

UNITED STATES GOVERNMENT

Memorandum

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TTPI-114
DATE: April 4, 1969

TO : UNP - Miss Brown
UNP - Mr. Peale

FROM : UNP - William Gleysteen

SUBJECT: Your Memorandum for the Under Secretary on the Independent Option in the TTPI

I am going to hastily recapitulate my offhand thoughts about the proposed memorandum on the necessity to include independence as an option in any self-determination in the Trust Territory. The IO memorandum should probably be cleared with Mr. Meeker personally and enclose a copy of his legal opinion. His opinion should, in turn, be short and unencumbered with agumentative details. As I said, I think it might simply build on Article 6 of the Trusteeship Agreement and buttress this with references to US sponsorship of GA Resolution 1541 and UN practice as accepted by the US and the other Trusteeship (or colonial) powers.

The covering memorandum might start out with a statement that while there is a clear legal basis for our judgment, the key considerations are the reinforcing political circumstances. The memorandum might then go on to summarize the legal point.

The next section of the memorandum might note that the Trusteeship Agreement language parallels Article 76 of the UN Charter and that the UN's consistent practice has left no doubt that self-determination of the dependent territories could not be considered complete unless they have been offered a choice of independence. There are no exceptions to this general rule and there are examples of the UN's unwillingness to accept shortcuts (e.g. Djibouti). Moreover, even our closest allies such as the British and the Australians have always insisted on this interpretation even though they were generous in definition of arrangements which might meet it. For the US to buck such an overwhelming pattern in the UN would be ensuring in advance that we created a well-publicized controversy in New York which would inevitably feed back into the politics of the Trust Territory.

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY B.A. BAPS DATE 4/16/87

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The overriding political consideration, however, is that the peoples of the Trust Territory are aware of the terms of the Trusteeship Agreement and are convinced that they have an option of choosing independence in a plebiscite. They have discussed this extensively with members of the US Senate and House. They have heard prominent members of the US Administration state that they would have such an option. They have seen such an option ^{embraced} in the language of the legislation proposed by the Johnson Administration and passed by the Senate. Although still presuming a vast majority of Micronesians recognize that independence is not a viable alternative for them, the act of depriving them of this choice would obviously be provocative and perhaps disastrously counter-productive. It ^{could} ~~would therefore~~ defeat our objective of bringing about a decisive Micronesian vote in favor of association with the US and of heading deterioration in the political climate of the Territory.

The memorandum might conclude with a blunt statement that many Communist and other countries have gotten away with practices which the US could not live down. It is a fact of life that the US is forced to maintain strict standards on questions of this kind both because of its prominence internationally, and because of domestic attitudes.

IO:UNP:WGleysteen:gs

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