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The Under Secretary

April 25, 1969

THROUGH: S/S

TO - Samuel De Palma

Meeting of the Under Secretaries Committee on the TIPI
BRIEFING MEMORANDUM

Before commenting on the paper and recommending tactics for the Under Secretaries Committee meeting, I believe I owe you a clear statement on the question of urgency. As I see it, we are dealing with three phases of the problem.

First, there is the almost immediate question of ensuring that Secretary Michel says the right thing when he goes to the Territory and avoids saying the wrong things; i.e. encouraging him wholeheartedly in his determination to announce an action program while in Saipan but discouraging him from making an inadequate political offer.

Second, we need to devise the political status that we are prepared to offer the Micronesians. We cannot postpone a decision too long because the Micronesians have been led to expect an answer from us within the relatively near future. However, assuming Secretary Michel can convey enough sense of dynamism to the Micronesian leaders, we should have several months to reach agreement within the Executive Branch and to lobby for our view with the Congress and the Micronesian leaders.

Third, there is the timing of a plebiscite or referendum in which the Micronesians would vote on the status we offer. I am not in a position now to make an intelligent judgment on this matter. Perhaps it will turn out that a vote should be conducted within the next year or two, but it is quite possible that we should give ourselves more time to promote the advantages of the status we offer.

I think these are very distinct aspects of the problem, and we do no one a favor by jumbling them all together, arguing whether the situation is terribly urgent or that the situation is not terribly urgent.

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The paper reflects a continuing dispute among Departments over certain legal issues relating to the conditions which would have to be met if the US decided to provide for permanent association of Micronesia with the United States and to terminate the Trusteeship Agreement. In appraising the legal situation we must bear in mind the political consequences of any program which we adopt. If we decide to depart from the letter of the UN Charter and the Trusteeship Agreement and from normal UN practice, we will have to withstand sharp attacks in the UN. These would be intolerable if they found any resonance in Micronesia. Consequently we believe that we should assure ourselves that our proposals will find acceptance in Micronesia. We would run the gravest risks if we were to proceed without being certain that we would not arouse opposition among Micronesians of the sort that would subsequently be exploited year after year in the UN with dissatisfied Micronesians using the UN as a sounding board, and elements in the UN eager to make the US a colonialist target, in turn playing upon Micronesian dissatisfaction.

Although Interior believes that the Micronesians would now accept the status of an unincorporated, and for the present, non-self-governing territory, the State Department seriously questions the accuracy of this assessment. Foreign Service officers who have talked with various Micronesian leaders here, in the Territory, and in other countries, have reported some disturbing trends in Micronesian views. Moreover, we have been informed by responsible officials of foreign governments who were visited by members of the Micronesian Status Commission that they found unmistakable resentment against our administration--though not against the United States--and a strong desire for greatly increased Micronesian responsibility in the Territory.

In these circumstances we believe that the President should not approve a specific course of action unless we know that the proposals will meet with a positive response in Micronesia. For example, the Micronesians have focused on self-government and if they are offered less or even what they now have they could react in such a way as to place the United States in an exposed and vulnerable position both in the Territory, where our strategic requirements depend upon a friendly climate, and internationally. An additional factor is public opinion in the broadest sense which will scrutinize the action of the United

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States in the Territory against the principles of international law and self-determination which this Government has consistently presented others to follow.

The three options listed under termination of the Trusteeship Agreement should be viewed in this frame. From the standpoint of (1) Micronesian views based on reports on the work of the Status Commission and other indicators in the Territory, and (2) international obligations, suboption A would represent the optimum because, provided the offer of self-governing status in association with the United States is made sufficiently attractive to ensure its choice by the Micronesians, their vote would show that they don't want independence. *BT*

B, A5
B3

Suboption B does not appear to meet Micronesian desires sufficiently to ensure against the risks mentioned above. Some of the risks might be minimized in proportion to the extent to which we were able to make specific commitments of additional grants of self-government to the Micronesians on a fixed schedule basis, but the risk would still exist of Micronesian agitation fed by echoing attacks upon the United States in the UN for an alleged act of colonialism in annexing a territory previously in trusteeship status without having given its people the choices to which they were presumably entitled. It has the further drawback of revealing that what the Micronesians would be getting immediately falls short of self-government and would consequently place us in a more vulnerable position internationally.

Handwritten notes:
revised
T.T.
min

Suboption C--immediate full self-government for Micronesia in association with the United States--if freely chosen by the Micronesians--should be manageable. The US international position would be enhanced if the United States were clearly responsive to a proposal arrived at by the Micronesians in circumstances which showed that they had also considered and themselves discarded independence as an option. If this were not the case, the Micronesian reaction to denial of the independence option (which they now expect) could be extremely difficult to handle.

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Since Defense and Interior rule out for strategic and Congressional reasons any possibility of granting an independence option, we recommend that, in presenting the position of the State Department on the paper you should:

- (1) Explain our view of the problem on the basis of the considerations described above;
- (2) Hear out the Interior-Defense position in favor of suboption B;
- (3) Emphasize the unacceptable risks we believe are inherent in this option;
- (4) Press for a reliable evaluation of Micronesian sentiment before making any status proposal; and
- (5) Press the need for the United States to take a position approximating as closely as possible the desires of the Micronesian people, e.g. full self-government.

Interior may contend that the leadership of the two Interior committees would not acquiesce either in the United States making such a proposal to the Micronesians or in permitting the United States to respond positively to a Micronesian request for such an arrangement, responsibility for the implementation of which would fall to the Congress. We believe you should contest this point on the basis that it is hard to believe that the Congress could not be persuaded of the wisdom of this course once it appreciated the risks of suboption B, including the very real possibility that our strategic needs in the Territory and our desire to ensure permanent association of the Territory with the United States could not be satisfied on this basis.

*Don't want to blow up
in multiple copies - 3 per
to subcommittee - 1 per 1/2*

*Main point is to show
will include an acceptable outcome and which will
have support of people of T.M.P.*

IO:GWP:EAR:Brown:WHE:Leysteen:ro'

Copies to: EA - Mr. Green
L - Mr. Boyd

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TALKING POINTS ON THE
"LEGAL AND POLITICAL REALITIES" SECTION

1. Having read this paper, I believe there is an organizational problem which must be resolved before the paper can be forwarded--namely the existence of the two alternative presentations of the section in the Requirements portion of the paper entitled "Legal and Political Realities" on pages 3-18. I felt that it should be possible to reach some accommodation on our difference, and I have asked my staff to attempt a revision of this section. It was our intention where possible to bring the State draft into harmony with the Interior, Defense and JCS language and, where this seemed impossible, clearly to state and label the opinions of both sides, thus presenting both views.

2. It would perhaps be useful if I briefly reviewed the two alternatives, pointing out the differences, and indicated how I have attempted to deal with them.

3. The first difference was in the legal interpretation of Article 76(b) of the Charter regarding the need to offer independence from the administering authority as an option-- I have simply stated both views.

4. The second difference concerned the description of past precedents in the termination of trusteeships. We have attempted to meld the two presentations in an even-handed manner.

5. Our next difference involves the offer of a non-self-governing status and the question whether such an offer is sufficient to terminate the trusteeship in terms of either the Charter Agreement or General Assembly resolution 1541 (XV). Again both views have been expressed and identified.

6. There were minor differences in the conclusion of the section on Transition Procedures which we have tried to resolve in a manner acceptable to everyone. I have also placed this section after the other "legal" section, feeling the political aspects should go last.

7. Finally, in the "Political Realities" section, I have again separated our conflicting views on the attitudes of the Micronesians and the consequences of any adverse reaction to our offer.

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