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106 EXCISE

THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS

November 9, 1965

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Dear Joe:

1. I have reviewed your excellent paper entitled "Planning for the Future of United States Territories and the Trust Territory of the Pacific Islands", and wish to congratulate you on having produced such a timely and well-prepared document. I wish to lend my full support to your efforts to start action to resolve their future status.

2. There is no question that we should take action as soon as possible to remove these territories from their present status, since otherwise we shall be under increasing pressure in the United Nations. We should also consider the possible advantages of acting now while the Soviet-Chinese conflict is continuing and Communist China remains excluded from the United Nations. At the very least, the United States should not allow itself to be placed in the position of being one of the last remaining colonial powers.

3. My understanding of the basic substantive elements of the paper is as follows:

a. The paper proposes, in principle, the development of a program to provide a "terminal" status for our territories and for the TTPI which assures their "continuing association" with the United States while meeting our obligations under the Charter.

b. The paper suggests, in fact, that we aim for some form of "association" short of statehood, which

The Honorable
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Assistant Secretary of State for
International Organization Affairs.

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would not necessarily be permanent, but which would be designed to remove the territories from United Nations jurisdiction. (It does this on the assumption that an option of statehood is currently politically impractical.) Plebiscites would be held in the various territories to decide on the proposals.

c. The nature of the plebiscites is not clearly spelled out in the paper but I understand the intention to be that they would include an option of independence in addition to the forms of "association" decided upon.

d. The paper suggests that United Nations action would be sought only at the end of the planning, when there would be a request for some kind of United Nations "observation" of the plebiscite.

4. Because this program in fact is terminal only with respect to removing the territories from United Nations supervision and not with respect to their final status, the United Nations aspects of the program will be crucial. The key issues will be: (a) Whether the new status would give the territories full self-government, (b) Whether the people have had an adequate option in making their choice, and (c) Whether the people will in fact have made an informed and totally free choice.

5. On the first point -- whether the status would grant full self-government -- the details would be important. If important powers of action or appointment were retained for the Federal Government, for instance, the proposals would run into trouble. Continued control over foreign affairs and other matters of normal Federal concern could probably be successfully maintained, but Federal control (whether Presidential or Congressional) over internal legislation through veto powers or appointment of governors, etc., would not. (E.g.; the status of Puerto Rico is likely to be acceptable in principle, while that of the District of Columbia would not be.)

6. On the second point -- an adequate option -- we must assume that an option of independence will be essential in order to gain General Assembly approval. The trouble we are having in assuring that Puerto Rico is not reopened in the United Nations, in spite of the 1953 General Assembly decision, is an example of this. It is true that New Zealand is probably on the verge of obtaining General Assembly approval for removing the

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Cook Islands from United Nations supervision even though the people were not given a clear choice of independence. (However, their Constitution provides the means to obtain it at any time.) But we think the New Zealand experience largely stands on its own and that it would prove more difficult for us to accomplish, especially as time goes on. Nor do I believe we would take much of a risk in the relatively near future by offering independence, as the paper observes. If some form of total integration such as statehood represents could also be posed at the outset this would obviously be even better. I am not able to judge the political realities adequately from here but I would hope this would not be excluded unless it has been thoroughly explored. I should also note that any interim solution will probably have to include some means for further modification of their status (as is the case with Puerto Rico and the Cook Islands).

8. On the third point -- a free and informed choice -- the form of United Nations involvement will be important. Not only must what we do be correct from the United Nations point of view, but it must also be verifiable by the United Nations as correct. This will undoubtedly require some form of United Nations observation, as the paper implies. In the recent Cook Island case New Zealand started off with an offer of "observation". The Committee of 24 changed this to "supervision" (although what then took place was actually closer to observation). The trend in the United Nations will undoubtedly be toward insisting on increasing degrees of "supervision", another reason for acting sooner rather than later. But we will need to consider carefully how far we can go in giving the United Nations a meaningful role at the time of the plebiscites.

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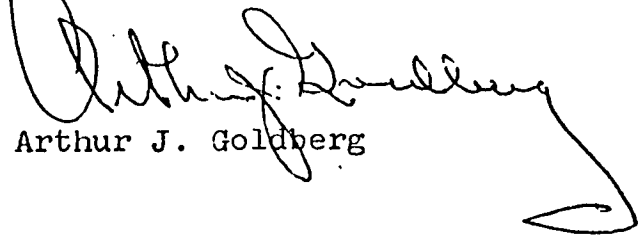
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10. The most important thing of course is that we get on seriously with bringing about termination on the non-self-governing status of all four of our territories. I therefore heartily concur with your argumentation and the recommendations contained in your paper, and hope they will be accepted.

Cordially,



Arthur J. Goldberg

GROUP 3

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