



THE SENATE
CONGRESS OF MICRONESIA
 SAIPAN, MARIANA ISLANDS 96950

COMMITTEE on
 JUDICIARY and
 GOVERNMENTAL OPERATIONS

STANDING COMMITTEE REPORT NO. 7-157

AUGUST 22, 1977

RE: S.J.R. NO. 7-40

Petrus Tun, Chairman
 Ambilos Iehsi, Vice Chairman

Kaleb Udui
 Joab Sigrah
 Wilfred I. Kendall
 Nick Bossy

The Honorable Tosiwo Nakayama
 President of the Senate
 Seventh Congress of Micronesia
 First Special Session, 1977

Dear Mr. President:

Your Committee on Judiciary and Governmental
 Operations, to which was referred S.J.R. No. 7-40,
 entitled:

S.J.R. No. 7-40, "A SENATE JOINT RESOLUTION
 INVITING THE TRUSTEESHIP COUNCIL
 OR OTHER APPROPRIATE ORGAN OF THE
 UNITED NATIONS TO MONITOR OR
 OBSERVE THE REFERENDUM ON THE
 DRAFT CONSTITUTION FOR THE
 FEDERATED STATES OF MICRONESIA
 SCHEDULED TO BE HELD ON JULY 12,
 1978.",

begs leave to report as follows:

The intent and purpose of this resolution is to invite
 the Trusteeship or the Security Council of the United
 Nations to monitor and observe the referendum on the
 draft constitution for the Federated States of Micro-
 nesia.

The Congress of Micronesia by Public Law 5-60, as
 amended, created the Micronesian Constitutional
 Convention and mandated such convention to draft a
 constitution for the future government of the state
 of Micronesia. The Micronesian Constitutional
 Convention, composed of delegates from all districts,
 adopted a draft constitution for the Federated States
 of Micronesia on November 8, 1975.

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High Commissioner, pursuant to Public Law No. 5-60, as amended, and particularly Public Law 7-31, designated July 12, 1978 as the constitutional referendum date.

The referendum on the draft constitution is an act of self-determination. In the past, United Nations bodies have participated in and observed similar referenda with respect to dependent territories.

We feel that in order for the Trusteeship Council or the Security Council to effectively observe the referendum, either body should be involved in the process prior to the referendum date. Either body, for example, could monitor the efforts of the Task Force on Education for Self-Government. Unless either body participates in the process, its observation of the referendum may not be meaningful.

Further, appropriate participation of either the Trusteeship Council or the Security Council in the referendum process would provide procedural safeguards to assure the people free expression of their views.

Your Committee offers several amendments for clarity and specificity. The amendments are listed as follows:

1. Page 1, first line of the title after the word "or" delete "other appropriate organ" and insert in lieu thereof the following: "the Security Council".
2. Page 1, second line of the title, delete the word "or" and insert in lieu thereof the word "and".
3. Page 1, line 25, after the word "or" delete the words "other appropriate organ" and insert in lieu thereof the following: "the Security Council".
4. Page 2, line 1, delete the word "or" and insert in lieu thereof the word "and".
5. Page 2, line 5, after the word "or", delete "other appropriate organ" and insert in lieu thereof the following: "the Security Council".
6. Page 2, line 6, delete the word "or" and insert in lieu thereof the word "and".

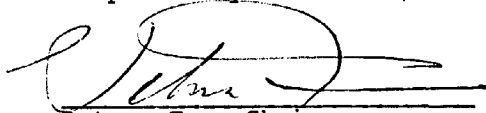
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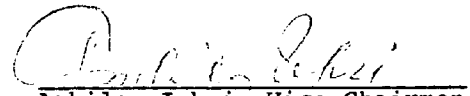
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Your Committee is thus in complete accord with the intent and purpose of Senate Joint Resolution No. 7-40, as amended, and recommends that the same be adopted by the Senate as S.J.R. No. 7-40, S.D.1, attached hereto.

Respectfully submitted,

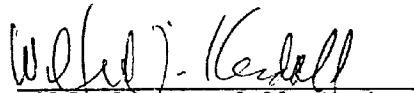


Petrus Tun, Chairman



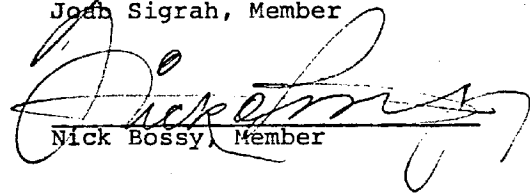
Ambilos Iehsi, Vice Chairman

Kaleb Udui, Member



Wilfred I. Kendall, Member

Joah Sigrav, Member



Nick Bossy, Member