



JAN 5 REC'D

Department of State

TELEGRAM

UNCLASSIFIED 0830

PAGE 01 050632Z  
ACTION INT-05

INFO OCT-01 IO-13 EA-09 L-03 FM-04 PA-02 ISO-00 /037 W  
-----050640Z 075369 /10

P 050520Z JAN 77  
FM HICOMTERPACIS SAIPAN MARIANA ISLANDS  
TO SECSTATE WASHINGTON DC

UNCLAS.  
FROM STATUS LNO 0008  
E.O. 11652: N/A  
TAGS : PFOR, TO, UN  
SUBJECT : MNS

PASS INTERIOR FOR OMSN/UCTA  
FOLLOWING MSG P 300030Z DEC 76 REPEATED FOR UR INFO:  
BEGIN TEXT... (COM TAKES SPY CHARGE TO UN)

SAIPAN, DECEMBER 30 (COM--THE UNITED NATIONS HAS BEEN ASKED TO  
RENDER A LEGAL OPINION AS TO WHETHER CIA SPYING IN  
MICRONESIA HAS VIOLATED THE TRUSTEESHIP AGREEMENT.

ESSENTIALLY, THE LEGAL OPINION BEING SOUGHT BY THE  
PRESIDING OFFICERS OF THE CONGRESS OF MICRONESIA WOULD  
DETERMINE IF THE U.S. GOVERNMENT VIOLATED THE TRUSTEESHIP  
AGREEMENT BY CONDUCTING ELECTRONIC AND OTHER SURVEILLANCE  
AGAINST MICRONESIANS DURING THE LAST FOUR YEARS OF STATUS

PAGE 02 RUHGSAA4965 UNCLAS.  
NEGOTIATIONS.

THE REQUEST WAS MADE BY SENATE PRESIDENT TOSIHO NAKAYAMA  
AND HOUSE SPEAKER BETHWEL HENRY IN A LETTER TO THE PRESIDENT  
OF THE UN TRUSTEESHIP COUNCIL (UNTC) ASKING THAT IT BE  
FORWARDED TO THE UN OFFICE OF LEGAL AFFAIRS.

IN THE LETTER TO PRESIDENT JAMES MURRAY, THE PRESIDING  
OFFICERS OF THE COM INDICATED THAT WHILE THE U.S. GOVERNMENT  
"ENJOYS CERTAIN RIGHTS PERTAINING TO THE MAINTENANCE OF  
INTERNATIONAL PEACE AND SECURITY", UNDER ARTICLE FIVE OF

UNCLASSIFIED



*Department of State* **TELEGRAM**

UNCLASSIFIED

PAGE 02

052632Z

THE TRUSTEESHIP AGREEMENT THE CONGRESS OF MICRONESIA, HOWEVER, "FIRMLY BELIEVES THAT THESE RIGHTS CANNOT BE EXERCISED AT THE EXPENSE OF THE ADMINISTERING AUTHORITY'S OBLIGATION TO PROMOTE THE POLITICAL ADVANCEMENT OF THE PEOPLE OF MICRONESIA AS SPELLED OUT IN ARTICLE SIX OF THE AGREEMENT."

THE PRESIDING OFFICERS WROTE IT WAS THEIR BELIEVE THAT ARTICLE SEVEN OF THE TRUSTEESHIP AGREEMENT DOES NOT "ALLOW THE ADMINISTERING AUTHORITY (U.S. GOVERNMENT) TO CONDUCT COVERT (OR ANY OTHER) SURVEILLANCE AGAINST MICRONESIAN CITIZENS TO DETERMINE THE MICRONESIAN NEGOTIATING POSITION OR TO FOSTER DISUNITY IN MICRONESIA."

PAGE 03 RUHGSAA4965 UNCLAS.

ARTICLE SEVEN OF THE UN CHARTER SAYS IN PART THAT THE ADMINISTERING AUTHORITY, WHEN DISCHARGING ITS OBLIGATIONS "SHALL GUARANTEE TO THE INHABITANTS OF THE TRUST TERRITORY FREEDOM OF CONSCIENCE, AND, SUBJECT ONLY TO THE REQUIREMENTS OF PUBLIC ORDER AND SECURITY, FREEDOM OF SPEECH, OF THE PRESS, AND OF ASSEMBLY; FREEDOM OF WORSHIP, AND OF RELIGIOUS TEACHING; AND FREEDOM OF MIGRATION AND MOVEMENT."

THE UN TRUSTEESHIP COUNCIL WAS ALSO REQUESTED TO "DISCUSS THE ISSUE DURING THE 44TH SESSION AND TO TAKE A POSITION WITH REGARD TO PAST SURVEILLANCE ACTIVITIES..." IT WAS FURTHER REQUESTED TO ASK THE ADMINISTERING AUTHORITY DURING THE 44TH SESSION TO DELIVER A POLICY STATEMENT TO THE COUNCIL WITH REGARDS TO ITS POSITION ON SURVEILLANCE OF MICRONESIANS IN THE FUTURE."

THE LETTER OF THE PRESIDING OFFICERS WAS ACCOMPANIED BY BOB WOODWARD'S STORY WHICH APPEARED IN THE DECEMBER 12 ISSUE OF THE WASHINGTON POST; THE JOINT, OPEN STATEMENT OF THE PRESIDING OFFICERS ABOUT THE REVELATIONS OF ELECTRONIC SURVEILLANCE BY THE CIA; AND A RESPONSE TO THEIR STATEMENT FROM AMBASSADOR MANHARD ON BEHALF OF PRESIDENT FORD, DATED

UNCLASSIFIED



*Department of State*

**TELEGRAM**

---

UNCLASSIFIED

PAGE 03

050632Z

PAGE 04 RUMGSAA4965 UNCLAS.  
DECEMBER 18. END TEXT. BENNETT

EOT

UNCLASSIFIED  
6