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EXCISE

TO : U - The Under Secretary
THROUGH: S/S
FROM : IO - Samuel De Palma
SUBJECT: Termination of the Trusteeship Status of the Trust Territory of the Pacific Islands
INFORMATION MEMORANDUM

As you requested, we have prepared a memorandum (Tab A) describing how the United States might terminate the trusteeship status once the Micronesians have chosen permanent association with the United States.

No matter how we proceed, we anticipate difficulties in New York and perhaps elsewhere, but our ability to minimize these difficulties and to reduce their long-range implications will be governed primarily by two factors: (1) the degree and appearance of self-government accorded to the Micronesians, and (2) the extent and nature of Micronesian involvement in the formulation and approval of the final status.

The illustrative draft legislation provided Congressman Aspinall does not meet these criteria. The status it describes is not self-government; nor is there even a cosmetic effort to give it an appearance of self-government. The draft Act itself closely resembles those for Guam and the Virgin Islands before provision was made for local election of a governor -- and we have acknowledged to the United Nations that the status of Guam and the Virgin Islands under these Organic Acts was "one of non-self-government."

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DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY	B. H. BAMS DATE 4/10/8
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We are currently preparing, for possible discussion at the Steering Committee and Under Secretaries Committee meetings scheduled for later this month, an analysis of the Organic Act designed to point out the non-self-governing provisions of the Act and to present a range of possible revisions to meet the need for an adequate measure of self-government.

Attachment: Memorandum

Concurrences:

IO/UNP - Miss Brown
IO/UNP - Mr. Gleysteen
L - Mr. Salans
L/UNA - Mr. Reis

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TERMINATION OF THE TRUSTEESHIP STATUS

The procedure for terminating the trusteeship status would involve three basic steps: the US Congress would signify its willingness to extend the new status to Micronesia; the people of Micronesia would express themselves in an act of self-determination; and the US would inform the UN Security Council that these steps met the terms of the Trusteeship Agreement and that the Territory had voluntarily chosen permanent association with the United States.

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1. Procedures in the US and Micronesia

The possibility of adverse political consequences would depend heavily on the nature of an Organic Act and its acceptability to the Micronesian people. There could be considerable flexibility in the procedures to decide Micronesia's future relationship with the United States and obtain approval for this status. Two basic conditions must be met: a) the US Congress must give formal legislative approval to the arrangements; and b) the people of the Territory must approve the arrangements through an act of self-determination involving a referendum or plebiscite. Within these limits, however, some variation would be possible, particularly in regard to the sequence of events.

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Whether the US Congress or the Micronesians acted first, the crucial point is that they should reach the same conclusion. The process could, but need not, involve a series of progressive steps first by the US and then by the Micronesians leading to final approval by both parties.

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2. Procedures at the United Nations

Neither the UN Charter nor the Trusteeship Agreement specifies the method by which the agreement is to be terminated.

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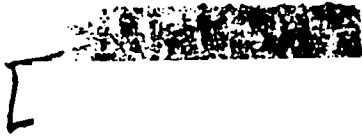
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