covenant or with those provisions of the Constitution, treaties or laws of the United States applicable to the Northern Mariana Islands will remain in force and effect until and unless altered by the Government of the Northern Mariana Islands.

Section 506

(a) Notwithstanding the provisions of subsection 503 (a), upon the effective date of this section the Northern Mariana Islands will be deemed to be a part of the United States under the Immigration and Nationality Act, as amended, for the following purposes only, and the said Act will apply to the Northern Mariana Islands to the extent indicated in each of the following subsections of this section.

(b) With respect to children born abroad to United States citizen or non-citizen national parents permanently residing in the Northern Mariana Islands, the provisions of sections 301 and 308 of the said Act will apply.

(c) With respect to aliens who are "immediate relatives" (as defined in subsection 201(b) of the said Act) of United States citizens who are permanently residing in the Northern Mariana Islands, all the provisions of the said Act will apply, commencing when a claim is made to entitlement to "immediate relative" status. A person who is certified by the Government of the Northern Mariana Islands both to have been a lawful permanent resident of the Northern Mariana Islands and to have had the "immediate relative" relationship denoted herein on the effective date of this section will be presumed to have been admitted to the United States for lawful permanent residence as of that date without the requirement of any of the usual procedures set forth in the said Act. For the purpose of the requirements of judicial naturalization, the Northern Mariana Islands will be deemed to constitute a state [of the United States] as defined in subsection 101(a), paragraph (36), of the said Act. The courts of record of the Northern Mariana Islands and the District Court for the Northern Mariana Islands will be included among the courts specified in subsection 310(a) of

the said Act and will have jurisdiction to naturalize persons who become eligible under this section and who reside within their respective jurisdictions.

(d) With respect to persons who will become citizens or nationals of the United States under article III of this Covenant or under this section, the loss of nationality provisions of the said Act will apply.

ARTICLE VI

Revenue and taxation

Section 601

(a) The income tax laws in force in the United States will come into force in the Northern Mariana Islands as a local territorial income tax on the first day of January following the effective date of this section, in the same manner as those laws are in force in Guam.

(b) Any individual who is a citizen or a resident of the United States, of Guam or of the Northern Mariana Islands (including a national of the United States who is not a citizen will file only one income tax return with respect to his income, in a manner similar to the provisions of section 935 of Title 26 of the United States Code.

(c) References in the Internal Revenue Code to Guam will be deemed also to refer to the Northern Mariana Islands, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof or of this Covenant.

Section 602

The Government of the Northern Mariana Islands may by local law impose such taxes, in addition to those imposed under section 601, as it deems appropriate and provide for the rebate of any taxes received by it, except that the power of the Government of the Northern Mariana Islands to rebate collections of the local territorial income tax received by it will be limited to taxes on income derived from sources within the Northern Mariana Islands.

Section 603

(a) The Northern Mariana Islands will not be included within the customs territory of the United States.

(b) The Government of the Northern Mariana Islands may, in a manner consistent with the international obligations of the United States, levy duties on goods imported into its territory from any area outside the customs territory of the United States and impose duties on exports from its territory.

(c) Imports from the Northern Mariana Islands into the customs territory of the United States will be subject to the same treatment as imports from Guam into the customs territory of the United States.

(d) The Government of the United States will seek to obtain from foreign countries favorable treatment for exports from the Northern Mariana Islands and will encourage other countries to consider the Northern Mariana Islands a developing territory.

Section 604

(a) The Government of the United States may levy excise taxes on goods manufactured, sold or used or services rendered in the Northern Mariana Islands in the same manner and to the same extent as such taxes are applicable within Guam.

(b) The Government of the Northern Mariana Islands will have the authority to impose excise taxes upon goods manufactured, sold or used or services rendered within its territory or upon goods imported into its territory, provided that such excise taxes imposed on goods imported into its territory will be consistent with the international obligations of the United States.

Section 605

Nothing in this article will be deemed to authorize the Government of the Northern Mariana Islands to impose any customs duties on the property of the United States or on the personal property of military or civilian personnel of the United States Government or their dependents entering or leaving the Northern Mariana Islands pursuant to their contract of employment or orders assigning them to or from the Northern Mariana Islands or to impose any taxes on the property, activities or instrumentalities of the United States which one of the several states [of the United States] could not impose; nor will any provision of this article be deemed to affect the operation of the Soldiers and Sailors Civil Relief Act of 1940, as amended, which will be applicable to the Northern Mariana Islands as it is applicable to Guam.

Section 606

(a) Not later than at the time this Covenant is approved, that portion of the Trust Territory Social Security Retirement Fund attributable to the Northern Mariana Islands will be transferred to the Treasury of the United States, to be held in trust as a separate fund to be known as the "Northern Mariana Islands Social Security Retirement Fund". This fund will be administered by the United States in accordance with the social security laws of the Trust Territory of the Pacific Islands in effect at the time of such transfer, which may be modified by the Government of the Northern Mariana Islands only in a manner which does not create any additional differences between the social security laws of the Trust Territory of the Pacific Islands and the laws described in subsection (b). The United States will supplement such fund if necessary to assure that persons receive benefits therefrom comparable to those they would have received from the Trust Territory Social Security Retirement Fund under the laws applicable thereto on the day preceding the establishment of the Northern Mariana Islands Social Security Retirement Fund, so long as the rate of contributions thereto also remains comparable.

(b) Those laws of the United States which impose excise and self-employment taxes to support or which provide benefits from the United States Social Security System will upon termination of the Trusteeship Agreement or such earlier date as may be agreed to by the Government of the Northern Mariana Islands and the Government of the United States become applicable to the Northern Mariana Islands as they apply to Guam.

(c) At such time as the laws described in subsection (b) become applicable to the Northern Mariana Islands:

(1) The Northern Mariana Islands Social Security Retirement Fund will be transferred into the appropriate federal social security trust funds;

(2) Prior contributions by or on behalf of persons domiciled in the Northern Mariana Islands to the Trust Territory Social Security Retirement Fund or the Northern Mariana Islands Social Security Retirement Fund

will be considered to have been made to the appropriate federal social security trust funds for the purpose of determining eligibility of those persons in the Northern Mariana Islands for benefits under those laws, and

(3) Persons domiciled in the Northern Mariana Islands who are eligible for or entitled to social security benefits under the laws of the Trust Territory of the Pacific Islands or of the Northern Mariana Islands will not lose their entitlement and will be eligible for or entitled to benefits under the laws described in subsection (b).

Section 607

(a) All bonds or other obligations issued by the Government of the Northern Mariana Islands or by its authority will be exempt, as to principal and interest, from taxation by the United States, or by any State, territory or possession of the United States, or any political subdivision of any of them.

(b) During the initial seven-year period of financial assistance provided for in section 702, and during such subsequent periods of financial assistance as may be agreed, the Government of the Northern Mariana Islands will authorize no public indebtedness (other than bonds or other obligations of the Government payable solely from revenues derived from any public improvement or undertaking) in excess of 10 per cent of the aggregate assessed valuation of the property within the Northern Mariana Islands.

ARTICLE VII

United States financial assistance

Section 701

The Government of the United States will assist the Government of the Northern Mariana Islands in its efforts to achieve a progressively higher standard of living for its people as part of the American economic community and to develop the economic resources needed to meet the financial responsibilities of local self-government. To this end, the United States will provide direct multi-year financial support to the Government of the Northern Mariana Islands for local government operations, for capital improvement programs and for economic development. The initial period of such support will be seven years, as provided in section 702.

Section 702

Approval of this Covenant by the United States will constitute a commitment and pledge of the full faith and credit of the United States for the payment, as well as an authorization for the appropriation, of the following guaranteed annual levels of direct grant assistance to the Government of the Northern Mariana Islands for each of the seven fiscal years following the effective date of this section:

(a) \$8.25 million for budgetary support for government operations, of which \$250,000 each year will be reserved for a special education training fund connected with the change in the political status of the Northern Mariana Islands;

(b) \$4 million for capital improvement projects, of which \$500,000 each year will be reserved for such projects on the island of Tinian and \$500,000 each year will be reserved for such projects on the island of Rota; and

(c) \$1.75 million for an economic development loan fund, of which \$500,000 each year will be reserved for small loans to farmers and fishermen and to agricultural and marine co-operatives, and of which \$250,000 each year will be reserved for a special program of low-interest housing loans for low-income families.

Section 703

(a) The United States will make available to the Northern Mariana Islands the full range of federal programs and services available to the Territories of the United States. Funds provided under section 702 will be considered to be local revenues of the Government of the Northern Mariana Islands when used as the local share required to obtain federal programs and services.

(b) There will be paid into the Treasury of the Government of the Northern Mariana Islands, to be expended to the benefit of the people thereof as that Government may by law prescribe, the proceeds of all customs duties and federal income taxes derived from the Northern Mariana Islands, the proceeds of all taxes collected under the internal revenue laws of the United States on articles produced in the Northern Mariana Islands and transported to the United States, its Territories or possessions, or consumed in the Northern Mariana Islands, the proceeds of any other taxes which may be levied by the Congress on the inhabitants of the Northern Mariana Islands, and all quarantine, passport, immigration and naturalization fees collected in the Northern Mariana Islands, except that nothing in this section shall be construed to apply to any tax imposed by chapters 2 or 21 of Title 26, United States Code.

Section 704

(a) Funds provided under section 702 not obligated or expended by the Government of the Northern Mariana Islands during any fiscal year will remain available for obligation or expenditure by that Government in subsequent fiscal years for the purposes for which the funds were appropriated.

(b) Approval of this Covenant by the United States will constitute an authorization for the appropriation of a *pro-rata* share of the funds provided under section 702 for the period between the effective date of this section and the beginning of the next succeeding fiscal year.

(c) The amounts stated in section 702 will be adjusted for each fiscal year by a percentage which will be the same as the percentage change in the United States Department of Commerce composite price index using the beginning of fiscal year 1975 as the base.

(d) Upon expiration of the seven-year period of guaranteed annual direct grant assistance provided by section 702, the annual level of payments in each category listed in section 702 will continue until Congress appropriates a different amount or otherwise provides by law.

ARTICLE VIII

Property

Section 801

All right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to real property in the Northern Mariana Islands on the date of the signing of this Covenant or thereafter acquired

in any manner whatsoever will, no later than upon the termination of the Trusteeship Agreement, be transferred to the Government of the Northern Mariana Islands. All right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to all personal property on the date of the signing of this Covenant or thereafter acquired in any manner whatsoever will, no later than upon the termination of the Trusteeship Agreement, be distributed equitably in a manner to be determined by the Government of the Trust Territory of the Pacific Islands in consultation with those concerned, including the Government of the Northern Mariana Islands.

Section 802

(a) The following property will be made available to the Government of the United States by lease to enable it to carry out its defense responsibilities:

(1) On Tinian Island, approximately 17,799 acres (7,203 hectares) and the waters immediately adjacent thereto;

(2) On Saipan Island, approximately 177 acres (72 hectares) at Tanapag Harbor; and

(3) On Farallon de Medinilla Island, approximately 206 acres (83 hectares) encompassing the entire island, and the waters immediately adjacent thereto.

(b) The United States affirms that it has no present need for or present intention to acquire any greater interest in property listed above than that which is granted to it under subsection 803(a), or to acquire any property in addition to that listed in subsection (a), above, in order to carry out its defense responsibilities.

Section 803

(a) The Government of the Northern Mariana Islands will lease the property described in subsection 802(a) to the Government of the United States for a term of 50 years, and the Government of the United States will have the option of renewing this lease for all or part of such property for an additional term of 50 years if it so desires at the end of the first term.

(b) The Government of the United States will pay to the Government of the Northern Mariana Islands in full settlement of this lease, including the second 50-year term of the lease if extended under the renewal option, the total sum of \$19,520,600, determined as follows:

(1) For that property on Tinian Island, \$17.5 million;

(2) For that property at Tanapag Harbor on Saipan Island, \$2 million; and

(3) For that property known as Farallon de Medinilla, \$20,600.

The sum stated in this subsection will be adjusted by a percentage which will be the same as the percentage change in the United States Department of Commerce composite price index from the date of signing the Covenant.

(c) A separate Technical Agreement Regarding Use of Land To Be Leased by the United States in the Northern Mariana Islands will be executed simultaneously with this Covenant. The terms of the lease to the United States will be in accordance with this section and with the terms of the Technical Agreement.

The Technical Agreement will also contain terms relating to the leaseback of property, to the joint use arrangements for San José Harbor and West Field on Tinian Island, and to the principles which will govern the social structure relations between the United States military and the Northern Mariana Islands civil authorities.

(d) From the property to be leased to it in accordance with this Covenant the Government of the United States will lease back to the Government of the Northern Mariana Islands, in accordance with the Technical Agreement, for the sum of \$1.00 per acre per year, approximately 6,458 acres (2,614 hectares) on Tinian Island and approximately 44 acres (18 hectares) at Tanapag Harbor on Saipan Island, which will be used for purposes compatible with their intended military use.

(e) From the property to be leased to it at Tanapag Harbor on Saipan Island the Government of the United States will make available to the Government of the Northern Mariana Islands 133 acres (54 hectares) at no cost. This property will be set aside for public use as an American memorial park to honor the American and Marianas dead in the World War II Marianas Campaign. The \$2 million received from the Government of the United States for the lease of this property will be placed into a trust fund and used for the development and maintenance of the park in accordance with the Technical Agreement.

Section 804

(a) The Government of the United States will cause all agreements between it and the Government of the Trust Territory of the Pacific Islands which grant to the Government of the United States use or other rights in real property in the Northern Mariana Islands to be terminated upon or before the effective date of this section. All right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to any real property with respect to which the Government of the United States enjoys such use or other rights will be transferred to the Government of the Northern Mariana Islands at the time of such termination. From the time such right, title and interest is so transferred, the Government of the Northern Mariana Islands will assure the Government of the United States the continued use of the real property then actively used by the Government of the United States for civilian governmental purposes on terms comparable to those enjoyed by the Government of the United States under its arrangements with the Government of the Trust Territory of the Pacific Islands on the date of the signature of this Covenant.

(b) All facilities at Isely Field developed with federal aid and all facilities at that field usable for the landing and take-off of aircraft will be available to the United States for use by military and naval aircraft, in common with other aircraft, at all times without charge, except that, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used may be charged at a rate established by agreement between the Government of the Northern Mariana Islands and the Government of the United States.

Section 805

Except as otherwise provided in this article, and notwithstanding the other provisions of this Covenant,

or those provisions of the Constitution, treaties or laws of the United States applicable to the Northern Mariana Islands, the Government of the Northern Mariana Islands, in view of the importance of the ownership of land for the culture and traditions of the people of the Northern Mariana Islands, and in order to protect them against exploitation and to promote their economic advancement and self-sufficiency:

(a) Will until 25 years after the termination of the Trusteeship Agreement, and may thereafter, regulate the alienation of permanent and long-term interests in real property so as to restrict the acquisition of such interests to persons of Northern Mariana Islands descent; and

(b) May regulate the extent to which a person may own or hold land which is now public land.

Section 806

(a) The United States will continue to recognize and respect the scarcity and special importance of land in the Northern Mariana Islands. If the United States must acquire any interest in real property not transferred to it under this Covenant, it will follow the policy of seeking to acquire only the minimum area necessary to accomplish the public purpose for which the real property is required, of seeking only the minimum interest in real property necessary to support such public purpose, acquiring title only if the public purpose cannot be accomplished if a lesser interest is obtained, and of seeking first to satisfy its requirement by acquiring an interest in public rather than private real property.

(b) The United States may, upon prior written notice to the Government of the Northern Mariana Islands, acquire for public purposes in accordance with federal laws and procedures any interest in real property in the Northern Mariana Islands by purchase, lease, exchange, gift or otherwise under such terms and conditions as may be negotiated by the parties. The United States will in all cases attempt to acquire any interest in real property for public purposes by voluntary means under this subsection before exercising the power of eminent domain. No interest in real property will be acquired unless duly authorized by the Congress of the United States and appropriations are available therefor.

(c) In the event it is not possible for the United States to obtain an interest in real property for public purposes by voluntary means, it may exercise within the Commonwealth the power of eminent domain to the same extent and in the same manner as it has and can exercise the power of eminent domain in a State of the Union. The power of eminent domain will be exercised within the Commonwealth only to the extent necessary and in compliance with applicable United States laws, and with full recognition of the due process required by the United States Constitution.

ARTICLE IX

Northern Mariana Islands representative and consultation

Section 901

The Constitution or laws of the Northern Mariana Islands may provide for the appointment or election of a Resident Representative to the United States, whose term of office will be two years, unless otherwise determined by local law, and who will be entitled to

receive official recognition as such Representative by all of the departments and agencies of the Government of the United States upon presentation through the Department of State of a certificate of selection from the Governor. The Representative must be a citizen and resident of the Northern Mariana Islands, at least 25 years of age, and, after termination of the Trusteeship Agreement, a citizen of the United States.

Section 902

The Government of the United States and the Government of the Northern Mariana Islands will consult regularly on all matters affecting the relationship between them. At the request of either Government, and not less frequently than every 10 years, the President of the United States and the Governor of the Northern Mariana Islands will designate special representatives to meet and to consider in good faith such issues affecting the relationship between the Northern Mariana Islands and the United States as may be designated by either Government and to make a report and recommendations with respect thereto. Special representatives will be appointed in any event to consider and to make recommendations regarding future multi-year financial assistance to the Northern Mariana Islands pursuant to section 701, to meet at least one year prior to the expiration of every period of such financial assistance.

Section 903

Nothing herein shall prevent the presentation of cases or controversies arising under this Covenant to courts established by the Constitution or laws of the United States. It is intended that any such cases or controversies will be justiciable in such courts and that the undertakings by the Government of the United States and by the Government of the Northern Mariana Islands provided for in this Covenant will be enforceable in such courts.

Section 904

(a) The Government of the United States will give sympathetic consideration to the views of the Government of the Northern Mariana Islands on international matters directly affecting the Northern Mariana Islands and will provide opportunities for the effective presentation of such views to no less extent than such opportunities are provided to any other Territory or possession under comparable circumstances.

(b) The United States will assist and facilitate the establishment by the Northern Mariana Islands of offices in the United States and abroad to promote local tourism and other economic or cultural interests of the Northern Mariana Islands.

(c) On its request the Northern Mariana Islands may participate in regional and other international organizations concerned with social, economic, educational, scientific, technical and cultural matters when similar participation is authorized for any other Territory or possession of the United States under comparable circumstances.

ARTICLE X

Approval, effective dates and definitions

Section 1001

(a) This Covenant will be submitted to the Mariana Islands District Legislature for its approval. After

its approval by the Mariana Islands District Legislature, this Covenant will be submitted to the people of the Northern Mariana Islands for approval in a plebiscite to be called by the United States. Only persons who are domiciled exclusively in the Northern Mariana Islands and who meet such other qualifications, including timely registration, as are promulgated by the United States as Administering Authority will be eligible to vote in the plebiscite. Approval must be by a majority of at least 55 per cent of the valid votes cast in the plebiscite. The results of the plebiscite will be certified to the President of the United States.

(b) This Covenant will be approved by the United States in accordance with its constitutional processes and will thereupon become law.

Section 1002

The President of the United States will issue a proclamation announcing the termination of the Trusteeship Agreement, or the date on which the Trusteeship Agreement will terminate, and the establishment of the Commonwealth in accordance with this Covenant. Any determination by the President that the Trusteeship Agreement has been terminated or will be terminated on a day certain will be final and will not be subject to review by any authority, judicial or otherwise, of the Trust Territory of the Pacific Islands, the Northern Mariana Islands or the United States.

Section 1003

The provisions of this Covenant will become effective as follows, unless otherwise specifically provided:

(a) Sections 105, 201-203, 503, 504, 606, 801, 903 and article X [sections 1001-1005] will become effective on approval of this Covenant;

(b) Sections 102, 103, 204, 304, article IV [sections 401-403], sections 501, 502, 505, 601-605, 607, article VII [sections 701-704], and sections 802-805, 901 and 902 will become effective on a date to be determined and proclaimed by the President of the United States, which will be not more than 180 days after this Covenant and the Constitution of the Northern Mariana Islands have both been approved; and

(c) The remainder of this Covenant will become effective upon the termination of the Trusteeship Agreement and the establishment of the Commonwealth of the Northern Mariana Islands.

Section 1004

(a) The application of any provision of the Constitution or laws of the United States which would otherwise apply to the Northern Mariana Islands may be suspended until termination of the Trusteeship Agreement if the President finds and declares that the application of such provision prior to termination would be inconsistent with the Trusteeship Agreement.

(b) The Constitution of the Northern Mariana Islands will become effective in accordance with its terms on the same day that the provisions of this Covenant specified in subsection 1003(b) become effective, provided that if the President finds and declares that the effectiveness of any provision of the Constitution of the Northern Mariana Islands prior to termination of the Trusteeship Agreement would be inconsistent with the Trusteeship Agreement such provision will be ineffective until termination of the Trusteeship Agreement. Upon the establishment of the Commonwealth

of the Northern Mariana Islands the Constitution will become effective in its entirety in accordance with its terms as the Constitution of the Commonwealth of the Northern Mariana Islands.

Section 1005

As used in this Covenant:

(a) "Trusteeship Agreement" means the Trusteeship Agreement for the former Japanese Mandated Islands concluded between the Security Council of the United Nations and the United States of America, which entered into force on 18 July 1947;

(b) "Northern Mariana Islands" means the area now known as the Mariana Islands District of the Trust Territory of the Pacific Islands, which lies within the area north of 14° north latitude, south of 21° north latitude, west of 150° east longitude and east of 144° east longitude;

(c) "Government of the Northern Mariana Islands" includes, as appropriate, the Government of the Mariana Islands District of the Trust Territory of the Pacific Islands at the time this Covenant is signed, its agencies and instrumentalities and its successors, including the Government of the Commonwealth of the Northern Mariana Islands;

(d) "Territory or possession" with respect to the United States includes the District of Columbia, the Commonwealth of Puerto Rico, the [United States] Virgin Islands, Guam and American Samoa;

(e) "Domicile" means that place where a person maintains a residence with the intention of continuing

such residence for an unlimited or indefinite period, and to which such person has the intention of returning whenever he is absent, even for an extended period.

SIGNED on Saipan, Mariana Islands, on the fifteenth day of February 1975.

FOR THE PEOPLE
OF THE NORTHERN
MARIANA ISLANDS:

Edward DLG.
PANGELINAN
Chairman, Marianas
Political Status
Commission

Vicente N. SANTOS
Vice Chairman, Marianas
Political Status
Commission

Members of the Marianas Political Status Commission:

Juan LG. CABRERA
Vicente T. CAMACHO
Jose R. CRUZ
Bernard V.
HOFSCHEIDER
Benjamin T. MANGLONA
Daniel T. MUNA
Francisco T. PALACIOS

FOR THE UNITED STATES
OF AMERICA:

F. HAYDN WILLIAMS
Ambassador
Personal Representative
of the President of the
United States

DOCUMENT T/1760

[Agenda item 4]

Letter dated 21 April 1975 from the representative of the United States of America to the acting President of the Trusteeship Council

[Original: English]
[23 April 1975]

On 15 February 1975, representatives of the Mariana Islands District of the Trust Territory of the Pacific Islands and of the United States signed a Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America² upon the termination of the Trusteeship Agreement between the United States and the United Nations. The United States Secretary of the Interior has issued a proclamation establishing 17 June 1975 as the date for a plebiscite to be held throughout the Mariana Islands District in order to enable residents of the district to approve or reject the Covenant.

I have been authorized by my Government to extend an invitation through you to the Trusteeship Council to send a visiting mission to observe this plebiscite. My Government expects that the mission would comprise the traditional number of four members and would remain in the district for a period sufficiently long to enable it to observe the campaign, the actual polling and the counting of the votes. My Government is prepared to arrange an itinerary for the mission which would enable it to observe campaigning and polling throughout the district.

While my Government expects that the primary purpose of the mission would be to observe the plebiscite, the mission will, of course, be welcome to familiarize itself with political, economic and social developments in the Mariana Islands District.

My Government hopes that the forthcoming session of the Trusteeship Council will accept this invitation.

(Signed) John SCALI

² See document T/1759.

Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General

[Original: English]
[23 May 1975]

INTRODUCTION

1. By Trusteeship Council resolution 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953, the Secretary-General and the Administering Authorities concerned were requested to co-operate in ensuring an adequate flow of suitable information, including records of the Trusteeship Council and material concerning the aims and activities of the United Nations, to the general public in the Trust Territories, and to inform the Council periodically of the action taken. The present report covers the period from 14 April 1974 to 13 April 1975.

DISTRIBUTION OF OFFICIAL RECORDS

2. During the period under review, the distribution of official records³ by the United Nations to addresses supplied by the Administering Authorities was as follows:

Territory	Number of addresses	Number of copies
Papua New Guinea	55	115
Trust Territory of the Pacific Islands	10	61

DISSEMINATION OF INFORMATION IN THE TRUST TERRITORIES

General

3. During the period under review, the work of disseminating information on the United Nations was actively pursued in the Trust Territory of the Pacific Islands and in Papua New Guinea. These activities were conducted through the United Nations information centres in Washington, D.C., and in Port Moresby.

4. The centres continued to pay great attention to the increased interest by the media, including the press and radio, in the United Nations and the International Trusteeship System within the Territories. Efforts were made in both Territories to strengthen the relationship between the centres and government authorities, educational institutions and non-governmental organizations. A greater flow of information material was established and maintained between the centres and the major information channels.

Trust Territory of the Pacific Islands

5. During the period under review, the United Nations Information Centre in Washington, D.C., continued to carry out its mandate to inform the people of Micronesia about the International Trusteeship System and about the activities of the United Nations. The Centre has been concerned with the difficulties encountered in carrying out its mandate for disseminating information in the Territory because of the absence of adequate funds and of the physical inaccessibility of the islands. The Centre, in co-operation with the Department of Public Affairs in the Office of the High Commissioner, Saipan, continued to make serious efforts to overcome these difficulties. In this connexion, an official from the United Nations Office of Public Information visited the Territory in order to ascertain the needs of the people with regard to dissemination of information, as well as to establish the most effective working relationship between the Department of Public Affairs and the Centre.

³ Official Records of the Trusteeship Council (verbatim records of the meetings, annexes and supplements, including resolutions of the Council and reports of the visiting missions), fascicles of summary records of the Fourth Committee of the General Assembly, reports of the Trusteeship Council to the General Assembly and to the Security Council and resolutions adopted by the General Assembly on the reports of the Fourth Committee.

6. Following the visit of the United Nations official to the Territory, the Centre took measures to increase substantially the dissemination of information on economic and social development in the Territory.

7. The Centre continued its efforts to provide the Territory with material on decolonization. Three hundred copies of the September/October 1974 issue of *Objective: Justice*, as well as other United Nations publications on decolonization and *apartheid* were sent to the Territory. The Centre also mailed documents of the Trusteeship Council to each of the district legislatures of Micronesia.

8. In addition, the Centre mailed weekly publications to the offices of the district administrators, district legislatures, to the mass media, public libraries and individuals in Micronesia. Pamphlets issued by the Office of Public Information describing the type of material available were also sent to the Territory.

9. Large quantities of posters relating to the General Assembly, the International Women's Year and the forthcoming United Nations Conference on Human Settlements (Habitat) were mailed to Saipan for the benefit of those Micronesians who did not have a good understanding of English. Copies of the United Nations 16 mm film catalogue were also made available to the Department of Public Affairs in Saipan for distribution to district offices and schools.

10. Articles taken from Marshallese newspapers on political, social and economic conditions were included in United Nations publications for redissemination.

11. The Centre for Economic and Social Information of the Office of Public Information and the United Nations Development Programme (UNDP) have been requested to forward their published material to the Department of Public Affairs in Saipan. The United Nations Information Centre at Washington, D.C., with the support of the United States Commission for the United Nations Educational, Scientific and Cultural Organization (UNESCO), has been assisting the Department of Public Affairs in answering queries regarding fellowships and study programmes abroad. The regional office of the Food and Agriculture Organization of the United Nations (FAO) has been co-operating with the Centre in sending relevant material to Micronesia.

Papua New Guinea

12. During the year under review, the United Nations Information Centre at Port Moresby maintained

a mailing list of 586 addresses, of which 284 were in New Guinea. In view of the localization process in the public and private sectors and the Centre's continuous efforts to make United Nations publications available to the leaders of Papua New Guinea, a great many more people now read those publications than in previous years.

13. The Centre issued for general distribution 205 feature and press releases; 48 weekly newsletters and 10 summary newsletters or notes in Pidgin. In addition, it issued 15 releases and notes for limited distribution to the mass media, national leaders and officials.

14. Among the releases for general distribution, 50 were locally initiated and dealt with topics related to United Nations activities in Papua New Guinea; 13 were on the activities of the Trusteeship Council; 19 were on decolonization; and 17 were on *apartheid* or racial discrimination. More than 10 releases were also issued dealing with topics that included food, population, the International Women's Year and United Nations emergency relief activities.

15. All releases and materials received from United Nations Headquarters, as well as from the various specialized agencies and regional United Nations offices, were made available to the mass media, government departments and private organizations. The extent of reproduction by the mass media of newsletters and features was continuous and favourable, particularly on and around United Nations Day, 1974.

16. The Centre was requested to assist several government departments in obtaining information concerning the United Nations and the activities it has planned for the independence of Papua New Guinea. The Centre was further requested to assist the Government in its activities and it supplied United Nations films and other information for that purpose.

17. The Centre produced and distributed the following publications: wall sheets on the World Population Year, with captions in English and Pidgin; wall sheets on the United Nations, with captions in English, Pidgin and Motu; *Basic Facts*, in Pidgin; *Basic Facts—the United Nations and Papua New Guinea*, in English; *Eleven Hundred Million—A Simple Booklet on Decolonization*; *A Sacred Trust*; *The Trusteeship Agreement for the Territory of New Guinea*; and General Assembly resolutions on Papua New Guinea.

18. The Centre's film library is one of the most effective means of reaching the public in disseminating information on the United Nations. Twelve new films were received from Headquarters during the period under review. The Centre made 1,325 loans and an average of 230 people viewed each film. About 50 per cent of the loans were made to institutions in New Guinea. Lending priority was given to the Government for its political education programme at the district level. Particular attention was paid to activities of the Government in regard to the International Women's Year.

19. The Centre assisted in the International Children's Drawing Competition for the World Population Year sponsored by the United Nations Children's Fund (UNICEF). Over 1,500 entries were accepted and two Papua New Guinean students won prizes in the competition. A national contest and an exhibition were also held at the Centre under its sponsorship. These events

were well publicized and some of the national entries were distributed to public libraries in Papua New Guinea.

20. The Centre also assisted in a children's drawing exhibition on the theme of international understanding and the United Nations; an exchange of drawings through UNICEF; and a children's drawing contest sponsored by the United Nations Association in the Solomon Islands. Following the exhibition in the Solomon Islands, some of the drawings were sent to Port Moresby for display at the United Nations Information Centre.

21. The Centre prepared information and display materials on United Nations Day, which were sent to members of the House of Assembly, educational institutions, district offices and local government councils. The University of Papua New Guinea, public libraries and religious missions held frequent exhibits with United Nations themes.

22. The Centre maintained a standard display of photographs, posters and pamphlets on such topics as the Trusteeship Council the sixth special session of the General Assembly, decolonization, the elimination of racial discrimination, *apartheid*, human rights, population, world health, emergency relief and development. Photographs pertaining to the activities of the United Nations and the specialized agencies were used extensively by the mass media.

23. The Centre filled special requests from the legislative, administrative and judicial offices of the Government for information on the United Nations. Mass media and educational institutions also continued to receive the services of the Centre. It continued to maintain favourable relations with the Government's Office of Information, the National Broadcasting Commission of Papua New Guinea and the *Post Courier*, which were the major public media utilizing the Centre. The Pidgin publication, *Wantok*, also reported on United Nations activities. Press and radio provided good coverage of United Nations activities relating to Papua New Guinea. The meetings of the Trusteeship Council and United Nations projects, currently under way in the country were well covered. The Director of the Centre visited New Guinea, Papua and the Solomon Islands during the period under review. He and members of his staff gave 20 lectures during the year.

24. During the period covered by the report, government officials, especially the Chief Minister, contributed significantly to the successful dissemination of information on the United Nations. The Government was extremely co-operative and assisted substantially in the celebration of such special events as United Nations Day, Human Rights Day, the Day of Solidarity with South African Political Prisoners and the International Day for the Elimination of Racial Discrimination.

25. On those occasions, the Director of the Centre was interviewed by the National Broadcasting Commission, *Our News*, *Our World*, the *Education Gazette*, the *Post Courier* and other publications issued by the Government.

26. The Government of Australia continued to provide financial assistance to the Centre, covering the rent of the premises, internal postage, general services and a motor vehicle for official business. Its grant for 1974/75 totalled \$A 12,160.⁴

⁴ One Australian dollar (\$A) equals approximately \$US 1.35.

DOCUMENT T/1764 AND ADD.1*

Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General

[Original: English]
[29 May 1975]

1. By its resolutions 557 (VI) of 18 January 1952 and 753 (VIII) of 9 December 1955, the General Assembly invited Member States to make available to qualified students from Trust Territories scholarships, fellowships and internships for university study and post-primary and technical education.

2. The programme is administered in accordance with the procedure approved by the Trusteeship Council at its thirteenth session.⁵ Under this procedure, the Secretary-General was invited to submit to the Trusteeship Council at least once a year a report containing all appropriate details of the programme. The present document is the twenty-fourth such report and covers the period from 1 June 1974 to 29 May 1975.

3. As stated in previous reports, the following 11 Member States have in the past made scholarships available under this programme: Czechoslovakia, Hungary, Indonesia, Italy, Mexico, Pakistan, the Philippines, Poland, Tunisia, the Union of Soviet Socialist Republics and Yugoslavia.

4. A description of the scholarships offered by Member States is contained in the eighteenth report of the Secretary-General submitted to the Trusteeship Council at its thirty-sixth session.⁶

5. In a note dated 24 April 1975, addressed to Member States that had offered scholarships in previous years, the Secretary-General asked for up-to-date information on the scholarships that had been made available under the programme and on the extent to which awards had been made to, and utilized by, students from Papua New Guinea and the Trust Territory of the Pacific Islands.

6. In a note dated 29 May 1975, the Permanent Mission of the Union of Soviet Socialist Republics to

the United Nations informed the Secretary-General that no inhabitants from the Trust Territories were currently studying in the Soviet Union.

7. Information on the scholarships made available under the programme is included in the handbook *Study Abroad*, twentieth edition, 1975/76 and 1976/77, published by UNESCO. Copies of *Study Abroad* are sent to the Administering Authorities and to United Nations information centres.

ADDENDUM

After document T/1764 had already been issued, the Government of the United States of America provided the following information on scholarships, fellowships and/or training grants awarded by UNESCO to citizens of the Trust Territory of the Pacific Islands:

Field of study	Number of awards ⁷
Administration	18
Law enforcement and crime prevention	12
Community development and social welfare	11
Financial management	3
Trade promotion and marketing	2
Low-cost housing development	2
Land administration	2
Broadcasting	1
Education	1
Librarianship	1
Public recreation	1
Welding techniques	1
Agriculture and industrial development	1
Accounting	1
Statistics	1
Immigration administration	1
TOTAL	59

* Document T/1764/Add.1, dated 21 August 1975, is reproduced in the addendum to the present document.

⁵ *Official Records of the Trusteeship Council, Thirteenth Session, Annexes*, agenda item 13, document T/1093.

⁶ *Ibid.*, *Thirty-sixth Session, Annexes*, agenda item 10, document T/1696.

⁷ Covering the period 1952/53-1972/73. Three applications were submitted in 1973/74, all in public administration, and are still pending. No applications were submitted in 1974/75.

DOCUMENT T/1766*

[Agenda item 4]

Note verbale dated 19 May 1975 from the representative of the United States of America to the Secretary-General

[Original: English]
[28 May 1975]

The representative of the United States of America presents his compliments to the Secretary-General and has the honor to request circulation as a Trusteeship Council document of the enclosed Proclamation (see annex I below) issued by the United States Secretary of the Interior, Mr. Rogers C. B. Morton, calling for a plebiscite to be held on Tuesday, 17 June 1975, in the Northern Mariana Islands, as well as the accompanying Secretarial Order No. 2973 (see annex II

below), defining the authority and procedures for holding the plebiscite.

ANNEX I PROCLAMATION

WHEREAS, the United States as Administering Authority of the Trust Territory of the Pacific Islands has undertaken an obligation under the Trusteeship Agreement and under Article 76 of the Charter of the United Nations to give the peoples of the Trust Territory the right to choose freely their own political future; and

* Incorporating document T/1766/Corr.1.

WHEREAS, by act of 19 May 1972, the Marianas District Legislature established the Marianas Political Status Commission and prescribed its duties to include negotiations with the United States Government on the future political status of the Mariana Islands District; and

WHEREAS, on 15 February 1975 the Marianas Political Status Commission and the Personal Representative of the President of the United States signed a Covenant,⁸ which if approved by the people of the Mariana Islands District and the Congress of the United States, would, upon termination of the Trusteeship Agreement between the United States and the United Nations, establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America; and

WHEREAS, this signing marked the conclusion of negotiations between the two parties after more than 20 years of efforts by the people of the Northern Mariana Islands through public petition and referendum to achieve political union with the United States; and

WHEREAS, the Covenant was unanimously approved on 20 February 1975 by the Marianas District Legislature; and

WHEREAS, by resolution No. 126-1975 the Marianas District Legislature on 28 February 1975 formally requested the United States as Administering Authority of the Trust Territory of the Pacific Islands to set a date for and call a plebiscite in the Mariana Islands District relative to the Covenant;

NOW THEREFORE, I, Rogers C. B. Morton, Secretary of the Interior, by virtue of the powers vested in me under Executive Order 11021 of 1 July 1962 and with the concurrence of the Secretary of State, do hereby call for a plebiscite to be held on Tuesday, 17 June 1975 throughout the Mariana Islands District to provide an opportunity for the people of the Northern Mariana Islands to decide, pursuant to their right of self-determination, whether they wish to become a Commonwealth of the United States in accordance with the terms of the Covenant signed on 15 February 1975.

The plebiscite will be held in a fair and impartial manner under the supervision of a Plebiscite Commissioner appointed by the President of the United States.

The ballot to be presented in the plebiscite shall be as follows:

- Yes - I vote for Commonwealth as set forth in the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.
- No - I vote against Commonwealth in political union with the United States as set forth in the Covenant recognizing that, if Commonwealth is rejected, the Northern Mariana Islands will remain as a district of the Trust Territory with the right to participate with the other districts in the determination of an alternative future political status.

In recognition of the historic importance of this act of self-determination, I declare that the day of the plebiscite shall be a public holiday in the Mariana Islands District and the High Commissioner shall give administrative leave to all Trust Territory of the Pacific Islands government employees in said district.

Observers from the United Nations and the Congress of the United States will be welcome to witness the plebiscite as well as the Plebiscite Education Program, the registration of voters, and other pre-plebiscite activities. Such observers will be provided all necessary assistance.

I have today issued Secretarial Order No. 2973, which defines the authority and procedures for holding the plebiscite for the Mariana Islands District in accordance with the respon-

sibility of the United States as Administering Authority under the Trusteeship Agreement of 18 July 1947 between the United Nations and the United States of America.

(Signed) Rogers C. B. MORTON
Secretary of the Interior

10 April 1975

ANNEX II
ORDER NO. 2973

Subject: Plebiscite in the Mariana Islands District

WHEREAS, the United States as Administering Authority of the Trust Territory of the Pacific Islands has undertaken an obligation under the Trusteeship Agreement and under Article 76 of the Charter of the United Nations to give the peoples of the Trust Territory the right to choose freely their own political future; and

WHEREAS, the people of the Mariana Islands District repeatedly have requested that the United States negotiate an arrangement whereby the Northern Mariana Islands would become a part of the United States upon termination of the Trusteeship Agreement between the United States and the United Nations; and

WHEREAS, a Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America⁸ has now been negotiated and signed by the duly authorized representatives of the Marianas District and the United States and received the unanimous approval of the Mariana Islands District Legislature on 20 February 1975;

NOW, THEREFORE, pursuant to the Executive Order No. 11021 of 1 July 1962 and with the concurrence of the Secretary of State, it is hereby ordered as follows:

Section 1. Purpose

The purpose of this order is to establish the authority and the administrative responsibility for the holding of a plebiscite on 17 June 1975, in the Mariana Islands District as an exercise by the people of that district of their right of self-determination.

Section 2. The Plebiscite Commissioner

A Plebiscite Commissioner designated by the President of the United States shall be responsible for the planning, the preparations for and the holding of the plebiscite in the Northern Mariana Islands. The Commissioner shall:

- (1) Ensure that an impartial Plebiscite Education Program is conducted throughout the Northern Mariana Islands;
- (2) Appoint a Plebiscite Voter Registration Board, designate its chairman and establish procedures for the registration of voters;
- (3) Establish an official plebiscite register on the basis of the final voter registration list as certified by the Voter Registration Board, to include qualified absentee voters;
- (4) Oversee the administrative plans for and supervise the holding of the plebiscite; and
- (5) Appoint an Executive Director who shall be responsible to him for the execution and coordination of all activities in support of the plebiscite.

Section 3. Responsibilities of the Trust Territory of the Pacific Islands Administration

- (a) The High Commissioner shall provide the Plebiscite Commissioner administrative support and shall assure the implementation of policies and programs related to the plebiscite in the manner prescribed by the Plebiscite Commissioner.
- (b) The Trust Territory Headquarters and the Mariana Islands District Administrator and staff shall assist the Executive Director in the execution of his duties.

Section 4. Northern Mariana Islands
Plebiscite Advisory Committee

- (a) There is hereby established a Northern Mariana Islands Plebiscite Advisory Committee to be appointed by the Plebi-

⁸ See document T/1759.

scite Commissioner. The Committee shall consist of representatives of the principal sectors of the Northern Mariana Islands community, including but not limited to a representative from each of the following:

- (1) Marianas District Legislature;
- (2) Marianas Political Status Commission;
- (3) District Administration;
- (4) Saipan Municipal Council;
- (5) Rota Municipal Council;
- (6) Tinian Municipal Council;
- (7) United Carolinian Association;
- (8) Popular Party;
- (9) Territorial Party;
- (10) Chamber of Commerce.

(b) The Committee shall consult on a continuing basis with the Plebiscite Commissioner for the principal purpose of providing advice for his consideration on all aspects of the plebiscite with particular emphasis on the Plebiscite Education Program.

Section 5. Function of the Plebiscite Education Program

Under the direction of the Plebiscite Commissioner, the program will be operated impartially and objectively, making available to all voters the relevant facts including alternative choices. The program will provide equitable access to such information through distribution of materials, media usage and other facilities for public information. The program will include objective information on the provisions of the Covenant and the choices offered on the ballot.

Section 6. Plebiscite Voter Registration Board

(a) There is hereby created a Plebiscite Voter Registration Board consisting of 11 members, 8 of whom shall be appointed at large by the Plebiscite Commissioner from the municipal councils of Saipan, Rota and Tinian to serve on the Board only when it acts as a body or sits *en banc* on matters involving their respective municipalities.

(b) Voters shall be registered in the voting districts in which they reside. The Plebiscite Commissioner may, however, issue special regulations relating to the central registration of voters and shall establish special procedures for the registration of voting of absentee voters. The voter registration shall be carried out in the voting districts by panels of the Voter Registration Board consisting of not less than two members; they shall be joined *ex officio* by the village commissioner of that district, or in the absence of such village commissioner by its Mayor. The *ex officio* members shall have the right to vote with the panels. Registration shall begin on a date to be set by the Plebiscite Commissioner and shall terminate on 16 May 1975.

(c) The members of the Board shall have all necessary and appropriate authority to carry out the following functions:

- (1) In conjunction with the *ex officio* members, register all voters qualified to vote in the plebiscite;
- (2) Sitting *en banc* as an appellate review board, hear challenges of decisions granting or denying registration to any person; and
- (3) Certify the final voter registration list to the Plebiscite Commissioner.

(d) Decisions of the panels denying registration may be challenged by the voter denied registration. Decisions of the panels granting registration may be challenged by any registered voter. Challenges must be made within three working days after the publication of the decision of the panel. Such challenges shall be heard by the Voter Registration Board sitting *en banc*. The Board shall decide all challenges as expeditiously as possible. Any challenge which has not been decided by the Board by 23 May 1975 shall be deemed to have been rejected. A party aggrieved by a decision of the Voter Registration Board sitting *en banc* may file an appeal from that decision with the Special Plebiscite Appellate Court provided for in Section 8 of this Order. Such appeals shall be taken within three working days after notification.

Section 7. Voter qualifications

(a) A person shall be qualified to vote in the plebiscite if he is:

- (1) A Trust Territory citizen domiciled in the Mariana Islands District;
- (2) Eighteen years of age or older on the date of the plebiscite;
- (3) At the time of registration not serving a sentence or under parole or probation for any felony for which he has been convicted by any court of the Trust Territory;
- (4) At the time of registration not under a judgement of mental incompetency or insanity; and
- (5) Registered to vote in accordance with the procedures established by the Plebiscite Commissioner.

(b) For purposes of this Order, "domicile" is defined in the same manner as in subsection 1005(e) of the Covenant: "that place where a person maintains a residence with the intention of continuing such residence for an unlimited or indefinite period, and to which such person has the intention of returning whenever he is absent, even for an extended period". In determining whether a person is domiciled in the Mariana Islands District, the Board shall take into account as of the time of registration all relevant factors including but not limited to the following criteria:

- (1) Whether he maintains a permanent residence or permanent place of abode in a place outside of the Mariana Islands District; or
- (2) Whether his presence in the Mariana Islands District is solely the result of his own public or private employment or that of a person on whom he is economically dependent; or
- (3) Whether he or the person on whom he is economically dependent receives housing or pay differentials for housing or living allowances as a consequence of his employment in the Mariana Islands District; or
- (4) Whether he maintains contacts with another district of the Trust Territory of the Pacific Islands or with the jurisdiction of the United States or another country such as: supporting a spouse and/or family who reside in such place; maintenance of a boat or driver's license issued by such place; holding a postal address at such place; continuing affiliations with the professional, religious or fraternal life in such place; or the payment of taxes in such place imposed because of residence or physical presence in such place; or
- (5) Whether he has expressed his intention not to establish domicile in the Mariana Islands District; or
- (6) Whether he is registered or qualified to vote in any other district or jurisdiction of the Trust Territory or the United States or any other country during the past year.

Section 8. Special Plebiscite Appellate Court

The Chief Justice of the High Court of the Trust Territory of the Pacific Islands shall appoint one or more justices of that court as a special plebiscite appellate court with exclusive jurisdiction over all appeals from *en banc* rulings of the Voter Registration Board. Appeals shall be heard before a single judge of the Special Plebiscite Appellate Court. The Special Plebiscite Appellate Court shall render its decisions as expeditiously as feasible and no later than the seventh day preceding the plebiscite. The Special Plebiscite Appellate Court shall certify its decisions to the Voter Registration Board and notify the parties thereof. Rulings of the special court shall be final and not subject to further review by any authority of the Trust Territory or of the United States, judicial or otherwise.

Section 9. Proclamation

Attached as an appendix to this Order is a proclamation which sets a date for and calls a plebiscite in the Mariana Islands District relevant to the Covenant described herein.

Section 10. Termination

This Order shall continue in effect only until the completion of the plebiscite referred to in section 1 and in any case shall terminate before 1 January 1976.

(Signed) Rogers C. B. MORTON
Secretary of the Interior

10 April 1975

12778

DOCUMENT T/1768

[Agenda item 14]

Letter dated 19 June 1975 from the representative of Australia to the President of the Trusteeship Council

[Original: English]
[7 July 1975]

I have today notified the Secretary-General in accordance with paragraph 2 of General Assembly resolution 3284 (XXIX) of 13 December 1974 that Papua New Guinea will become independent on 16 September 1975 and that, in accordance with paragraph 1 of resolution 3284 (XXIX), the Trusteeship Agreement for the Territory of New Guinea shall cease to be in force from that date.

A copy is attached of my note to the Secretary-General, giving the text of an exchange of messages between the Chief Minister of Papua New Guinea and the Prime Minister of Australia concerning the date on which Papua New Guinea is to achieve independence.⁹

I would be grateful if you would circulate this letter as a Trusteeship Council document to all members of the Trusteeship Council.

(Signed) R. L. HARRY
Permanent Representative of Australia
to the United Nations

⁹ See *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda item 13, document A/10122.

DOCUMENT T/1769

[Agenda item 13]

Letter dated 6 August 1975 from the representative of Australia to the President of the Trusteeship Council

[Original: English]
[11 August 1975]

I wish to refer to my letter of 28 July 1975, in which I enclosed an advance copy of the invitation from Mr. Somare for you and three other members of the Trusteeship Council to attend the independence celebrations which will be held in Port Moresby from 14 to 17 September.

I now have the honour to transmit to you the enclosed official invitation addressed to you from the Chief Minister of Papua New Guinea, Mr. Michael Somare.

(Signed) R. L. HARRY
Permanent Representative of Australia
to the United Nations

LETTER DATED 20 JULY 1975 FROM THE CHIEF MINISTER OF PAPUA NEW GUINEA TO THE PRESIDENT OF THE TRUSTEESHIP COUNCIL

On behalf of the Government of Papua New Guinea, I am pleased to convey to you an invitation to attend the celebrations which will be held to commemorate the historic occasion of Papua New Guinea's attainment of independence. These celebrations will be held from 14 to 17 September 1975.

I hope it will be possible for you and three other members of the Trusteeship Council to attend the celebrations, which will mark the occasion of our joining the international community of sovereign nations.

You will be aware that the Government of Papua New Guinea has already sent an invitation to the Secretary-General of the United Nations, and a letter of invitation also goes forward to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples¹⁰ to be present at the celebration of our independence.

(Signed) M. T. SOMARE
Chief Minister of Papua New Guinea

¹⁰ See A/AC.109/499.

DOCUMENT T/L.1197

[Agenda items 6 and 7]

Administrative and financial implications of the draft resolutions contained in documents T/L.1196 and T/L.1195: note by the Secretary-General

[Original: English]
[4 June 1975]

1. Pursuant to regulation 13.1 of the Financial Regulations of the United Nations, the following information is submitted regarding the Visiting Mission of the Trusteeship Council to the Mariana Islands District of the Trust Territory of the Pacific Islands in June 1975.

2. The Mission to the Mariana Islands District will depart on 9 June 1975 and return on or about 22 June 1975. The costs are estimated at \$23,500, as follows:

	<i>United States dollars</i>
Travel and subsistence for 4 delegates	11,600
Travel and subsistence for 4 secretariat staff	8,400
Transportation	2,500
Miscellaneous	1,000
TOTAL	23,500

3. With regard to the periodic Visiting Mission of the Trusteeship Council to the Trust Territory of the Pacific Islands in 1976, financial provision has been included by the Secretary-General for that purpose in his proposed programme budget for the biennium 1976-1977.

DOCUMENT T/L.1198 AND ADD.1 AND 2*

Report of the Drafting Committee on the Trust Territory of the Pacific Islands

[Original: English/French]
[4 June 1975]

1. At its 1442nd meeting, on 3 June 1975, the Trusteeship Council appointed a drafting committee composed of the representatives of Australia and France to propose, on the basis of the discussions that had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of the Pacific Islands, and to make recommendations concerning the chapter on conditions in that Territory for inclusion in the next report of the Trusteeship Council to the Security Council.

2. The Drafting Committee held four meetings. It had the benefit of the assistance of a representative of the Administering Authority.

3. In the light of the general discussions in the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations, which, in its view, reflected the opinions of the majority of the members of the Council and which are set forth in the annex to the present report.

4. The Committee recommends to the Trusteeship Council that it adopt the revised working paper on conditions in the Trust Territory of the Pacific Islands (T/L.1191 and Add.1-3) as the basic text for the chapter on conditions in that Territory to be included in the next report of the Trusteeship Council to the Security Council.

5. The Committee also recommends that the Trusteeship Council adopt the conclusions and recommendations set out in the annex below and include them at the end of each appropriate section or subsection of the chapter.

ANNEX

Draft conclusions and recommendations

[For the text of the conclusions and recommendations adopted, as revised at the 1445th meeting of the Trusteeship Council, on 7 June 1975, see Official Records of the Security Council, Thirtieth Year, Special Supplement No. 1 (S/11735), part II.]

* Document T/1198/Add.1 and 2, dated 5 June 1975, contained additional material for inclusion in the draft conclusions and recommendations.

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