

STATEMENT FROM THE MICRONESIAN
DELEGATION (No. 2)

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May 6, 1970
May 7, 1970

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The statement by the United States Delegation dated June 6, gave added clarity to a number of the matters dealt with in your initial submission. For this we are grateful. We should like to continue this process of clarification by ourselves commenting on a number of points in that statement.

First, we should apologize for our too hasty reading of the draft Constitution Bill. We agree that it provides that Titles III and IV would not become operative until the date specified in the proclamation of the President of the United States.

On a number of other matters, we are unable, however, to agree either with your line of argument or with the substantive points made in your statement.

We believe that it was reasonable to describe the definition of free association contained in Resolution 1541 as a "United Nations definition", even though it has gained that status through usage and not from the formal character of its acceptance by the General Assembly. The associations between Britain and a number of her former West Indian dependencies and between New Zealand and the Cook Islands were made unilaterally terminable because both Britain and New Zealand took the view that the inclusion of such a provision was a pre-requisite to United Nations agreement that the dependencies were no longer "non-self-governing territories". We pointed out in a statement issued earlier today that the objectives of Trusteeship in Micronesia, as evidenced by the Trusteeship Agreement, were identical

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with those in other Trust Territories. As you will agree, a Trusteeship Agreement is terminable only if the territory is to acquire a status that excludes it from the category of "non-self-governing territories"; and we see no reason to believe that the United Nations would be happy to accept different definitions of "self-governing" and "non-self-governing" from those which it has applied during recent years in other cases.

In regard to the character of a "unilaterally terminable compact", we think that the position of the Micronesian Delegation has been misunderstood. None of the existing compacts which we had in mind are of a kind that permit of "day-to-day uncertainties by both parties". They were entered into in the expectation that the association they created would be enduring, and the procedures provided for termination were devised with this end in view. The Micronesian Delegation was guided by these precedents. If the United States Delegation would like to discuss possible procedures for the termination of a unilaterally terminable compact, we should be happy to explain our views in detail.

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In your own statement you make several references to the possibility that a Commonwealth of Micronesia "might evolve into some other political status" or that the association between the United States and Micronesia might be terminated "by mutual agreement". We agree that it would be consistent with the course of American history for Micronesia to be offered the opportunity of becoming more fully integrated into the American system. We are doubtful, however, whether history lends equal credence to the proposition that Micronesia would be permitted to establish a looser association or attain complete independence.

In the interests of a full mutual understanding, we think we should offer some comment on the references to defence in your Statement of Principles and your subsequent statement dated May 6. The Micronesian Delegation recognizes the significance of the Micronesian area in relation to global strategy. It understands the desire of the United States to have access to parts of it for military purposes and its determination that other Powers, whose interests are, or may become, divergent from those of the United States, shall not possess such access. It understands, too, that the interests of the Micronesian people are broadly linked, in the long run, with the fortunes of those countries with which the people of Micronesia share a common ideology.

On the other hand, it is deeply disturbed by the lack of realism shown in certain of your statements on defence:

"Micronesian security would be assured... Moreover, the costs of such security which would be immense for an area the size of Micronesia..."

"Micronesia would have no guarantee of protection (under a unilaterally terminable association with the United States) and could be left totally defenceless in a time of danger."

In truth, the people of Micronesia cannot be defended in "times of danger" of the kind that have existed in the present century and that we all fear may occur again. People living on small islands are exposed to the danger of extermination once a decision is taken to defend them. We have experienced the consequences of the defence of Micronesia; and we think you will agree with us that the Micronesian people would have fared far better in World War II had the Japanese peaceably withdrawn in the face of

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the United States advance. Should war occur again, the long-term interests of the people of Micronesia will depend upon its outcome; their short-term interests will be safeguarded only if a decision is taken that they shall not be defended from within their own shores.

Our discussions regarding defence should be based on an acceptance of the fact that we are concerning ourselves with United States interests to which we are not unsympathetic -- and not with Micronesian interests.

The question of defence is closely related to that of eminent domain. You state that Commonwealth Status "would provide protection of Micronesian control of land to the maximum degree possible and consistent with the interests of the American political family, including the Commonwealth of Micronesia". We think it is significant that Micronesia is considered, in this context, only as a part -- if not as an appendage -- of "the American political family". Because of our circumstances, as well as of our traditions, we insist that Micronesian control of the land must be unqualified. This does not mean that a Government of Micronesia would not be ready to enter into negotiations with the United States for the lease of certain areas. Moreover, in making this statement, we are fully conscious that the United States would be the more powerful partner to such negotiations. But, on the issue of legal control, we are unable to agree to any compromise. This, indeed, has been one of the primary motives for insistence upon a relationship of free association.

Of similar importance to eminent domain is effective control over the sale, alienation, lease or other transfer of land to non-Micronesians. Our delegation believes that your proposal, which establishes "legal residency"

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as the means of controlling non-Micronesian ownership of land, does not provide adequate safeguards to protect the interests of Micronesians.

Another matter to which we must refer is that of the settlement of Micronesian claims. We agree that this is unrelated to the subject matter of a Constitutional Convention Bill. It is, however, an essential part of the discussion relating to Micronesian association with the United States. Like the land question, its settlement is, in our opinion, a pre-requisite to Micronesian entry into a scheme of free association.

The United States Delegation's statement on May 6, like the initial statement, refers to the economic and financial advantages that Micronesia would derive from Commonwealth status. We do not deny that this would be so. We recognize that under free association, or as an independent state, we might be treated less generously than would be the case if Micronesia became a Commonwealth. To some extent, however, this would be counteracted by the greater freedom we would possess to seek assistance elsewhere. But, fundamentally, our position is that the legal rights we consider essential to the effective protection of a Micronesian identity cannot be bartered for financial and economic advantages.

Finally, we are satisfied that it was the intention of the United Nations, as it is of the Congress of Micronesia (and therefore of our delegation), that the future Status of Micronesia should derive from the thought, the discussion, and the will of the people of Micronesia and not from a plan prepared on behalf of the United States Government. The United States Delegation came to Micronesia in full knowledge that the Political Status Delegation had been directed to examine free association between our

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Two countries, of a kind that had been carefully defined and also
Micronesian's possible future as an independent state. In the light of
these facts, we are surprised that the United States Delegation should
state that the United States offer "was, of course, formulated in an
attempt to be responsive to Micronesian desires as we understood them".
In our opinion, the offer is not in accordance with either of the alter-
natives that we have been directed to examine and report on.

By way of conclusion, we would say, as we have previously done, that
we are sincerely convinced that the interests of the United States in
Micronesia can be satisfied within the framework of free association or
within that of independence, and without Micronesia becoming a permanent
part of the American political family.