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UNIVERSITY OF CALIFORNIA

INTRODUCTION

Between 1946 and 1950, 11 Territories were placed under the International Trusteeship System through individual agreements

had made clear their desires, in referendums observed by the United Nations, regarding their future political status - the Federated States of Micronesia, Palau and the Marshall Islands, opting for free association with the United States, and the Northern Mariana Islands for continued Commonwealth status with

world took place in 1521 when the expedition of the Portuguese

Spain ceded Guam, the southernmost island in the Marianas group, to the victorious United States and sold the rest of its

of major concern ever since. 7/ The United States was also criticized for allegedly neglecting the Territory's economic and social development and for contributing to the creation of island slums. Alleged defects of its administration notwithstanding, the United States ultimately carried out its obligations to promote self-government for the Territory to the satisfaction of the United Nations and the international community as a whole.

The four entities that emerged from the Trust Territory of

Palau also part of the western Carolines consists of the

General Assembly, of 21 members apportioned among the districts according to population. Reflecting continuing United States control, the High Commissioner appointed by the United States was authorized to veto any bills passed by the Congress, while bills



A. Emergence of the four entities 10/

After the separation of the Northern Marianas, it was generally expected that the balance of the Territory,

B. Constitutions of the four entitiesCommonwealth of the Northern Mariana Islands 10/

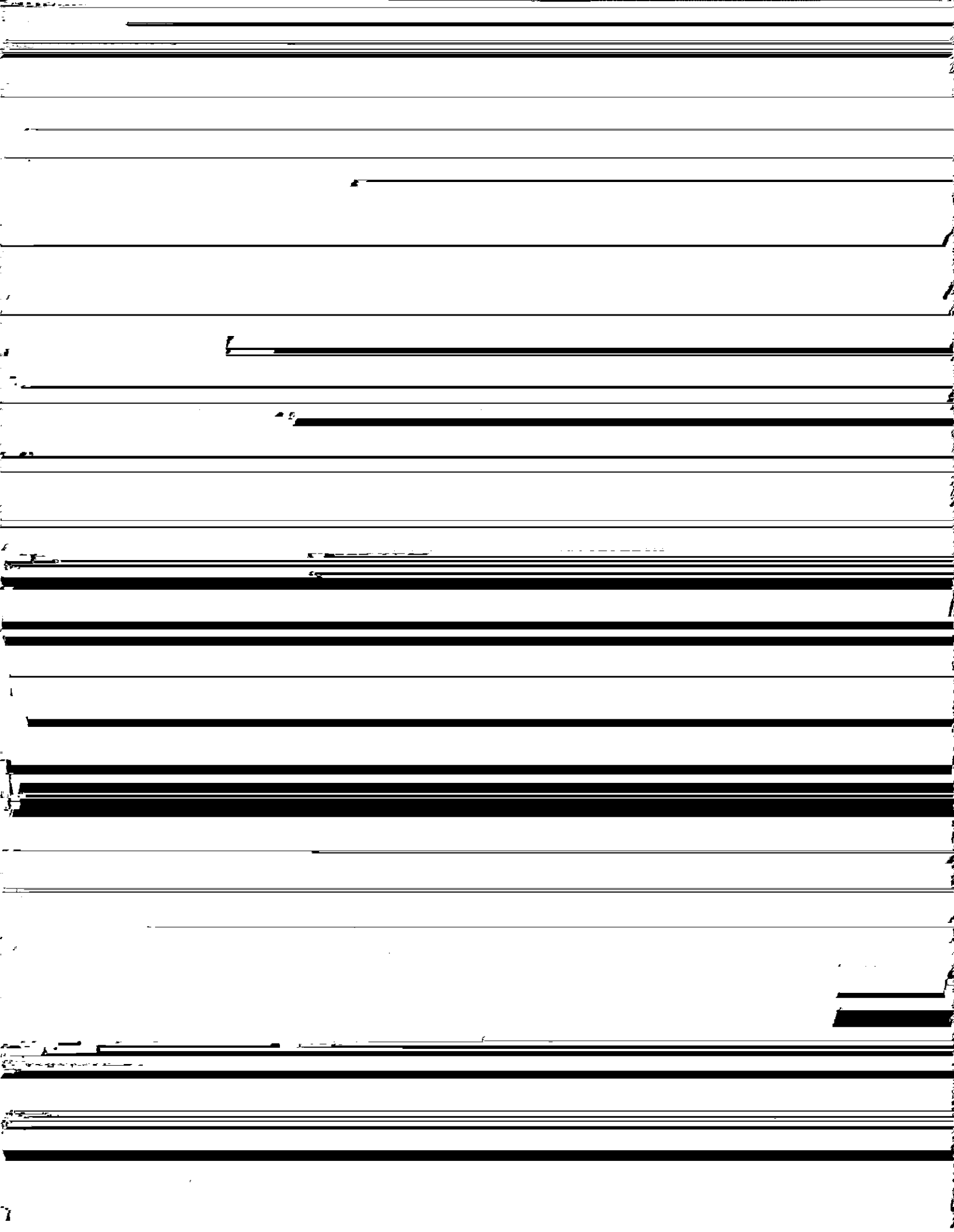
The Constitution of the Commonwealth of the Northern Marianas, which was popularly approved in March 1977, provides for a presidential form of government with the executive branch headed by a governor and a lieutenant governor elected for a

... of all the state delegations on a second

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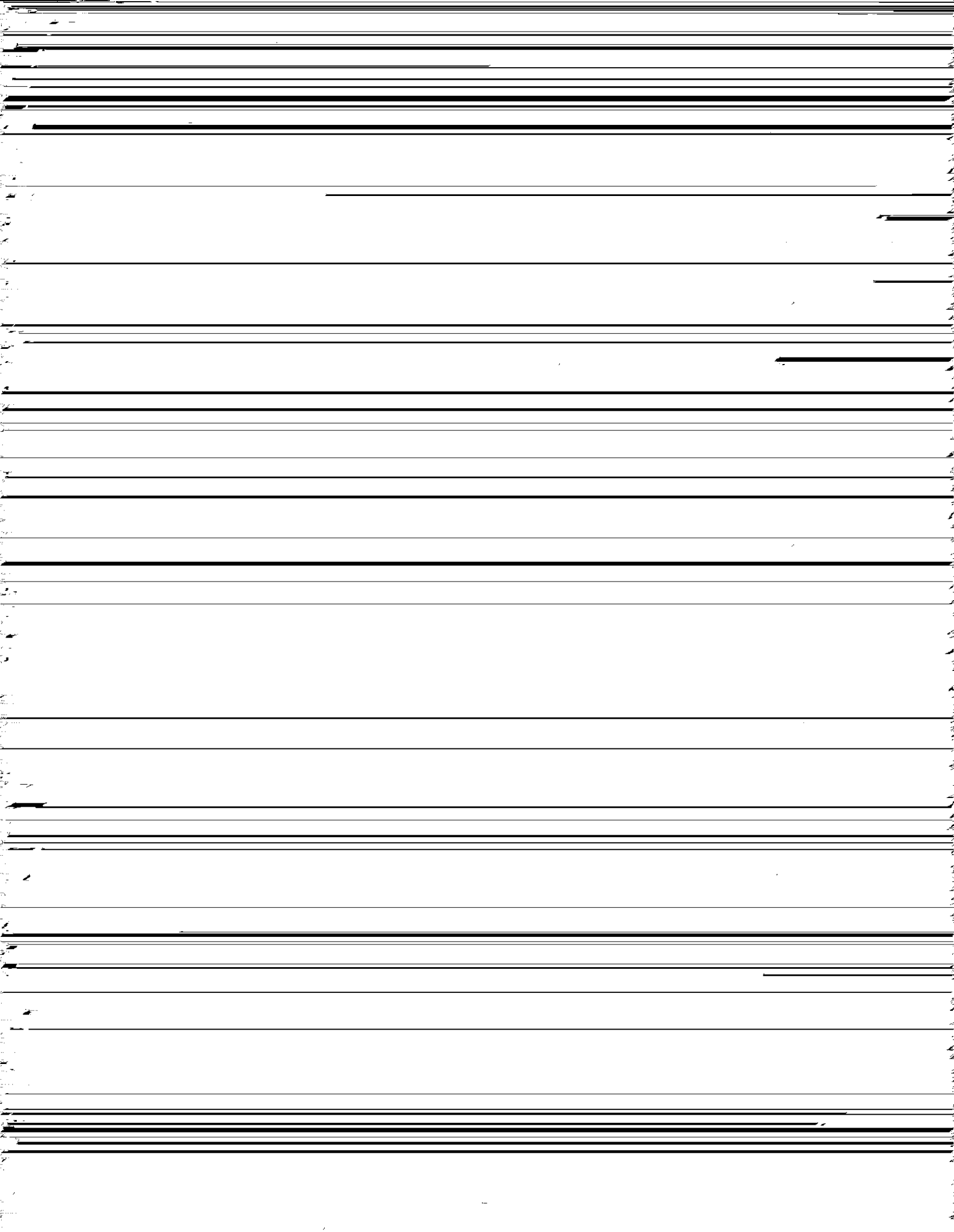
The Constitution provides for a High Court with unlimited original jurisdiction as well as appellate jurisdiction over cases originally filed in subordinate courts. The Supreme Court serves as the final court of appeals. There is an enforceable bill of rights.

\_\_\_\_\_ of the Congress of Micronesia draft



constitutions and forms of government". Article 1 declared that the people of the freely associated states would be self-governing; once the Compact became effective, the laws of the United States would cease to apply to them. 10/

The United States would retain "full authority and



local taxes; there would be free passage for United States ships and planes and the storage of nuclear weapons would be allowed. The Federated States of Micronesia Government would have no authority to revoke these military provisions before the original 15-year term had expired. 17/

The Compact would bring the Marshalls \$1 billion in United States economic aid over 30 years, in exchange for which the United States would have the use of Kwajalein Atoll over the same period. Additionally, the Compact would terminate further



being the sole component remaining under Trusteeship, it supported termination of the Trusteeship Agreement for the

remainder of the Territory.

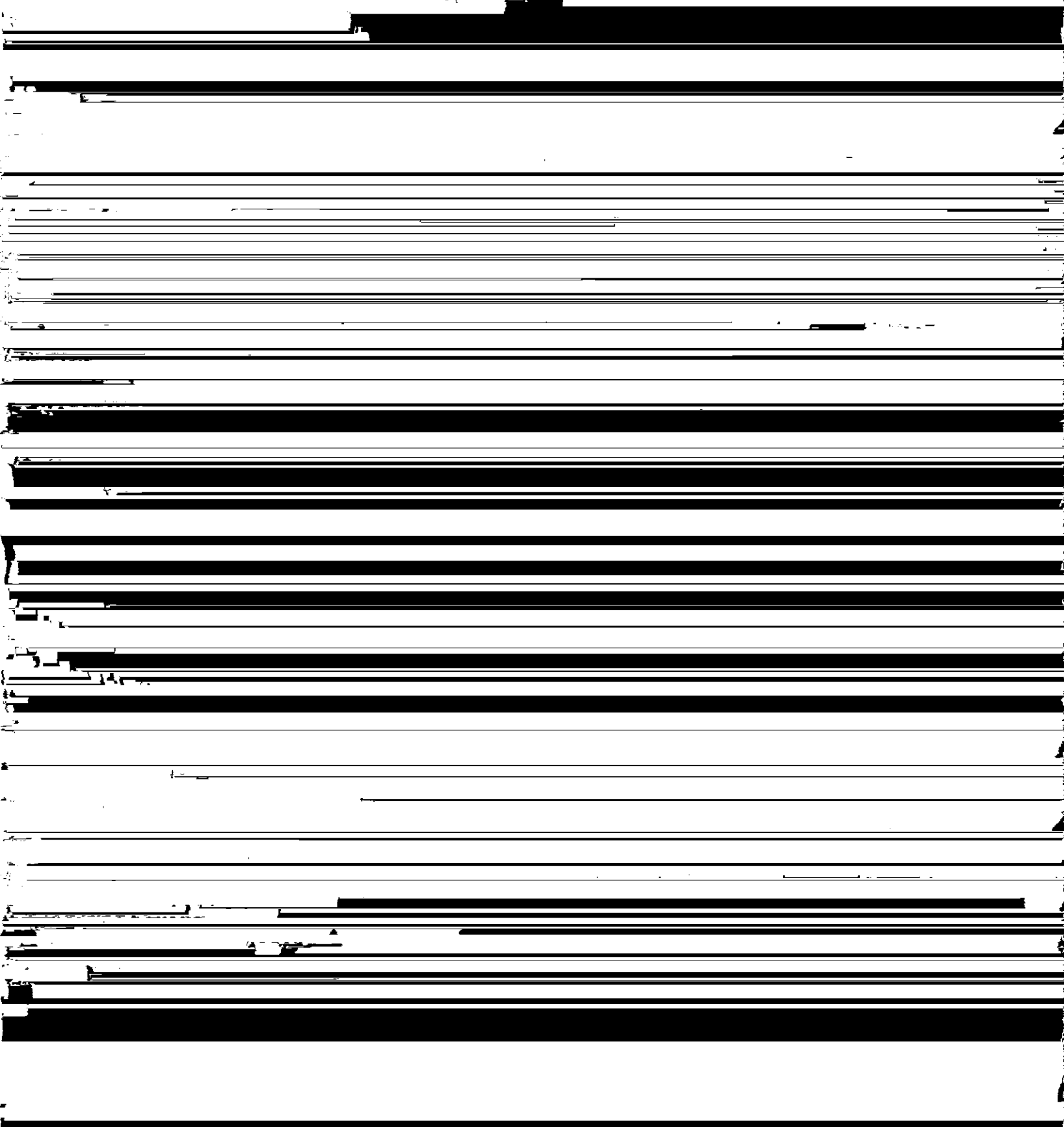
The year 1986 was a watershed in the partial termination of the Trusteeship Agreement. Propelling events, the Trusteeship Council on 28 May 1986 adopted resolution 2183 (LIII), in the preambular part of which it acknowledged the establishment of constitutional governments in all the entities comprising the Trust Territory and noted both the recommendation of the United Nations Visiting Mission in 1985 that the Trusteeship Agreement should be terminated as early as possible, and the desire of the Trust Territory Governments towards that end. In the operative paragraphs the Trusteeship Council reaffirmed the conclusions of

the 1985 Visiting Mission that the peoples of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia and Palau had "freely exercised their right to self-determination", choosing commonwealth status in the case of the Northern Marianas and free association in the case of the Marshall Islands, the Federated States of Micronesia and Palau. The Council set the date of 20 September 1986 for the full coming

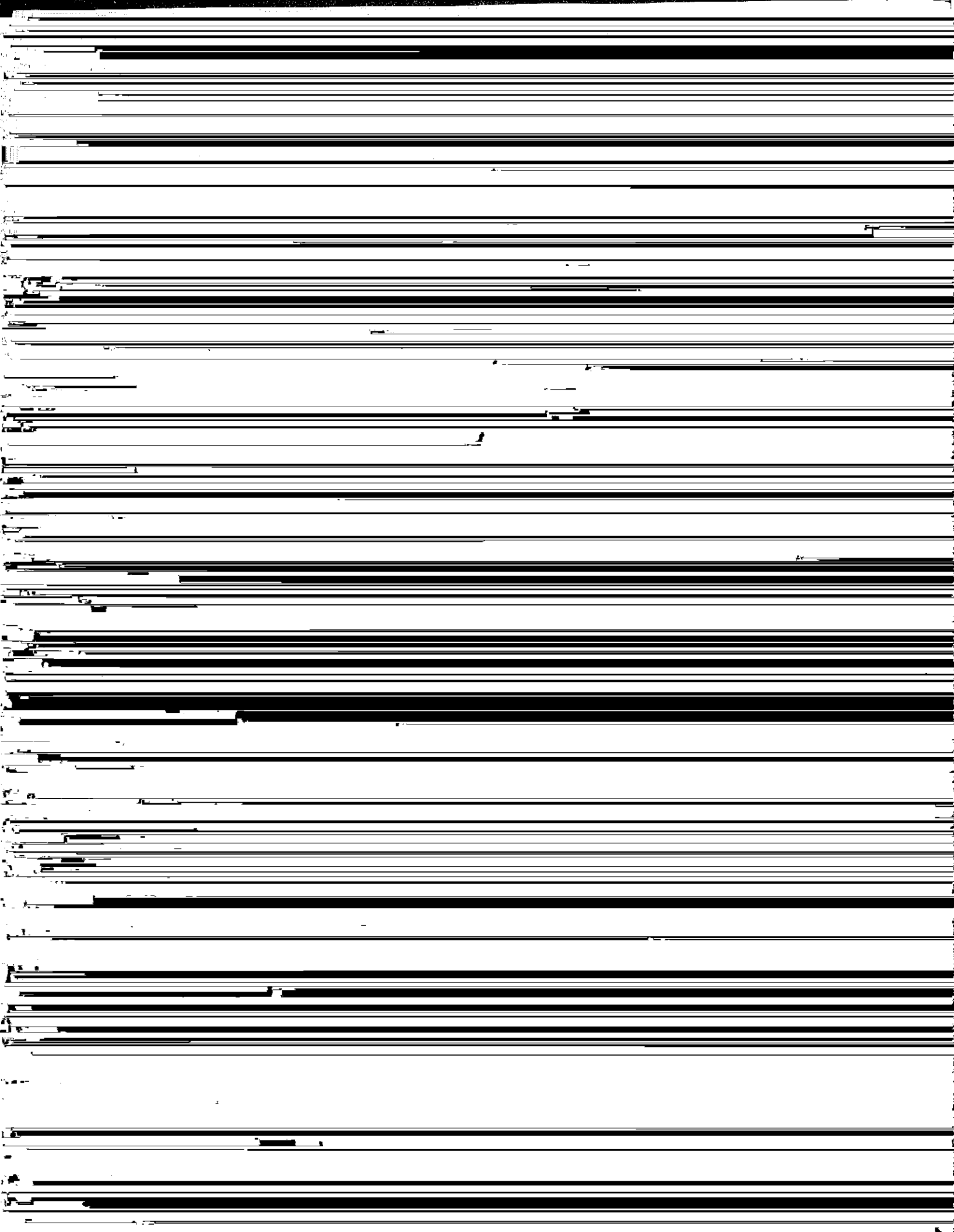




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preferred status, the main issue standing in the way of the adoption of the Compact remained the incompatibility between the Compact's nuclear provision and the 75 per cent requirement of



16/ Ibid., para.443.

1997-1998 Annual Report of the Human Rights Commission, para. 443.

32/ S/22034.

33/ S/22009 (also issued as T/1952).

34/ S/22001.

35/ Official Records of the Security Council, Forty-fifth  
Year Special Supplement No. 1 (S/22212). para. 78.



