

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY T. H. BAAS DATE 3/25/89

74-07
EX 5294

03
2189
8

RDS or XDS EXT. DATE _____

TS AUTH. _____ REASON(S) _____

ENDORSE EXISTING MARKINGS

DECLASSIFIED RELEASABLE

RELEASE DENIED

PA or FO Briefing Material for Mr. Sisco's
Appearance Before the Aspinall/Carey
Committee Hearings on TTPI

R
3-15-68

Purpose of Hearings

These sessions are not formal hearings on the Administration Bill for a Status Commission; instead they are intended to permit an exchange of views between senior officials in State, Interior, and Defense and the Subcommittee members who visited the TTPI early this year. We urge, nevertheless, that you find an opportunity to put in a plug for the Status Commission Bill and briefly explain our objectives.

Status of Administration Proposal

There has been no appreciable change in the positions of State, Interior, and Defense regarding the President's proposal for establishing a Status Commission. (You may wish to re-read the Bill and the letter of explanation which are attached at TAB A.) If anything, there is an even greater sense of urgency because the more imminent possibility of withdrawal or partial withdrawal from the Ryukyus has intensified our military interest in the Trust Territory.

Neither the House nor Senate has yet set a time for hearings on the Administration Bill. The hearings in the House Subcommittee may, however, help move things along and will at least clarify some of the problems we will face in the Congress. We understand that the Congressmen and Senators who recently visited the Territory came away with mixed feelings about a program of political development. Some members still like to

think that the United States could simply incorporate Micronesia with minimum regard to our international obligations. Others sympathize with the Administration's plans although they may wish to make some changes in the Administration Bill. Still others feel that the time is not ripe or have special interests in mind (e.g. Hawaiian interest in making all or part of the Territory a county of Hawaii, or Guamanian interest in incorporating the Marianas). Representative Patsy Mink of Hawaii has indicated her opposition to the Administration's plan but has not explained why. Generally, however, we have an impression of considerable support within both the House and Senate Interior Committees, and the Congress as a whole may be quite receptive to the Administration plan for self-determination.

The mood of the Congress has been influenced to some extent by developments in Micronesia. We have no way of checking this situation but are told that many Micronesians seem hesitant about an early plebiscite. The concern of the Micronesians may be fear to foresake a reasonably good thing without knowing more about future possibilities.

The Micronesian Congress has established its own political status commission with terms of reference which are not dissimilar to the U.S. proposal. The Micronesian Commission will make its first report this spring. While this Micronesian operation may be useful in educating the people of the Territory and in engaging their interest, it may also develop appetites which we cannot satisfy. In any case, the existence of the Micronesian Commission is one more argument for moving promptly.

Talking Points

The following are the key points we suggest you try to get across to the Committee as an informal statement of the rationale behind the Administration's proposal on the Status Commission:

1. The President's proposal for a Status Commission reflects the coordinated views of State, Interior, and Defense. The State Department strongly urges prompt Congressional action.

2. Our concern with expediting a program of self-determination for the Trust Territory stems primarily from important national security considerations which necessitate that the Territory's transitional trusteeship status be replaced by a stable and lasting relationship with the United States. In other words, our purpose is not to accommodate the UN but to bring the earliest possible end to the UN's surveillance of the TTPI.

3. After careful study we are convinced that an early date should be set for a plebiscite in which we would be obliged to offer the inhabitants of the Territory the alternative of independence as well as the desired status of free association with the U.S.

4. We are reasonably certain that the Micronesian people will choose free association with the United States, so long as the U.S.

- a) moves promptly, and
- b) offers attractive terms of association to the people of Micronesia.

5. To minimize the limited risks involved we favor a program of accelerated political and economic development in the TTPI prior to the plebiscite.

6. On the other hand, delay in facing the problem of self-determination will increase the potential difficulties in Micronesia. With the process of education and growing exposure to the outside world, feelings of local identity could develop in a nationalistic way providing an opportunity for exploitation by local opportunists as well as unhelpful foreign influences.

7. Uncertainty about the ultimate political status of the Territory also acts as a deterrent to investment and economic development in the TTPI.

8. Although a Commission would recommend the specific alternatives to be put to the Micronesians in a plebiscite, the choice would have to include the options of independence and self-government because of our obligation under our 1947 Trusteeship Agreement with the UN Security Council and established UN practice. There is no reason why other alternatives could not also be offered.

9. This proposed program is an urgent matter: hearings need to be held, a bill needs to be passed, a Commission needs to be selected by the President and the Congress, the Commission needs to make a careful study, and political and economic preparations need to be made in Micronesia if we are to achieve our objective of establishing a lasting political relationship with Micronesia as necessitated by our vital defense interests.

Possible Questions and Suggested Answers

QUESTION

(a) Why must we offer either independence of self-government to the TTPI when we have not done so for the American territories of Guam, American Samoa, and the Virgin Islands?

(b) Why are we so concerned about satisfying UN opinion regarding the procedure for self-determination?

ANSWER

In the case of Guam, American Samoa and the Virgin Islands U.S. sovereignty has already been established whereas in the case of the TPI the U.S. enjoys its rights as an administering authority under the 1947 Trusteeship Agreement with the Security Council. Article 6 of this Agreement states that the Administering Authority shall "foster the development of such political institutions as are suited to the Trust Territory and shall promote the development of the inhabitants of the Trust Territory towards self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned; ..."

This Agreement, which was approved by a concurrent resolution of the Congress, has the force of an international treaty. Therefore the State Department believes that the Trusteeship Agreement could not legally be terminated without an act of self-determination by the people of Micronesia involving an offer of self-government or independence. This clear international legal requirement is reinforced by the political fact that the U.S., as a prominent anti-colonial power has consistently supported the principle and practice of self-determination.

Even with strict observance of the Trusteeship Agreement, we would not satisfy our irreconcilable critics in the UN and elsewhere, but we would have enough support to carry through with our program. Failure to fulfill our obligations would jeopardize our objective by alienating our normal sources of international support.

QUESTION

Would the alternatives to be offered to the Micronesians in a plebiscite have to be limited to independence or self-government?

ANSWER

No, there is no reason why other alternatives, such as full integration into the U.S. as a State, could not also be offered. Independence and self-government are simply the minimum range of choice that must be offered if we are to live up to our solemn international commitments under the Trusteeship Agreement of 1947.

QUESTION

Would it be possible for us to fragment the Trust Territory, perhaps incorporating some of the islands with Guam or Hawaii and letting the others choose their own future whether it be independence, association with the U.S. or even association with Japan?

ANSWER

For both legal and political reasons we must treat the Trust Territory as a whole at least until the people of the Territory complete their act of self-determination. The Trusteeship Agreement is premised on the Territory's remaining an entity. Moreover, given the strong opposition among newly independent Afro-Asian countries to fragmentation of dependent areas, any parcelling of the Territory would seriously complicate our objective of ending UN surveillance. After a plebiscite these particular constraints would disappear.

QUESTION

Would we not run a too great a risk in offering the people of the TTPI a choice of independence?

ANSWER

We are reasonably confident that a majority of the Micronesians would choose continuing association with the U.S. and would view independence as a politically *and* economically risky adventure. Of course, if we delay too long, this situation may change. Nationalistic tendencies may develop among Micronesians generating political opportunism which in turn may be exploited by unhelpful influences abroad. Similarly, the risk of independence would increase if we did not make the terms of free association sufficiently attractive to the inhabitants of Micronesia. In sum, we do not think there is a dangerous risk so long as we move promptly and make our proposition appealing to the people of the Territory.

QUESTION

Why must we have a Status Commission; why couldn't the President and Congress simply decide what should be done and then put the proposal to the people of Micronesia in a plebiscite?

ANSWER

In contrast to the need for a plebiscite, a Status Commission would not be essential either in terms of our legal obligations or UN practice. Our reasons for urging a Status Commission are that: a) it has been proposed by the Micronesians themselves; b) as in past cases it would provide an effective means to engage the Executive

Branch, the Congress, the Micronesians and the American public in a systematic examination of all aspects of the problem; and c) a Commission would make specific recommendations to the President and Congress.

QUESTION

Wouldn't it be both dangerous and unfair to leapfrog the Trust Territory to self-government when a far more orderly process has left Guam, American Samoa and the Virgin Islands without full self-government?

ANSWER

First, I would assume that Guam, the Virgin Islands and even American Samoa, enjoying as they presently do a rather large measure of self-government and having demonstrated an ability to handle their own affairs, will shortly be self-governing. In fact, both houses of the Congress last year passed elected governor bills for Guam and the Virgin Islands. Second, the United States does not have sovereignty over the Trust Territory as it does over Guam, the Virgin Islands and American Samoa. We desire to extend our sovereignty over the TTPI for strategic and political reasons, but in order to do so we must be guided by our Treaty obligations. It is these obligations, particularly the provisions for self-government or independence, which limit what we can and can't do in the Trust Territory. Third, there are practical political considerations. Unless they have the promise of something better, sophisticated Micronesian leaders may be quite reluctant to forego the degree of influence they now enjoy through recourse to the UN.

QUESTION

What do you mean by self-government. Would it be necessary to have an elected Governor in the TTPI?

ANSWER

The Trusteeship Agreement does not define the words "self-government" and we would accordingly have considerable latitude in establishing the necessary institutions. In doing so, we would be guided by the U.S. Constitution, U.S. practice, as well as the standards generally used in the UN. The specific form of self-government would, on the one hand, have to suit the political level and practical circumstances of the Micronesians and, on the other hand, conform to a meaningful definition of self-government.

Given both American and UN Standards such a definition of self-government would presumably include the institution of an elected Governor.

QUESTION

Would there have to be a substantial degree of self-government in the Territory before the plebiscite?

ANSWER

There would have to be enough self-government in the TTPI so that we could properly state that the people of the Territory had made a meaningful choice during the plebiscite. This could be achieved without full self-government, presumably by continued progress along lines of the last few years. The exact conditions could be determined by the Status Commission in conjunction with the President and Congress.

QUESTION

What will you do if you can't get enough votes or run into a Soviet veto in the Security Council?

ANSWER

The Trusteeship Agreement does not specify the method of termination. If Soviet or other obstruction appeared likely, we would not submit a resolution and would simply inform the UN Security Council that we had fulfilled our obligation under the Trusteeship Agreement and would henceforth discontinue reporting to the UN or receiving visiting missions. This would not, of course, placate our irreconcilable critics but the opposition would be tolerable if a plebiscite in the TTPI were held in accordance with the terms of the Trusteeship Agreement and normal UN practice.

QUESTION

Aren't the people of Micronesia too immature for self-government?

ANSWER

Viewed in terms of the actual standards which are applied today, I do not think so. In any case, the Status Commission will have to make a judgment on this matter. If the Commission should determine that the Micronesians are too politically immature for the degree of self-government we have in mind, then we will have to begin a crash program of political preparation in order to achieve our strategic objective in the Territory.

QUESTION

Why do we have to go through an act of self-determination to extend our sovereignty over the Trust Territory?

ANSWER

We have a solemn international obligation which requires that we proceed by this means. Furthermore, we have consistently upheld and supported the practice of self-determination throughout the world. I must emphasize that we cannot be selective about upholding our commitments and support of self-determination. While paying a heavy price in South East Asia to uphold these principles we could hardly afford to violate or ignore them in an area of the Pacific where we have direct responsibility.

Special Sensitivities Vis-a-Vis the Departments of Interior and Defense

Although the Status Commission Bill now before the House and Senate has been approved by all three Departments and the President, Mr. Katzenbach and Mr. Udall never fully resolved their dispute about the degree of self-government which would be necessary under the Administration's proposed program. Udall agreed, however, that the State Department should be responsible for explaining ^{the} international constraints within which we would have to operate. He has lived up to this arrangement in his own statements before the Committee even though other officers of Interior may continue to drag their heels and possibly encourage like-minded members of Congress.

We believe the best way of dealing with this question is the straightforward one of standing firmly on the State Department's prerogative of stating U.S. international obligations and stating these obligations very clearly as matters beyond question. This is one of the reasons we favor your finding an opportunity to volunteer a statement during the hearings.

In the case of Defense we see no special sensitivities but we cannot count on more than neutrality on the question of self-government. Under their skins most military officers agree with Interior, and they maintain their neutrality only through the discipline imposed by the civilian leaders in the Pentagon.