

DECLASSIFIED

96 1969 03/6

DEPARTMENT OF STATE A/GDC/ER

CONFIDENTIAL

REVIEWED BY B.H. Batts DATE 4/4/69

MEMORANDUM FOR THE UNDER SECRETARY

THROUGH: S/S
FROM: L - Murray J. Belman
SUBJECT: Future Status of the Trust Territory of the Pacific Islands

REASON FOR REVISION: DATE _____
REASON(S) _____
EXISTING MARKINGS []
DECLASSIFIED RELEASABLE
DATE OF REVIEW _____
OR FOR EXEMPTIONS

You have asked whether and to what extent we can construe our obligations under the U.N. Charter and the Trusteeship Agreement to be compatible with either of the two options now favored by Interior's staff. In my opinion Sub-Option II b is not compatible with our obligations, and only by disregarding past U.N. practice could our obligations be construed to permit Sub-Option II c.

Sub-Option II b - Non-Self-Governing Status

There is no basis for a construction that would permit a lawful termination of the Trusteeship Agreement by offering Micronesia status as an unincorporated territory under U.S. sovereignty even if that status were coupled with a specific timetable leading toward full internal self-government. Trusteeship agreements may be terminated only on a basis under which the trust territory has achieved self-government or independence. I do not believe that status as an unincorporated territory can reasonably be considered to involve enough self-government to qualify as a basis for termination of the agreement.

Sub-Option II c - Association with the U.S. as a fully Self-Governing Territory.

This status is certainly satisfactory as one option to be presented to the Micronesians, but it will not suffice alone. As Mr. Meeker's memorandum of April 7 says:

"This choice is too limited to be acceptable in view of the language of the Charter and the Trusteeship Agreement and in the light of the practice that has been followed in the United Nations in terminating other trusteeships."

CONFIDENTIAL

DECLASSIFIED

05 424032

DECLASSIFIED

CONFIDENTIAL

-2-

I would add that Article 76(b) of the Charter and Article 6(1) of the Agreement contain language strongly implying that a choice between self-government and independence must be offered at least so long as there are significant groups desiring both options. The language to which I refer provides that the administering authority shall "promote the development of the inhabitants of the trust territory toward self-government or independence, as may be appropriate to... the freely expressed wishes of the peoples concerned...".

I cannot judge whether or not a significant body of opinion in Micronesia wants independence; Interior and Defense indicate there is no such body, but they are unwilling to risk offering the choice. I find their stance somewhat disquieting, especially in light of the views of some members of the Micronesian Status Commission in favor of the independence option.

One point should be kept in mind in considering these options: Any decision by the U.S. to terminate the trusteeship agreement will be examined very closely in the U.N. In the past, all terminations have been reviewed and accepted by the General Assembly. In short, we shall not be acting in a vacuum.

L: MJBelman:lr

CONFIDENTIAL

DECLASSIFIED

OS 424453