

composed of senior officials of the United States and the respective Associated State, shall be established to consider disputes concerning defence and security related matters. 86/

The Compact recognizes the capacity of the three Pacific governments to conduct their own foreign affairs including matters relating to the law of the sea and marine resources, to enter into commercial, diplomatic, economic and trade relations and to conclude treaties and other international agreements. 87/ However, "in recognition of the authority and responsibility" of the United States in the field of defence and security, the three Pacific governments "shall consult in the conduct of their foreign affairs with the government of the United States". 88/ The United States will support applications by the three governments for membership or participation in regional and international organizations "as may be mutually agreed". 89/

The Compact establishes the right of citizens of Palau, the Marshall Islands and the Federated States of Micronesia to enter the United States, and lawfully engage in occupations therein. 90/ Conversely a citizen or national of the United States may enter into, lawfully engage in occupations and reside in Palau, the Marshall Islands and the Federated States of Micronesia, subject to the right of those Governments to deny entry or deport any such citizen or national as an undesirable alien, provided such denial or deportation is pursuant to reasonable statutory grounds consistent with the free associated relationship between those countries and the United States. 91/ Citizens of the three Pacific countries are eligible for volunteer service in the Armed Forces of the United States but would not be subject to conscription so long as they did not establish habitual residence in the United States. 92/

The draft Compact contains detailed provisions concerning economic relations between the future Associated States and the United States.- 93/ As regards grant assistance the following amounts are to be provided for a period of fifteen years commencing on the effective date of the Compact: 94/

---

86/ Ibid., Section 351.

87/ Title One, Section 121.

88/ Ibid., Section 123.

89/ Ibid., Section 122..

90/ Ibid., Section 141.

91/ Ibid., Section 142.

92/ Title Three, Section 341.

93/ Title Two.

94/ Provision is made for some adjustment to be made yearly in the sums stated in the Compacts to take account of inflation. (Title Two, Section 217)

a) The government of Palau would receive \$7 million annually for the first ten years and \$6 million annually for the remaining five years. An additional \$1 million would be provided annually for infrastructure maintenance beginning on the fifth anniversary of the effective date of the Compact. 95/

b) The government of the Marshall Islands would receive \$19 million annually for the first five year period, \$15 million annually in the subsequent five year period and \$12 million for the remaining five years. 96/ In addition the United States would provide on a grant basis \$9 million a year in conjunction with the separate defence agreement to be entered into between the United States and the Marshall Islands. 97/

c) The government of the Federated States of Micronesia would receive annual grants of \$60 million for the first five years, \$51 million for the following five years and \$40 million for the remaining five years. 98/

The Compact provides that the annual expenditure of the grant amounts specified for the capital account by the governments of the Associated States "shall be in accordance with official overall economic development plans provided by those Governments and concurred in by the Government of the United States prior to the effective date of the Compact", though those plans may be amended from time to time by the governments of the Associated States. 99/

The three Micronesian governments are to report annually to the President and Congress of the United States on the implementation of the plans and the need, if any, for additional economic assistance for that year in the event of exceptional, adverse economic circumstances, it being understood that the United States government is not committed to seek or support such additional economic assistance. 100/

The three Associated States are not included in the customs territory of the United States but for the purpose of assessing duties on their products imported into the United States, the three Pacific countries are to be treated as if they were insular possessions of the United States. United States products imported into the territory of the Associated States would receive treatment no less favourable than that accorded like products of any foreign country. 101/

---

95/ Title Two, Section 211(a)(1).

96/ Ibid., Section 211(a)(2).

97/ Ibid., Section 213.

98/ Ibid., Section 211(a)(3).

99/ Ibid., Section 211(b).

100/ Ibid., Section 211(c).

101/ Ibid., Sections 241-243.

The Compact, after being signed, is to be submitted to the people of Palau, the Marshall Islands and the Federated States of Micronesia for approval through a plebiscite to be conducted simultaneously in the three units. The Compact shall be entered into by the government of any of the units in which a majority of the valid ballots cast in the plebiscite favours such action. 102/ The provisions of the Compact can be amended by mutual consent either by the four governments or by the Government of the United States and any one of the Associated States in which case the effect of any amendment is to be restricted to the relationship between the Governments agreeing to such amendment. 103/ Termination may occur by mutual agreement or unilaterally. In the first case, economic assistance by the Government of the United States shall continue on a mutually agreed basis. 104/

If the United States government terminates the Compacts unilaterally, certain provisions of the Compact will nevertheless remain in force until the 15th anniversary of the effective date of the Compact, including the section concerning grant assistance, the Title dealing with security and defence relations, as well as the separate agreement concerning defence. 105/

The Compact can also be terminated unilaterally by any of the governments of the Associated States following a plebiscite, which may be observed by the government of the United States, if it so wishes, as well as by a mutually agreed party.- However certain sections of the Compact, including the Title dealing with security and defence relations, cannot be terminated for the first fifteen years of the Compact and will remain in force notwithstanding notice of termination by the Pacific government concerned. Likewise the separate agreements dealing with defence and security will remain in effect in accordance with their terms.- 106/ Upon receipt of notice of termination, the government of the United States and the government so terminating are to consult promptly with regard to their future relationship, and to determine the level of economic assistance to be given by the United States for the remainder of the fifteen year period. The amount agreed shall not in any case be less than 50 per cent of the annual grant assistance laid down in the Compact. 107/

Disputes between the parties on matters relating to the provisions of the Compact or its related agreements may be referred to arbitration. 108/

---

102/ Title Four, Sections 411 and 412.

103/ Sections 431 and 432.

104/ Ibid., Section 451.

105/ Ibid., Sections 442, 452 and 454.

106/ Ibid., Sections 443, 453 and 454.

107/ Ibid., Section 453.

108/ Ibid., Section 423.

#### IV. STRATEGIC ISSUES

By virtue of Micronesia's designation as a strategic area, military considerations have played an important part in the United States administration of the Territory. While, as noted in the Carnegie study, the main objective of the administering Power has been to deny use of the islands to other powers, the U.S. has actively used the Territory to serve its own military needs. 109/ For instance, from 1952-1962, a CIA base, as already mentioned, was in operation on Saipan and since the mid-1940s weapon tests have been conducted in the Marshall Islands.

Between 1946 and 1958, Bikini and Enewetak atolls, located in the Marshalls, were used by the administering Power as sites for nuclear tests. As a consequence, in 1946 the 166 people living on Bikini were forcefully transferred by the administering Power first to Rongerik Island and two years later to Kili Island, 805 kilometres away; while in 1947, the 146 inhabitants of Enewetak were moved to Ujelang Island, 364 kilometres to the south. In 1954, a further involuntary evacuation of indigenous people occurred when the 82 inhabitants of Rongelap toll (also in the Marshalls) were transferred to Majuro Atoll, a distance of approximately 700 kilometres, following their exposure to atomic radiation. Provided with medical treatment, the islanders remained in Majuro until 1957 when they were permitted to return to Rongelap.

In 1958, following the cessation of nuclear testing in the Territory, the inhabitants of Bikini, crowded onto the 1.3 square kilometre island of Kili, sought permission from the administering Power to return to their home atoll with its thirty-six islets comprising a land area of 5.2 square kilometres. This request, however, was not granted until 1974 when the administering Power, after extensive bulldozing of the atoll to reduce the level of radiation, felt the area was safe again for human habitation. 110/ When the people returned, they found that, as a result of the nuclear tests, there had been a considerable alteration of their atoll, including the annihilation of one of its islets and severe damage to its reef. In 1978 it was discovered that the level of radioactive contamination on Bikini was still unsafe and the people had to be re-evacuated to Kili Island. As of 1979, the United States estimated that it would be another 30 to 60 years before Bikini would be usable for agricultural purposes.

After 1958, the United States used Enewetak Atoll for non-atomic explosions with the result that, in addition to the damage caused by the nuclear programme, Enewetak was further marred by craters measuring up to 15 metres in depth and 90 metres in circumference. 111/ In 1972, however, the tests were suspended when a United States federal district judge ruled that the programme violated United States laws on the environment. In 1979, in response to the inhabitants desire to return home, the administering Power indicated that it expected the people of Enewetak to be resettled in 1980.

---

109/ McHenry, supra, p. 58.

110/ Ibid., p. 59.

111/ Ibid.

Since the mid-1940s, the U.S. Army missile range located in Kwajalein Atoll in the Marshall Islands has been an important testing site for U.S. missiles fired from Vandenburg Air Force Base in California, 13,000 kilometres away. Today, Kwajalein is the United States most active missile range. In July 1979, a group of Marshallese called for the suspension of all tests in the missile range following reports that the area was being contaminated by radioactive material contained in the weapons tested. Shortly thereafter, about 700 islanders staged a protest occupation of some of Kwajalein's islets demanding an end to the testing, the renegotiation of the terms of a lease signed with the United States in 1964 for the use of the land, and the improvement of the economic and social conditions of the Marshallese people. 112/

As a result of employment opportunities on the U.S. base, there has been an influx of people from throughout the District into Kwajalein Atoll. However, as U.S. policy prohibits those islanders working on the base from residing there after working hours, the Marshallese commute daily between the base and Ebeye, a nearby islet with a land area of 30 hectares. In 1978 a U.N. Visiting Mission pointed out that there were approximately 8,500 people concentrated on Ebeye in what a U.S. official has described as "slum" conditions. 113/ Of these, around 60 per cent were not indigenous to the Kwajalein Atoll. This situation, as noted in 1979 by another U.N. Mission, presented a "glaring contrast with the Kwajalein base, 15 minutes away by boat, where 3,000 people live in very comfortable conditions in an area much larger than Ebeye". According to the Mission's report Ebeye represents all the characteristics of an over-populated and undeveloped agglomeration which, unless corrected, could result in "very serious difficulties".

#### War and post-war damage claims

A major issue of concern in the Territory has been the question of claims against the Japanese Government, mainly for damages sustained by the indigenous inhabitants during the Second World War, and post-war claims against the Government of the United States resulting from personal injury or material damage, including claims for the acquisition, use or retention of property without adequate compensation. As a means of settlement, the United States and Japan agreed in 1969 to contribute U.S. \$5 million apiece to a Micronesian claims fund. In the agreement, it was stipulated that the United States would administer the fund and that Japan, by its contribution, would be discharged from any further liability.

In 1971, this arrangement was implemented by the U.S. Congress which passed the Micronesian Claims Act. This bill established a Micronesian Claims Fund, which consisted of the U.S. and Japanese contributions pursuant to the agreement, and set up a Micronesian Claims Commission which was authorized to receive, examine, adjudicate and render final decisions with respect to; (a) claims for damage directly resulting from hostilities between the United States and Japan between December 1941 and the dates of the securing of the various islands of Micronesia by the United States and (b) claims arising as post-war claims between the dates of securing the various islands by the United States and 1 July 1951, when the Territory was placed under civilian administration.

---

112/ Pacific Daily News, 16 July 1979.

113/ Ibid., 4 June 1979.

The Claims Commission completed its work in July 1976 and issued a final report in which the amount of the awards certified by the Commission exceeded the value of the fund. Although the United States has appropriated funds for the full payment of post-war claims, it has refused to pay the excess amount awarded for claims directly arising out of the hostilities unless Japan agrees to share the cost. Japan, relying on the 1969 agreement, has so far refused to contribute. According to a U.S. Congressional study, "Micronesians are very bitter about this and argue that if the Japanese will not pay, the United States should." 114/

#### V. ECONOMIC, SOCIAL AND EDUCATIONAL CONDITIONS

The Trust Territory of the Pacific Islands is an underdeveloped territory in which a money economy, concentrated principally in the district centres, has emerged alongside the traditional subsistence way of life, based on agriculture and fishing, which remains the primary livelihood for a majority of the population. The Territory has a weak economic base. According to the administering Power, "labor, land, natural resources, capital, and infrastructure basic to development are meagre". There is almost a complete absence of industry and such manufacturing as takes place consists primarily of cottage-type activities carried out in the subsistence sector of the economy. For those in salaried occupations, the principal employer is the Trust Territory Government which employs over half the work force.

The balance of trade is in deficit, with imports far exceeding exports. In 1977 - the last year for which official figures are available - exports were US \$ 16.2 million while imports totalled US \$ 44.2 million (excluding the Northern Marianas) - primarily industrial supplies, fuel, and consumer goods. The major exports were copra and fisheries, which together with tourism represented US \$ 11.2 million of the total amount exported.

The main support for the Territory's economy is provided by the administering Power through an annual appropriation and programme grants from U.S. federal agencies. In 1978, the annual appropriation was US \$ 114.1 million and programme grants were around US \$ 35 million, or about 94 per cent of the total cost of Trust Territory operations. The balance was met by local revenues collected primarily from the salaries of those employed by the U.S. Government. The official currency of the Territory is the U.S. dollar as the Trust Territory does not have its own monetary system.

According to the 1976 United Nations Visiting Mission to the Territory, the substantial inflow of funds from abroad has in some respect distorted the economy and impeded progress towards self-sufficiency. 115/ Grants from the administering Power, as noted by a Micronesian observer, have been devoted primarily towards social services and welfare programmes instead of towards the development of infrastructure and income-producing activities, with most expenditures, for both capital improvement and operations, being used almost entirely to encourage consumption of imported goods.

---

114/ Staff Report, supra, pp. 9 - 10.

115/ Official Records of the Trusteeship Council, Forty-third Session, Supplement No. 3. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands 1976, (T/1774), p. 37. (Hereinafter cited as Visiting Mission, 1976). The Mission, composed of members from the United Kingdom and France, visited the Territory from 5 March - 6 April 1976.

A staff report of the U.S. House of Representatives concluded that "from a development point of view, U.S. assistance has been questionable. After a long period of neglect about US \$ 1,400 per capita aid a year is now being provided by various Federal agencies but with ineffective oversight and coordination and little incentive for self-help". 116/ "The grants," a Trust Territory Official has pointed out, "don't get down to the people . . . Too much goes to government officials, experts and so on" 117/, with "a large part of the money," according to the New York Times, being "spent on administrative expenses, such as salaries and official travel" throughout the Territory. 118/ Recently, allegations of fraud and mismanagement have caused some to call for legislation to ensure resource accountability. 119/ As pointed out by the Carnegie Endowment Study "there seems to be general agreement that the United States has failed dismally to develop Micronesia economically". 120/

According to one authority, United States economic policies, whetting the Micronesia taste for the amenities of a modern technological society, have resulted in "a striking and pervasive unreality which affects every aspect of life in the islands" coloring "the way people think, what they expect and how they conduct themselves". 121/

As a result of a fast increasing population (3.5 to 5 per cent annually), the shift of population to district centres, and expectations of rising standards of living, the people have become heavily dependent on imported foods and materials. In 1974, a U.S. publication reported that eating habits "have changed radically, shifting from locally produced fruit, vegetables and fish to canned goods - such as macaroni - imported from the U.S." 122/ In 1978, a United Nations Visiting Mission noted that rice, which is not grown in the Trust Territory, had become a staple diet and was imported under the food aid programmes financed by the administering Power.

With limited natural resources, the Territory's future economic growth appears to lie largely with the development of marine resources and the tourist industry. Except for Palau, where successful pole and line fishing for skipjack and tuna has been conducted for some time by the Van Camp Seafood Company, most of the fishing carried out in the Territory is on a subsistence level. Rural areas usually supply their own needs while the crowded district centres depend on imported fish, including canned tuna, to meet their consumption requirement. By 1978, however, in addition to Palau, small-scale fisheries operations had been established in the district centres of Truk, Ponape, Yap and the Marshall Islands as a means of supplying fish to the local markets.

---

116/ Staff Report, supra, p. 4.

117/ The New York Times, 29 December 1978.

118/ Ibid.

119/ Honolulu Star Bulletin, 23 June 1979. Also Memorandum from Mr. Lee Hoskins, Chief, Micronesian Bureau of Investigation to Adrian P. Winkel, High Commissioner, 2 February 1979.

120/ McHenry, supra, p. 7.

121/ Nevin, supra, p. 25.

122/ U.S. News and World Report, 2 December 1974.

The utilization of the 200 mile economy zone, however, seems to offer the major potential for the exploitation of the Territory's marine resources. As a result of Micronesia's geography, the economic zone would actually represent 7.8 million square kilometres, containing "one of the last unexploited tuna fishing grounds in the world" <sup>123/</sup> with a possible annual yield of about 40,000 metric tons. Due to the fact that the indigenous fishing industry does not yet have the required capital, skill, and necessary infrastructure to exploit these resources successfully as well as a general Micronesian aversion to spending time at sea <sup>124/</sup>, the four entities comprising the Trust Territory - the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, and Palau - have turned to foreign fishing interests as a means of exploiting their marine resources. As of 1979, two districts, the Federated States of Micronesia and Palau, had concluded agreements with foreign fishing associations for the right to fish within their respective economic zones.

After copra production which accounted for US \$ 5 million of the Territory's exports in 1977, the nascent tourist industry is the second leading export industry. In 1977, 22,660 persons visited the Territory, spending approximately US \$ 2.3 million, an increase of 15 per cent over the preceding year. Although tourism is concentrated primarily in the Northern Marianas, the most economically advanced district of the Territory, a modest tourist industry is being developed on Palau and to some extent on Yap, Truk, Ponape and the Marshall Islands.

Regular air service links all district centres of the Territory and in 1978 the United Nations Trusteeship Council commended the administering Power for its continuing efforts to improve the transportation system in Micronesia.

While trade-unionism is not yet a significant force in the Territory, some development has occurred in Palau where the workers of four local businesses have formed their own trade associations, and in October 1979 held what was the first workers convention in Micronesia. At that meeting, it was indicated that efforts were also being made in Palau to organize teachers, port workers, and government employees. <sup>125/</sup>

As noted by the 1976 United Nations Visiting Mission, land in Micronesia is a scarce commodity which commands a place in peoples' lives beyond any monetary value and confers on its inheritor an automatic position of prestige and power. The Territory has a land area of 183,231 hectares <sup>126/</sup> which is composed of approximately 6,480 hectares under cultivation - generally for subsistence farming - some 33,802 hectares planted with tree crops - coconut, breadfruit, bananas, and pandanus - and around 107,940 hectares representing forests, pastures, and savannas. The remaining land consists of swamp, rock and built-up areas.

---

<sup>123/</sup> Staff Report, *supra*, p. 6.

<sup>124/</sup> Nevin, *supra*, p. 196.

<sup>125/</sup> Pacific Islands Monthly, February 1979.

<sup>126/</sup> The Northern Marianas has a land area of 47,105 hectares; Palau, 46,000 hectares; Ponape, 37,675 hectares; the Marshalls, 17,935 hectares; Yap, 12,115 hectares; Truk, 11,751 hectares; and Kosrae, 7,632 hectares.



Of the total area, 73,647 hectares are privately owned and 109,584 hectares are classified as public land under the control of the Trust Territory Government. While most of the privately owned land is held by customary title in accordance with the custom and usages of the inhabitants, these traditional practices, as indicated by the administering Power, are being modified as a result of "decisions of the High Court of the Trust Territory and by the widespread receipt of money for land use and sale which have occurred since the U.S. administration of the Territory began". 127/

In the mid 1970s, it was estimated that most of the land in the Northern Mariana Islands, Palau, and Ponape was publically held, while in Yap, Truk and the Marshalls there were only minor public holdings.

In 1974 the U.S. Secretary of the Interior issued an order providing for the transfer of public lands to local control. Under the terms of the Covenant between the Northern Mariana Islands and the United States, public lands in that district were transferred to the Government of the Northern Marianas in 1978, with the United States, however, retaining the right to use for defense purposes approximately 7,203 hectares on Tinian, 72 hectares on Saipan, and all the 83 hectares on Farallón de Medinilla. 128/

Free compulsory public education is provided for students from 6 to 14 years of age. In 1978, there were 228 public schools and 20 private schools in the Territory, with an enrollment of 31,257 students, representing almost 100 per cent of the school age population. According to one authority, the educational system, based on the American model has resulted in problems of personal identity for many graduates vis-à-vis their traditional culture as well as a growing frustration amongst many students, who, upon completion of their schooling are unable to find jobs commensurate with their skills. 129/ Recently, the job market has failed to keep pace with the number of high school graduates with the level of unemployment being around 20 to 25 per cent in the overpopulated district centres. As noted in an article in The Washington Post, many of the newly educated Micronesians are "turning to alcohol, crime and suicide," with the latter being "now the leading cause of death among young men". 130/

---

127/ 1977 Annual Report of the administering Power.

128/ Covenant, supra, Article VIII. Tinian has a total land area of approximately 101.4 square kilometres; Saipan, 119.6 square kilometres.

129/ Francis X. Hezel, S.J. of Truk, In Search of a Home: Colonial Education in Micronesia, a pastoral letter provided by Father Hezel.

130/ The Washington Post, 22 April 1979.

In 1976, the United Nations Visiting Mission to the Territory reported that although English was the language used in secondary schools, programmes in local language were being introduced, as had been done at the elementary level since 1972.

While there are three colleges in the Territory, the Northern Mariana Islands Community College, the College of Micronesia in Ponape, and the Micronesian Occupational College, most students go abroad to pursue a university level education. In 1978, over 3,000 students were attending institutions of higher learning outside of the Trust Territory, primarily in the United States, largely under a programme of loans and grants established by the administering Power. Unfortunately this policy appears to have led to a "brain drain" in the Territory. As of 1976 United Nations visiting Mission noted, "too many graduates (studying abroad) tend to seek work outside the Territory". Expenditure for education totalled US \$12.7 million in 1976/77.

Total expenditures on public health for the same fiscal year amounted to US \$ 8.2 million, excluding the Northern Mariana Islands. According to the report of the administering Power there were seven main hospitals in the Territory and two subdistrict hospitals, one at Rota and the other at Ebeye. In 1977 there were 52 physicians, 24 dentists, and 587 nurses providing health care throughout the islands. Most of these were employed by the Department of Health Services which has the responsibility for planning, organizing, and administering all Micronesian medical and health programmes. 131/

In 1978, the Trusteeship Council noted with satisfaction that the immunization level in the Territory was now equal to that of many developed countries and that progress had been made in strengthening the health and hospital infrastructure of the Trust Territory.

---

131/ 1977 Annual Report of the administering Power.

## VI. ACTION BY THE UNITED NATIONS

### A. Action by the Security Council and Consideration by the Trusteeship Council

The Trust Territory of the Pacific Islands was one of the eleven territories placed under the international trusteeship system established by the Charter of the United Nations. <sup>132/</sup> Under the terms of the Trust Agreement between the United States and the United Nations Security Council entered into in 1947 the whole of the Territory was designated a strategic area pursuant to articles 82 and 83 of the Charter. Article 82 provides that "there may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory". Under article 83 "all functions of the United Nations relating to strategic areas, including the approval of the terms of the Trusteeship Agreement and of their alteration or amendment shall be exercised by the Security Council" whereas in the case of non-strategic trusts their functions are carried out by the General Assembly. <sup>133/</sup> The Security Council, in turn, "shall subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social and educational matters in the strategic areas". <sup>134/</sup> The Trust Territory of the Pacific Islands, which was the only territory designated as a strategic area, is today the sole remaining territory still held under trust.

Under Article 86 of the Charter, which provides for the composition of the Trusteeship Council, the Council was to be based on the principle of parity between members administering trust territories and non-administering members. Article 86 established that the Council should consist of the following members: those administering trust territories (Article 86, 1a), the permanent members of the Security Council which were not administering Powers (Article 86, 1b) and as many members of the General Assembly as were necessary to maintain parity (Article 86, 1c). Since 1968, upon Nauru's independence, parity became impossible to achieve since only two administering Powers remained - Australia and the United States. As a result, the Trusteeship Council and the General Assembly, after hearing an opinion from the Legal Counsel, decided that members from the General Assembly would no longer be elected to serve on the

---

<sup>132/</sup> Following are the Territories, other than Micronesia, placed under the United Nations Trusteeship System between 1946 and 1950, with the date of termination of the trusteeship in brackets: Cameroons under British administration (1961), Cameroons under French administration (1960), Nauru (1968), New Guinea (1975), Ruandi-Urundi (1962), Somaliland under Italian administration (1960), Tanganyika (1961), Togoland under British administration (1957), Togoland under French administration (1960), and Western Samoa (1962). All the trust territories became independent either on their own or in union with a neighboring state, except for Ruanda-Urundi which became Rwanda and Burundi, two separate independent states.

<sup>133/</sup> Article 85.

<sup>134/</sup> Article 83(c). For the full text of the relevant Charter articles see Appendix A infra.

Council under Article 86 (1c). 135/ Since 1975, following the termination of the Trusteeship Agreement over New Guinea, the Trusteeship Council has been composed of the five permanent members of the Security Council, one of them-- the United States - being at the same time a member by virtue of Article 86 (1a). The other four are members pursuant to Article 86 (1b). China, however, has not participated in the Council's meetings since 1971 upon the restoration of the lawful rights of the People's Republic of China.

---

135/ On 22 November 1967 the Trusteeship Council requested the Secretary-General to submit a legal study on the future composition of the Council following the independence of Nauru, a Trust Territory administered by Australia on behalf of itself, New Zealand and the United Kingdom (See Trusteeship Council Records: T/PV.1323). The Council's request was made at the behest of Liberia which was serving as Council President in the light of the fact that the parity on the Council between administering and non-administering members provided for under Article 86 of the United Nations Charter would disappear after Nauru's independence since New Zealand would cease to be an administering Power and thus cease to be a member of the Council while the status of the United Kingdom in the Trusteeship Council would change from that of an administering to a non-administering Power under sub-paragraph 1b of Article 86. As a result, the Trusteeship Council's membership would consist of two administering members (Australia and the United States) and five non-administering members, including four members - China, France, U.S.S.R, United Kingdom - under Article 86 (1b), i.e. by virtue of their being permanent members of the Security Council, and one, Liberia, elected under Article 86 (1c). The Secretary-General, in an opinion submitted to the Trusteeship Council on 23 November 1967, (T/1674) noted that the "vital objective" of the Trusteeship Council in regard to the paramount interests and well-being of the inhabitants of Trust Territories "may be equally well achieved with administering members forming a permanent minority in the Council" and that the Council had functioned in the past with a non-administering majority on several occasions. He concluded by expressing the view that on Nauru's attaining independence on 21 January 1968, the Council membership as then constituted might continue until the normal expiration of the three-year term of Liberia, and that thereafter it might be composed of members administering Trust Territories and the permanent members of the Security Council which were not administering such territories "until all Trusteeship Agreements have been terminated or, in the case of an amendment of the Charter, until the amendment comes into force". On 23 November 1967, the Trusteeship Council took note of the Secretary-General's legal study (See T/1676) and on 19 December 1967 the General Assembly also decided to take note of this opinion (See Official Records of the General Assembly, Twenty-second Session, Vol. III, Plenary, 1627-1673, 1641 meetings). On 31 December 1968, Liberia retired as a member of the Council, its three-year term having expired.

On 7 March 1949, in accordance with Article 83 of the Charter, the Security Council adopted a resolution delegating its responsibility for the supervision of the Trust Territory of the Pacific Islands, except for security matters, to the Trusteeship Council with the request that the latter, inter alia, "submit to the Security Council its reports and recommendations on political, economic, social and educational matters affecting strategic areas under trusteeship". 136/ On 24 March 1949, the Trusteeship Council decided to undertake these responsibilities 137/ with the result that since 1949 the question of the Trust Territory of the Pacific Islands has been considered by the Trusteeship Council, with annual reports being submitted to the Security Council. 138/ As of March 1980, the Security Council had not held any sessions to discuss these reports.

---

136/ Security Council Resolution 70 (1949).

137/ Trusteeship Council Resolution 46 (IV) (24 March 1949)

138/ Up until 1976, the Trusteeship Council included information on the Trust Territory of the Pacific Islands in its annual reports on the Trust Territories submitted to the General Assembly pursuant to Rule 99 of the Rules of Procedure of the Trusteeship Council. Following the independence of Papua New Guinea in September 1975 which left Micronesia as the sole remaining Trust Territory, the Trusteeship Council at its forty-third session adopted a proposal sponsored by the United States to discontinue the practice of sending reports on Micronesia to the General Assembly. During the course of the discussion on this proposal, the representative of the United States argued that, as Article 83 of the United Nations Charter vests all functions relating to strategic areas in the Security Council, the Trusteeship Council was not authorized to send reports on strategic trust territories to the General Assembly. In rebuttal, the representative of the Soviet Union, asking why the representative of the United States had not objected to the inclusion of those matters in the Trusteeship Council's report on previous occasions, pointed out that there was "no logic" in the U.S. position. In the Council's vote, the U.S. proposal was adopted by 3 votes to 1 (USSR), with no abstentions. As a result, since 1976, reports have not been furnished by the Trusteeship Council to the General Assembly on the Trust Territory of the Pacific Islands. See Official Records of the Trusteeship Council, Forty-third Session (T/PV.1450-1459 and Corrigendum) 21 September 1976.

From 1951 through 1959, the Trusteeship Council, pursuant to Article 87(c) of the United Nations Charter, which provides for periodic visits by the Trusteeship Council to the respective trust territories, developed the practice of including in a single visiting mission all four Trust Territories in the Pacific - New Guinea, Western Samoa, Nauru, and the Trust Territory of the Pacific Islands. 139/ In 1960, the Council decided to send a separate regular visiting mission to Micronesia at the usual three year intervals in order to permit a closer study of developments in the Territory. 140/ In 1961, the first such Mission visited the Trust Territory and issued a critical report which, as indicated above, had an important impact on the administering Power's administration of the islands. 141/ The report noted, inter alia, that economic development was inadequate, resulting in "considerable dissatisfaction and discontent" amongst the people; that transportation and communications systems were poor; education programmes weak; and medical care insufficient. It also noted the administering Power's failure to settle war damages claims and the inadequate compensation provided for land taken for military purposes. The Mission expressed its concern for the political consequences arising from the division of the administration of the Territory between the U.S. Navy and the U.S. Department of the Interior, which it noted, encouraged separatist tendencies in the Territory and called on the administering Power "to take the heat off" any move towards territorial fragmentation. 142/

From 1961 until 1964, in a series of conclusions and recommendations, the Trusteeship Council recognized the need for the early establishment of a territorial legislature and its value in stimulating a sense of unity in the Territory and considered that the process of transforming the Inter-District Advisory Committee into a legislature composed of representatives of all seven districts elected by universal adult suffrage should be greatly accelerated.

In 1964, another Visiting Mission to the Trust Territory issued a report 143/ which, while critical again of the Territory's economic, social and educational development, focused primarily on the questions of political advancement and future status. In its report, the Mission urged the creation of a strong territorial legislature and an executive controlled and staffed by Micronesians. It noted that, while the administering Power did not have precise ideas

---

139/ Repertory of Practice of United Nations Organs, Vol. IV, Articles 73-91 of the Charter (1955), p. 365.

140/ Trusteeship Council Resolution 2017 (XXVI).

141/ McHenry, supra, pp. 13 - 14.

142/ For the composition of the 1961 Visiting Mission see supra footnote 45.

143/ Official Records of the Trusteeship Council, Thirty-First Session, Supplement No. 2. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1964 (T/1628). The Mission was composed of representatives from China, Liberia, New Zealand, and the United Kingdom. The Mission visited the Territory from 11 February - 11 March 1964.

regarding the Territory's future status it had assured the Mission that it did not "contemplate integration or having Micronesia come under American Sovereignty."

Since 1965, the Trusteeship Council has repeatedly reaffirmed the right of the people of the Trust Territory of the Pacific Islands to self-determination, including the right to independence. It has also expressed frequent concern at the slow pace of economic and social development in the Territory, and called on the United States to accelerate progress in those fields.

In 1965, following the creation of the Congress of Micronesia, the Trusteeship Council expressed its satisfaction with the establishment of the national legislature and the hope that the Congress would direct its attention to all the possibilities regarding the future status of the Territory. In 1968, the last year in which members elected by the General Assembly were represented in the Trusteeship Council, the Council welcomed the creation of the Status Commission of the Congress of Micronesia. Since the beginning of status negotiations in 1969 the Trusteeship Council has repeatedly expressed its concern with the slow progress of the talks. In 1973, a Visiting Mission to the islands issued a report reminding the administering Power, which had refused to discuss independence as a possibility except under prior conditions, that "it is implicit in the Charter and in the Trusteeship System that the goal is eventual independence unless agreement is reached on some other status acceptable to the people of the Territories concerned through an act of self-determination". 144/

The Trusteeship Council has repeatedly shown its concern with the question of the unity of the Trust Territory. In this regard, it noted for the first time in 1972 that separate talks between the Northern Marianas and the administering Power would probably lead to a separate political status for that district.

In 1973 the Council expressed its regret "that the situation should have developed to a point where the Mariana Islands District might have a different political status from the rest of the Territory," but hoped that if secession could not be avoided, the Northern Marianas would maintain close political, economic and cultural links with the rest of Micronesia so as to leave open the possibility of future reunification.

In 1974, the Trusteeship Council expressed its "genuine concern" that the Marshall Islands had expressed the intention of initiating separate status negotiations with the administering Power; and, in 1975, regretted that it had not been possible to hold simultaneous consultations in the Mariana Islands District and in the other districts of Micronesia.

---

144/ Official Records of the Trusteeship Council, Fortieth Session, Supplement No. 2. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1973 (T/1748). The Mission was composed of representatives from Australia, France, the Soviet Union and the United Kingdom, this being the only Visiting Mission which included a member from the Soviet Union. The Mission visited the Territory from 2 February - 7 March 1973.

In June 1975, the Trusteeship Council agreed to send a visiting mission to observe the plebiscite in the Northern Mariana Islands District. 145/ The Council's decision was reached despite opposition by the Soviet representative on the grounds that the Soviet delegation objected to any action aimed at separating the Mariana Islands from the rest of the Trust Territory and their subsequent inclusion into the United States. 146/ In 1976, the Trusteeship Council, again with Soviet disapproval, took note of the report of the Visiting Mission which concluded that the plebiscite in the Northern Marianas District had been "freely and properly conducted" and that the people of the Northern Mariana Islands had "in the free exercise of their right of self-determination" approved the Covenant to establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States. 147/ At the same time, however, the Council recalling its earlier concern about separatist tendencies in the Palau and Marshall Islands districts, affirmed its conviction that the political unity of the Carolines and the Marshalls should be maintained.

Since 1976, the Trusteeship Council has not made concrete recommendations on the future political status of the Territory. Instead, it has reiterated its view that, amongst all the options open to the inhabitants, including independence, the status of free association, if endorsed by the population, would not be inconsistent with the aims of the Trusteeship Agreement. According to the report of a 1976 United Nations Mission to the Territory, the Micronesian people expressed "a general but regretful feeling that the Territory was still too dependent on United States aid to be able to consider loosening its ties with the administering Authority."

In 1977, the Trusteeship Council noted the expressed desire of Palau and the Marshall Islands districts for separate political status negotiations with the United States and, in 1978, while reiterating the conviction that the political unity of the Caroline and Marshall Islands should, if possible, be maintained, recognized that it was ultimately for the Micronesians themselves to decide upon their future political relations with each other.

In July 1978 the referendum on the proposed constitution of the Federated States of Micronesia was observed by a Mission of the Trusteeship Council. 148/ Following the rejection of the constitution by the Marshall Islands and Palau,

---

145/ Trusteeship Council Resolution 2160 (XLII). The vote was four in favour and one opposed. Also Official Records of the Trusteeship Council, Forty-third Session, Supplement No. 2. Report of the United Nations Visiting Mission to Observe the Plebiscite in the Mariana Islands District, Trust Territory of the Pacific Islands, June 1975 (T/1771). The Mission was composed of representatives from Australia, France and the United Kingdom. The Mission visited the Territory from 12 June - 21 June 1975.

146/ T/PV.1443.

147/ Resolution 2163(XLIII).- See also T/PV.1459.

148/ Official Records of the Trusteeship Council, Forty-sixth Session, Supplement No. 2. Report of the United Nations Visiting Mission to Observe the Referendum in the Trust Territory of the Pacific Islands, 1978 (T/1795). The Mission was composed of representatives from France and the United Kingdom. The Mission visited the Territory from 28 June - 27 July 1978.



the Trusteeship Council sent visiting missions in March and July 1979 to observe the new constitutional referenda in those districts. 149/ The Soviet Union, reiterating its position in favour of maintaining the unity of the Territory, opposed the dispatch of the Missions to observe the referenda in the Marshall Islands and Palau, but abstained on the sending of a mission to the Federated States of Micronesia on the grounds that the Congress of Micronesia had not opposed the presence of members of the Trusteeship Council. 150/

In a letter addressed in February 1980 to the Secretary-General the Soviet Union drew attention to what it called the unilateral steps taken by the administering Power to dismember the Trust Territory and turn it "into a colonial appendage" bypassing the Security Council in violation of the provisions of article 83 of the Charter. 151/

B. Question of the termination of the Trusteeship Agreement

A question which has been discussed on several occasions in the Trusteeship Council in recent years has been the procedures to be followed for the termination of the Trusteeship Agreement. The Charter is silent on this issue both as regards strategic and non-strategic Trust agreements, 152/ though as regards the latter the consistent practice has been for the General Assembly to adopt a resolution resolving "with the agreement of the Administering Authority" that on the date of independence the Trusteeship Agreement with regard to the particular territory shall cease to be in force.

The Trusteeship Agreement for the Trust Territory of the Pacific Islands simply states in article 15 that "the terms of the present agreement shall not be altered, amended or terminated without the consent of the administering authority". In 1947 during the course of the discussion in the Security Council on the draft Trusteeship Agreement the representative of the Soviet Union sought unsuccessfully to amend that article so that the Council could terminate the agreement on its own decision, without the approval of the administering Power, arguing that the article as originally drafted did not give full recognition to the rights and powers of the Security Council. In opposing the Soviet amendment the representative of the United States declared that:

---

149/ Official Records of the Trusteeship Council, Forty-sixth Session, Supplement No. 3 and Forty-seventh Session, Supplement No. 1. The Missions were composed of representatives from France and the United Kingdom. The Missions visited the Marshall Islands from 25 February - 7 March 1979 and Palau from 3 to 12 July 1979. The International League for Human Rights, an NGO which has frequently taken an interest in conditions of the Trust Territory, in a petition before the Trusteeship Council in 1978, noted that in each previous instance in which a political status of less than total independence was being considered (e.g., political union with another State), the United Nations had always supervised rather than observed plebiscites involving Trust Territories (T/PV.1472).

150/ Official Records of the Security Council, Thirty-third year, Special Supplement No. 1 (S/12971) Paras. 34 and 35.

151/ A/35/113 and S/13817.

152/ Articles 83(1) and 85 state that all functions of the United Nations including the approval of the terms of the agreements and of their alteration or amendment, shall be exercised by the Security Council or by the General Assembly.

The United States wishes to record its view that the draft trusteeship agreement is in the nature of a bilateral contract between the United States, on the one hand, and the Security Council on the other. The Agreement confines itself to provisions for the powers, duties and responsibilities of the Administering Authority...and does not attempt to define the responsibilities of the Security Council in this respect; they are in the Charter; and no amendment or termination can take place without the approval of the Security Council. 153/

A distinguished legal scholar has cited the 1950 Advisory Opinion of the International Court of Justice in the South-West Africa case 154/ in support of the contention that Security Council approval is required for the termination of the Trusteeship Agreement. On that occasion the International Court unanimously rejected the view that South Africa could unilaterally terminate the League of Nations mandate over South-West Africa. In his view "there appear to be no textual differences in the relevant documents that permit the South-West Africa case to be distinguished in the present instance". 155/ This view is in agreement with the conclusion expressed in the Carnegie study that "the United States has a legal duty to obtain Security Council approval for termination of the Trusteeship Agreement". 156/

---

153/ Official Records of the Security Council, Second Year, No. 23,  
116th meeting, 7 March 1947 at p. 476.

154/ International Status of South-West Africa, Advisory Opinion, 1950;  
International Court of Justice Reports (1950) p. 141 - 143.

155/ Roger Clark: "Self-Determination and Free Association.- Developments  
in the Trust Territory of the Pacific Islands" 21 Harvard International Law  
Journal (1980).

156/ McHenry, supra, p. 49.

These views appear to coincide also with the statements made on recent occasions by representatives of the United States in the Trusteeship Council that it was the intention of the United States to "seek termination of the Trust Agreement from the Security Council". 157/

C. Consideration by the Special Committee on Decolonization

In 1962, the Trust Territory of the Pacific Islands was placed on the list of Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples applied; 158/ and, as such, it has been considered by the Special Committee responsible for monitoring the implementation of the Declaration. 159/ Beginning in 1964, the Special Committee has reported annually to the General Assembly on the Trust Territory; but, as of 1979, the General Assembly had not yet held any formal discussion nor adopted any resolution with specific reference to the Territory.

From 1964 up until 1971, when the United States withdrew from the Special Committee, 160/ the administering Power, although maintaining that the Committee lacked jurisdiction to consider the question of the Trust Territory of the Pacific Islands in view of Article 83 of the United Nations Charter regarding strategic trust territories, participated in the Special Committee's consideration of Micronesia, taking part in the discussions and supplying information on the Territory. 161/ Since its withdrawal, however, the administering Power has declined to participate in the Special Committee's examination of the situation in the Trust

---

157/ Statement made by the United States representative at the forty-second session of the Trusteeship Council held in May/June 1975. (T/PV.1439). See also statement at the forty-fifth session in May/June 1978 when the United States representative was reported to have reaffirmed that "it was the intention of the United States to take up the matter of termination with the Trusteeship Council and the Security Council at the appropriate time". (Official Records of the Security Council, Thirty-third Year, Special Supplement No. 1 (S/12971), para. 475).

158/ General Assembly Resolution 66 (I). See Decolonization Vol. II, No. 6 of December 1975, Table III.

159/ Its full title is: Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

160/ A/8277. In 1971, the Secretary-General expressed his regret on the simultaneous withdrawal of the United States and the United Kingdom from the Committee, noting that these two members had served on the Special Committee since its inception and together were responsible for the administration of the majority of the remaining dependent territories. See Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), p. 13.

161/ Ibid., p. 162.

Territory, citing its position that under the Charter all United Nations functions relating to strategic Trust Territories are exercised by the Security Council and do not come within the jurisdiction of the Special Committee, a subordinate body of the General Assembly. 162/ Beginning in 1971, the Special Committee has consistently urged the administering Power to reconsider its position and to co-operate with the Committee by supplying it with the information necessary to assist it in formulating its conclusions and recommendations.

From 1964 until 1979, the Special Committee, in a series of conclusions and recommendations, has repeatedly reaffirmed the right of the people of the Trust Territory of the Pacific Islands to self-determination and independence and reiterated the view that factors of size, geographic location, and limited natural resources should in no way delay the implementation of the Declaration on Decolonization to the Territory.

The Special Committee has also consistently called upon the administering Power to preserve the unity of the Territory until the people of the Trust Territory exercise their right to self-determination in accordance with the Declaration on Decolonization. It has repeatedly regretted the lack of significant economic development in the Trust Territory and has urged the administering Power to promote the development of the kinds of production that can meet the population's needs, particularly regarding food, and to discourage purchases of similar products from abroad. In 1979, the Special Committee urged the administering Power in co-operation with the Trust Territory, to continue to take effective measures to safeguard and guarantee the right of the people of Micronesia to their natural resources and to establish and maintain control of their future development.

The Special Committee has also urged the administering Power on various occasions to allow a special mission of the Committee to visit the Territory in order to obtain first-hand experience of conditions in the Trust Territory and acquaintance with the views of the people. Up to the end of 1979, the United States, arguing the Committee's lack of jurisdiction and the fact that visiting missions of the Trusteeship Council regularly visit the Territory, had refused to allow a mission of the Special Committee to visit Micronesia. 163/

---

162/ United States Participation in the United Nations. Report by the President to the Congress for the year 1976, p. 307. As of 1980, the United States, in its capacity as administering Power, continued to provide information to and take part in the consideration by the Special Committee of the United States dependent territories of Guam, United States Virgin Islands and American Samoa.

163/ See statement made in 1964 in the Special Committee by the representative of the United States. Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 8 (Part I), (A/5800/Rev.1), Chapter XVIII, para. 42.

TABLE I

## FACTS AND FIGURES ON THE TERRITORY

	Area	Population	Exports*	Imports**	Constitutional Status	Future Political Status	
A.	<u>The Trust Territory of the Pacific Islands</u>	1305.1 sq. km.	115,407	US\$16,506	US\$53,816,671	Three entities of the Territory - the Northern Marianas, the Federated States of Micronesia, and the Marshalls - have adopted what is expected to be their final constitution. As of January 1980, the fourth entity Palau had not yet adopted a constitution.	The U.S. has set 1981 as the target date for terminating the Trusteeship Agreement. Until that time, however, the terms of the Trusteeship are applicable to the Territory as a whole. As of January 1980, the Northern Marianas and the Marshalls had defined their future relationship with the U.S., while the Federated States and Palau had not yet finalized their future status.
B.	<u>Territorial Entities</u>						
1.	<u>The Northern Marianas</u>	118 sq. km.	16,264	US\$4,398,000	US\$19,488,000	The Constitution of the Northern Mariana Islands, providing for a republican form of government with separate executive, legislative, and judicial branches was approved in a referendum on 6 March 1977 without UN observation.	<u>Commonwealth</u> : the "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America" was opposed in a plebiscite under UN observation on 17 June 1975. Certain sections of the Covenant are in force pursuant to a U.S. Presidential Proclamation. The remaining sections will come into force on the termination of the Trusteeship Agreement.

TABLE I

FACTS AND FIGURES ON THE TERRITORY

(continued)

2. The Federated States of Micronesia (in the Carolines)

724.6 sq. km. 69,360 US\$2,041,000 US\$15,572,786

The Constitution of the Federated States of Micronesia, which provide for a federal system of government, was approved in a referendum under UN observation on 12 July 1978.

Free Association: Negotiations are in progress between the U.S. and the Federated States of Micronesia on a prospective future relationship of free association.

3. The Marshall Islands

156.8 sq. km. 16,264 US\$1,321,000 US\$9,645,025

The Constitution of the Marshall Islands providing for a modified parliamentary form of government was approved on 1 March 1979 in a referendum under UN observation.

Free Association: On 14 January 1980, an agreement was reached between the U.S. and Marshall Islands on a Compact of Free Association. This Compact must be approved by the people of the District in a plebiscite and the U.S. Congress and President before it can come into effect.

4. Palau (in the Carolines)

305.7 sq. km. 13,519 US\$8,746,000 US\$9,118,865

As of 1980, the Palau did not yet have a constitution.

Free Association: Negotiations are in progress between the U.S. and Palau on a prospective future relationship of free association.

\*As of 1977

\*\*As of 1977 except for the figures for the Northern Marianas which are those reported as of 1978.

TABLE II  
MEMBERSHIP OF THE TRUSTEESHIP COUNCIL SINCE 1946

	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979			
Argentina					X	X																															
Australia	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Belgium	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X																				
Bolivia															X	X	X																				
Burma											X	X	X	X	X	X																					
China*	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Costa Rica		X	X	X																																	
Dominican Republic					X	X	X	X																													
El Salvador							X	X	X	X																											
France	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Guatemala											X	X	X																								
Haiti									X	X	X	X	X	X																							
India									X	X	X	X	X	X	X	X	X																				
Iraq	X	X	X	X	X	X	X																														
Italy										X	X	X	X	X	X																						
Liberia																		X	X	X	X	X	X														
Mexico	X	X	X	X																																	
New Zealand	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Paraguay														X	X	X																					
Philippines		X	X	X	X																																
Syria								X	X	X	X																										
Thailand						X	X	X																													
Union of Soviet Socialist Republics	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
United Kingdom	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
United States	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
United Arab Republic													X	X	X	X																					

\* China has not participated in the meetings of the Trusteeship Council since 1971 upon the restoration of the lawful rights of the People's Republic of China.

APPENDIX A

ARTICLE 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

ARTICLE 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

ARTICLE 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.