

ARTICLE 76

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ARTICLE 76

TEXT OF 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.

INTRODUCTORY NOTE

1. During the period under review, as in preceding years, the attention of the Trusteeship Council and the General Assembly continued to be focused on the basic objectives of the International Trusteeship System set forth in Article 76*b* and General Assembly resolutions 1413(XIV) and 1514(XV), and primarily on the attainment by the Trust Territories of the ultimate objective referred to therein, namely, self-government or independence.

2. It was in pursuit of that objective that the Trusteeship Council and the General Assembly continued to

take important decisions, both in a general sense and in relation to the remaining two non-strategic Trust Territories, Nauru and New Guinea, and the single strategic Trust Territory, the Pacific Islands.

3. The Trust Territory of Nauru attained independence on 31 January 1968.

4. The basic outline established in the *Repertory* has again been followed in this *Supplement*, and hence, the material has been assembled according to the four subparagraphs of Article 76.

I. GENERAL SURVEY

5. During the period under review, there were no decisions taken by United Nations organs with specific reference to Trust Territories relating to the objective defined in Article 76*a*. However, the question of the effect of the military bases and arrangements in the Trust Territories on international peace and security and on the progress of such Territories was raised.¹

6. As regards Article 76*b*, it may be recalled that the right of self-determination of all peoples, set forth in Article 1, paragraph 2, of the Charter of the United Nations, was reaffirmed in General Assembly resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Declaration was proclaimed to be applicable to "Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence."

7. Further, the General Assembly, by resolution 1654 (XVI) of 27 November 1961, established a Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence

to Colonial Countries and Peoples to examine the application of the Declaration and to make suggestions and recommendations on the progress and extent of its implementation. Since the Declaration was made applicable to all Trust Territories, the General Assembly, in the same resolution, requested the Trusteeship Council to assist the Special Committee in its work.²

8. During the period under review, the Trusteeship Council continued to exercise the substantive aspects of the functions of the United Nations specified in Article 87 of the Charter with respect to the Trust Territories of Nauru, New Guinea and the Pacific Islands and submitted its reports with conclusions and recommendations to the General Assembly with respect to the Trust Territories of Nauru and New Guinea, and to the Security Council with respect to the strategic Trust Territory of the Pacific Islands. One of the questions which arose in the Trusteeship Council related to the implementation of the Declaration and other relevant Assembly resolutions by the Administering Authorities. This was raised, in particular, in connexion with the fixing of a target for the independence of the Territories.

¹See G A resolutions 2105(XX), 2189(XXI), 2326(XXII), 2465 (XXIII) and 2548(XXIV).

²For full details, see this *Supplement* under Article 73.

9. The exercise by the Trusteeship Council of the procedural functions of the United Nations, under the authority of the General Assembly, with respect to the Trust Territories of Nauru and New Guinea, is dealt with under Article 87, and by it on behalf of the Security Council with respect to the strategic Trust Territory of the Pacific Islands, under Article 83 in this *Supplement*.

10. With regard to Article 76c, the General Assembly continued to recommend to the Administering Authorities to promote respect for human rights and fundamen-

tal freedoms for all without distinction as to race, sex, language or religion. These recommendations related more specifically to such questions as the elimination of discrimination based on race, the improvement of the status of women, the elimination of inequality in working conditions and wage rates, and the establishment of integrated schools.

11. During the period under review, there was no material requiring treatment under Article 76d.

II. ANALYTICAL SUMMARY OF PRACTICE

A. Article 76a

1. QUESTION OF MILITARY BASES AND ARRANGEMENTS IN TRUST TERRITORIES IMPEDING EARLY ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE

12. During the period under review, there were no decisions by United Nations organs relating to the furtherance of international peace and security with specific reference to Trust Territories. However, as reported previously,³ the General Assembly, since its twentieth session, has been concerned with the effect on international peace and security of military bases and arrangements established by the administering Powers in Trust and Non-Self-Governing Territories because their existence impedes the progress of these Territories to self-government or independence. Thus, the General Assembly, by resolutions 2105(XX), 2189(XXI), 2326(XXII), 2465(XXIII) and 2548(XXIV) on the implementation of the Declaration, which applies equally to Trust Territories, requested all colonial Powers to dismantle their military bases and establishments in colonial Territories and to refrain from establishing new ones and from using those that still existed to interfere with the liberation of the peoples in colonial Territories in the exercise of their legitimate right to freedom and independence.

13. During the period under review, the question of military bases and arrangements in the Trust Territories of New Guinea and the Pacific Islands was repeatedly raised in the Trusteeship Council and the General Assembly.

a. New Guinea

14. During the general debate in the Fourth Committee of the General Assembly at its twenty-first session, several representatives raised the question of military arrangements in Papua and New Guinea.⁴ They noted, *inter alia*, that the Administering Authority (Australia) was endeavouring to remain in Papua and New Guinea because of military considerations, that it was building military and air bases in the Territories with a view to using them for attacks on Viet Nam, that it was planning to draft indigenous people for military service in Viet Nam, and that it was, therefore, imperative for the Administering Authority to comply with General Assembly resolution 2105(XX).

15. It was pointed out⁵ that the existence of military bases was a barrier to self-determination and demo-

cratic processes and excluded the possibility of sound economic development and the establishment of a healthy social climate.

16. Another view was that while the Administering Authority was entitled under the Trusteeship Agreement to install military bases for the purpose of defence, it was essential that those bases should not be used for military activities incompatible with the Charter.⁶ Subsequently, a draft resolution⁷ was introduced, under operative paragraph 5 of which the General Assembly would call upon the Administering Power to refrain from utilizing the Territories for military activities incompatible with the Charter. Although, following an exchange of views, the sponsors of the draft resolution decided to withdraw operative paragraph 5,⁸ a similar paragraph was introduced as an amendment⁹ to the revised draft resolution.¹⁰

17. The representative of the Administering Authority stated¹¹ that the Australian Government had not the least intention of using the people of New Guinea for military purposes contrary to the Charter, but there were, however, military installations in New Guinea, which the Australian Government might have to use. He, therefore, opposed the amendment.

18. Following the discussions, the amendment was approved¹² by the Fourth Committee by a roll-call vote of 48 to 15, with 22 abstentions. Thereupon, the draft resolution as a whole, as amended, was approved¹³ by the Committee by 61 votes to 6, with 17 abstentions.

19. In the course of the debate in the General Assembly, the representative of the Administering Authority stated¹⁴ that the Administering Power was not utilizing the Territories for military activities incompatible with the Charter, and the defence preparations which were being made in the Territories were to protect the rights of the people there to determine their future in their own way and in their own time in accordance with their own wishes, and to do so free from fear from within and free from coercion and pressure from without, and that the Administering Power would be failing its duty if it did not make those defence preparations, the purpose of which was freely understood and accepted by the peoples of the Territories.

Decision

20. At the 1500th plenary meeting, on 20 December 1966, the draft resolution recommended by the Fourth

³See *Repertory Supplement No. 3*, vol. III, under Article 73, paras. 569-576.

⁴G A (XXI), 4th Com., 1663rd mtg.: USSR, paras. 24 and 25; 1670th mtg.: United Arab Republic, para. 15; United Republic of Tanzania, paras. 28 and 29; USSR, para. 55.

⁵*Ibid.*, 4th Com., 1676th mtg.: Guinea, para. 44.

⁶*Ibid.*, 1672nd mtg.: Liberia, para. 20.

⁷G A (XXI), Annexes, a.i. 13, para. 10, A/C.4/L.860.

⁸G A (XXI), 4th Com., 1674th mtg.: Togo, para. 1.

⁹G A (XXI), 4th Com., 1674th mtg.: Togo, para. 1.

¹⁰*Ibid.*, paras. 12-16 and 17, A/C.4/L.860/Rev.1.

¹¹G A (XXI), 4th Com., 1676th mtg.: Australia, para. 47.

¹²*Ibid.*, para. 62.

¹³*Ibid.*, para. 63.

¹⁴G A (XXI), Plen., 1500th mtg.: Australia, para. 28.

Committee was adopted¹⁵ by the General Assembly by a vote of 81 to 8, with 24 abstentions, as resolution 2227 (XXI).

21. During the thirty-fourth and thirty-fifth sessions of the Trusteeship Council, one representative, observing that the Administering Authority had failed to comply with General Assembly resolution 2227(XXI), expressed¹⁶ concern that the Australian military bases in the Territories would be used to carry on the aggressive war in Viet Nam for the purpose of suppressing the national liberation movements of the peoples of South-East Asia. In his view, the military, naval and air bases in the Territories could be used against other countries and might involve the inhabitants of the Territories in a conflict against their will, or might be used to interfere in the internal affairs of States and thereby constitute a threat to international peace and security. He, therefore, considered that the bases in the Territories must be eliminated immediately and that all foreign troops must be withdrawn from the Territories.

22. The Administering Authority maintained¹⁷ that it was untrue that military activities in the Territories were connected with the war in Viet Nam. He asserted that those activities were carried out solely to protect the population of the Territories and were fully in conformity with the Administering Authority's rights under the Trusteeship Agreement. No decision was taken by the Council on this question at its thirty-fourth and thirty-fifth sessions.

23. At the thirty-sixth session of the Trusteeship Council, one representative again drew attention¹⁸ to the unsatisfactory situation of the indigenous peoples of the Trust Territory of New Guinea in the political, social, and economic fields, which was aggravated by the continuing militarization of the Trust Territory. It was argued that the involvement of the Territories of Papua and New Guinea in the military plans of Australia and its allies was fraught with grave consequences and ran directly counter to the Charter and to the interests of the indigenous people. Moreover the Administering Authority appeared determined to delay indefinitely the granting of independence to the people of Papua and New Guinea in order to carry out a virtual annexation of the Trust Territory and turn it into an economic appendage and military strong point for Australia. He, therefore, suggested that the Council should demand that Australia give effect to the decisions of the General Assembly, that military bases in the Trust Territory be dismantled and that military activities in them be stopped since they constituted an obstacle to the achievement by the people of the Territories of their right to self-determination.

24. In response, the representative of the Administering Authority stated¹⁹ that the defence activities in the Trust Territory were designed to develop local volunteer forces capable of contributing immediately to the defence of the Territory in accordance with Article 84 of the Charter and Articles 4 and 7 of the Trusteeship Agreement. He also pointed out that the defence establishments were paid for by the Australian Government, so that internal revenue raised in the Territory was not

utilized for the maintenance of those defence establishments.

25. In reply, it was stated²⁰ that the various military activities that were being carried out were not in the interest of the indigenous population, but were in the interest of the Administering Authority itself for the purpose of enabling it to discharge its own military obligations.

26. The representative of the Administering Authority expressed the view²¹ that, under the Charter and the Trusteeship Agreement, there was an obligation on the Administering Authority to make provision for the defence of the Trust Territory. Therefore, it was perfectly open to the House of Assembly of Papua-New Guinea, or to any elected body, or to any group of private persons in the Territory, to discuss the manner in which that obligation was discharged.

27. However, during the period under review, no further resolutions in this respect were adopted by the Trusteeship Council or by the General Assembly.

b. *The Pacific Islands*

28. The question of using the Pacific Islands for military purposes was raised²² in the Trusteeship Council, at its thirty-fifth session. The representative of the Administering Authority (United States of America) replied²³ that, under the Trusteeship Agreement with the Security Council, the Administering Authority was, in fact, entitled to undertake certain military construction in the Territory. While it was recognized that certain rights were conferred by the Trusteeship and other agreements, the point was made²⁴ that the Administering Authority was concentrating too much of its resources on military bases, instead of on using those resources for improving the welfare, health and education of the people of Micronesia.

29. At the thirty-sixth session of the Trusteeship Council, the issue raised concerned²⁵ the adverse effects of the United States bases on the islands and their culture, which in the long run could jeopardize the peace and security of the islands. Moreover, the establishment of bases at Palau would negate the goal for which Micronesia was constituted as a Trust Territory because this would aggravate the delicate existing balance of world peace.

30. In the view of one representative,²⁶ since the basic objectives set forth in Article 76 were equally applicable to strategic Trust Territories, the Administering Authority should implement the General Assembly resolutions which called for the liquidation of military bases in the colonial Territories, especially as military activities in the Trust Territories were one of the main obstacles to the enjoyment by the population of these Territories of their right to self-determination.

31. The Administering Authority recalled²⁷ that the Trust Territory of the Pacific Islands was a strategic Trust area under an agreement sanctioned by the Security Council and that his Government made no apology

¹⁵*Ibid.*, para. 34.

¹⁶T C (XXXIV), 1303rd mtg.: USSR, paras. 28, 32 and 33; T C (XXXV), 1337th mtg.: USSR, paras. 37 and 38.

¹⁷T C (XXXIV), 1303rd mtg.: Australia, para. 29; T C (XXXV), 1337th mtg.: Australia, para. 44.

¹⁸T C (XXXVI), 1346th mtg.: USSR, pp. 42-46.

¹⁹*Ibid.*, Australia, pp. 47-50.

²⁰*Ibid.*, USSR, p. 52.

²¹*Ibid.*, Australia, p. 52.

²²T C (XXXV), 1330th mtg.: USSR, para. 17.

²³*Ibid.*, United States, para. 44.

²⁴*Ibid.*, USSR, para. 50.

²⁵T C (XXXVI), 1350th mtg.: petitioner from the Trust Territory of the Pacific Islands, p. 11.

²⁶*Ibid.*, 1351st mtg.: USSR, p. 27.

²⁷*Ibid.*, 1352nd mtg.: United States, p. 3.

for maintaining in the Trust Territory military installations necessary for the maintenance of international peace and security, and for the protection of the Territory itself.

32. During the period under review, neither the Trusteeship Council, nor the Security Council, to which the Trusteeship Council submitted its reports on the Territory, adopted any resolution on the question of military activities and their effects.

B. Article 76b

1. QUESTION OF THE ATTAINMENT BY TRUST TERRITORIES OF SELF-GOVERNMENT OR INDEPENDENCE; APPLICATION TO TRUST TERRITORIES OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTION 1514(XV))

a. Introduction

33. As previously reported,²⁸ the achievement, within specified time limits, by the Trust Territories of the ultimate objective of the International Trusteeship System set forth in Article 76b, namely, self-government or independence, was of primary concern to the Trusteeship Council and the General Assembly from their early sessions.

34. United Nations concern for the right of self-determination of all peoples, set forth in Article 1, paragraph 2, of the Charter, was reaffirmed in the historic General Assembly resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Declaration was proclaimed to be applicable to "Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence."

35. By resolution 1654(XVI), of 27 November 1961, the General Assembly established the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to examine the application of the Declaration and to make suggestions and recommendations on the progress and extent of its implementation. Since the Declaration was made equally applicable to Trust Territories, the General Assembly, in the same resolution, requested the Trusteeship Council to assist the Special Committee in its work.²⁹

36. During the period under review, the Trusteeship Council, in pursuance of Article 87, and the Special Committee under its mandate contained in resolution 1654(XVI), continued to give attention to the question of attainment of self-government or independence and the situation in the Trust Territories with regard to the implementation of the Declaration.

37. On the recommendations of the Fourth Committee, based on the reports of the Trusteeship Council and the Special Committee, the General Assembly continued to adopt general resolutions on the implementation of the Declaration and specific resolutions on individual Trust Territories. During this period the General

Assembly adopted resolutions on the Trust Territories of Nauru and New Guinea, but took no action on the reports of the Special Committee with respect to the strategic Trust Territory of the Pacific Islands, since the Security Council exercised exclusive jurisdiction over the administration of the Territory under Article 83 of the Charter.

38. Significantly, the General Assembly resolutions on the implementation of the Declaration and on specific Trust Territories focused, *inter alia*, on setting a deadline for the attainment of independence by each Territory in accordance with the freely expressed wishes of the people concerned. By resolutions 2226(XXI) and 2227(XXI), the General Assembly again called upon the Administering Authority concerned to fix an early date for the independence of Nauru and New Guinea, respectively.

39. These two resolutions led to a discussion in the Trusteeship Council of the question of the method and timing of the implementation of the Declaration in the two Trust Territories and the fixing of target dates for their independence. These issues, together with General Assembly decisions affecting the political, economic, social and educational advancement in the concerned Territories, are analysed in the section below.

b. Administrative unions

40. As reported in *Supplement No. 3*,³⁰ following the termination of the Trusteeship Agreements for three of the Territories, the Standing Committee on Administrative Unions was dissolved. Although the Drafting Committee established by the Trusteeship Council each year to prepare draft recommendations and conclusions on New Guinea was asked to deal with the question of the administrative union with Papua, no further discussions arose on this question. The Administering Power reported each year that, in accordance with the Papua-New Guinea Act of 1949 and subsequent amendments thereto, Australia continued to maintain the status of New Guinea as a Trust Territory. At its thirty-third session, the Council took note of the assurances of the Administering Authority that Papua and the Trust Territory of New Guinea had been and continued to be administered as one country. The Council also recognized the importance of a close affinity between the two Territories if they were to reach self-government or independence as one entity.³¹

c. Political and constitutional advancement and the implementation of the Declaration and other General Assembly resolutions

41. During the period under review, the Trusteeship Council, the General Assembly and the Special Committee continued to give close attention to political and constitutional advancement in the remaining three Trust Territories of Nauru, New Guinea and the Pacific Islands with a view to facilitating self-government or independence.

42. In the Council the discussion of the implementation of the Declaration and other General Assembly resolutions centred on the issue as to whether the Administering Authority could fix a date for the attainment of self-government or independence or whether

²⁸See *Repertory*, vol. IV, under Article 76, paras. 106-108; *Repertory Supplement No. 1*, vol. II, under Article 76, paras. 37-54; *Repertory Supplement No. 2*, vol. III, under Article 76, para. 11; *Repertory Supplement No. 3*, vol. III, under Article 76, para. 20.

²⁹For full details, see this *Supplement* under Article 73.

³⁰See *Repertory Supplement No. 3*, vol. III, under Article 76, para. 25.

³¹See G A (XXII), Suppl. No. 4, para. 103.

the right of the inhabitants of the Territories to self-determination in regard to the future status of their Territory precluded such action.

(i) *Nauru*

43. The General Assembly, by resolution 2111(XX), requested the Administering Authority (Australia), *inter alia*, "to fix the earliest possible date, but not later than 31 January 1968, for the independence of the Nauruan people in accordance with their wishes", and to report to the Trusteeship Council, at its thirty-third session, on the implementation of the resolution.

44. At the thirty-third session of the Trusteeship Council, the Administering Authority did not submit a separate report to the Council on the implementation of General Assembly resolution 2111(XX), but indicated in general terms, in its annual report,³² that the people of Nauru were not yet ready for independence. In the course of the general debate, one representative pointed out³³ that the Australian representatives had previously said that independence should be granted in accordance with the wishes of the indigenous population; however, faced with the clearly expressed desire of Nauru to attain independence by 1968, Australia refused to recognize that date as a basis for fixing a precise time for the granting of independence.

45. Following the discussions, a draft resolution was proposed,³⁴ by operative paragraph 2 of which the General Assembly would recommend the Administering Authority to fix the earliest possible date, but not later than 31 January 1968, for the independence of the Nauruan people in accordance with their freely expressed wishes.

46. In opposing the draft resolution, the representative of the Administering Authority stated³⁵ that the future political progress of the Territory depended to a great extent on the degree of development and maturity attained by the existing political organs.

47. In support of this view it was stated³⁶ that the transfer of power to the indigenous inhabitants should be effected in accordance with the Administering Authority's judgment and in a gradual manner, in so far as the people showed themselves fit to manage their public affairs. Only the Administering Authorities were empowered to decide the pace and the form of the political evolution of the Territories they administered. The United Nations should limit itself to making comments and recommendations. It could in no case replace those Authorities, and state unilaterally when and how the indigenous peoples would accede to independence.

Decision

48. At the 1296th meeting, on 26 July 1966, the draft resolution was rejected³⁷ by the Council.

49. On examining the question of Nauru, the Special Committee, however, recommended³⁸ to the General Assembly that the Administering Authority should take concrete measures in conformity with the provisions of

resolution 1514(XV) to fulfil the desire of the people of Nauru to become independent by January 1968.

50. During the discussion of the question in the Fourth Committee, at the twenty-first session of the General Assembly, a draft resolution,³⁹ similar to one rejected by the Council at its thirty-third session, was proposed. The representative of the Administering Authority reiterated its opposition⁴⁰ on the grounds that the people of Nauru were not yet ready for independence.

51. In support of the draft resolution, it was pointed out⁴¹ that the position of the Administering Authority was contrary to paragraph 3 of the Declaration and that the attitude of certain members of the Council had made it difficult for it to carry out its functions in accordance with Article 85 of the Charter.

52. Following the discussion, the draft resolution was approved⁴² by the Fourth Committee by 58 votes to 3, with 17 abstentions.

Decision

53. At its 1500th plenary meeting, on 20 December 1966, the General Assembly adopted the draft resolution recommended by the Fourth Committee⁴³ by 85 votes to 2, with 27 abstentions, as resolution 2226 (XXI).

54. By resolution 2226(XXI), the General Assembly, noting that the people of Nauru through their elected representatives in the Legislative Council, which was established on 31 January 1966, had expressed the wish to achieve independence by 31 January 1968, reaffirmed the inalienable right of the people of Nauru to self-government and independence, and recommended that the Administering Authority should fix the earliest possible date, but not later than 31 January 1968, for the independence of the Nauruan people in accordance with their freely expressed wishes.

55. The question of fixing the date for the independence of Nauru was again raised at the thirty-fourth session of the Trusteeship Council⁴⁴ with the proposal of a draft resolution,⁴⁵ by which the Council would, *inter alia*, (1) recommend that the Administering Authority should fix the earliest possible date, but not later than 31 January 1968, for the independence of the Nauruan people in accordance with their freely expressed wishes; (2) recommend that Nauru become an independent Republic by 31 January 1968; and (3) decide that the conclusion of a treaty of friendship, by which the responsibility for defence and external affairs would be devolved upon Australia, could not be a pre-condition to granting independence to Nauru.

56. On this occasion, the representative of the Administering Authority stated⁴⁶ that, since the negotiations between the representatives of the Nauruan people and the Joint Administering Authority were then taking place with a view to granting independence to the Territory on the suggested date, there was no point in considering the draft resolution.

³⁹G A (XXI), Annexes, a.i. 13, A/C.4/L.851 and Corr.1; *ibid.*, 4th Com., 1667th mtg.: Liberia, paras. 24-33.

⁴⁰*Ibid.*, 4th Com., 1663rd meeting, para. 8.

⁴¹*Ibid.*, 1670th mtg.: United Arab Republic, para. 11.

⁴²*Ibid.*, 1672nd mtg., para. 22.

⁴³G A (XXI), Plen., 1500th meeting, para. 31.

⁴⁴T C (XXXIV), 1320th mtg.: Liberia, paras. 7 and 8.

⁴⁵*Ibid.*, Annexes, a.i. 4, T/L.1132.

⁴⁶*Ibid.*, 1320th mtg.: Australia, para. 41.

³²T C (XXXII), Suppl. No. 2, T/1636.

³³T C (XXXIII), 1290th mtg.: USSR, para. 23.

³⁴*Ibid.*, Annexes, a.i. 9, T/L.1118.

³⁵T C (XXXIII), 1296th mtg.: Australia, para. 2.

³⁶*Ibid.*, France, paras. 3 and 4.

³⁷*Ibid.*, paras. 10 and 11.

³⁸G A (XXI), Annexes, a.i. 23/Addendum, chap. XIX, para. 73.

Decision

57. At the 1320th meeting, on 29 June 1967, the draft resolution was rejected⁴⁷ by the Council by 5 votes to 2, with 1 abstention.

58. Consequently, the Trusteeship Council, in its report to the General Assembly at its twenty-second session, recalling the provisions of Article 76*b* of the Charter and noting the recommendations of General Assembly resolutions 2111(XX) and 2226(XXI), urged⁴⁸ the Administering Authority to give serious consideration to the wishes of the Nauruan people, freely expressed through their elected representatives, to receive independence not later than 31 January 1968.

59. Similarly, the Special Committee, in its report to the General Assembly, recommended⁴⁹ that the wishes expressed by the peoples of Nauru of attaining independence on 31 January 1968 be implemented by the Administering Power in accordance with the provisions of General Assembly resolution 1514(XV).

60. At the request of the Administering Authority,⁵⁰ the Trusteeship Council held a special session during 22 and 23 November 1967 in order to consider the question of the termination of the Trusteeship Agreement for Nauru upon its accession to independence on 31 January 1968.

61. During the discussion, the representative of the Administering Authority informed⁵¹ the Council that, following the resumed talks between the representatives of Nauru and the Joint Administering Authority, it had been agreed that Nauru should accede to independence on 31 January 1968. He also reported that the Australian Parliament had already passed an Act providing for the transfer of authority, that the Nauru Legislative Council had passed an ordinance providing for a convention to adopt a constitution, that Australian administrative control over Nauru would cease when the Nauruan constitution came into force, and that, on the attainment of independence by Nauru, the obligations assumed by the Joint Administering Authority under the Trusteeship Agreement for the Trust Territory of Nauru, approved by the General Assembly on 1 November 1947, would cease to be in force.

62. A representative of the indigenous people, who had been included in the Australian delegation as Special Adviser, confirmed⁵² that the representatives of the people of Nauru had freely expressed their wish to become independent on 31 January 1968.

63. Following the general debate, at which all members of the Council expressed⁵³ their satisfaction at the scheduled independence of Nauru, the Council adopted⁵⁴ unanimously a resolution⁵⁵ recommending that the General Assembly, *inter alia*, would "resolve accordingly, in agreement with the Administering Authority, that the Trusteeship Agreement for the Territory of Nauru approved by the General Assembly on 1 November 1947 shall cease to be in force upon the

accession of Nauru to independence on 31 January 1968."

64. During the consideration of the special report of the Trusteeship Council by the Fourth Committee, at the twenty-second session of the General Assembly, the representative of the indigenous people of Nauru informed⁵⁶ the Committee that Nauru did not wish to become a Member of the United Nations. In the circumstances, amendments⁵⁷ to the draft resolution⁵⁸ were proposed, whereby the General Assembly would call upon all States to respect the independence and territorial integrity of the independent State of Nauru, and urge the organs of the United Nations concerned and the specialized agencies to render all possible assistance to the people of Nauru in their endeavour to build a new nation.

65. The amendments were approved⁵⁹ by the Fourth Committee by 98 votes to none. The draft resolution, as amended and as further orally revised, was approved⁶⁰ unanimously by the Committee.

Decisions

66. At the 1641st plenary meeting, on 19 December 1967, the draft resolution recommended by the Fourth Committee was adopted⁶¹ unanimously by the General Assembly as resolution 2347(XXII).

67. By resolution 2347(XXII), the General Assembly, *inter alia*, noting the formal announcement by the Administering Authority that, following the resumed talks between representatives of the Nauruan people and of the Administering Authority, it was agreed that Nauru should accede to independence, and welcoming the statement made in the Fourth Committee by the representatives of the Governments of Australia, New Zealand and the United Kingdom as the Administering Authority that the Administering Authority had complied with the request of the representatives of the Nauruan people for full and unqualified independence, resolved in agreement with the Administering Authority that the Trusteeship Agreement for the Territory of Nauru, approved by the General Assembly on 1 November 1947, should cease to be in force upon the accession of Nauru to independence on 31 January 1968, called upon all States to respect the independence and the territorial integrity of the independent State of Nauru, and urged the organs of the United Nations concerned and the specialized agencies to render all possible assistance to the people of Nauru in their endeavour to build a new nation.

68. As scheduled, the Trust Territory of Nauru became independent on 31 January 1968 as the Republic of Nauru.

(ii) New Guinea

69. It may be recalled that the General Assembly,⁶² in resolution 2112(XX), *inter alia*, reaffirmed the inalienable right of the people of New Guinea and Papua to freedom and independence, called upon the Administer-

⁴⁷*Ibid.*, para. 43.

⁴⁸G A (XXII), Suppl. No. 4, para. 332.

⁴⁹*Ibid.*, Annexes, a.i. 23/Addendum, chap. XX, para. 98.

⁵⁰T C (S-XIII), T/1670.

⁵¹*Ibid.*, 1323rd mtg.: Australia, para. 7.

⁵²*Ibid.*, paras. 16-22.

⁵³*Ibid.*, China, paras. 51 and 52; France, paras. 53 and 54; Liberia, paras. 55-57; New Zealand, paras. 23-28; United Kingdom, paras. 29-39; and USSR, paras. 40-50.

⁵⁴*Ibid.*, para. 58.

⁵⁵T C (S-XIII), Suppl. No. 1, resolution 2149(S-XIII).

⁵⁶G A (XXII), 4th Com., 1739th mtg., para. 23. See also T C (XXXIV), 1315th mtg., para. 28.

⁵⁷G A (XXII), Annexes, a.i. 13 A/7009, paras. 8-10 (A/C.4/L.881 and Add.1).

⁵⁸*Ibid.*, para. 7 (A/C.4/L.870).

⁵⁹*Ibid.*, 4th Com., 1741st mtg., para. 21.

⁶⁰*Ibid.*, para. 22.

⁶¹*Ibid.*, Plen., 1641st mtg., para. 45.

⁶²*Repertory, Supplement No. 3*, vol. III, under Article 76, para. 40.

ing Authority (Australia) to implement fully resolution 1514(XV) and, to that end, to fix an early date for independence in accordance with the freely expressed wishes of the people, and requested the Administering Authority to report to the Trusteeship Council at its thirty-third session and to the Special Committee on the implementation of the resolution.

70. The question of the implementation of the Declaration and of General Assembly resolution 2112(XX) was raised at the thirty-third session of the Trusteeship Council. In this connexion it was noted that the Administering Authority had failed to implement that resolution as it had not yet fixed a date for the independence of the Territory.⁶³

71. The Administering Authority maintained that it had not fixed a date for the independence of the Territory because it believed that the initiative for self-determination should come from the people themselves. The people had been informed of this right but had not so far expressed, through their elected representatives in the House of Assembly, their wish to change the future status of the Territory. In accordance with the views expressed by the Trusteeship Council, measures were being taken "to bridge the gap between a fully representative government and a fully responsible government."⁶⁴

72. In support of this position it was also maintained that the peoples of the Territory did not wish to be rushed into independence, as had been indicated previously by the Local Government Council Conference in March 1966.⁶⁵

73. Following the discussions, the Trusteeship Council decided⁶⁶ to draw the General Assembly's attention to the action which it had taken with respect to its resolution 2112(XX) and its conclusions and recommendations.

74. The question of the implementation of resolution 1514(XV) and of fixing a date for independence of New Guinea was again raised⁶⁷ at the twenty-first session of the General Assembly. During the discussion of the question in the Fourth Committee, the representative of the Administering Authority reiterated⁶⁸ his Government's basic policy towards the future of the Territory.

75. Some representatives considered⁶⁹ that the Administering Authority had no justification for delaying the fixing of a date for independence on the basis that the House of Assembly of Papua and New Guinea did not want independence and that the people were not ready for it. It was pointed out⁷⁰ that, with a view to further delaying independence, the Administering Authority was doing nothing to prepare the population to assume charge of the public administration and was endeavouring to remain in the Territory because of the imperialistic desires of the monopolies and because of certain strategic military considerations.

76. Following the discussions, a draft resolution⁷¹ was proposed, whereby the General Assembly, *inter alia*,

would deplore the failure of the Administering Power to implement resolution 2112(XX) and call upon the Administering Power to implement resolution 1514(XV) and, among other things, to fix "an early date for independence" of the Territory.

77. In support of the proposal, it was pointed out⁷² that, under Article 76b of the Charter, it was the duty of the Administering Authority to promote the progressive development towards self-government or independence of the peoples of Trust Territories and accordingly, after 50 years of administration, the people of the Territory should be allowed to manage their own affairs.

78. In response, the Administering Authority stated⁷³ that Australia could never grant the request for fixing an early date for the independence of the Territory because it was the people of the Territory, through their freely elected representatives, who must set the date for independence. Neither the Administering Authority nor the United Nations could disregard the people's will.

79. In support of the position of the Administering Authority it was stated⁷⁴ that every people must unquestionably exercise its right to self-determination, but that did not mean that it would necessarily choose independence. Under Article 76 of the Charter, the particular circumstances of each Territory, which could vary widely one from another, must be taken into account. To force independence upon a people who were not prepared for it and did not yet desire it would be an illegal intervention in that people's internal affairs. In this connexion, one representative said that the text referring to the "fixing of an early date for independence" was not an abstract proceeding but should be related to the aspirations of the people. He said he would vote for the subparagraph on the understanding that it implied that the wishes of the people would be respected.⁷⁵

80. Following the debate, the Fourth Committee voted on the draft resolution. Operative paragraph 4 which, *inter alia*, contained the provision calling upon the Administering Authority to fix an early date for independence was separately approved⁷⁶ by a vote of 59 to 15, with 11 abstentions. The draft resolution as a whole, as amended, was approved⁷⁷ by 61 votes to 6, with 17 abstentions.

Decision

81. At its 1500th plenary meeting, on 20 December 1966, the General Assembly adopted⁷⁸ paragraph 4 of the draft resolution recommended by the Fourth Committee by 70 votes to 16, with 28 abstentions. The Assembly adopted⁷⁹ the draft resolution, as a whole, by 81 votes to 8, with 24 abstentions, as resolution 2227 (XXI). By adopting this resolution the Assembly again called upon the Administering Authority to implement resolution 1514(XV) and to inform the Trusteeship Council and the Special Committee of the action it had taken in this regard and again called upon the Administering Authority to fix a date for independence.

82. In the course of the examination by the Trusteeship Council, at its thirty-fourth session, of General Assembly resolutions 2112(XX) and 2227(XXI), views

⁶³T C (XXXIII), 1283rd mtg.: Liberia, para. 52; 1284th mtg.: USSR, para. 1.

⁶⁴*Ibid.*, 1280th mtg.: Australia, paras. 2-6.

⁶⁵*Ibid.*, 1286th mtg., para. 54, and 1293rd mtg.: Australia, para. 14.

⁶⁶G A (XXII), Suppl. No. 4, para. 54.

⁶⁷G A (XXI), 4th Com., 1657th mtg., para. 22.

⁶⁸*Ibid.*, 1663rd mtg.: Australia, para. 17.

⁶⁹*Ibid.*, para. 19.

⁷⁰*Ibid.*, para. 20.

⁷¹*Ibid.*, Annexes, a.i. 13, A/6624, para. 10. See also *ibid.*, paras. 12-16 and 17 (A/C.4/L.860/Rev.1 and Add.1).

⁷²*Ibid.*, 4th Com., 1672nd mtg.: Liberia, para. 19.

⁷³*Ibid.*, 1676th mtg.: Australia, para. 7.

⁷⁴*Ibid.*, China, para. 15.

⁷⁵*Ibid.*, Ghana, para. 58.

⁷⁶*Ibid.*, para. 61.

⁷⁷*Ibid.*, para. 63.

⁷⁸*Ibid.*, Plen., 1500th mtg., para. 32.

⁷⁹*Ibid.*, para. 34.

similar to those at the previous session were put forward.⁸⁰ It was again stressed⁸¹ that the indigenous people themselves would express their views on the question of independence when they saw fit to do so, and they were perfectly well aware of the various options open to them. The same representative also pointed out⁸² that the General Assembly resolutions had completely ignored the efforts and progress already made towards self-determination for the people of New Guinea.

83. Two indigenous members of the House of Assembly of Papua-New Guinea, who served as advisers to the Special Representative of the Administering Authority, supported⁸³ the statement made by the representative of the Administering Authority and stated that the New Guineans wanted to achieve independence on a sound basis, avoiding certain difficulties which too rapid development had created elsewhere.

84. Most members of the Council generally supported⁸⁴ the views expressed by the representative of the Administering Authority. On the other hand, representatives of two Member States stated⁸⁵ that the Administering Authority had repeatedly frustrated the efforts of the Council by refusing to report on constitutional advancement in the Territory and to implement the principal provisions of General Assembly resolutions 2112(XX) and 2227(XXI). A proposal⁸⁶ on these lines—whereby the Council would (1) reaffirm the inalienable right of the people of Papua and New Guinea to self-determination and independence in accordance with General Assembly resolution 1514(XV); (2) condemn the Administering Authority for its refusal to implement General Assembly resolutions 2112(XX) and 2227(XXI); and (3) urge the Administering Authority to take all necessary steps for the immediate and full implementation of the recommendations contained in General Assembly resolutions 2112(XX) and 2227(XXI)—was rejected⁸⁷ by the Council.

85. The question of fixing a date for the independence of New Guinea was again raised at the twenty-second session of the General Assembly. In the course of the examination of the reports of the Trusteeship Council and the Special Committee, the Fourth Committee considered a proposal⁸⁸ whereby the Assembly would (1) reaffirm the inalienable right of the people of Papua and New Guinea to self-determination and independence, in accordance with General Assembly resolution 1514(XV); (2) reaffirm its previous position as set forth in General Assembly resolutions 2112(XX) and 2227(XXI); and (3) call upon the Administering Power to take the necessary measures to implement without delay the provisions of the above-mentioned resolutions.

86. Several Members supported the proposal. One Member in particular asserted⁸⁹ that the Administering Authority had failed to take concrete action to fulfil its

obligations under the Charter or to comply with the decisions and recommendations of the United Nations, and in particular the Declaration on the Granting of Independence to Colonial Countries and Peoples. New Guinea continued to be a colony of Australia and the Administering Authority showed by its actions that it was endeavouring to prolong its supremacy over the Trust Territory indefinitely, because of its economic and military interests in the Territory.

87. In opposing the proposal, the representative of the Administering Authority stated⁹⁰ that General Assembly resolution 2227(XXI) had given an inaccurate and biased description of conditions in the Territory and had called on the Administering Authority to do things which were impossible. It was unjust, not only to the Administering Authority, but also to the House of Assembly of Papua-New Guinea.

88. Following the discussions, the draft resolution was approved⁹¹ by the Fourth Committee by a roll-call vote of 64 to 8, with 19 abstentions.

Decision

89. At its 1641st plenary meeting, on 19 December 1967, the General Assembly adopted⁹² the draft resolution recommended by the Fourth Committee by a vote of 85 to 16, with 18 abstentions, as resolution 2348(XXII).

90. The question of fixing a date for independence of New Guinea or transferring full powers to the elected representatives of the people continued to be raised during the subsequent sessions of the Trusteeship Council and the General Assembly.

91. At the thirty-fifth and thirty-sixth sessions of the Trusteeship Council, the question was discussed by the Council and, as at the previous sessions, arguments for and against the question were presented⁹³ by the delegations concerned. No proposal was, however, presented at either session for the Council's consideration.

92. At the twenty-third and twenty-fourth sessions of the General Assembly, the question was discussed by the Special Committee⁹⁴ and the Fourth Committee.⁹⁵ The arguments advanced were similar to those presented at the previous sessions.

Decisions

93. At its twenty-third session, the General Assembly, by 72 votes to 19, with 24 abstentions, adopted⁹⁶ resolution 2427(XXIII), whereby, *inter alia*, recalling its resolutions 2112(XX), 2227(XXI) and 2348(XXII), it called upon the Administering Power to implement fully resolution 1514(XV) and, to that end, *inter alia*, to fix an early date for self-determination and independence in accordance with the freely expressed wishes of the people of the Territories, and requested the Administer-

⁸⁰T C (XXXIV), 1306th mtg.: Australia, para. 15.

⁸¹*Ibid.*, Australia, para. 19.

⁸²*Ibid.*, para. 17.

⁸³*Ibid.*, paras. 25 and 26.

⁸⁴*Ibid.*, 1302nd mtg.: China, paras. 17-22; France, paras. 2-9; United Kingdom, paras. 10-16; 1303rd mtg.: New Zealand, paras. 1-12, and United States, paras. 38-53.

⁸⁵*Ibid.*, 1303rd mtg.: USSR, paras. 13-35; and *ibid.*, 1304th mtg.: Liberia, paras. 1-5 and 7.

⁸⁶T C (XXXIV), Annexes, a.i. 4, T/L.1127; *ibid.*, 1319th mtg.: Australia, paras. 1 and 2; USSR, paras. 6 and 7.

⁸⁷*Ibid.*, 1319th mtg., para. 11.

⁸⁸G A (XXII), Annexes, a.i. 13, A/7009, paras. 11-13 (A/C.4/L.886). See also G A (XXII), Suppl. No. 16, resolution 2348(XXII).

⁸⁹G A (XXII), 4th Com., 1745th mtg.: USSR, para. 117.

⁹⁰*Ibid.*, 1750th mtg.: Australia, paras. 46 and 49.

⁹¹*Ibid.*, para. 67.

⁹²*Ibid.*, Plen., 1641st mtg., para. 46.

⁹³T C (XXXV), 1335th mtg.: USSR, para. 1; Australia, paras. 2 and 3; *ibid.*, 1337th mtg.: France, para. 27; United Kingdom, para. 9; USSR, paras. 29 and 30; T C (XXXVI), 1348th mtg.: Australia, pp. 36-41; Special Adviser, pp. 42-45.

⁹⁴G A (XXIII), Annexes, a.i. 23/Addendum, chap. XXIII; G A (XXIV), Suppl. No. 23, chap. XX.

⁹⁵G A (XXIII), Annexes, a.i. 13, A/7418 (A/C.4/L.928 and Corr.1); G A (XXIV), Annexes, a.i. 13, A/7895 (A/C.4/L.956/Rev.1 and Corr.1).

⁹⁶G A (XXIII), Plen., 1747th mtg., para. 95.

ing Power to report to the Trusteeship Council and the Special Committee on the action taken in that regard.

94. At its twenty-fourth session, the General Assembly, by 112 votes to none, with 3 abstentions, adopted⁹⁷ resolution 2590(XXIV), whereby, *inter alia*, reaffirming the inalienable right of the people of Papua and the Trust Territory of New Guinea to self-determination and independence in accordance with General Assembly resolution 1514(XV) and the Trusteeship Agreement of 13 December 1946, it reaffirmed its previous resolutions regarding Papua and the Trust Territory of New Guinea, and called upon the Administering Power to take all necessary steps to transfer full powers in the executive and legislative branches of government to elected representatives of the people, in accordance with the freely expressed wishes of the peoples of the Territories.

(iii) *The Pacific Islands*

95. During the period under review, the Trusteeship Council examined the annual reports of the Administering Authority for the Trust Territory of the Pacific Islands (United States of America), particularly on the political advancement of the inhabitants of the Territory, and submitted its reports⁹⁸ with conclusions and recommendations to the Security Council under Article 83 of the Charter. As in the past years, no action was, however, taken by the Security Council on the reports of the Trusteeship Council.

96. In its report⁹⁹ for the year ending 30 June 1966, the Administering Authority stated that, with the aim of fostering and promoting development towards self-government or independence, it had encouraged the establishment, first, of the municipal governments, secondly, of district legislative bodies, and finally, of the Congress of Micronesia. By House Joint Resolution of 9 August 1966, the Congress of Micronesia had at its second session declared that the Micronesian people should freely exercise their sovereign right of self-determination as set forth in the Trusteeship Agreement, and that on the basis of meaningful proposals on the political and constitutional alternatives open to Micronesia, the present generation of Micronesians should have an early opportunity to determine the ultimate constitutional and political status of Micronesia. Therefore, through the Secretary of the United States Department of the Interior, the Congress of Micronesia had petitioned the President of the United States to establish a Commission to consult the people of Micronesia with a view to ascertaining their wishes and their views on the future as well as to study and to assess critically the political alternatives open to Micronesia, and requested that the Commission should report its findings to the President of the United States before 31 December 1968.

97. In the course of the discussion of the report, the Adviser to the Special Representative of the Administering Authority stated¹⁰⁰ that Micronesians knew they had the right to self-determination, but felt they also had a right to decide when the act of self-determination should take place.

98. One representative, however, maintained¹⁰¹ that the Trust Territory was being kept in artificial isolation because plans were being made to annex it to the United States or to make it a new state of the United States in the belief that the incorporation of Micronesia into the United States would be in compliance with the Trusteeship Agreement. He pointed out that, under Article 83 of the Charter, the Territory could not be incorporated into the United States without the approval of the Security Council. Furthermore, he expressed the view¹⁰² that General Assembly resolution 1514(XV) fully applied to Micronesia and urged the Council to call upon the Administering Authority to implement a comprehensive programme which would enable the people of the Territory to exercise their right to self-determination.

99. In its report to the Security Council on the Trust Territory of the Pacific Islands covering the period from 27 July 1966 to 30 June 1967,¹⁰³ the Trusteeship Council noted the statement of the Administering Authority that "the time was approaching when the inhabitants of Micronesia would be called upon to decide their own political future, but that it would be premature to make any definite recommendations regarding the Territory's future status, and that the precise timing of the act of self-determination would depend largely upon the wishes of the people expressed through the Congress of Micronesia." The Council also noted the conclusions reached by the 1967 Visiting Mission that the main obstacles remaining in the way of political freedom and self-determination lay in the excessive economic dependence of Micronesia upon the United States and the lack of popular understanding of the alternatives open to Micronesia, but that in the not-too-distant future the people of Micronesia would feel ready to assume responsibility for deciding their own future.

100. Reaffirming the inalienable right of the people of Micronesia to self-determination, including the right to independence, the Council urged¹⁰⁴ the Administering Authority, "in consultation with the Congress of Micronesia and in the light of the Charter of the United Nations, the Trusteeship Agreement and General Assembly resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960 to take all necessary steps which would enable it to fix a date when the people of the Territory could exercise their right of self-determination".

101. The representative of the Administering Authority informed¹⁰⁵ the Trusteeship Council, at its thirty-fifth session, that, in August 1967, the President of the United States had sent a message to the Congress in which he had proposed the establishment of a Status Commission to recommend the best means of allowing the people of Micronesia freely to make known their desire concerning the future of the Trust Territory through a plebiscite to be held not later than 30 June 1972.

102. The Special Representative of the Administering Authority also informed¹⁰⁶ the Council that the Congress of Micronesia had since established its own Status Commission to develop and recommend procedures and a course of political education and action; to present

⁹⁷G A (XXIV), Plen., 1835th mtg., para. 61.

⁹⁸S C, 22nd yr., Spec. Suppl. No. 1; S C, 23rd yr., Spec. Suppl. No. 1; and S C, 24th yr., Spec. Suppl. No. 1.

⁹⁹T/1661. See also S C, 22nd yr., Spec. Suppl. No. 1, para. 200.

¹⁰⁰T C (XXXIV), 1310th mtg., paras. 5 and 9.

¹⁰¹*Ibid.*, 1311th mtg.: USSR, para. 1.

¹⁰²*Ibid.*, para. 6.

¹⁰³S C, 22nd yr., Spec. Suppl. No. 1, para. 202.

¹⁰⁴*Ibid.*

¹⁰⁵T C (XXXV), 1325th mtg., para. 44.

¹⁰⁶*Ibid.*, 1326th mtg., para. 12.

such a range of possibilities and alternatives as might be open to Micronesians with respect to their choice of political status; and to recommend procedures and courses whereby the wishes of the people of the Trust Territory might be ascertained with respect to the political status of Micronesia.

103. During the discussion,¹⁰⁷ reference was made to an article which had suggested that the United States was considering the idea of incorporating the Pacific Islands by integrating them with Hawaii or by dismembering the Territory and annexing part of it to the United States colony of Guam.

104. It was also suggested¹⁰⁸ that the Council might request the Administering Authority, in conjunction with the Congress of Micronesia, to establish intermediate target dates for the fulfilment of the Trusteeship Agreement. It was felt that some clarification was needed to give a better understanding to some of the Micronesians, who wished to know whether the choice in exercising self-determination would be upheld, whatever form it might take, irrespective of the fact that Micronesia was a strategic area. To this end, the Administering Authority should express itself in unequivocal terms on this vital question. However, no formal proposals were put forward in the Council.

105. In its report to the Security Council in its twenty-third year, the Trusteeship Council welcomed¹⁰⁹ the measures taken jointly by the Congress of Micronesia and the Administering Authority towards the attainment of these ends, namely: (1) the creation of the Status Commission of the Congress of Micronesia; and (2) the initiative already taken by the President of the United States and the United States Congress towards the establishment of a United States status commission whose role it would be to investigate conditions and factors affecting the Micronesians' political future and to recommend a date for a plebiscite to be held not later than 30 June 1972. The Council urged the Administering Authority to pursue vigorously its efforts, in close co-operation with the Congress of Micronesia, to prepare the peoples of the Territory to exercise their right to determine their own future.

106. The Special Adviser to the Special Representative of the Administering Authority informed¹¹⁰ the Trusteeship Council, at its thirty-sixth session, that the future Political Status Commission of the Congress of Micronesia had publicly announced its tentative recommendations to the Congress of Micronesia that Micronesia be constituted as a self-governing State and that that Micronesian State, internally self-governing and with Micronesian control of all its branches, including the executive, negotiate entry into free association with the United States. He declared that, as Micronesians, they would like to invite the United States to meet with Micronesian people and their leaders to decide on the time and early termination of the Trusteeship Agreement governing Micronesia and binding on the people of those islands. If the prospect of an early termination of the Trusteeship Agreement was not within the realm of possibility at that time, they would like to propose that the Trusteeship Agreement be revised in a manner

acceptable to the United Nations, the United States, and the Micronesian people. Any revision of the Trusteeship Agreement should set forth the specific terms, conditions and time-table whereby economic and social developments in Micronesia would eventually make the future status of the Micronesian people a timely question to raise and resolve.

107. The representative of the Administering Authority reported¹¹¹ to the Council that the United States Congress had not yet enacted the necessary legislation concerning the establishment of the United States status commission and that, in the light of the tentative recommendations announced by the Micronesian Status Commission, the United States Secretary of the Interior had asked the Congress of Micronesia to select a group of its members to meet with the representatives of the United States Government to devise legislation which would provide for a status consistent with the wishes of the majority of the people in the Territory, a status presumably involving a lasting political partnership between the Territory and the United States.

108. The Special Representative of the Administering Authority, however, pointed out¹¹² that the question of any vote on the future political status of the Territory would be determined by the Congress of Micronesia after full consultations with the United States Government. He also assured the Trusteeship Council that any such election would be held under the surveillance of a commission of observers appointed by the United Nations.

109. In its report to the Security Council, at its twenty-fourth year, the Trusteeship Council noted¹¹³ the development of democratic expression in the Trust Territory of the Pacific Islands and the increasing readiness of the people of Micronesia to assume responsibility for deciding their own future. It urged the Administering Authority to facilitate this evolution in all its aspects and to continue its efforts to increase the understanding of the people of Micronesia of the various possibilities open to them in the process of self-determination.

110. The Trusteeship Council, recalling the objectives of the International Trusteeship System set forth in Article 76*b*, reaffirmed¹¹⁴ the inalienable right of the people of Micronesia to self-determination, including the right to independence, in accordance with the Charter of the United Nations, the Trusteeship Agreement and General Assembly resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960, and urged the Administering Authority to pursue vigorously its efforts in close co-operation with the Congress of Micronesia, to prepare the people of the Territory to exercise their right to determine their own future.

111. In a separate action, the Trusteeship Council, in resolution 2152(XXXVI) of 19 June 1969, setting forth the terms of reference of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands in 1970, directed the Visiting Mission "to investigate and report fully as possible on the steps taken in the Trust Territory of the Pacific Islands towards the realization of the objectives set forth in Article 76*b* of the Charter of the United Nations, and pay special attention to the question of the future of the Territory, in the light of the relevant Articles of the Charter and the Trusteeship Agreement, and bearing in mind the relevant provisions

¹⁰⁷*Ibid.*, 1330th meeting, para. 17.

¹⁰⁸*Ibid.*, para. 8.

¹⁰⁹S C, 23rd yr., Spec. Suppl. No. 1, para. 307.

¹¹⁰T C (XXXVI), 1347th mtg., pp. 37 and 38.

¹¹¹*Ibid.*, pp. 12 and 13.

¹¹²*Ibid.*, 1348th mtg., p. 48.

¹¹³S C, 24th yr., Spec. Suppl. No. 1, para. 346.

¹¹⁴*Ibid.*

of Trusteeship Council and General Assembly resolutions, including Assembly resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960."

112. During the period under review, the Special Committee, in pursuance of General Assembly resolution 1654(XVI), also examined the political advancement in the Trust Territory of the Pacific Islands and submitted its reports with conclusions and recommendations to the General Assembly.

113. The Special Committee reaffirmed¹¹⁵ the inalienable right of the people of the Trust Territory to self-determination and independence in conformity with the Declaration, and, *inter alia*, recommended that the question of size, isolation and limited resources should in no way delay the implementation of the Declaration to the Trust Territory, and that the Administering Authority should accelerate the further political development of the Territory by expanding the functions and powers of legislature and by vesting executive authority in the hands of the indigenous population.

114. Although references were made¹¹⁶ to the reports of the Special Committee by representatives of certain Member States during the general debate in the Fourth Committee, neither the Fourth Committee nor the General Assembly took any specific action concerning the Trust Territory of the Pacific Islands, since the Security Council exercised exclusive jurisdiction over the administration of the Territory under Article 83 of the Charter.

d. Economic advancement

(i) Economic self-determination

115. In addition to the aspects which the Trusteeship Council has previously considered, during the period under review it also gave attention to the questions of economic dependence upon the Administering Authority and to activities of foreign economic interests as obstacles to the attainment of self-government or independence. For these reasons, the Trusteeship Council and the General Assembly continued to recommend to the Administering Authorities of Trust Territories concerned the adoption of policies which would generate economic self-reliance and facilitate the early exercise of the right of political sovereignty by the peoples of the Trust Territories.

(a) Nauru

116. In the case of Nauru, the main issue has been the question of the ownership of the phosphate deposits which had been operated and controlled by the Administering Authority.

117. By resolution 2111(XX), the General Assembly requested the Administering Authority to take immediate steps towards restoring the island of Nauru for habitation by the Nauruan people as a sovereign nation and to report to the Trusteeship Council at its thirty-third session on the implementation of that resolution.

118. In its report¹¹⁷ to the General Assembly, at its twenty-first session, the Trusteeship Council recalled

resolution 2111(XX) and noted that an investigation into the feasibility of restoring the worked-out land had been carried out by a Committee of Experts, including a representative of the Food and Agriculture Organization of the United Nations, appointed by the Administering Authority. In this connexion, the Council recalled Assembly resolution 1803(XVII), concerning permanent sovereignty over natural resources, and invited the attention of the Administering Authority to its provisions.

119. By resolution 2226(XXI), the General Assembly recommended that the Administering Authority should transfer control over the operation of the phosphate industry to the Nauruan people and take immediate steps, irrespective of the cost involved, towards restoring the island of Nauru for habitation by the Nauruan people as a sovereign nation.

120. At its thirty-fourth session, the Trusteeship Council considered a draft resolution,¹¹⁸ by which the General Assembly, *inter alia*, would have recommended that the Administering Authority should take immediate steps towards restoring the island of Nauru for habitation by the Nauruan people as a sovereign nation, and consider that it was the responsibility of the Administering Authority to restore at its cost the worked-out lands on the island until the time when the Nauruans received the full economic benefit from the phosphates.

121. The representative of the Administering Authority, however, stated¹¹⁹ that, since the future of the phosphate industry was still under negotiation between the representatives of the Nauruans and partner Governments of the Administering Authority, there was no point in considering the draft resolution.

Decision

122. The draft resolution was rejected¹²⁰ by the Council by a roll-call vote of 5 to 2, with 1 abstention.

123. In its report¹²¹ to the General Assembly, at its twenty-second session, the Trusteeship Council, recalling its belief that every effort would be made to find a solution to the phosphate question in conformity with the rights and interests of the Nauruan people, noted with satisfaction that an agreement was reached in Canberra in 1967 between the Nauruans and the Administering Authority, whereby the ownership, control and management of the phosphate industry would be transferred to the Nauruans by 1 July 1970. The Council further noted with satisfaction that transitional arrangements provided for a substantial increase in phosphate royalties and for the increased participation of the Nauruans in the operation of the industry.

124. On examination of the reports of its Sub-Committee II and of the Trusteeship Council, the Special Committee requested¹²² the Administering Authority to rehabilitate Nauru according to the expressed wish of the people so that they could continue to live there.

125. At the thirteenth special session of the Trusteeship Council, the Administering Authority informed¹²³ the Council that an agreement between the representatives of the Nauruan Local Government Council and the three partner Governments composing the Administering Authority on the future of the phosphate industry

¹¹⁵G A (XXI), Annexes, a.i. 23/Addendum, chap. XVIII, para. 66; G A (XXII), Annexes, a.i. 23/Addendum, chap. XIX, para. 33; G A (XXIII), Annexes, a.i. 23/Addendum, chap. XXIII, para. 7; G A (XXIV), Suppl. No. 23, chap. XIX, para. 9.

¹¹⁶G A (XXI), Suppl. No. 4, para. 408.

¹¹⁷*Ibid.*

¹¹⁸T C (XXXIII), Annexes, a.i. 4, T/L.1132.

¹¹⁹*Ibid.*, 1320th mtg., para. 38.

¹²⁰*Ibid.*, para. 43.

¹²¹G A (XXII), Suppl. No. 4, para. 403.

¹²²*Ibid.*, Annexes, a.i. 23/Addendum, chap. XX, para. 98.

¹²³T C (S-XIII), 1323rd mtg.: Australia, para. 11.

had been executed on 14 November 1967; under the agreement the capital assets of the phosphate industry would be purchased by the Nauruan people at an agreed valuation over a period of three years, during which time, the British Phosphate Commissioners would continue to produce the phosphates, but the net proceeds of their sale would go to the Nauruans, who would have a directing role in the operation through the Nauruan Phosphate Corporation. The production and sale price would be at a rate established by the agreement based on the assessed world market price for phosphates. The Nauruan Phosphate Corporation would assume full control on 1 July 1970.

126. At the same session, the Council adopted unanimously a draft resolution¹²⁴ by which the General Assembly, in agreement with the Administering Authority, would terminate the Trusteeship Agreement for Nauru upon its accession to independence on 31 January 1968.

127. At the twenty-second session of the General Assembly, when the Fourth Committee considered a draft resolution¹²⁵ recommending that the Assembly terminate the Trusteeship Agreement for Nauru upon its accession to independence on 31 January 1968, amendments¹²⁶ were submitted by which the Assembly would (1) call upon all States to respect the independence and territorial integrity of the independent State of Nauru, and (2) urge the organs of the United Nations concerned and the specialized agencies to render all possible assistance to the people of Nauru in their endeavour to build a new nation.

128. At the 1741st meeting, on 7 December 1967, the amendments were approved¹²⁷ by the Fourth Committee by a vote of 98 to none. The draft resolution, as amended, and further orally revised, was approved¹²⁸ unanimously by the Committee.

Decision

129. At its 1641st plenary meeting, on 19 December 1967, the draft resolution recommended by the Fourth Committee was adopted¹²⁹ unanimously by the General Assembly, as its resolution 2347(XXII).

130. As noted above, the Trust Territory of Nauru became independent on 31 January 1968.

(b) New Guinea

131. The Trusteeship Council, at its thirty-fourth, thirty-fifth and thirty-sixth sessions, examined the annual reports of the Administering Authority and heard statements by the representative and special representative of the Administering Authority with respect to the economic advancement of the inhabitants of the Trust Territory of New Guinea, and particularly with respect to land tenure, agriculture, forests, fisheries, industries, public finance, transportation and communications, and economic development plans. The Council did not, however, adopt any resolution, but included in its annual reports to the General Assembly specific conclu-

sions and recommendations¹³⁰ on economic advancement in the Territory.

132. In its reports¹³¹ to the General Assembly, at its twenty-first to twenty-fourth sessions, the Special Committee made various observations and recommendations. In particular, it (1) expressed the view that the efforts in the economic field should continue at an accelerated pace; (2) observed that the economic potential of the Territory had still to be exploited, and considered that an exploitation of that potential for the benefit of the people of the Territory would relieve their dependence on the Administering Power and enhance their movement towards self-determination and independence; (3) urged that the Administering Power should take steps to diversify the economy, which was likely to remain primarily agriculture for some time to come; (4) considered that increased emphasis on diversification and industrialization should be so directed as to eliminate the economic dependence of the Territory on the Administering Power; and (5) further considered that any measures taken to stimulate outside investment should not encourage subsequent dependence on foreign economic interests providing such capital.

(c) The Pacific Islands

133. The Trusteeship Council, at its thirty-fourth to thirty-sixth sessions, examined the annual reports of the Administering Authority and heard statements by the special representative of the Administering Authority and his special advisers with respect to economic advancement of the inhabitants of the Trust Territory of the Pacific Islands, and particularly with respect to agriculture and livestock, fisheries, industries, public finance, transportation and communications, and co-operatives. The Council did not, however, adopt any resolution, but included specific conclusions and recommendations¹³² on economic advancement in the Territory in its annual reports to the Security Council.

134. In its reports¹³³ to the General Assembly, at its twenty-first to twenty-fourth sessions, the Special Committee made various observations and recommendations aimed at enabling the Territory to attain economic and political independence rapidly. The Special Committee, *inter alia*, (1) urged the Administering Authority to expedite further the economic growth of the Territory by fully developing its agricultural and industrial potential and to implement as speedily as possible its plans for the diversification of the economy in respect of which the assistance of the United Nations and its specialized agencies could be utilized most effectively; (2) requested the Administering Authority to re-examine its economic programme for the Territory to ensure that the plans were best suited to the needs of the Territory for a rapid

¹²⁴*Ibid.*, para. 58, draft resolution T/L.1134. See also T C (S-XIII), Suppl. No. 1, resolution 2149(S-XIII).

¹²⁵G A (XXII), Annexes, a.i. 13, A/7009 (A/C.4/L.879).

¹²⁶*Ibid.*, A/C.4/L.881 and Add.1.

¹²⁷*Ibid.*, 4th Com., 1741st meeting, para. 21.

¹²⁸*Ibid.*, para. 22.

¹²⁹*Ibid.*, Plen., 1641st meeting, para. 45.

¹³⁰G A (XXII), Suppl. No. 4, paras. 184, 188 and 193. G A (XXIII), Suppl. No. 4, paras. 205, 214, 228, 240 and 246. G A (XXIV), Suppl. No. 4, paras. 181, 185, 186, 191, 196, 201, 211 and 221.

¹³¹G A (XXI), Annexes, a.i. 23/Addendum, chap. XIX, para. 73. G A (XXII), Annexes, a.i. 23/Addendum, chap. XX, para. 98. G A (XXIII), Annexes, a.i. 23/Addendum, chap. XXIII. G A (XXIV), Suppl. No. 23, chap. XX, para. 13.

¹³²S C, 22nd yr., Spec. Suppl. No. 1, paras. 113, 117, 121, 124 and 129. S C, 23rd yr., Spec. Suppl. No. 1, paras. 145, 152, 158, 164, 170 and 180. S C, 24th yr., Spec. Suppl. No. 1, paras. 175, 184, 194, 204, 212 and 227.

¹³³G A (XXI), Annexes, a.i. 23/Addendum, A/6300/Rev.1, chap. XVIII D, para. 66 (c). G A (XXII), Annexes, a.i. 23/Addendum, A/6700/Rev.1, chap. XIX D, para. 33 (h). G A (XXIII), Annexes, a.i. 23/Addendum, A/7200/Rev.1, chap. XXII B (6). G A (XXIV), Suppl. No. 23, A/7623/Rev.1, chap. XIX, para. 9 (5).

rate of progress towards the implementation of General Assembly resolution 1514(XV); (3) while being aware of the plans to strengthen the economy of the Territory, reiterated its belief that, in order to ensure the economic viability of the Territory, more ought to be done to lessen the economic dependence of the Territory on the Administering Authority; and (4) noted that the economic dependence of the Territory on the Administering Authority had not decreased and considered that any measures taken to stimulate outside investment should be effected in such a manner as to ensure that they did not lead to subsequent dependence on foreign economic interests providing such capital.

(ii) *Activities of foreign economic and other interests in Trust Territories impeding the early attainment of self-government or independence*

135. By resolution 2189(XXI), the General Assembly decided to include in the provisional agenda of its twenty-second session an item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia, South West Africa and Territories under Portuguese domination and in all other Territories under colonial domination".

136. The General Assembly, at its twenty-second to twenty-fourth sessions, adopted resolutions 2288(XXII), 2425(XXIII) and 2554(XXIV) on the activities of foreign economic and other interests which were impeding the implementation of the Declaration in the Non-Self-Governing and Trust Territories.¹³⁴ The Assembly, considering that the colonial Powers have the obligation to ensure the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the populations and the natural resources of those Territories against abuses, in accordance with Chapters XI and XII of the Charter, *inter alia*, declared that the colonial Powers which deprive the colonial peoples of the exercise and full enjoyment of those rights, or which subordinate them to the economic or financial interests of their own nationals or of nationals of other countries, were violating the obligations they had assumed under Chapters XI and XII of the Charter and were impeding the full and prompt implementation of General Assembly resolution 1514(XV).

137. Although the question of activities of foreign economic and other interests in the Trust Territories of New Guinea and the Pacific Islands was raised during the debates at the Trusteeship Council and the General Assembly during the period under review, neither the Council nor the Assembly adopted any resolution on this subject specifically relating to Trust Territories. The Council, however, included in its annual reports to the Assembly its conclusions and recommendations concerning the activities of foreign economic and other interests in the Trust Territory of New Guinea. Thus, in respect of Papua and New Guinea the Council expressed¹³⁵ its opinion that it was in the long-term interest of the people that both the Administering Authority and the House of Assembly continue to give closest scrutiny to contracts with private companies wishing to exploit the natural resources of the Territory, particularly with a view to ensuring that the Papuans and New Guineans

were given the widest opportunity to share in the holdings, management and profits of such ventures.

(iii) *International assistance to Trust Territories*

138. During the period under review, neither the Trusteeship Council nor the General Assembly adopted any resolution requesting United Nations organs or specialized agencies to provide financial or other assistance to the Trust Territories of New Guinea and the Pacific Islands.

139. The Council, however, included in its annual reports to the Assembly, in respect of New Guinea, its conclusions and recommendations¹³⁶ concerning international financial and other assistance provided by the United Nations organs or specialized agencies at the request of the Administering Authority concerned.

e. *Social and educational advancement*

140. The Trusteeship Council and the General Assembly continued to give particular interest to the social and educational advancement of the inhabitants of the Trust Territories.

(i) *Nauru*

141. The Trusteeship Council, at its thirty-fourth session, received information from the Administering Authority with respect to the social and educational advancement in the Territory, and particularly with respect to the basic wages, public health and the educational facilities available in the Territory. The Council did not, however, adopt any resolution, or include any conclusion or recommendation in its annual report to the Assembly. As noted above, the Trust Territory of Nauru became independent on 31 January 1968.

(ii) *New Guinea*

142. The Trusteeship Council, in its report to the General Assembly, at its twenty-second session, *inter alia*, recommended¹³⁷ to the Administering Authority that the educational system should be geared particularly to assisting in adapting Papuan and New Guinean society to the requirements of rapid political and economic developments. It also recommended that the Administering Authority should expand the adult education and vocational training programmes throughout the Territory and encourage industrial and commercial firms in the Territory to train the New Guineans in both technical and managerial skills and to ensure maximum participation by indigenous people in those enterprises at all levels.

143. The Assembly, at its twenty-second session, adopted resolution 2227(XXI) on the question of Papua and the Trust Territory of New Guinea, by which the Assembly, *inter alia*, recalling its resolution 2112(XX) and noting with grave concern the discriminatory practices in the Territories, called upon the Administering Power to remove all discriminatory electoral qualifications and to abolish all discriminatory practices in the economic, social, health and educational fields.¹³⁸

144. Subsequently, the Assembly, by resolution 2348(XXII), reaffirmed the previous position as set forth in

¹³⁴For further details, see this *Supplement* under Article 73.

¹³⁵G A (XXII), Suppl. No. 4, para. 184.

¹³⁶*Ibid.*; and G A (XXIII), Suppl. No. 4, para. 205.

¹³⁷G A (XXII), Suppl. No. 4, para. 263.

¹³⁸See para. 159 below.

its resolutions 2112(XX) and 2227(XXI) and called upon the Administering Power to take the necessary measures to implement without delay the provisions of the above-mentioned resolutions. Furthermore, by resolution 2590(XXIV), the Assembly, *inter alia*, requested the Administering Power to intensify and accelerate the educational and technical and administrative training of the indigenous peoples of the Territory.

(iii) *The Pacific Islands*

145. The Trusteeship Council, at its thirty-fourth to thirty-sixth sessions, received information from the Administering Authority with respect to the social and educational advancement of the inhabitants of the Territory, and particularly with respect to medical and health services, the status of women, community development and housing.

146. The Council did not, however, adopt any resolution, but included in its annual reports to the Security Council conclusions and recommendations¹³⁹ on further social developments in the Territory.

147. During the period under review the Trusteeship Council, because of the constitutional advance of the Territory with the inauguration of the Congress of Micronesia, expressed particular concern over the urgent need for highly educated Micronesians for the future development of their country. Accordingly it recommended various measures, including in particular the establishment of a junior college, to help to accelerate the programme for preparing Micronesians to take up senior positions as well as providing a future means of fostering national unity and consciousness in Micronesia.¹⁴⁰

148. The Special Committee requested¹⁴¹ the Administering Authority to examine its educational programme for the Territory to ensure that the plans were best suited to the needs of the Territory for a rapid rate of progress towards the implementation of General Assembly resolution 1514(XV). It also requested¹⁴² the Administering Authority to redouble its efforts in the field of education and take immediate steps for the creation of facilities for higher education.

f. *Offers by Member States of study and training facilities for inhabitants of Trust Territories*

149. As previously reported,¹⁴³ the Secretary-General continued to submit to the Trusteeship Council his reports on the offers by Member States of study and training facilities for inhabitants of Trust Territories.

150. In the course of the discussion of the reports, the Council's attention was drawn¹⁴⁴ to the fact that, in spite of the shortage of qualified personnel in the Trust Territories, the indigenous inhabitants were making practically no use of the scholarships and fellowships

¹³⁹S C, 22nd yr., Spec. Suppl. No. 1, para. 185; S C, 23rd yr., Spec. Suppl. No. 1, paras. 228 and 241; and S C, 24th yr., Spec. Suppl. No. 1, paras. 252, 268 and 286.

¹⁴⁰S C, 22nd yr., Spec. Suppl. No. 1, para. 190; S C, 23rd yr., Spec. Suppl. No. 1, para. 279; and S C, 24th yr., Spec. Suppl. No. 1, para. 325.

¹⁴¹G A (XXII), Annexes, a.i. 23/Addendum, A/6700/Rev.1, chap. XIX, para. 33.

¹⁴²G A (XXIV), Suppl. No. 23, chap. XIX, para. 9.

¹⁴³T C (XXXIII), Annexes, a.i. 12, T/1654 and Add.1 and 2; T C (XXXIV), Annexes, a.i. 12, T/1664 and Add.1; T C (XXXV), Annexes, a.i. 10, T/1685; and T C (XXXVI), Annexes, a.i. 10, T/1696.

¹⁴⁴T C (XXXV), 1338th mtg.: USSR, para. 22.

offered by the Member States of the United Nations. Concern was also expressed¹⁴⁵ regarding the adequacy of the measures taken by the local United Nations information offices and by the Administering Authorities to give sufficient publicity to offers of scholarships from Member States. It was thus suggested that the Administering Authorities should make a point of informing high school students about scholarships each year so that they could be able to accept them after they had graduated.

151. The representative of the United States, as Administering Authority for the Trust Territory of the Pacific Islands, stated¹⁴⁶ that offers made by Member States were widely and promptly publicized in the Trust Territory and during the last 10 years more than 40 Micronesians had in fact studied abroad in various countries under the United Nations scholarships. He pointed out, however, that the language barrier was a serious handicap for students in certain Member States. Moreover, he stated that some scholarships covered only the cost of tuition, while others also provided free travel, and still others covered housing and food. Thus, there were many factors to be considered in choosing a university and the student made the choice that was most advantageous for him.

152. During the period under review, the Trusteeship Council did not adopt any resolution on the subject, but took note¹⁴⁷ of the Secretary-General's reports and drew the attention of the Administering Authorities to the observations made by the members of the Council in the course of the discussions.

g. *Dissemination in Trust Territories of information on United Nations activities*

153. As previously reported,¹⁴⁸ the question of the dissemination in the Trust Territories of information on United Nations activities had been the subject of several General Assembly resolutions. The Secretary-General continued to report on this question to the Trusteeship Council and the General Assembly.

154. During the period under review, the Assembly, in its resolutions on the implementation of the Declaration, included requests to both the Secretary-General and the Administering Powers to publicize widely the Assembly's resolutions on decolonization. Thus, by resolution 2189(XXI), the Assembly requested the Secretary-General to promote, through the various organs and agencies of the United Nations, the continuous and large-scale publicizing of the Declaration and the work of the Special Committee, in order that world opinion might become sufficiently aware of the situation in the colonial Territories and of the continuing struggle for liberation waged by the colonial peoples. Subsequently, the Assembly adopted resolutions 2326(XXII), 2465(XXIII) and 2548(XXIV), containing similar requests to the Secretary-General. Further, the Assembly, by resolutions 2326(XXII) and 2465(XXIII), also requested the Administering Powers, and by resolution 2548(XXIV), the Member States particularly the Administering Powers, to co-operate with the Secretary-General in promoting the large-scale dissemination of

¹⁴⁵*Ibid.*, Liberia, para. 27.

¹⁴⁶T C (XXXIV), 1311th mtg., para. 37.

¹⁴⁷T C (XXXIV), 1311th mtg., para. 40; T C (XXXV), 1338th mtg., para. 30; and T C (XXXVI), 1347th mtg., p. 51.

¹⁴⁸See *Repertory Supplement No. 3*, vol. III, under Article 76, paras. 48 and 49.

information on the work of the United Nations in the implementation of the Declaration.

155. The Administering Authorities for the Trust Territories of New Guinea and the Pacific Islands included in their annual reports also relevant material on the dissemination of information on the activities of the United Nations and its specialized agencies in the Territories concerned. The Trusteeship Council examined these reports, but adopted no resolution on the subject. However, it included in its annual reports to the General Assembly in respect of the Trust Territory of New Guinea, and to the Security Council with respect to the Trust Territory of the Pacific Islands, certain conclusions and recommendations concerning the dissemination of information on the activities of the United Nations and its specialized agencies in the concerned Territories.¹⁴⁹

C. Article 76c

156. During the period under review, the Trusteeship Council and the General Assembly continued to examine the status of human rights and fundamental freedoms in the Trust Territories of Nauru, New Guinea and the Pacific Islands, and made appropriate recommendations to the Administering Authorities to promote human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

1. NAURU

157. At the thirty-fourth session of the Trusteeship Council, the Administering Authority for Nauru stated¹⁵⁰ that the district women's clubs continued to show enterprise and had increased their field of activities, thus indicating a rising economic status for women in the Territory.

2. NEW GUINEA

158. As previously reported,¹⁵¹ at its thirty-second session, the Trusteeship Council recommended that the Administering Authority should take immediate steps to eliminate all discriminatory practices which might exist in the Territory. Having noted the statement of the Administering Authority on this question at its thirty-third session, the Council, recognizing that the Administering Authority had legislation outlawing racial discrimination in the Territory, called upon the Administering Authority to continue its efforts to stamp out any discriminatory practices that still might exist.

159. During the discussions on New Guinea in the Fourth Committee at the twenty-first session of the General Assembly, reference was made to the various discriminatory practices that still existed in the Territory, especially in housing and electoral qualifications.¹⁵² A draft resolution was introduced by which, *inter alia*, the Assembly, noting with grave concern the discriminatory practices in the Territories of Papua and New Guinea, would call upon the Administering Authority to remove all discriminatory electoral rolls and abolish

all discriminatory practices in the economic, social, health and educational fields.¹⁵³

160. Speaking against the provisions of this draft resolution in its original form and as subsequently revised, the representative of the Administering Authority noted that discriminatory practices were prohibited by law in Papua and New Guinea. Since the adoption of that law all existing territorial legislation had been revised, and any reference which might be considered discriminatory had been deleted. It was further explained that any differences that existed in the treatment of indigenous and non-indigenous inhabitants in the fields of education, health and wages were based not on race but on other factors. To attend the "A" schools, a child had to have an adequate knowledge of English and be able to follow "a certain type of education". Some hospital wards were open only to paying patients. The reason why indigenous officers received lower wages than did their Australian counterparts was that the latter had to be given incentives to accept appointment in the Territory.¹⁵⁴ The Fourth Committee approved the paragraph on discrimination by 59 votes to 15, with 11 abstentions, and the draft resolution as a whole, as amended, by 61 votes to 6, with 17 abstentions.¹⁵⁵

Decision

161. The draft resolution recommended by the Fourth Committee was adopted by the General Assembly, by 81 votes to 8, with 24 abstentions, as resolution 2227 (XXI).¹⁵⁶ By this resolution, the General Assembly called upon the Administering Power to implement, *inter alia*, "Removal of all discriminatory electoral qualifications" and "Abolition of all discriminatory practices in the economic, social, health and educational fields".

162. At the thirty-fourth to thirty-sixth sessions of the Trusteeship Council, the Administering Authority stated¹⁵⁷ that all elements of the population were secure in the enjoyment of human rights and fundamental freedoms with no discrimination on grounds of race, sex, language, or religion, but that it still considered it necessary to retain certain legislative provisions in order to protect the interests of the indigenous people in such matters as land acquisition and employment. In its report¹⁵⁸ to the General Assembly at its twenty-second session, the Council, recognizing that discrimination on the grounds of race or colour had been outlawed by legislation in Papua and New Guinea, and recognizing further that it was difficult to legislate with complete effectiveness on social behaviour since legislation alone could not convert an ideal into a fact, welcomed the establishment by the House of Assembly of a committee to review the Discriminatory Practices Ordinance of 1963 and to recommend to the House any amendments which, in the opinion of the Committee, should be made to the Ordinance. In addition to legal remedies by the courts, the Council suggested that the House of Assembly consider initiating a continuing programme to investigate the enforcement of anti-discrimination statutes.

¹⁴⁹G A (XXII), Suppl. No. 4, para. 266; G A (XXIII), Suppl. No. 4, paras. 315 and 316; S C, 22nd yr., Spec. Suppl. No. 1, para. 193; S C, 23rd yr., Spec. Suppl. No. 1, para. 284; and S C, 24th yr., Spec. Suppl. No. 1, para. 328.

¹⁵⁰See G A (XXII), Suppl. No. 4, para. 425.

¹⁵¹*Repertory, Supplement No. 3*, vol. III, under Article 76c, paras. 201-210.

¹⁵²G A (XXI), 4th Com., 1672nd mtg.: Liberia, paras. 17 and 18.

¹⁵³*Ibid.*, Annexes, a.i. 13, A/C.4/L.860, para. 10.

¹⁵⁴G A (XXI), 4th Com., 1676th mtg.: Australia, paras. 8-11.

¹⁵⁵*Ibid.*, para. 63.

¹⁵⁶*Ibid.*, Plen., 1500th mtg., para. 34.

¹⁵⁷G A (XXII), Suppl. No. 4, para. 230; G A (XXIII), Suppl. No. 4, para. 269; and G A (XXIV), Suppl. No. 4, para. 251.

¹⁵⁸G A (XXII), Suppl. No. 4, para. 234.

163. A draft resolution¹⁵⁹ was submitted whereby the Council, among other things, would condemn the Administering Authority for its refusal to implement General Assembly resolutions 2112(XX) of 21 December 1965 and 2227(XXI) of 20 December 1966, and urge the Administering Authority to take all necessary steps for the immediate and full implementation of the recommendations contained in those two resolutions. This draft resolution was, however, rejected by the Council.

164. During the discussion of this item in the Fourth Committee at the Assembly's twenty-second session, a draft resolution¹⁶⁰ was submitted whereby, *inter alia*, the Assembly would reaffirm resolutions 2112(XX) and 2227(XXI) and call upon the administering Power to take the necessary measures to implement those provisions without delay.

165. Against this draft resolution it was pointed out that in 1965 the Trusteeship Council's Visiting Mission to the Territory had reported that it had seen few signs of discrimination in the Territory. Furthermore the Council had recognized that discrimination on the grounds of race or colour had been outlawed and that it was difficult to legislate effectively on social behaviour. In addition, as already indicated, action was being taken to review the legislation on discrimination and to take the further steps necessary to combat such discriminatory practices as might remain.

166. It was also argued that the draft resolution in effect reaffirmed the unfounded charges in resolution 2227(XXI), which itself contained "unsubstantiated charges of discrimination". The fact that the draft resolution had been prepared even before the administering Power had made its statement showed that the text prejudged the situation in the Territory and did not take into account the progress achieved.

167. The draft resolution was approved by the Fourth Committee by a roll-call vote of 64 to 8, with 19 abstentions.¹⁶¹

Decision

168. The General Assembly, by a roll-call vote of 85 to 16, with 18 abstentions, adopted as resolution 2348 (XXII) the draft resolution recommended by the Fourth Committee.¹⁶²

169. In its report¹⁶³ to the General Assembly at its twenty-third session, the Trusteeship Council, *inter alia*, noted that the Select Committee of the House of Assembly on the Discriminatory Practices Ordinance of 1963 had reported that a close study of the application of then existing legislation was both necessary and desirable and had recommended that the Committee's report should be considered by the new House of Assembly. It further noted the view of the Visiting Mission that,

although racial discrimination was not a major problem in the Territory, there were minor manifestations in some areas. The Council endorsed the 1968 Visiting Mission's expression of hope that every opportunity would be taken to bring about the elimination of these minor manifestations of discrimination.

170. In its annual report for the year ending 30 June 1968, the Administering Authority stated¹⁶⁴ that the development of the Territory was regarded as a partnership of local and outside resources and its policy was aimed at preventing discrimination. Discriminatory practices on grounds of race in all licensed establishments and in the sale of goods had been outlawed. By means of broadcasts and other means of communication with the people, the Administration and various voluntary organizations constantly stressed the need for better understanding and better co-operation among all sectors of the community. The Administering Authority, as the Visiting Mission had recommended, would take every opportunity to eliminate the minor manifestations of discrimination that might occur. The Council did not, however, adopt the Visiting Mission's conclusions and recommendations on the subject in view of the assurances given by the Administering Authority.

171. No further action on the question of discriminatory practices in the Territory was taken in the Fourth Committee at the Assembly's twenty-third session.

3. THE PACIFIC ISLANDS

172. During the period under review, the Administering Authority in its annual reports stated¹⁶⁵ that social and cultural diversity existed among the districts, but increased contact and education had brought about the adoption of new cultural forms and had created a more common pattern of social organization throughout the Territory. It also stated that the Government of the Trust Territory promoted the social advancement of the Territory through programmes of general education, by raising the level of public health and by improving the standard of living. The Government encouraged Micronesians to integrate voluntarily into their own culture useful features of other civilizations that would enable them to lead more meaningful and rewarding lives in today's changing world. The reports also indicated that the Administering Authority was determined to foster the complete equality of men and women before the law.

173. During the period under review, neither the Council nor the Assembly adopted any recommendation specifically related to encouraging recognition of the independence of the peoples of the world, as envisaged in Article 76c.

D. Article 76d

174. There was no material requiring treatment under Article 76d in this *Supplement*.

¹⁵⁹T C (XXXIV), Annexes, a.i. 4 (6), T/L.1127; see also para. 84 above.

¹⁶⁰G A (XXII), 4th Com., 1745th mtg., A/C.4/L.886, para. 63.

¹⁶¹*Ibid.*, 1750th mtg., para. 67.

¹⁶²G A (XXII), Plen., 1641st mtg., para. 46.

¹⁶³G A (XXIII), Suppl. No. 4, para. 274.

¹⁶⁴See G A (XXIV), Suppl. No. 4, para. 253.

¹⁶⁵See S C, 22nd yr., Spec. Suppl. No. 1, paras. 155 and 166; S C, 23rd yr., Spec. Suppl. No. 1, paras. 206 and 229; and S C, 24th yr., Spec. Suppl. No. 1, paras. 249 and 269.