



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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20 March 1972

Memorandum of Conversation

Place: Office for Micronesian Status Negotiations

Subject: Forthcoming Status Negotiations in Palau

Participants: Messrs. Warnke, Stoval and Heckman (Clifford, Warnke, Glass, McIlwain & Finney, Attorneys and Counsellors at Law)
Ambassador F. Haydn Williams
Lindsey Grant

Ambassador Williams summarized his recent conversation with Senator Salii. He reported Salii was relaxed and seemed much more possessed and self confident; he suggested an awareness that the Status Committee must do more to meet our needs. Salii wants private talks and off-the-record executive sessions. Ambassador Williams thought this would be useful and observed that this would provide an opportunity to arrive at agreed language in back room drafting sessions.

He reported that agreement has been reached that there would be daily joint press summaries announcing what subjects had been dealt with during the day. These would be given out orally at press conferences jointly run by one officer from each side.

Ambassador Williams reported he had told Salii of our wish to discuss issues first. Senator Salii had emphasized the importance of the termination issue. Ambassador Williams had asked Salii whether this meant that Salii expected we could agree on other issues if we agreed on termination. Salii had said yes. He saw no difficulty in accommodating us on foreign affairs and defense. Ambassador Williams observed that if we can solve these questions we are well on the way to success.

Mr. Warnke remarked that it might prove difficult to put the agreement into specific language (Ambassador Williams agreed). He remarked on the language barrier and upon the differences in shades of meaning between ourselves and the Micronesians when we discuss concepts. He said that we should discuss foreign policy in detail. We need to talk it out so that the Micronesians understand what we are proposing. He thought that this may be more of an emotional issue than has yet surfaced.

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Ambassador Williams noted that from earlier reports by the Micronesian Status Commission we had thought that the Micronesians all along have accepted that we would have responsibility for foreign affairs and defense. He had told Salii that we had no problem with the things the Status Commission was saying in 1969 and 1970 on foreign affairs and defense, or with what Salii has said privately since. He had made clear to Salii that the Cook Island or 1967 West Indies Agreement formulae were acceptable to us. Ambassador Williams remarked that the Micronesians may be the ones who turn out to have problems on those formulae. (Note: The West Indies Federation formula was cited by the Micronesians in their 1970 report as a desirable model for the relationship.)

There was discussion of what advisers might be on the scene in Palau.

Ambassador Williams, again referring to his recent conversation with Senator Salii, observed that Salii had recognized that Micronesian actions would have to be within the context of U.S. foreign policy. Ambassador Williams had had the "impression that Salii accepted a subordinate role." Mr. Warnke said that the Micronesian fear was that they would have to take actions which they did not like in support of U.S. policy. It is important that we get across to them that our requirement is negative - that we want to be sure that they do not do anything that crosses our policy interests, rather than wanting to require them to take actions in support.

Mr. Grant said that the ultimate authority in foreign affairs cannot be divided, that the buck has to be in one place or the other. We will need to make this clear, and we will certainly begin the sessions by doing so. Once having established that point, we envisage that a whole range of activities, including those which are perhaps of the most immediate interest to the Micronesians, can be delegated to the Micronesians. We expect to spell these out with examples, as the sessions unfold. Mr. Warnke said that it would be important to do so. Ambassador Williams supported Mr. Grant's remarks, emphasizing that we do need a clear definition.

Ambassador Williams reiterated that if we can get over these points, he believed that we can solve the termination problem. Then we will need to face practical issues, such as finance, on which they cannot yet give us the answers we need in order to do our own planning. Perhaps what we need is a joint study committee to go into this, and to begin to define the requirements.

Mr. Warnke said that the smallest problem is to arrive at a compact. The difficulty is that specifics are needed. The Micronesians still take a "romantic approach" to this negotiation, and they have not yet begun to think about many of these real problems.

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Mr. Grant agreed. He said that the Micronesians have been so anxious to preserve their identity that they have until now tended to treat these negotiations as an exercise in seeing how far they can get from us. We can understand their feeling; historically, they have had a lot of trouble with foreign control. However, they may be in imminent danger of painting themselves into positions where they don't want to be, in their fixation on escaping from an American bear-hug. We know the obligations we undertook in the Trust Agreement. He doubted that either the government or Congress is likely to approve any deal which does not take care of our basic strategic interests in the area. Beyond this, however, he suspects that if the Micronesians want a particular arrangement badly enough, they are likely to get it. The other side of the coin, however, is that the nature of the relationship will tend to dictate how much we will or can do for Micronesia, and the Micronesians have not really yet focussed on this point.

Ambassador Williams observed that Micronesia would like to be "sovereign and independent", but within U.S. budgetary funding. When can we ever do this? When do we undertake an automatic obligation to support a foreign government? They think that if we will not fund them, the UN will. They have not learned that the UN does not fund budgetary expenses, and that on the contrary it costs money to be in the UN. They expect that the FAA will run their air services and pave their runways, whatever relationship they choose. He had raised some of these points with Senator Salii, who had agreed on the need for further discussion on the application of U.S. laws and U.S. programs.

Mr. Warnke said that the Micronesians need to develop their own ideas as to what kind of government they want, what kind of entity they will be. Ambassador Williams agreed, and observed that Senator Salii apparently still has the happy idea that if the principles can be agreed, the rest will be easy and can be handled by staff work.

Ambassador Williams remarked that if he were a Micronesian right now, he would want to rope the U.S. into a close relationship, rather than to let us off the hook. Mr. Warnke agreed that this was "practical, but impossible." Ambassador Williams spoke briefly of the problems of some 45 U.S. laws in which the Trust Territory is included, which give the Micronesians benefits. They should be seeking to perpetuate such benefits.

Mr. Grant described the route which we foresee: An agreed compact, submitted to the U.S. Congress and the Congress of Micronesia, providing for a plebiscite in Micronesia, and finally for termination of the

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Trust and the beginning of the new political relationship. The relationship may well be sui generis. If somebody asked what was the degree of Micronesian independence, we would simply say "look at the compact." The point is that the results will be the same, whether we go this route or another one. This was the second of two routes proposed by the Micronesians themselves in 1970. At Hana, we carefully met the terms they themselves had set for following this route. Now, they are emphasizing that they prefer the first route, that of achieving independence and then turning over foreign affairs and defense to us. We hope that, with his familiarity with the processes on the Hill, Mr. Warnke can bring the Micronesians to understand why the second route would be very much easier to achieve in practical terms. Mr. Warnke said that he understood the problem and would keep it in mind.

As to the question whether the plebiscite would precede or follow action by the U.S. Congress, Mr. Grant explained why both the Micronesians and the U.S. Congress would have reasons to object if we tried to run the plebiscite first. Moreover, such a procedure might result in Congress' refusing to go along with the Micronesian plebiscite, which would be a very nasty impasse. Ambassador Williams said that Salii seemed to feel that Warnke believed that the U. S. act of Congress should be the last step. Had he told Salii that it should be the last step? Warnke said no, that they had drafted the compact that way, that this does not constitute a real problem, from their standpoint.

In response to a question, Ambassador Williams briefly outlined our efforts to keep Congress posted. Congress had not sought to participate in the negotiations themselves. Mr. Warnke agreed that we should not take the initiative if they didn't.

Ambassador Williams observed that Salii had spoken of a transitional period of three to five years. Mr. Warnke agreed that this was a practical thought, and that the change could not be achieved abruptly. Ambassador Williams remarked that Mr. Warnke might well educate the Micronesians on U.S. Congressional attitudes. He observed that Congress is not going to press money on Micronesia. Micronesia won't have the vote. The Micronesians should understand the realities.

As to a special session of the Congress of Micronesia, Ambassador Williams said that he had suggested to Salii that we may want to do some serious drafting, and perhaps to have a fifth round of negotiations, before a special session is convened to consider the Status Negotiations. Salii had seemed relaxed on this, and Mr. Warnke observed that this might be a wise course.

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