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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD
TO THE IMPLEMENTATION OF THE DECLARATION ON
THE GRANTING OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

REPORT OF THE UNITED NATIONS VISITING MISSION TO AMERICAN SAMOA, 1981

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INTRODUCTION

1. The General Assembly continues to emphasize the importance of visiting missions in ascertaining the situation in small Territories, whence information may in the best of circumstances be limited. Such missions enable the Special Committee to obtain first-hand information on conditions in the Territories and on the wishes and aspirations of the peoples of those Territories concerning their future political status. The Mission therefore wishes to record its appreciation to the administering Power concerned, the United States of America, for having furnished an opportunity to study conditions in the Territory at close hand.
2. The Mission wishes to record here its gratitude to the Government of the United States of America for its full co-operation and ample assistance: Mr. Pedro San Juan, the Assistant Secretary for Territorial and International Affairs; Mr. John De Young; Mrs. Nori Uchida of the Department of Interior; Mr. Nicholas Platt, Acting Assistant Secretary for International Organization Affairs in the Department of State; Mr. Melvyn Levitsky, Director of United Nations Political Affairs; Mr. D. Keith Guthrie, Director of Pacific Islands Affairs; Mr. Harlan Lee; Mr. Mark Mohr; and other senior officials who received the Mission with courtesy and hospitality.
3. The Mission is grateful for the courtesy extended to it during its stay in Washington, D.C. by the Hon. Fofu Sunia, American Samoa Delegate to the United States Congress, with whom the Mission had a very extensive and informative discussion. It also wishes to thank the Hon. Antonio Won Pat, Guam Delegate to Congress and Chairman of the Sub-Committee on Insular Affairs of the House Interior and Insular Affairs Committee and the other members of the Sub-Committee who, despite other pressing concerns, found time to meet the Mission.
4. The Mission wishes to convey its deep appreciation to the Hon. Peter Tali Coleman, Governor of American Samoa, and to Mrs. Coleman, as well as to the Governor's staff, and to the department heads and other officials of the Government of American Samoa for their generous hospitality, friendliness and considerable assistance in helping the Mission accomplish its task.
5. The Mission wishes to express its particular gratitude to the Secretary of Samoan Affairs, Chief Fuimaono, who organized the Mission's programme of visits, and his deputy, Chief Sala, who served as co-ordinator and accompanied the Mission throughout its stay in the Territory, and to its escort officer, Mr. James C. Gray Jr., Legal Advisor at the United States Mission who accompanied the Mission throughout. Their helpful attitude and their knowledge and advice contributed greatly to the success of the Mission. Thanks are also due to Ms. Barbara Hutchinson, Mr. Muliufi Hannemann, Special Assistant in the Office of the Governor of Hawaii, and Mr. Jerry Norris, Executive Director of the Pacific Basin Development Council who assisted the Mission during its stay in Hawaii.

6. Finally, the Mission wishes to express its warm appreciation to the members of the Fono, the high chiefs, the members of the Judiciary, and all the people of American Samoa with whom it had contact, for their overwhelming hospitality and for the great courtesy and kindness with which the Mission was received wherever it went in the islands.

A. Terms of reference and composition
of the Mission

7. During the thirty-fifth session of the General Assembly, the representative of the United States of America, in the course of a statement at the 13th meeting of the Fourth Committee, announced the intention of his Government to invite the Special Committee to dispatch a visiting mission to American Samoa during the coming year. Shortly thereafter, in a letter dated 23 October 1980 addressed to the Chairman of the Special Committee, the Permanent Representative of the United States to the United Nations, on behalf of the Governor of American Samoa, extended a formal invitation to the Committee to dispatch the mission at an appropriate time in 1981. The General Assembly, in its resolution 35/23 adopted on 11 November 1980, welcomed this invitation and reiterated its conviction that the dispatch of such missions was essential for securing adequate and first-hand information on the conditions of Non-Self-Governing Territories and on the view, wishes and aspirations of their peoples.

8. In accordance with General Assembly resolution 35/23, and on the basis of the related consultations, the Chairman of the Special Committee informed the members of the Committee on 12 June 1981 that the proposed visiting mission to American Samoa would consist of the representatives of India, Sierra Leone and Trinidad and Tobago. Accordingly the Mission was composed as follows:

Mr. Abdul G. Koroma (Sierra Leone) Chairman

Mr. Vasant Vishnu Nevrekar (India)

Mrs. Lenore Sylvia Dorset (Trinidad and Tobago)

9. The Mission was accompanied by the following staff members of the United Nations Secretariat: Mr. M. Minchin, Principal Secretary; Mr. N. E. Driss, Political Affairs Officer; Mrs. J. Chenier, Administrative Officer; and Mrs. E. Clescere, Secretary.

10. Mr. James Gray Jr., of the Permanent Mission of the United States to the United Nations, accompanied the Mission to the Territory and gave invaluable assistance.

B. Itinerary

11. Before going to American Samoa, the Mission, at the invitation of the United States Government, visited Washington, D.C. where on 9 July 1981 it held consultations with senior officials of the Department of Interior and the Department of State, and with the Hon. Fofu Sunia, American Samoa Delegate to the United States Congress. The Mission also met with the Chairman and other members of the Insular Affairs Sub-Committee for the House of Representatives.

12. On 10 July, the Mission departed by air for Honolulu where it held discussions with representatives of the American Samoa community and with officials, including the Executive Director of the Pacific Basin Development Council.

13. The Mission visited American Samoa from 12 to 21 July. Its itinerary and activities in the Territory are set out in annex I to the present report. Upon completion of its visit, the Mission travelled to Nadi, Fiji where it stayed from 22 to 26 July to work on its report.

I. INFORMATION ON THE TERRITORY
[See A/AC.109/679/Add.1]

II. DISCUSSIONS HELD AT WASHINGTON, D.C. ON 9 JULY 1981

A. Meeting at the Department of the Interior

183. The Mission began its work in Washington on the morning of 9 July by meeting at the Department of the Interior with senior officials of that Department led by Mr. Pedro San Juan, the Assistant Secretary-designate for Territories and International Affairs.

184. He said that American Samoa had many problems which were common to other small island territories, particularly in the economic field. Because of their small size, they often lacked the means to provide costly infrastructure. For example, their economies could not support the cost of large-scale power plants and, often, they had to rely on small equipment such as diesel generators which were both inefficient and costly to run in terms of imported fuel. The Administration was currently studying this problem with a view to discovering new, cheaper methods of power generation on a scale compatible with the requirements of small islands. He believed that there was an enormous potential for small-scale power plants utilizing alternative sources of energy, but that it would take 10 to 15 years to develop the techniques. This was illustrative of a general need for in-depth study of the consequences and implications of infrastructural development for the economies of small territories. For instance, in determining whether or not to make available public funds to finance a particular project in infrastructural development, it was necessary to take into account whether or not it would stimulate other forms of economic activity. A further problem which was common to small island economies was lack of technical and middle management personnel.

185. In its general approach to economic development, the administering Power was very much interested in a mix of public infrastructural investment with economic investment by the private sector, for instance in regard to the development of tourism. Mr. San Juan thought that much could be done by the Department of the Interior to make the United States and other foreign investors aware of opportunities from investment in the Territory.

186. With regard to the Territory's political status, the Assistant Secretary said that the people of American Samoa could call for a constitutional convention to revise their Constitution whenever they wished. Explaining the relationship between the Territory and the United States, he said that the absence of an organic act was due to the insistence of the Samoans on retaining certain aspects of traditional society, especially their system of land tenure which would not be incompatible with some provisions of the United States Constitution, for instance the Samoan custom according to which ownership of land was restricted to persons who were at least half-Samoan. Under the treaty of cession, the United States had undertaken to respect Samoan customs. However, the absence of an organic act had few practical disadvantages for the Samoans and gave a degree of flexibility, which

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made it possible to respond more easily to the needs of the Samoans. Despite the absence of an organic act, the United States had strong legal and moral commitments towards the Samoans. A Samoan could, as a United States national, travel freely on a United States passport, and could reside and work in the United States. A national could not hold certain sensitive posts which were restricted to citizens. However, a Samoan who desired United States citizenship, could obtain it on application without any waiting period. Many Samoans were also United States citizens.

187. Mr. San Juan said that the administering Power had encouraged the American Samoa Government to enter into co-operative relations with other islands of the South Pacific. There were many economic problems which were common to the region and were best approached co-operatively: for instance, problems relating to the regulation and development of fishing, or the search for import-substitutes and the problem of low-cost generation of power. Examples of such co-operation were the Pacific Islands Tourism Development Council and the Pacific Tuna Development Foundation. American Samoa also participated in the South Pacific Commission and sent observers to the South Pacific Forum. Other areas of co-operation were public health and cultural relations.

B. Meeting at the Department of State

188. After leaving the Department of the Interior, the Mission had a meeting at the Department of State with Mr. Nicholas Platt, Acting Assistant Secretary for International Organizations, and other senior officials.

189. The Mission was informed that, although in theory the State Department was responsible for international relations concerning the Territory, it was the policy to give the American Samoa Government considerable latitude in its relations with other countries and territories in the South Pacific. In line with this policy, the United States Government had encouraged representatives of American Samoa to participate directly in negotiations with New Zealand, the Cook Islands, the United Kingdom, Tuvalu and Kiribati to establish the boundaries of their respective extended fishing zones. Recently the American Samoans had participated directly in negotiations between the United States and New Zealand which led to a treaty concerning certain disputed islands in the Tokelau group and delimiting the extended fishing zones of American Samoa and Tokelau. The treaty would probably be ratified during the current session of Congress. Similarly, when the American Samoa Government in May 1981 decided to send a trade mission to neighbouring independent States such as Fiji, the Federal Government had not objected.

190. Since the introduction of an elected Governor, American Samoa was particularly interested in developing ties with other countries in the South Pacific and in promoting regional co-operation. The Territory was represented on the South Pacific Commission and Governor Coleman was himself one of the founders in 1980 of the Pacific Basin Development Council which had its headquarters in Honolulu. The State Department looked with favour on the appointment of foreign consular representatives in the Territory. At present there were consuls of the Republic of Samoa and Korea, the latter because of the Korean fishing boats which supplied the canneries. New Zealand had likewise indicated its interest in

appointing a consular representative in the Territory, and other countries were welcome to follow suit.

191. The officials confirmed that the United States Government was willing to entertain any proposals concerning the future political status of the Territory which might come from the people of American Samoa. So far, the Samoans had decided that they were not ready for change.

C. Meeting with the Hon. Fofu Sunia, American Samoan delegate to Congress

192. At the House of Representatives, the Mission met with the Hon. Fofu Sunia, who is the first elected delegate of American Samoa to the United States House of Representatives. Mr. Sunia told the Mission that since the introduction of the Constitution in 1960, political developments in American Samoa had proceeded rapidly. It was true that the Samoan people clung to their traditions and were likely to continue to do so for some time to come but he did not consider that an impediment to progress. It was unlikely, in his opinion, that the people would accept the recommendation of the Political Status Study Commission that the Senate should be made an elected body, but that need not be an obstacle to progress because most of the matais were young and well educated - many of them held university degrees, and a few were law graduates.

193. He said that one of the main problems confronting the Territory was its heavy reliance on financial support from the Federal Government. However, many members of the United States Congress understood the Territory's difficulties and were sympathetic to its needs. Although the budget was presented to Congress by the Department of the Interior, it was actually drawn up by the American Samoa Government. More money was earmarked for education than for any other recurrent activity.

194. Another of the Territory's problems was the large emigrant community in the United States, some of whom still voted in Samoan elections. This emigrant community exercised a great influence in Samoa. However, emigration was a necessary outlet for a growing population with limited job opportunities at home. Another outlet was service with the United States armed forces. That was very popular in the Territory because, in addition to good pay and a chance to see the world, it offered young men an opportunity to complete their education by learning technical skills for which training was not available in Samoa. Moreover, their remittances were a source of cash income for their family.

195. Mr. Sunia said that health and medical services, which were free, were among the best in the Pacific region.

196. Concerning the Territory's economy, he said that the tuna packing industry, which dominated the economic life of American Samoa, was one of the largest operations of its kind in the world. However, the Territory did not own the canneries or the fishing fleet which supplied them. Recently efforts had been made to study the industry's contribution to the Territory and to find ways in which this could be increased. There were at present about 200 tuna long-line fishing

boats based in the Territory but owned and operated by Korean and Taiwanese companies and crews. The life aboard these fishing boats was very harsh and generally unattractive to American Samoans, who liked neither the life nor the long absences from home. Recently there had been a move towards the introduction of expensive technology into tuna fishing with the purchase by United States interests of 12 purse-seiners, costing \$10 million each. Conditions aboard these boats were much better than on the small craft and it was hoped that the conditions and the good wages which the United States companies were able to pay, would attract young Samoans to this work. There was a somewhat similar problem in the two canneries which relied to a considerable extent on immigrant workers from other Pacific islands, particularly the State of Samoa. That was also because the work was unpleasant and not liked by American Samoans, who sought clerical or "white collar" employment.

197. There was a clear need to diversify and strengthen the economy by encouraging new industries, but the small size of the Territory and its distance from markets prohibited many forms of industrialization. Decontrol of oil prices was another problem.

198. Asked about the Territory's present and future constitutional status, Mr. Sunia told the Mission that the Secretary of the Interior was the signer of the Constitution under which American Samoa operates its own Government. There was a movement in the Territory towards the ratification of the Constitution by the United States Congress. However, American Samoa would probably never ask for an organic act.

199. Mr. Sunia did not think the American Samoans would wish to change their Constitution for a long time and the United States Government had not pressured them to do so. During his term in office he had never known Congress to go against the wishes of the Samoans. American Samoans were very attached to the United States and there were now many more American Samoans living in the United States than in the Territory. American Samoans considered themselves to be Americans and, in his opinion, would not want to change their status by associating with the State of Samoa, despite the strong economic and cultural links between them. Quite apart from other consideration, their unequal numbers made this highly improbable.

D. Meeting with members of the House Interior and Insular Affairs Committee

200. The Mission concluded its series of meetings in Washington by a visit to the House of Representatives where it met the Hon. Antonio Won Pat, Guam Delegate to Congress and Chairman of the Sub-Committee on Insular Affairs of the House Interior and Insular Affairs Committee and with other members of that Committee.

201. The Mission had an informative discussion with the congressmen in the course of which the Mission members explained their mandate and were, in turn, informed concerning the role of the House Committee and its Sub-Committee. Mr. Won Pat explained that the Sub-Committee on Insular Affairs is responsible for general oversight of all matters relating to the island territories, including American Samoa. It was a very close knit sub-committee whose members tended towards

a bipartisan approach. Consequently the Sub-Committee and its parent Committee carried considerable weight in Congress and it was here that the non-voting delegates exercised their main influence. As delegate from the nearest United States Territory in the South Pacific, Mr. Won Pat said that he took a particular interest in the concerns of American Samoa and had close working relations with Hon. Fofu Sunia. He said that the new Republican administration had not yet determined its policies on matters of concern to the island Territories.

III. DISCUSSIONS AT HONOLULU ON 11 AND 12 JULY 1981

202. Taking advantage of its stopover in Honolulu, the Mission met with leaders of the American Samoan community in Hawaii, and with others who were in a position to furnish it with relevant information. To the extent that much of the information is contained elsewhere in this report, it is not reproduced here. The Mission is grateful, however, for the extensive briefings which it received.

A. Meeting with the Special Assistant to the Governor of American Samoa

203. On 11 July, the Mission met with Mr. P. Tuiasosopo, the Special Assistant to the Governor of American Samoa, who was visiting Honolulu. Mr. Tuiasosopo, in the course of his briefing, explained to the Mission the close attachment which the people of American Samoa felt for the United States. He pointed out that in proportion to its population, more people from American Samoa had served with the United States armed forces in South East Asia than from any other Territory or State of the United States. He recalled that prior to 1951, the Territory had been administered by the United States Navy and Pago Pago had been the site of a Naval base. That was perhaps one reason for the large number of enlistments. The dismantling of the Naval base in 1951 had also resulted in the departure of some 2,000 Samoan military and support personnel who were relocated in the United States but continued to maintain contact with their relatives in American Samoa.

204. Mr. Tuiasosopo described the work of the American Samoan Arts Council, of which he is Chairman. The Council, he said, was established in response to the need to the sense of cultural identity among Samoans and to preserve traditional art forms. The Council was supported mainly by funds from the National Endowment for the Arts.

B. Meeting with leaders of the American Samoan community

205. On 11 July the Mission met with High Chief Sila Williams, President of the Council of Samoan Chiefs in Hawaii; Viefu Epenesa, Director of the American Samoan Office; Nic Pula, Special Assistant to United States Senator Daniel Inouye; Mrs. Rebecca Nu'usa, producer of a Samoan television programme in Hawaii. They told the Mission that Samoans living in Hawaii as well as elsewhere in the United States came with their culture and traditional way of life and that their objective was the preservation of these values.

206. The Samoan representatives estimated that their community numbered some 30,000 persons. The major obstacle to the adjustment to the American way of life was their tradition of extended family organization. They faced unemployment and many of their youngsters were involved in crimes. They also thought that the Hawaiian mass media was biased against Samoans in general. The American Samoa Office had the task of helping the community by providing it with guidance towards the right agencies in the State of Hawaii.

207. The main reason for American Samoans to emigrate to Hawaii was the availability of good education facilities. The graduates, however, seldom go back. There was no relationship between scholarships and the level of job opportunities in American Samoa. Employment could be provided by the fishing industry in American Samoa, but the people are reluctant to go out to sea for extended periods of time.

208. They felt that there was a gap between the educational level in the Territory and in Hawaii and said that most American Samoans were either employed by the armed forces or in unqualified manual jobs as drivers. They live generally in low income housing projects.

C. Meeting with the Special Assistant in the Office of the Governor and the Executive Director of the Pacific Basin Development Council

209. On Sunday, 12 July, the Mission held a meeting with Mr. Muliufi Hannemann, Special Assistant in the Office of the Governor of Hawaii and Mr. Jerry Norris, Executive Director of the Pacific Basin Development Council.

210. Mr. Hannemann, who is a Samoan, said that the Territory's economy was heavily dependent on the United States and that there was great concern in the Territory over the possible local effects of proposed cutbacks in spending by the Federal Government.

211. Explaining that one of his functions was to advise the Governor on matters concerning the Samoan community in Hawaii, he said that it included a number of students and persons undergoing advanced training. Because the educational standards in the Territory were lower than in Hawaii, he confirmed that Samoans were often at a disadvantage in obtaining employment.

212. Mr. Norris described the functions and aims of the Pacific Basin Development Council, which served to promote co-operation among the United States in the Pacific, namely Hawaii, Guam, American Samoa and the Northern Marianas. Governor Coleman had been instrumental in its formation. Recently, the four Governments had taken a stand in opposition to the maritime disposal of nuclear waste in the South Pacific.

213. He said the last four years had seen the establishment of a good basic economic infrastructure in American Samoa. Communications had improved with the introduction of communication by satellite. The principal weaknesses were an inadequate and poorly maintained electric power generating plant on Tutuila, undependable water supplies and weak air communications with the outside world.

In this last respect, he explained that after Pan American Airlines had discontinued its services to the Territory, the Government had been able to enter into an agreement with Continental Airways to provide an assured service between Honolulu and Pago Pago.

214. Mr. Norris said that the Pacific Basin Development Council was carrying out several economic studies related to the Territory's development, including port development, tourism, electric power generation, developmet of economic infrastructure and middle management training. At present it was carrying on three major studies. The first aimed at the establishment of a fisheries development plan covering the whole region. The second was a study of energy requirements in the region and the third concerned the establishment of a regional programme for training statisticians who were needed to provide the basic information which was a prerequisite for regional planning. The present inadequacy of statistical data in many sectors was a serious defect in many island territories. It was proposed to provide selected candidates from the public service with training on condition that they return home to continue serving in their islands.

215. Mr. Norris said that the Territory had waited a long time for a coherent development programme and it was very regrettable that now that it had one, it was facing increasing restrictions on the availability of federal funds. There was considerable uncertainty regarding the impact on the Territory of the new administration's policies.

216. Speaking generally about the Territory's future economic prospects, he thought that the small size of its population would always be a major impediment to the attainment of common viability, despite the possibilities for reducing its dependence on federal funds.

217. Replying to a question concerning the fishing industry, he said that the two canneries at Pago Pago supplied about 10 per cent of the canned tuna consumed in the United States. Practically none of this was fished by American Samoans and only 2 per cent was caught within the Territory's 200-mile fishing zone. A large proportion of cannery workers were from Western Samoa. Efforts to interest American Samoans in the industry were not very successful. Recently two Samoans had purchased long-line fishing boats but they had engaged a Korean company to operate them under contract.

218. As regards the Territory's political future, both Mr. Norris and Mr. Hanneman agreed that although the Status Committee of the Legislatures, after consulting the people, had so far rejected all alternatives to the existing status, there was however an undercurrent of dissatisfaction among the younger generation who felt frustrated with the conservatism of their elders. Adherence to the Samoan way of life made change difficult, but the dominant factor was the attachment of the people to the United States. Service with the United States armed forces had always been a principal avenue to obtain employment, see the world and at the same time receive education and gain technical skills.

219. Although both had the same traditions, the people of American Samoa at present rejected integration with the State of Samoa for a number of reasons, among them the differences in living standards and political systems. The American Samoans feared the prospect of being engulfed by a partner with a population more than six times as numerous as their own. It was possible, however, that in the long run the two Samoas might ultimately decide to integrate.

IV. DISCUSSIONS HELD IN THE TERRITORY FROM 13 TO 20 JULY 1981

A. Meeting with the Governor and leading chiefs on 13 July 1981

220. The Mission began its official visit to American Samoa by paying a visit to the Governor at Government House. The Governor, who received the Mission accompanied by five of the high chiefs of American Samoa, greeted the Mission in a formal a'ava ceremony, and, after the ceremony, held a brief meeting with the Mission.

221. The Governor explained the relationship between the Executive and the leaders of traditional Samoan society. He said that the high chiefs were of very great assistance to him in carrying out his responsibilities.

222. Governor Coleman said that although the Territory was a dependency of the United States, the American Samoans themselves felt that, in practice, they enjoyed a considerable degree of self-government. They considered that no small island country could exist without some ties to a metropolitan Power. The people of American Samoa viewed the introduction of a popularly elected governorship as a major step towards full autonomy and as a test of their capacity to handle their own affairs. The people desired to be self-reliant and they had political motivation to work and stand on their own feet. They wished to expand their economy and co-operate with their neighbours. Thus the American Samoan Government was trying to interest other territories in the Pacific, for instance, Tuvalu, in carrying out tuna fishing and using the canneries at Pago Pago to process their catch. Further, bearing in mind the economic potential of its harbour and its unique position, the Government hoped to develop the harbour as a transshipment point, for the South Pacific region.

223. The Governor said that a major obstacle to economic development was the poor condition of the diesel electric generating plant on Tutuila. The Government was seeking a \$15 million loan to rebuild it.

B. Opening session of the Fono

224. Following its meeting with the Governor on 13 July, the Mission was privileged to observe the formal opening of the second session of the Seventeenth Legislature, or Fono, of American Samoa. The formal opening took place at a joint meeting of the Senate and House of Representatives in the presence of the Governor.

225. In a brief address to the joint meeting, which was broadcast on television, the Chairman, Ambassador Koroma, explained the mandate of the Mission.

226. In his response to the Chairman's address, the President of the Senate said that the principal wish of the American Samoans was to live in peace with their neighbours in the Pacific. He said that, as an unincorporated and unorganized territory of the United States, American Samoa's constitutional status allowed it, in practice, to be largely self-governing. Further, except for the Senate, whose members were chosen according to tradition, all elections to the House of Representatives and other posts were filled by universal adult suffrage with secret ballot.

227. The United States was responsible for the greater share of expenditure on social, health, education and economic development of the Territory until such time as the American Samoa Government was capable of assuming responsibility for all, or the greater part of the public expenditure of the Territory.

228. The people of American Samoa were strongly in favour of maintaining their existing relationship with the United States. Political independence should not be confused with freedom. Many independent countries, much larger than American Samoa, did not enjoy freedom. In American Samoa the citizens enjoyed freedom of speech, assembly and the right to petition the Governor or the Fono; they even had the right to sue the Government. Generally, they were free to seek a better life for themselves and for their children.

C. Meeting with the Judiciary on 14 July 1981

229. The Mission met with the Chief Justice, the Chief Associate Justice and Associate Judges of the High Court, Land and Titles Court and a District Court.

230. The Mission was introduced by Associate Justice Thomas Murphy, a United States national, who explained that the Chief Justice and the Chief Associate Justice are appointed by the Secretary of the Interior subject to confirmation by the Senate in accordance with the Constitution of American Samoa. The Associate Judges are appointed by the Governor on the recommendation of the Chief Justice, by the Senate.

231. Justice Murphy explained the structure of the judicial system (see paras. 41-44 above). He said that the Constitution of American Samoa contains the same safeguards as exist in the United States Constitution except that, besides prohibiting unlawful search and seizure, it also provides that evidence obtained by illegal seizure cannot be utilized for any purpose. Furthermore, it provides that any individual has a right, if the Attorney General for any reason refuses to prosecute a charge, to petition the Court to order that the case be prosecuted.

232. Justice Murphy said that disputes relating to land or customary title coming before the courts have to be referred first to the Secretary of Samoan Affairs whose duty it is to attempt to conciliate the case before it is tried by the court. The Secretary of Samoan Affairs would normally conduct two hearings with an interval between to allow time for reflection and negotiation. If he does not

succeed in obtaining a settlement, he must issue a certificate of irreconcilability and transfer all the testimony as evidence to the court. There is a Public Defender but no Office of Legal Aid. Justice Murphy considered that there was a definite need for some free legal aid service.

233. The Attorney General, besides representing the Government in all criminal prosecutions, is responsible for defending the Government in suits against it and also serves as a member of, and legal counsel to, the Immigration Board.

234. Justice Murphy said that there was an ongoing debate in the Territory over the method of selecting judges. Some elements of the Fono, and of the populace at large, were of the opinion that, after the post of Governor became elective, the Chief Justice and Associate Justices should no longer be appointed by the Secretary of the Interior but by the Governor. This had been recommended by both Political Status Study Commissions. He did not believe, however, that such a change was likely to come about in the immediate future.

235. Replying to a question from the Mission, he said that there was a significantly increasing trend in the number of cases coming before the courts which related to land or family titles. He thought that this increase demonstrated not only the increasing pressure for land, but also the widespread allegiance to the matai system. He said that there was need to review and codify past decisions relating to land.

236. Asked about the size of the legal Bar, he said that there were about 21 practising lawyers, but who possessed a knowledge of Samoan custom, could be admitted to practice in the Land and Titles Court upon successfully passing a test.

D. Meeting with the Chairman and other members of the Second Political Status Study Commission on 14 July 1981

237. The Mission met with the Chairman of the Commission and with the following of its members: the Speaker of the House of Representatives, the Secretary of Samoan Affairs, the High Talking Chief of the Western District, the High Chief of the Eastern District and the Director of Education.

238. The members of the Commission said that the Second Political Status Study Commission, like its predecessor in 1969, had carried out an extensive investigation. It had toured the Territory and visited American Samoan communities in the United States in order to ensure that it heard the views of as many American Samoans as possible and was thus able to take into account the wishes and aspirations of the majority of the people when formulating its recommendations. Following its meetings with American Samoans, the Commission had travelled widely to study the constitutional arrangements in other island territories and nations. The Commission, which submitted its report in 1979, reached the same general conclusion as its predecessor, namely that the existing political status was best suited to the Territory's present needs. At the outset, some members had favoured acquisition of United States citizenship, but the study tour had led them to discover that it could lead to the alienation of their land. Each commission, apart from its general conclusion that there should be no basic

change for the present, had made several specific recommendations. The most important recommendation by the first Commission in 1969 was that the Governor and Lieutenant Governor should be elected by the people of American Samoa. This recommendation had finally been implemented eight years later. The second Commission had singled out the fact that the Secretary of the Interior designated the Chief Justice and Associate Justices of the High Court. The Commission had concluded that this was no longer appropriate once American Samoa had an elected Governor. The Commission had accordingly recommended that the appointment of the Chief Justice and Associate Justices be transferred to the Governor subject to the consent of the Fono.

239. The members of the Commission explained that, apart from their belief, the change would be a step towards greater local autonomy and was therefore constitutionally desirable, there was a feeling among the people that decisions relating to land should not be made by judges who were non-Samoans and therefore not intimately conversant with Samoan custom. They said that rulings by the High Court in regard to several recent disputes over land had been resented by the matais concerned.

240. The Commission had made other recommendations (see para. 52), including a recommendation that a third political status study commission be created in 10 to 15 years to reappraise the situation in the light of developments. The Chairman of the Second Commission, however, said that in his personal opinion American Samoa should retain its present political status indefinitely. Anyone who thought it was a colonial situation simply did not understand the Samoan way (fa'a Samoa). Another member of the Commission recalled that when the First Political Status Study Commission had circulated a questionnaire to high school students with a guarantee that their replies would be anonymous, 95 per cent had responded in favour of maintaining the status quo, in preference to any of six other alternatives.

241. The members of the Commission explained that the cause of the problem was their firm attachment to their traditions in regard to ownership of land. Although not all Samoan land was communally owned - they said that in the Western district, some 10 per cent was owned by individuals - there was a general protection clause in the Constitution which restricted ownership of the land to nationals of American Samoa. This restriction was of the utmost importance for the preservation of their traditional cultural values. Without it they would be unable to safeguard their original way of life from outside influences. They said that in Hawaii, the traditional way of life of the Hawaiians had disappeared because of land alienation.

242. There were other points, however, on which they considered that the present constitutional arrangements were unsatisfactory. One was the power of the Secretary of the Interior to disallow bills passed by the Fono, which some members would like to abolish.

243. One member of the Commission also expressed dissatisfaction at the presence in the Territory of a federal controller who exercised his prerogatives independently from the Territorial Government. He thought that American Samoans were mature politically and did not need an overseer to tell them how to spend federal funds. He recommended that the position of the federal controller, which

was created recently, be abolished since the Territory had its own controller. He admitted however that the federal controller could provide some technical advice and could be kept in this capacity on a part-time basis.

E. Meeting with the Secretary of Samoan Affairs on 14 July 1981

244. The Hon. A. U. Fuimaono, Secretary of Samoan Affairs, explained that his Office had existed during the administration of the Territory by the United States Navy, when it was known as the Office of Native Affairs.

245. He said that his Office was responsible for district and village government as well as being the link between the Territorial Government and the traditional Samoan authority. He explained that there was a complex relationship between the two hierarchies; for instance each district had a district governor and a district council (Fono). The district governor was in every case a high chief elected from the matais of the traditional countries.

246. Unlike other departments, which were headed by a director, the Office of Samoan Affairs was headed by a Secretary and was the only department of the Government expressly provided for in the Constitution. The Hon. Fuimaono, who is himself a high chief, said that, like a Ministry of the Interior, his Office was responsible for the welfare of all Samoan nationals and dealt with matters relating to their welfare, health, sanitation, land and family titles. Before a dispute relating to land or of family title could be tried by the High Court, it had to be referred to the Office of Samoan Affairs for an effort at conciliation. Unlike a court, no lawyers were allowed to represent clients at a hearing and all persons concerned had a right to be heard. There were normally two separate hearings, separated by a cooling-off period of 60 days to allow the disputants to talk over their differences. If at the second hearing the dispute could not be resolved, it was turned over to the Court.

247. The Secretary of Samoan Affairs said that he was also consulted whenever a group of five or more Western Samoans wished to visit American Samoa. This obviated about 80 per cent of the problems which might otherwise arise. Further, he was responsible for decisions affecting the three districts and 53 villages of American Samoa. For instance, he was responsible for village water supplies, for issuing permits to construct roads or rights of way and all proposed legislation which affected village life must be referred to him for his opinion before the Fono considered it. Depending upon his review, he could either recommend that the Fono approve it or he could veto the draft legislation.

248. Chief Fuimaono said that he had run against Governor Coleman in the election for the governorship, but did not regret Governor Coleman's election. He strongly approved of the Governor's leadership and fully supported him.

249. The Chief said that he had a strong personal interest in teaching the youth of Samoa self-reliance and was involved in the Christian Youth Movement, the Future Farmers of Samoa, the 4-H Club Movement, the Boys Brigade and the Girls Brigade.

250. Chief Fuimaono said that the Constitution of American Samoa lacked authority so long as any action by the Government of American Samoa could be vetoed by the United States Secretary of the Interior. However, the Treaty of Cession of 1900 had been ratified by the United States Congress in 1929 and nobody could veto its provisions which, among other things, imposed a commitment on the United States Government to respect Samoan land and customs.

F. Meeting with the Director of the Office of Economic Development Planning on 14 July 1981

251. According to the Director, Mr. J. Perèira, the main aim of the Territory's five-year development programme is to promote balanced development in various sectors which will create job opportunities for American Samoans and lead to increased self-sufficiency while preserving Samoan society and its cultural values. The task of his Office is to identify areas for development, establish priorities and guidelines, co-ordinate the activities of the various agencies involved and collect needed data and information. Mr. Perèira commented that during the present early phase of co-ordinated planning, a major difficulty was the paucity of data and the lack of skilled personnel to provide it.

252. The Director presented the Mission with a general review of the situation in each of the five sectors of the economy under study by his Office which is set out in the following paragraphs. He said that the Territory's five year development programme contains 47 projects at a total cost of about \$23 million. He regretted that now that American Samoa had developed a co-ordinated development programme, it was confronted with a probable world economic recession and cuts in the federal funds available to the Territory.

253. Agriculture: At present American Samoa imports most of its food from abroad, the principal suppliers being the United States, the neighbouring State of Samoa and other islands in the South Pacific. Vegetables, which could be grown in the Territory were imported from as far away as New Zealand or Hawaii, often at high cost, and large quantities of taro, for instance, from the State of Samoa. The Government was trying to reduce this dependency by encouraging American Samoans to grow more taro. However, investigations by the Planning Office suggested that a better policy would be for farmers in American Samoa to concentrate on growing high priced items, such as passion fruit and other varieties of fruits which could be easily cultivated in the Territory and shipped to the United States. The cultivation of taro was widespread in American Samoa, but it would be more economical to import it from the State of Samoa where labour costs were less and therefore prices lower. The areas released by abandoning this cultivation could be more profitably used for growing higher priced products.

254. The Director said that passion fruit was grown in several islands in the South Pacific and it was thought that their combined output could justify the establishment of processing industry in American Samoa. There was an active market for the produce in the United States.

255. He said that Government also encouraged the development of livestock and subsidized the cost of animal feed. He emphasized, however, that due to its geographical isolation and the small area of cultivable land, the Territory's potential for development of agriculture was limited.

256. Fisheries: Both tuna canning companies were very successful and were expanding their production. A year ago, Star Kist, in return for a seven year tax abatement, had undertaken to invest \$4 million in additions to its plant. Van Camp also intended to expand its capacity. However, the benefit which the Territory derived from the canneries was limited to the extent that practically all the tuna fishing was carried out by foreign fisherman to whom the canneries paid annually between \$50 million and \$60 million for fish purchased. Although these local entrepreneurs had bought long-line tuna fishing vessels, three were operated under contract by foreign crews.

257. The Director added that, quite apart from tuna fishing, the local fishing industry was quite inadequate to furnish the Territory's need for fresh fish. A significant part of the fish consumed in the Territory was imported from New Zealand.

258. There were two reasons for this, firstly, the lack of trained fishermen and the disinterest of the local population in taking up fishing as a livelihood and secondly, lack of investment capital. The Office of Development Planning had called for the institution of a training programme for local fishermen. As to the availability of investment capital, the cost of a long-line tuna fishing vessel was about \$100,000 and the Development Bank of American Samoa, which was primarily intended to finance housing loans, was not equipped to provide this kind of venture capital. The Office had been looking at other sources of financing and had approached the Department of the Interior to investigate the possibility of action by Congress, including, perhaps, a request to the World Bank.

259. Tourism: Development in this sector of the economy faced strong resistance from the traditional leaders who feared that too much development would disturb the cultural fabric of American Samoan society. The Office of Economic Planning was engaged in a campaign to explain the advantages of promoting tourism for the general welfare of the Territory. One of its arguments was that tourism would create new job opportunities to prevent young people from emigrating, which was happening at the alarming rate of about 600 per year. Another impediment to the expansion of tourism was the lack of entertainment or other activities, which accounted for the brief stay of most visitors. An effort was being made to overcome this by promoting the Territory as a centre for sport fishing.

260. The Director said that the attitude of the people towards tourism must change to provide a more favourable environment for visitors and funds should be made available to locate an adequate infrastructure.

261. Industrial development: The United States Government had provided funds in 1974 for the creation of an industrial park near the airport. The park was completed in 1978 but the first light industries (watch assembly and clothing manufacture) had failed. Since then, the park had filled: all of the 15 units were occupied and the Government was seeking to acquire more land in order to

expand it. The attraction was primarily the tariff preference, the tax incentives which were available and a regular air service.

262. Regional development: American Samoa had until recently neglected its relations with neighbouring countries because of its special relationship with the United States. The Government was now seeking to repair this error and to increase its trade with the region. Recently, the Governor had set up a trade mission which visited countries in the Pacific region to discuss material problems and to exchange information and expertise. The trade mission had revealed that there was a great potential for American Samoa to become a conduit for goods from the South Pacific going to the United States and vice versa. Already, several island groups were finding it cheaper to buy United States products through American Samoa rather than directly from the mainland and also were taking advantage of American Samoa's tariff preference when sending goods to the United States. The Government was greatly interested in developing the Territory, with its excellent harbour, as a centre for the trans-shipment and bulk storage of goods; already this was being done on a limited scale at the container dock. The Government had obtained funds from the United States to expand the docking facilities, and this work would begin in August 1981. Also funds had been obtained to improve the Marine Railway in anticipation of the servicing requirements of the large tuna purse-seiners.

263. Local development: This area of activity of the Office of Development programming deals mainly with the restructuring of the local economy. The Office has a programme for teaching local businessmen modern techniques. One obstacle to local economic development is the land tenure system which does not permit banks to accept land as collateral for loans since the land is mostly communally owned and cannot be alienated. Negotiations are under way to extend land leases to make them more attractive to banks. The major bank is the Bank of Hawaii established in the Territory in 1967. The American Samoa Bank was established in 1979. The Government operates the Development Bank with total assets of \$6 million. The Territory cannot borrow from the United States Government, but can receive grants.

264. The total labour force is about 10,000 with an unemployment rate of 12 per cent. The Government is still the largest employer (4,000). The objective of the Office of Development Planning is to reduce this number by 5 per cent in 1985. Per capita income is \$1,024.

265. The Territory is currently experiencing a need for qualified people. In this area the South Pacific Commission is helping by providing training for technicians such as statisticians.

266. The Director said that the high cost of generating electric power, for which oil was supplied by two United States companies (Chevron and Amerest) was an obstacle to development. The electricity generating plant, which was Government-owned, had been allowed to deteriorate and needed to be replaced. It was a major drain on the Government's resources.

G. Visit to the two tuna canneries on 15 July 1981

267. The Mission devoted the morning of 15 July to visits to the two tuna canneries, both owned by major corporations based in the United States mainland, which occupy adjacent sites on Pago Pago harbour. Apart from the Government itself, these two canneries constitute the Territory's main primary industry, accounting, the Mission was told, for nearly 10 per cent of all canned tuna consumed in the United States, or over 4 million standard cases in 1980, valued at \$124.8 million.

268. Of the two canneries, the larger is owned by Star Kist, a subsidiary of J. R. Heinz Ltd., the other, Van Camp Sea Food Company is a subsidiary of Ralston Purina Corporation. The Mission was told that in 1981 about 40 per cent of the 1,200 workers at the Star Kist plant and 500 out of a total of 800 at the Van Camp plant were aliens, mostly from Western Samoa and Tonga. Since these foreign workers tend to remit part of their earnings abroad, the canneries' contribution to the local autonomy is thereby limited. It is estimated that the two canneries collectively generate approximately \$5 million in local employee wages, about \$15.7 million in local purchases and several million dollars in local tax revenues. The relatively limited contribution to the local economy is due in large measure to the fact that most of the fishing activity is by foreign vessels, from Korea or Taiwan, which deliver their catch to the canneries free of import duty. In addition both companies have, at various times, been granted tax exemption (see paras. 90 and 115-6).

269. The two companies operate in American Samoa under certain advantages and disadvantages. On the one hand, they benefit from a provision of the United States customs regulations which exempt from customs duties any imported goods, 50 per cent of the value of which is added in American Samoa. (In fact the Mission was told that about 80 per cent of the price F.O.B. California is value added.) Secondly, they benefit from being exempt from the rule which requires all tuna landed in the continental United States to be carried in United States flag vessels. Thirdly, the minimum wage, which was \$2.16 per hour in 1980 and \$2.33 per hour at the time of the Mission's visit, is compared favourably with the minima paid for the same work in California (\$5.63 per hour in 1979). Against these advantages must be offset the costs of transportation to markets and of supplies and products needed by canneries, few of which are manufactured locally.

270. In its discussions with the general managers of the two canneries, the Mission was informed that both companies were expanding, or planned to expand their plant on the basis of agreements under the Industrial Incentives Act granting them tax exemption. Under this Act, certificates of tax exemption may be granted for periods of up to 10 years, or extensions thereof, for the establishment of expansion of an industrial enterprise provided it fulfilled certain conditions, in particular that it will promote the economic growth of the Territory. Star Kist had already been granted a certificate of tax exemption on all yearly production in excess of 30,000 tons. The certificate is for seven years and provides that during the five years, all production over 30,000 tons will be free of tax; during the sixth year this exemption will drop to 75 per cent; and during the seventh, or final year, it will drop to 50 per cent.

271. The Mission was told that from the Government's viewpoint, the terms of the agreements would be advantageous in so far as it committed the companies to pay tax on a quota of 30,000 tons each. ^{4/} However, both companies had to seek exemption from a requirement that 75 per cent of the work force be residents of American Samoa. They told the Mission that they were compelled to employ aliens because American Samoans were unwilling to come forward in sufficient numbers to accept a form of work which they found hard and unpleasant. A similar attitude prevailed in regard to the fishing boats which supplied the canneries. Because most of the tuna is caught far offshore, only 2 per cent being caught within the 200-mile limit, boats had to be away from port for long periods. Conditions on these small long-line fishing boats are extremely arduous and, although two of these boats had been bought by nationals of American Samoa, they had entered into contracts with foreign firms to operate them. Neither of the two managers was hopeful that American Samoans might come forward in larger numbers to man the new multi-million dollar purse-seiners which are being introduced, one of them being at the dock during the Mission's visit to Star Kist.

272. Both general managers said that their operations were concerned exclusively with tuna, although the manager of Star Kist said that some other fish (notably wahoo) was bought for the local market in American Samoa. The companies were not equipped to process other fish which might be available in the Territory's controlled fishing zone.

273. Both companies say that they have relatively good employee relations and working conditions, although there was no trade union of workers. Minimum wage rates are set by FLSA inspection teams and currently range from \$2.33 per hour for the least skilled to \$4.50 per hour. Both companies provide paid vacations, a pension plan and workmen's compensation, although there is no medical insurance since medical treatment at the Government hospital is free to residents.

274. Both managers also told the Mission that they have an active programme of training and advancement; Star Kist for instance, stated that out of 1,200 workers, only about eight senior technicians were from the United States mainland and American Samoans were to be found at all levels, including top management. The Star Kist manager said that about seven nationals of American Samoa were currently training in the United States on scholarships provided by the company. On-the-job training was provided for potential supervisors. Both companies also reported that they had invested in air scrubbers to reduce air pollution from the packing plants. The general manager of the Van Camp factory was particularly proud of his factory's safety record (the factory had recently won an award for having operated for one million man hours without a single accident).

275. The canneries at present process canned tuna for both human and animal consumption (the latter in the form of pet food) and also fishmeal, which is used as a nutrient mix in animal food or as a fertilizer. Star Kist has already doubled the length of its loading wharf in anticipation of increased production

^{4/} The Mission was not furnished data on federal income tax paid by the companies and remitted to the Territory. However, total corporate income tax varied from \$4.7 million in 1977 to \$9.4 million in 1980.

and Van Camp intends to embark on a \$10 million capital development programme, including the construction of an additional 3,000 ton capacity freezing chamber as soon as its request for a seven year tax exemption certificate is granted.

H. Meetings with the Director of the Marine Railway Authority and officials of the Department of the Port Administration on 15 July 1981

276. The Director of the Marine Railway Authority described his office as a buffer between the Government of American Samoa and the fishing fleet. The installations consisted of a slipway and related repair facilities for boats of up to 1,000 tons. The Authority was set up by an executive order to service the needs of the fishing fleet. It operates on a minimum profit (6 per cent). The premises are equipped with machinery capable of doing major repair works in the Territory: including work for the hospital, television station, power generator, etc.

277. The Director of the Authority also described plans to expand these facilities by building a slipway of 3,000 tons capacity which would enable the Authority to service the purse seiners supplying the canneries. The Marine Railway currently employs 130 persons and pays wages averaging \$3.50 per hour with a minimum of \$1.97 per hour. Its annual payroll amounts to \$1 million. The Authority provides training courses for welders. It also finances training for two persons a year in Hawaii.

278. The objective of the Authority, according to its director, was to keep the fishing fleet in the Territory, and to improve its capacity in order to be able to compete with other ship repair facilities in the region. Judging by its workload the Marine Railway Authority enjoys a good reputation among ship owners. It operates the only machine shop in the Territory.

279. After leaving the Marine Railway, the Mission visited the Department of Port Administration. It was told that the Department consisted of three divisions in addition to the Office of the Director. They are the following:

280. Customs: Since American Samoa became a duty-free port in June 1967, custom duties on all luxury goods were removed to enable local merchants to import larger amounts of goods at lower costs. Excise taxes on a few items were retained. Customs services include the processing and collecting of excise taxes, records, maintains and submits statistical reports to the proper authorities and reports all matters of concern to the Director (Drugs and Mail).

281. Harbour Master's Division: Its objectives are to provide pilotage, tug services, mooring and unmooring shifting/towing. It supports government agencies in their programmes for outer islands, maintains all boating equipment for the government and carries out all activities on the waterfront. This division also provides services in transporting fuel to Manua and Cantres islands.

282. Airport: The Pago Pago International Airport is the second port of entry in the Territory. It is an enterprise funded by means of landing fees, parking charges, lease of airport properties and such other sources connected with

aeronautical activities. The airport is situated at approximately seven miles from Pago Pago and covers an area of 500 acres. It has two runways and is categorized as a "non-hub" airport. It provides flights to Honolulu, Papeete, Auckland, Sydney, Apia, Nandi and Tonga with about 16 flights a day in total.

283. The Director of Port Administration explained the development projects of his department. The existing 400 feet of docks were to be increased to 1,200 feet at a cost of \$5.5 million. He informed the Visiting Mission that trans-shipment operations, so important for the economy of the Territory, had already begun with Tonga, Cook Islands and Niue. He estimated that customs fees totalled some \$4 million and port fees \$1.6 million. The Administration employed about 150 American Samoan and four contract employees from the United States.

I. Public meeting held on 16 July 1981

284. In the morning of 16 July, the Mission attended a public meeting which had been organized in order to enable it to hear the views of the general populace. In fact, most of those who spoke were matais, or chiefs, it being a Samoan custom that a chief speaks for his village. Of the thirteen speakers who addressed the Mission, twelve were chiefs and all, except one, expressed satisfaction with the present political status of American Samoa and a desire that it should continue unchanged. The general consensus, which was expressed to the Mission by the High Chief of Tutuila and Manu'a, one of the leading title holders in Samoan society, was that the views conveyed to the Mission by the member of the Second Political Status Commission and of the Fono, fully reflected the wishes of the people of American Samoa. It was pointed out by several of the speakers that the people were free to opt for any other status, including independence, should they change their minds in the future.

285. The one speaker, also a chief, who held a divergent opinion, agreed that the Samoans had a good relationship with the United States. He said that he had previously shared the majority view that the Territory should continue its present relationship with the United States but now wanted independence. He complained that the United States had made use of the Territory for over 50 years but had done very little to develop its economy. He said that the school system was still inadequate and the Territory was heavily dependent on imports of foodstuffs. More should be done to develop the fish canning industry and the United States Government should pay compensation to American Samoa for having neglected it.

286. Following this meeting, the members of the Mission were guests at a luncheon given by the American Samoa Chamber of Commerce at which views were exchanged informally.

J. Meeting with officials of the Department of Education on 17 July 1981

287. In the morning of 17 July, the Mission paid a visit to the Education Department where it had a meeting with the Director of Education, Mrs. Mere T. Betham, and senior members of her staff. The Mission also visited

the Early Childhood Education Centre in Fagatogo, where it had a discussion with the founder and organizer of the programme, Dr. Betty K. Johnston, and the Matafo'o elementary school at Faga'alu where it met members of the staff and observed summer art classes for artistically gifted children.

288. Mrs. Betham explained that in American Samoa school attendance is compulsory for all children between 6 and 18 years of age inclusive, unless the child is excused or excluded for good reason by the Director of Education. This means that, apart from about 2,000 children who are enrolled in 8 private fee-paying schools run by religious organizations under licence from the Department of Education, all children in the Territory's rapidly growing population are enrolled in the public school system.

289. The public schools provide free education from early childhood (ages 3 to 5) to 18, including 8 grades of elementary schooling and 4 grades at the high school level. In addition, the Department of Education is required by law to provide free and appropriate educational services to all handicapped children from birth through 21 years of age, as appropriate within the framework of the public schools or at a special Education Centre located at Utulei.

290. Curricula and standards are set for both the public and private schools by the Department. There are no examinations for promotion from one grade to another. However, the Department utilizes curriculum reference tests and administer the Standard Aptitude Test (SAT) and the Test of English as a foreign language for the purpose of monitoring the effectiveness of teaching methods. Mrs. Betham said that the Department avoided any comparison between the levels attained by children in the Territory and on the mainland because inevitably any child who had learned English as a second language must be at a lower level than those for whom English is their mother tongue.

291. Concerning the curricula, Mrs. Betham explained that both Samoan and English are taught in the public schools and, as a consequence other foreign languages are taught only to a limited extent at the high school level. The history taught in the elementary schools is mainly restricted to the history of the Pacific region; at the high school level it is expanded to include world history. Comparative history is taught only at the Community College level. Mrs. Betham said that there was great desire for education among the Samoans, with the result that there was very little wastage and most students were eager to continue, if possible proceeding on to higher education in Hawaii or continental United States. The aim of the Department was to provide children with the best possible education without attempting to steer them into specific vocational directions. There was very little need for pre-university training since the first two years course at the Community College was in fact a general course corresponding to the first two years of the baccalaureate degree. Only in certain particular areas, such as preparation for law studies, was an element of specialist teaching given in the Territory. She said that a large number of high school graduates went on to the Community College. Students who were not eligible by reason of their family income level for federal Basic Education Grants, received a \$500 per year grant from the Department of Education towards the cost of attending the Community College. For students wishing to proceed on to further university training in the United States, usually the University of Hawaii, scholarships were available at the rate

of \$4,000 per year, sufficient to cover the cost of residence and tuition. Approximately 170 students were in receipt of these scholarships.

292. Mrs. Betham said that one of the main priorities was to increase the supply of fully trained teachers. Up to 1961, when Governor Lee took office, the educational system had been extremely backward and very few Samoan teachers had more than minimal training. Faced with a rapidly expanding population, he had turned to educational television in an effort to obtain quick results. Reliance upon television had not produced the desired results for a variety of reasons and it was not until 10 years later that the public school system shifted back to more traditional teaching methods. Between 1961 and 1981 the number of schoolchildren had nearly doubled and it was continuing to increase rapidly. At present about one third of the population was in school. This had meant an increase of 120 per cent in the teaching staff. Nevertheless there were very few classroom teachers other than a few Samoan language teachers who did not possess at least a degree of Associate of Arts. Under the Teacher Training Act federal funds had been made available in 1980 and 1981 for in-service training of teachers. These funds were contributing to the Department's active programmes of in-service training, including scholarships and grants to enable teachers and school counsellors to continue their professional training at the Universities of Hawaii and Oregon. Approximately 93 teachers, mostly from elementary schools, had been accepted for a Bachelor of Arts degree programme conducted by the University of Hawaii which sent its instructors to the Territory to conduct these courses on a part-time basis. Others, both teachers and administrators were following courses leading to a Masters degree at the University of Hawaii. About 90 per cent of all teachers in the system were Samoans who had been trained in Samoa. For teachers who had their B.A. degrees there were further in-service courses on a continuing basis.

293. Asked whether the cut in federal funds for the bi-lingual/bi-cultural programme would affect the Territory, Mrs. Betham said that it would not because the introduction of block financing under the Omnibus Territories Act permitted considerable flexibility in the use of funds. She said that considerable effort had gone into the preparation of text books in Samoa or specifically oriented to Samoa.

K. Meeting with the Director of Manpower Resources and staff
on 17 July 1981

294. The Director of Manpower Resources described her Department's central employment agency in American Samoa, managing a government staff of over 4,000 employees or over 60 per cent of the total work force in the Territory. The Department oversees the training of government employees and administers their pension plan as well as the workman's compensation plan. It is also responsible for implementing federal policies in the area of government employment, such as affirmative action programmes, etc. The Department manages the work force of the judiciary which numbers some 30 persons, but the authority of hiring and dismissing staff of the judiciary rests with the Chief Justice.

295. The Director told the Mission that federal grants for the Department in 1981 would total some \$340,000 instead of the \$1.7 million expected before the budget

cuts decided by the federal Government. A major problem in the Territory was the fact, in so far as possible, that almost all American Samoans prefer to work for the Government. The Department had to find jobs for all who returned to the Territory after completing training abroad, a process which takes between two and three months. Occasionally the Department was able to provide qualified people, or at least suggest potential recruits, to the private sector, in the absence of any other employment agency.

296. American Samoa faces an acute shortage of qualified people such as engineers, doctors, teachers, registered nurses, accountants and social work counselors. There is also a lack of administrative personnel. The training division of the Department of Manpower Resources centralizes all government requests for training. It organizes in-service training. In 1980, training was provided for 680 employees in clerical and other office skills, including the training of staff for supervisory positions. As a result of these training programmes, the work force was beginning to show improvement.

297. The Department establishes pay scales according to budget possibilities. Four government enterprises, i.e. Marine Railway, the Electric Utility, Telecommunications and the Government-run liquor store, do not function as traditional government agencies and follow the private sector rules and regulations.

298. There is no Department of Labour within the American Samoan structure of government and the Department of Manpower Resources fills that vacuum. It is studying the feasibility of setting up a Department of Community Services to help the private sector. The Department recruits overseas contract employees, 221 of whom are currently working in American Samoa. Salaries being lower, however, than in the United States, this type of recruitment presented some difficulties (doctors, for example, earn a maximum of \$33,000). The Territory has no Medical Director of its own. At the time of the Visiting Mission there were no American Samoans possessing the degree of doctor of medicine although there were several medical practices and six students in medicine were completing their studies in the United States, two of whom have graduated.

299. The mandatory retirement age is 65 years and the voluntary retirement age is 55 years provided 30 years of service have been completed. There are 226 retired government employees on the list of the Department of Manpower Resources. There is no staff union in the public service but the government employees can form associations which can discuss problems and make recommendations to the Department of Manpower. Cases of discrimination are reviewed by the equal employment opportunity board.

L. Meeting with the Director of Health and staff on 17 July 1981

300. During its meeting with the Director of Health which took place at L. B. Johnson Memorial Hospital, the Mission was told that the health system in American Samoa was the responsibility of the Government. The Department of Health was made up of two main divisions, the Hospital and the Division of Preventive Health Services, both staffed by Samoans (over 35 per cent of personnel) and a small number of expatriates mainly from the United States. There was no private

practice of medicine in American Samoa, although there was no provision prohibiting it. The main reason seemed to be that the free medical care provided by the hospital was sufficient. The Director said that the practice of "folk medicine" flourished everywhere and often was the cause of health complications, sometimes even death.

301. All American Samoans and all bona fide non-American Samoans who met the residency requirements were eligible for free medical care.

302. Tuberculosis and leprosy which used to be the major public health problems were under control. Death rates from communicable diseases were greatly reduced, and mortality rates were now comparable to those of developed countries. For the last decade, the leading causes of mortality in American Samoa were: diseases of the heart, accidents, cancer, cerebro-vascular diseases, chronic obstructive pulmonary disease, emphysema, hypertension and diabetes.

303. Life expectancy as calculated between 1971 and 1975 was 68.2 years compared with the United States average of 72.8 years. Infant mortality between 1976 and 1978 was 18.1 per thousand live births compared with 14.1 per thousand in the United States. The American Samoan birth rate, one of the highest in the world, was 35.4 per 1,000 compared with 15.4 per thousand in the United States.

304. The Director of Health expressed concern over the recent reduction in federal spending which he thought will have an impact on American Samoan Public Health, and therefore his objective was to maintain the current level of services provided rather than improve it. The Territory faced a problem in recruiting specialists because it would need costly instruments and technical help. There were not enough cases to maintain full-time specialists. Also the difficulties in recruiting specialists were the low salaries afforded and the poor housing facilities existing in the Territory.

305. The Community College provided training classes for practical nurses and was about to start a Programme to train Registered Nurses. The hospital was not certified by the Medicare Programme of the United States but the facilities were being improved to obtain certification. The admission fee to the hospital had been raised from 50 cents to \$5.

306. There were also three dispensaries, one in each district of Tutuila, and one on the island of Ofu.

307. The World Health Organization was giving assistance to American Samoa in the form of training programmes but the Director thought that more assistance would be welcome. There were five or six American Samoans studying medicine in the United States but prospects for their return to the Territory after completing their studies did not seem very encouraging.

308. The Visiting Mission then was taken on a tour of the Hospital and was able to observe the facilities available for treatment of various diseases, as well as the maternity ward, X-ray rooms and renal dialysis machines, etc.

M. Visit to the Community College on 17 July 1981

309. In the afternoon the Mission visited the American Samoa Community College where it met with the President, Mrs. Saeu L. Scanlan and Dr. Michael Henderson, the Dean of Instruction.

310. The Mission was told that the Community College had been founded 10 years earlier, to provide a two-year Associate of Arts degree for students seeking to complete their general education before transferring to a four-year university. The College is free, except for certain incidental charges and has an open-door policy in that any person 18 years or older and/or a high school graduate is eligible to enroll as a student. Applicants who are found not to possess the necessary skills to follow an academic course are oriented towards the adult education courses. About 90 per cent of entrants require some remedial instruction in English or mathematics before they can begin an academic course. The Mission was told that the number of students had increased rapidly in recent years and in 1980 had attained 976 students in academic courses and 280 students in the Adult Education programme. It was expected that the regular enrolment would exceed 1,000 by 1982. Last year 61 students received Associate of Arts degrees and 21 received certificates of proficiency.

311. After 1981, the College would replace its two-year teacher training course leading to the Associate of Arts degree, by a full four-year programme leading to a Bachelor of Arts degree. This programme would be carried out in co-operation with the University of Hawaii and would involve two years training at the College followed by a further two years at the University.

312. At the same time, the College had decided to reorganize its basic programme into three channels: the first leading to the Associate of Arts degree, which would be essentially a general academic course in preparation for transfer to a university; the second leading to a new Associate of Science degree intended partly for students seeking a vocational skill without necessarily going on to university; and the third, a Certificate of Proficiency which would be purely vocational.

313. Also, in 1982, the College intends to start a programme for training nurses to the level of Registered Nurse in co-operation with the hospital. This would be basically a two-year course, with a third year for those who qualify.

314. The College had recently completed a major construction programme at a cost of \$3.9 million in anticipation of the above expansion. It is now in spacious premises, possesses a library containing more than 15,000 volumes, and a satellite communications terminal, (the Pan Pacific Education and Communication Experiments by Satellite (PEACESAT) which links the College with institutions of learning in 12 nations of the Pacific Basin.

315. The Mission was told that the major areas of study at the College are accounting, business administration, clerical, nursing, teaching law (administration of justice) construction, automotive mechanics and librarianship. Students generally regarded "white collar" employment as more prestigious than manual skills.

N. Visit to the Manu'a islands on 18 July 1981

316. The Mission departed early in the morning by air for the Manu'a group of islands, which lie about 100 kilometres east of Tutuila. It visited in succession the islands of Ta'u, Olosega and Ofu. On the first island it met with village fonos in the traditional countries of Ta'u, Fitiuta and Faleasao, while on Ofu and Aloosega it inspected the destruction caused by a severe tidal wave which wrecked a school and a small tourist hotel.

317. At all the villages, the Mission was received with great hospitality and the matais listened with courtesy to what the Mission had to say. In replying to questions, they emphatically stated their desire to continue their relationship with the United States and maintain their present political status.

318. On the island of Olosega, the Mission received a request for the repair or replacement of a temporary dock which was the only such facility on the island and which had been severely damaged by the tidal wave.

319. On the following day, Sunday, 19 July, the Mission was the guest of Chief Furmaono, the Secretary of Samoan Affairs and had the opportunity to meet with the village Fono.

O. Meeting with students on 20 July 1981

320. Throughout its visit to American Samoa, the Mission was aware that most of those with whom it met were adults and that it had little opportunity to hear the views of young Samoans. This was due partly to Samoan custom according to which the matais speak for their people and partly to the fact that schools were closed for the holidays.

321. The Mission did, however, at its request, meet with a small group of students, including those from the Community College, and the director of church education of the London Missionary Society.

322. The students were mainly concerned at the limited employment opportunities in the Territory and the inability of graduates from mainland universities to obtain suitable work when they had completed their training. They were afraid, however, that unless carefully controlled, certain forms of development such as tourism might adversely affect the Samoan way of life. One speaker commented that the people of American Samoa were caught in a conflict between the needs created by a monetary society and their desire to preserve the Samoan way of life. He thought that the pull of technology would eventually undermine the Samoan social system.

P. Meeting with the Governor on 20 July 1981

323. The Chairman, after thanking the Governor for the assistance and co-operation which the Mission had received from the Government, said that there were a number of questions arising from various interviews on which it would be interested to have the Governor's views.

324. First, at its meeting with members of the Second Political Status Study Commission, reference had been made to the recommendations of the Commission which had not yet been acted upon. These were: (a) that the power of the Secretary of the Interior to disapprove bills passed by the Legislature should be eliminated; and (b) that the power to appoint the Chief Justice and Associate Justices of the High Court should be transferred from the Secretary of the Interior to the elected Governor. He also asked the Governor's views on the proposal that the newly created post of federal controller, who audits the expenditure of federal funds, should be eliminated.

325. The Governor said that he had discussed recommendations (a) and (b) above with the Department of the Interior but so far had received no formal reply from the Department on either recommendation.

326. As concerns the appointment of the Justices of the High Court, the Governor was inclined to share the view of the Legislature. The previous Governor had taken a very cautious attitude towards the transfer of these powers and had even insisted that the Attorney General should be appointed by the Secretary of the Interior. Governor Coleman, however, took a different view. He had, for instance, insisted following his election that the Governor must have the right to select his legal counsel, since the Attorney General was required not only to advise the Governor but, in certain circumstances to defend him before the Courts. The Secretary of the Interior had seen the validity of this point of view and had agreed to the change.

327. The Governor said that he had a very frank and friendly relationship with the Secretary of the Interior and was usually able to make the latter see his point of view. The timing for the transfer of responsibilities was largely a matter for the Government of American Samoa to determine. He thought that it was now time to make the elected Governor responsible for appointing Justices of the High Court.

328. The appointment of a federal comptroller to audit the expenditures of federal funds implied some doubt as to competence or trustworthiness of the Territorial Government. As a matter of fact, when he took office as elected Governor he had taken the precaution of getting a team from the Federal Government Audit Office to carry out an audit of the Territorial Government's accounts so as to provide a benchmark for the new administration. He agreed that the federal comptroller was unnecessary, but he saw no advantage in abolishing it for the time being.

329. He had mixed feelings concerning the Secretary of the Interior's power to disallow legislation. He did not think it should be abolished for the time being. For instance, the Legislature not long ago had approved a bill calling for the abolition of staff contributions to the Government pension fund and the redistribution among the participants of three million dollars of accumulated contributions. The proposal had been based on an erroneous actuarial study carried out under the previous Governor and as a subsequent study revealed, if the proposal had been implemented, the pension scheme would eventually have been unable to meet its obligations. Governor Coleman had vetoed the bill, as was his prerogative, but the Legislature had over-ruled him and the bill had been referred to the Secretary of the Interior who had disallowed it. That was one instance in which the exercise of his reserved power by the Secretary of the Interior had saved the situation.

So long as the Legislature was still maturing, it needed a referee in the person of the Interior Secretary, who should have the right not only to disallow but also to modify bills. Ultimately the three branches of the American Samoan Government would supply all checks and balances that were needed.

330. Another element in the situation was the absence of political parties. There was an evolution towards the political party system in the Territory; for instance he was himself a member of the Republican Governors' Association whereas the Samoan elected delegate to Congress, the Hon. Sunia, was a member of the Democratic Caucus. However, because of the absence of a party system in the Legislature, the Government had no voice in the Senate. Governor Coleman felt that this should be remedied by appointing the Lieutenant Governor as ex-officio presiding officer of the Senate and spokesman for the Government, as was the case in the United States Senate.

331. Another reason for retaining the Secretary of the Interior's power to disallow bills was the purely practical consideration that so long as the Territory remained financially dependent on the federal Government, there must be some federal control on behalf of the United States Congress. The Secretary of the Interior performed this very useful role of intermediary and, in his view, should continue to do so for the next few years. In this connexion, he considered that the recently reorganized Office of Territorial Affairs in the Interior Department, should include a separate American Samoa desk.

332. The Governor was interested in building a nucleus of trained leaders in the Territory so that when his term of office as Governor came to an end, there would be others trained to take over. He wished therefore to second selected young Samoan leaders to work in the Department of the Interior for training. The Secretary of the Interior was favourable to this suggestion.

333. Within the same context, he had discussed with the Secretary of the Interior, the possibility of sending the Lieutenant Governor of American Samoa for training and orientation in the Department of the Interior.

334. The Governor said that he was also considering the appointment of a personal representative of the Governor in Washington who would not only represent the Governor when required but also head an office of the American Samoan Government in Washington and carry out functions, such as promotion of tourism, which the Territory's delegate to Congress could not do.

335. Governor Coleman said that he was in favour of the re-establishment of the Political Status Study Commission as a permanent body.

336. Asked by the Chairman of the Visiting Mission to comment on the treaty relating to the Tokelau Islands which was pending before the United States Congress, Governor Coleman said that there had been several such treaties with neighbouring islands, the first of which had related to the Gilbert Islands, and concerned the surrender of a claim by the United States to sovereignty over a disputed island. Since American Samoa's interests were involved, the Territorial Government had been invited to be represented in the negotiations by an observer

who also acted as an adviser to the United States delegation. American Samoa's only real interest in these negotiations was to protect its fishing rights.

337. Asked about the Government's plans for economic diversification and development, Governor Coleman said that, in the first place it was accepted that American Samoa could not develop agricultural products for export. It was however an aim of the Government to promote local food production both as a substitute for imports and to combat inflation.

338. The introduction of 12 purse-seiners, each costing about 10 million dollars, should result in a substantial increase in the volume of tuna processed by the canneries. The first purse-seiner had, in a single catch, netted 1 million dollars worth of skip jack which was abundant. Apart from the fact that the purse-seiners offered good working conditions which might attract young men from the Territory, they added to the potential for secondary industries, such as ship-chandlery, net-mending, repair of helicopters, etc.

339. As regards other light industries, the Territory's main advantage derived from the fact that goods processed in American Samoa could under certain conditions enter the United States free of customs duties. As a consequence, the Territory could serve as a processing centre for products such as passion fruit, guava, pineapple, etc. which were grown in Niue, Western Samoa and Cook Islands. In addition, several industries, such as a brewery and dairy in Western Samoa were interested in setting up branches in the Territory. All development plans had to take account, however, of the limited availability of labour and the possible social implications of bringing in foreign workers from the State of Samoa and elsewhere.

340. The Government constantly audited the operations of the tuna canneries. There was no problem concerning Star Kist from which the Territory was receiving tax. There was, however, a problem with Van Camp which started operations in 1953 as a company owned by Rockefeller interests. Later, it had been acquired by Ralston Purina and, as a wholly owned subsidiary of the latter had ceased paying taxes to American Samoa. The Government had entered into negotiations with Ralston Purina seeking to convince them of the Territory's needs and had asked the company to send a representative to study the situation on the spot. So far Purina had not responded. However, it had allowed Van Camp to become incorporated as a local company thereby making it liable to pay tax in the Territory. The Government, nevertheless, had a sizeable claim pending against Van Camp for unpaid taxes.

341. The Governor said that, if Star Kist could operate successfully in the Territory, he saw no reason why Van Camp should not be able to do so also. He thought that one of Purina's difficulties was that it employed too many intermediaries.

342. Asked about possible reductions in federal funds, he said he knew that the Administration would make budget cuts which would have an impact on the Territory, but it was too early to tell how much American Samoa would be affected. So far, despite forthcoming cuts in the CETA funds, all who wanted employment could find jobs although their choice might be limited. As the budget of the Territory

for the coming year had already been approved by Congress, all Government jobs were assured.

343. The Governor said that there was definitely an increase in political awareness, particularly as a consequence of television. He was not yet satisfied with American Samoa's role within the South Pacific community. He believed that the Territory should be enabled to participate in the South Pacific Forum, which was presently restricted to independent sovereign States and he would like to see the term "territory of the United States" changed.

IV. OBSERVATIONS, CONCLUSIONS AND RECOMMENDATIONS

344. The Mission visited the Territory of American Samoa, which is composed of Tutuila, Annu'u and the Manu'a group and met with the Governor, government officials, members of the Legislature, representatives of commerce and industry, some district governors, village councils and traditional leaders, the news media and some members of the public, including students.

345. On the basis of those contacts and the information received, the Mission made observations and arrived at the following conclusions. Its recommendations flow from these observations and conclusions.

346. The Government and people of American Samoa welcomed the fact that the United Nations has maintained interest in the Territory, and had therefore sent a Mission to observe conditions in the Territory. Members of the Mission were accorded a warm welcome and were treated to the traditional hospitality wherever they went.

347. American Samoa is a dependent Territory of the United States administered by the Department of Interior in Washington. However, it enjoys a degree of internal self-government, and has a constitution which provides for an elected governor and lieutenant governor, a judiciary, and a bicameral legislature, with the House of Representatives elected by adult suffrage, and the Senate elected by custom to represent the traditional counties. American Samoa has an elected non-voting delegate in the United States House of Representatives.

348. The government leaders, members of both the House of Representatives and the Senate, and traditional leaders expressed their satisfaction with the existing political status of the Territory, and their desire to maintain the present relationship with the United States. This view was also generally expressed. The Mission sensed that this position has come about because of the heavy dependence of the Territory on economic and financial support, from the United States, and because of the traditional social structure of the society. With respect to the latter, there is serious apprehension that any change now, in the existing political status of the Territory, would bring about a concomitant change in the land tenure system. Communal land holding is pivotal to the social structure, and in order to own land in the Territory, one must be at least 50 per cent Samoan.

349. The Mission was informed by the members of the Second Future Political Status Study Commission that in the course of their hearings they had visited all parts of the Territory, as well as American Samoans resident in the United States.

The Mission was further informed that questionnaires prepared in Samoan and English were given to the people, indicating the alternatives available to them. These alternatives included independence, but the people decided in favour of maintaining their existing relationship with the United States. The Mission, however, is not in a position to know whether the people were fully informed of the wider implications of these alternatives. During discussions, the Mission noted that by and large, people outside the political leadership, had hardly any knowledge of such implications. In this context, the Mission noted references made to the strong traditional cultural ties that exist between American Samoa and the independent State of Samoa. The possibility of eventual reunification of the two Samoas in the very distant future was not ruled out, but the Mission did not detect, however, any general support for this idea.

350. The leadership voiced strong criticism about the present system of appointment of the Chief Justice and Associate Justices by the United States Secretary of the Interior. In their view the judges appointed by the Federal Government were unable to understand the cultural traditions of the Territory, especially in the matter of land disputes which come up before the high courts from time to time, and the judgements given, sometimes conflict in their view with tradition. The leaders reiterated the need to have the Chief Justice and Associate Justices appointed by the elected Governor, and approved by the legislature, a procedure now facilitated by the growing number of American Samoans who are qualified lawyers. The Mission perceives this to be a highly sensitive area of concern to the leadership and supports the demand for change in the system as recommended by the Second Future Political Status Study Commission, which has so far not been acted upon by the administering Power.

351. Another area of concern which was expressed is that the United States Secretary of the Interior has the power to disallow bills passed by the legislature.

352. On the economic front, American Samoa has very few natural resources. The Mission observed that the administering Power has not devoted the required resources necessary for the economic development and the creation of employment opportunities in the Territory. Unemployment now stands at the rate of 12 per cent of a labour force of 10,596. There is no adequate agricultural or industrial base in the existing economy, which is built upon the public service, the canneries and retail operations. The Mission is of the view that it is this lack of natural resources and under-development that have influenced attitudes supportive of maintaining the present relationship with the administering Power.

353. As stated elsewhere in this report, there are two canneries for tuna operating in the Territory. It is the view of the Mission that although the canneries generate employment, the over-all benefits to the Territory are not proportionate to the size of these commercial operations. It should be noted that (1) a large proportion of the labour force is not American Samoan, (2) the fishing boats are almost exclusively owned and manned by foreigners, (3) the industry relies on natural resources which are not under territorial control. It should be noted further that this is the only major industry in the Territory, realized exports valued at approximately \$124 million in 1980, and the anticipated value of exports in 1981 is \$180 million. Most of this export enters the United States duty free. The Mission notes however that the American Samoan Government has succeeded

in negotiating an agreement whereby one company will increase its contribution to the Territory particularly in the form of company taxes, by expanding its operations. Similar negotiations are under way with the second cannery with a view to obtaining the same results.

354. The Territory has a good harbour and port facilities which, however, are not sufficient to meet present demands. The Mission was informed of plans for the improvement and extension of the port, and of the financial constraints in the implementation of those plans. The Mission was informed by the Government of its intention to develop the Territory as a trans-shipment point, with attractive freight rates for goods and services entering the United States, Canada, and other areas of the Pacific and vice versa. Such attractive freight rates would also generate industries in the Territory.

355. In view of the foregoing, the Mission recommends as follows: (a) that the administering Power should take steps to develop and diversify the economy of the Territory; (b) financial assistance should be made available for the development of the port; (c) the canneries should be encouraged to make equitable financial returns to the Territory; and (d) notwithstanding the limited agricultural lands available, greater effort could be made to improve food production.

356. According to statistics made available to the Mission by the Development Planning Office of the Government of American Samoa, the tourism industry in the Territory handled 19,176 visitors in 1980. The Development Planning Office has stated that this industry generates approximately \$2.59 million annually to the economy. It can be seen therefore that tourism presents an avenue for further economic development of the Territory. The Mission feels that there is considerable scope for the development of tourism, with a view to giving an added impetus to the economy. However, efforts should be made to ensure that the development of tourism does not have adverse effects on the cultural traditions and values of the people of American Samoa.

357. The Mission was informed that since the administering Power assumed responsibility for the Territory, not enough has been done towards development. Added to that, there are few financial institutions in the Territory, and these are not willing to make equity and risk capital available for investment, primarily due to the traditional land tenure system, notwithstanding the fact that individuals may now be granted leases of up to 55 years. This lack of capital has retarded the economic development of the Territory.

358. The role of energy in this question can not be overstressed. The Mission was informed that the Territory faces a severe energy crisis. There are frequent breakdowns of energy supply, and maintenance of obsolete and inadequate generators poses difficulties. Dependence on high cost imported fuel discourages industries from locating in the Territory and could render products from the Territory uncompetitive and force them out of the market.

359. The Mission therefore recommends that the question of energy supply in the Territory be urgently and seriously addressed.

360. During discussions held in the Territory it was emphasized that close attention is being paid to regional co-operation. The Territory's involvement in the South Pacific Commission, and the Pacific Basin Development Council, is evidence of this. The Mission is of the view that because of its location and lack of natural resources, every encouragement should be given by the administering Power to the Territory to facilitate its participation in schemes for the economic development of the area.

361. It should be noted that on several occasions enquiries were made in the Territory as to the possibility of obtaining financial and technical assistance from international agencies including the World Bank and the World Health Organization. The Mission pointed out that any such request should be processed through the administering Power.

362. The Mission found health services in the Territory generally satisfactory. The capital has a well-equipped modern hospital headed by a Samoan director. The hospital has a mixed medical staff consisting of Samoan and foreign, mainly American, doctors and surgeons. However, the Mission was told that the hospital was experiencing difficulty in recruiting qualified medical personnel from the mainland because the salaries offered were not competitive and housing provided in American Samoa were not considered adequate by such personnel.

363. The Mission was also told that the hospital had no facilities for treatment of certain complicated cases. These were invariably referred to the United States. Further the hospital is not certified by Medicare due to the fact that the buildings are not up to the required architectural standards, as well as to the lack of qualified personnel in certain areas.

364. The Mission is of the opinion that steps should be taken to make the hospital eligible for certification.

365. The Mission held discussions with the Director of Education and members of her staff, as well as the Director of the only Community College in the Territory. The education system is based broadly on that of the United States and university education is pursued off island in Hawaii and the mainland. Teacher training facilities are inadequate, much of the training being carried out on the job. The territorial Government has a scholarship programme for College education, and at the moment there are in the United States a number of students who have taken advantage of this programme. The view was expressed that if higher education facilities at the College level were made available locally, people would prefer to make use of these facilities, rather than pursue studies abroad.

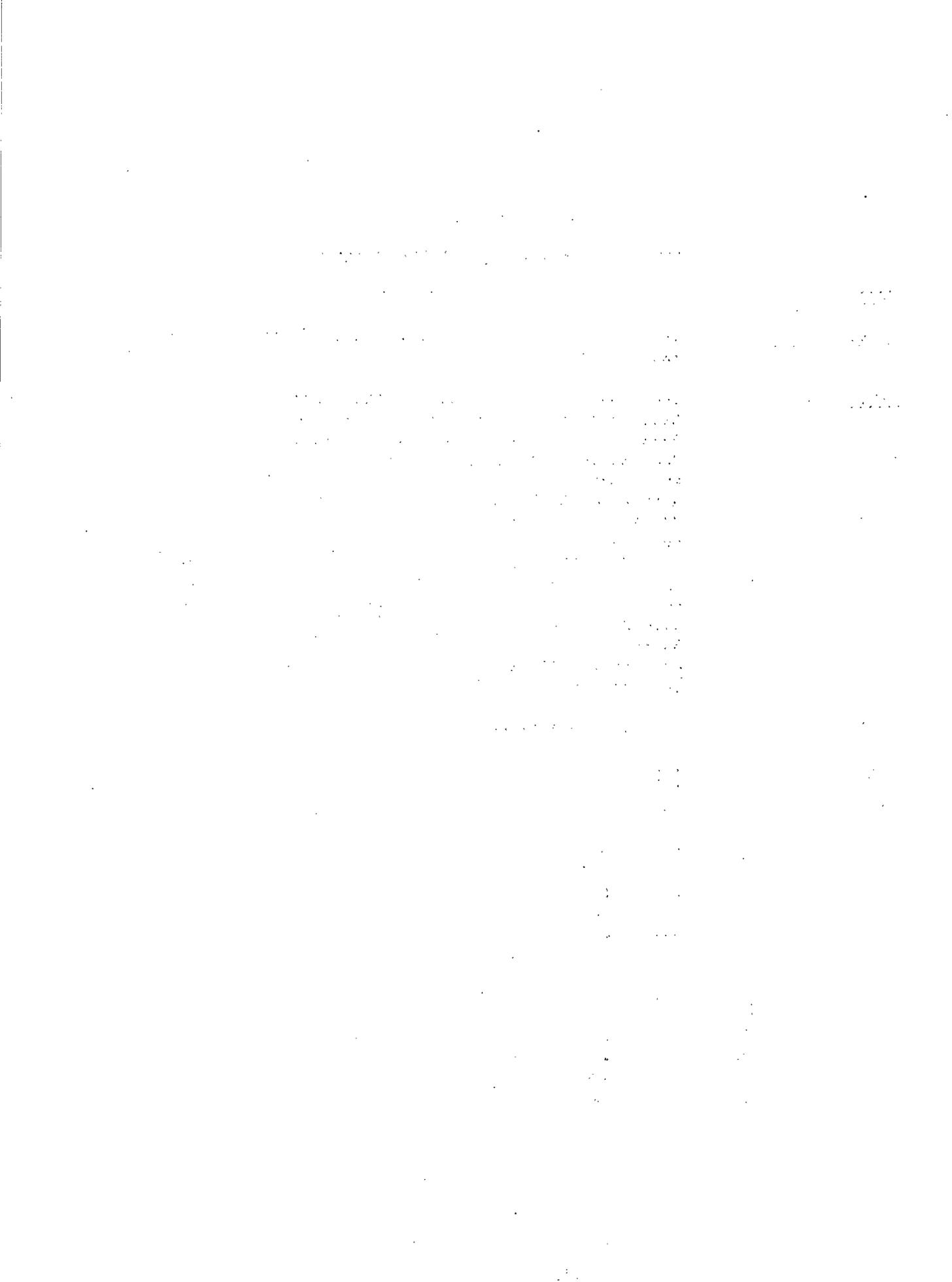
366. While there has been improvement in the standard of education in the Territory, American Samoans stated that the quality of education was below that which is available in Hawaii and mainland United States. To what extent this is a result of the bilingual teaching programme is unclear. However, the Director of Education stated that earlier experience had shown that teaching in English alone had presented some difficulties in the students' comprehension of the subject being taught. In addition, the bilingual programme helps to buttress their knowledge of cultural traditions. The Arts Council also plays a vital role in this regard.

367. The Mission has concluded that efforts should be made to improve the level and quality of education available in the Territory. Towards this end, the administering Power should ensure that adequate funds are available on a continuous basis.

368. Women play an important role in the traditional social culture both within the extended family or aiga, and often by holding important chiefly titles. Great authority is vested in them, as in the cases of the Directors of Education, of Manpower Resources, and of the Community College.

369. It should be noted also that the ancient oral tradition of the Samoans has withstood the test of time. This tradition provides for the appointment of spokesmen who present the views of the high chiefs on behalf of the families. It was through this medium by and large that the views of the people were made known to the Mission.

370. Notwithstanding the system described above, the Mission had the clear impression that views were freely expressed and that no attempt was made to impede frank discussions.



ANNEX I

Itinerary and activities of the Mission

<u>Date</u>	<u>Remarks</u>
<u>Wednesday, 8 July</u>	The Mission arrived in the evening at National Airport, Washington.
<u>Thursday, 9 July</u>	The Mission had a meeting in the morning at the Department of the Interior with Mr. Pedro San Juan, Assistant-Secretary-designate, Territorial and International Affairs, and other officials of the Department. Later the same morning the Mission had a meeting at the Department of State with Mr. Nicholas Platt, Acting Assistant Secretary and other officials of the Department. In the afternoon the Mission called on the Hon. Fofu Sunia, American Samoa Delegate to the United States Congress at the United States House of Representatives, then met with the Hon. Antonio Won Pat, Guam Delegate to Congress and Chairman of the Sub-Committee on Insular Affairs of the House Interior and Insular Affairs Committee as well as other members of the Committee.
<u>Friday, 10 July</u>	The Mission arrived at Honolulu Airport in the afternoon.
<u>Saturday, 11 July</u>	The Mission had a meeting at the Pacific and Asian Affairs Council office with Mr. Palauni Tuiasosopo, Special Assistant to Governor Coleman. It was followed by a meeting with representatives of American Samoans resident in Hawaii.
<u>Sunday, 12 July</u>	In the morning the Mission met with Mr. Muliufi Hannemann, Special Assistant to Governor Ariyoshi of Hawaii and Mr. Jerry Norris of the Pacific Basin Development Council, before leaving the Territory. In the evening the Mission arrived at Tafuna Airport, where it was met by Governor Coleman.
<u>Monday, 13 July</u>	The Mission was invited in the morning to an <u>a'ava</u> ceremony at Government House, followed by breakfast and a briefing by Governor Coleman. The Mission then attended the official opening of the <u>Fono</u> (Legislative) Session. The Chairman had an opportunity to address the Legislature. It then had a luncheon with its members. In the afternoon the Mission held a Press Conference.

<u>Date</u>	<u>Remarks</u>
<u>Tuesday, 14 July</u>	In the morning the Mission met with members of the Judiciary Branch and with the Second Temporary Political Status Commission. In the afternoon the Mission had a meeting with the Secretary of Samoan Affairs and later with the Director of Development Planning and members of his staff.
<u>Wednesday, 15 July</u>	The Mission visited the Star Kist and Van Camp canneries and held meetings with their managers before proceeding to meet with the Director of Marine Railway Authority and officials of the Department of Port Administration.
<u>Thursday, 16 July</u>	The Mission had a meeting with local government officials and the public and had a luncheon meeting with the Chamber of Commerce.
<u>Friday, 17 July</u>	In the morning the Mission visited two schools and met with the Director of Education and her staff and with the Director of Manpower Resources and staff. In the afternoon the Mission had meetings with the Director of Health and toured the hospital. It visited the American Samoa Community College and met with its President.
<u>Saturday, 18 July</u>	The Mission departed early in the morning for Manu'a Islands and visited Ta'u, Fitiuta and Faleasao, and Ofu. It had an opportunity to meet the people and their representatives.
<u>Sunday, 19 July</u>	The Mission was the guest of the Secretary of Samoan Affairs in his village.
<u>Monday, 20 July</u>	The Mission met with students before calling on the Governor for its last official meeting. In the evening the Mission hosted a reception for officials of the Territory.
<u>Tuesday, 21 July</u>	The Mission departed for Nadi, Fiji.

Annex II

Concurrent resolution No. 31 adopted by the Senate
of American Samoa

A Senate concurrent resolution declaring the view of the legislature concerning the political status of the territory of American Samoa:

Whereas, the Territory of American Samoa is pleased to host the United Nations delegation as it conducts its investigations of the political status of the Territory; and

Whereas, the special relationship between the Territory and the United States has been a source of strength and pride to the people of the Territory for 81 years; and

Whereas, a close examination of the rights, privileges, and freedoms afforded the Territory under its close ties with the United States dispel any assumption of dominance; and

Whereas, dramatic steps towards self-reliance and self-determination have been made in the Territory, including an elected Governor, Lieutenant Governor, Legislature, and member of the United States House of Representatives; and

Whereas, the Territory of American Samoa strongly desires to continue to pursue its destiny with the trusted assistance of the United States.

Now, therefore, be it resolved by the Senate of the Territory of American Samoa, the House of Representatives concurring:

That, the Legislature declares its unequivocal support of the current, developing political status of the Territory of American Samoa; and

Be it further resolved, that the Secretary of the Senate is directed to transmit copies of this resolution to: the Chief Executive Ronald W. Reagan, President of the United States; the Honourable Kurt Waldheim, Secretary-General, United Nations; the Honourable Thomas P. O'Neill, Speaker of the United States House of Representatives; the Honourable Senator Howard H. Baker, Jr., Majority Floor Leader, United States Senate; Honourable Alexander M. Haig, Jr., Secretary of State; the Honourable James G. Watt, Secretary of the Interior; Honourable Jeane J. Kirkpatrick, United States Representative to the United Nations; the Honourable Congressman Fofo I.F. Sunia, Delegate to the United States House of Representatives; and to the Honorable Peter Tali Coleman, Governor of American Samoa.

(Signed) Galea'i P. POUMELE
President of the Senate

(Signed) Tuana'Itau F. TUIA
Speaker, House of Representatives