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INFO OCT-01 10-03 SS-14 USIA-12 P-02 DEPT OF STATE/OSD/OMR
NSC-04 PM-03 SA-03 E-03

EA-04	RSR-01	ORSC-01	DATE 2/17/87
REVIEWED BY			038779
RDS <input type="checkbox"/> or XDS <input type="checkbox"/> EXT. DATE _____			
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ENDORSE EXISTING MARKINGS <input type="checkbox"/>			
DECLASSIFIED <input type="checkbox"/> RELEASABLE <input checked="" type="checkbox"/>			
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FM CINCPACREP GUAM/TTPI
TO SECSTATE
INFO SECDEFENSE
WHITE HOUSE

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PASS TO INTERIOR/DASTA/OSN. STATE FOR IO/UNP, SPC, AND USIA. DEFENSE FOR OSD/ISA, AND JCS. WHITE HOUSE FOR MR. HOLDRIDGE (NSC). MICRONESIAN STATUS NEGOTIATIONS PALAU: JOINT COMMUNIQUE

1. FOLLOWING IS FINAL JOINT COMMUNIQUE ISSUED FOR PALAU TALKS, 1972. QUOTE THE MEMBERS OF THE JOINT COMMITTEE ON FUTURE STATUS OF THE CONGRESS OF MICRONESIA AND THE PRESIDENT'S PERSONAL REPRESENTATIVE FOR MICRONESIAN STATUS NEGOTIATION MET IN KOROR, PALAU, ON APRIL 2 THROUGH 13, 1972 FOR THE FOURTH ROUND OF EXCHANGING VIEWS ON THE FUTURE POLITICAL STATUS OF THE PRESENT TRUST TERRITORY OF THE PACIFIC ISLANDS.

BOTH DELEGATIONS FOUND THE TALKS A HIGHLY USEFUL EXPLORATION OF THE TWO SIDE'S VIEWS AS TO THE FUTURE POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES AND MICRONESIA WHEN THE PRESENT UNITED NATIONS

PAGE TWO RUHNSAA1407 UNCLAS TRUSTEESHIP IS ENDED. BEYOND THAT THE TWO SIDES REACHED BASIC AGREEMENTS ON MANY CRUCIAL AND DIFFERENT ISSUES.

1. THE FIRST AREA OF AGREEMENT IS THAT THE FUTURE RELATION BETWEEN MICRONESIA AND THE UNITED STATES WILL BE DETERMINED BY A COMPACT. THAT COMPACT WILL BE BASED ON THE SOVEREIGN RIGHT OF THE PEOPLE OF MICRONESIA TO CHOOSE THEIR OWN FUTURE. THE COMPACT WILL HAVE TO BE APPROVED BY THE CONGRESS OF MICRONESIA, THE UNITED STATES CONGRESS, AND BY THE PEOPLE OF MICRONESIA.

THE COMPACT WILL ESTABLISH A MUTUALLY BENEFICIAL RELATIONSHIP OF FREE ASSOCIATION BETWEEN MICRONESIA AND THE UNITED STATES

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AND CONSTITUTE THE BASIS OF THE RESPECTIVE RIGHTS OF THE PARTIES. UNDER IT THE PEOPLE OF MICRONESIA WILL VEST IN THE GOVERNMENT OF MICRONESIA AUTHORITY OVER THEIR INTERNAL AFFAIRS WHILE AUTHORITY OVER AND RESPONSIBILITY FOR FOREIGN AFFAIRS AND DEFENSE WILL BE VESTED IN THE GOVERNMENT OF THE UNITED STATES. IT WAS UNDERSTOOD THAT THE GOVERNMENT OF MICRONESIA AND MICRONESIAN CITIZENS WILL BE FREE TO NEGOTIATE AND TO SIGN CONTRACTS WHICH WILL NOT INVOLVE INTERGOVERNMENTAL OBLIGATIONS AND RESPONSIBILITIES, THAT MICRONESIAN PARTICIPATION IN APPROPRIATE

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REGIONAL ORGANIZATIONS WILL BE PERMITTED AND ENCOURAGED, AND THAT THERE WILL BE CONSULTATIONS BY BOTH UNITED STATES AND THE GOVERNMENT OF MICRONESIA ON INTERNATIONAL MATTERS DIRECTLY IN THEIR COUNTERPART'S INTEREST.

2. THE PARTIES REAFFIRMED THE PRELIMINARY AGREEMENTS REACHED AT HANA, MAUI, THAT THE PEOPLE OF MICRONESIA HAVE THE RIGHT TO WRITE, ADOPT, AND AMEND THEIR OWN CONSTITUTION, AND THAT THIS CONSTITUTION WILL NOT HAVE TO BE CONSISTENT WITH THE CONSTITUTION OF THE UNITED STATES, THAT THE UNITED STATES WILL NOT HAVE THE POWER TO AMEND IT, AND THAT THE LEGAL FORCE OF THE CONSTITUTION WILL DERIVE FROM THE SOVEREIGN POWER OF THE MICRONESIAN PEOPLE. IT WAS, HOWEVER, AGREED THAT THE CONSTITUTION OF MICRONESIA, AND ANY AMENDMENT TO IT, COULD NOT BE IN CONFLICT WITH THE COMPACT.

THE CONSTITUTION OF MICRONESIA WILL PROVIDE FOR THE STRUCTURE OF THE FUTURE GOVERNMENT OF MICRONESIA, THE PROCEDURE FOR THE ENACTMENT OF LEGISLATION, AND THE RELATIONSHIP BETWEEN THE VARIOUS DISTRICTS AND THE FUTURE GOVERNMENT OF MICRONESIA.

THE LAWS OF THE UNITED STATES WILL APPLY TO MICRONESIA ONLY TO THE EXTENT MUTUALLY AGREED UPON BY MICRONESIA AND THE UNITED

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STATES.

3. IT WAS FURTHER AGREED THAT MICRONESIAN LANDS WILL BE UNDER THE CONTROL OF THE PEOPLE OF MICRONESIA AND OF ITS GOVERNMENT. IT IS ALSO AGREED THAT ANY UNITED STATES REQUIREMENTS FOR DEFENSE WILL BE NEGOTIATED BEFORE THE SIGNING OF THE COMPACT. ANY LAND

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REQUIREMENTS OF THE UNITED STATES WHICH SHOULD ARISE THEREAFTER WOULD BE MET ONLY IF THE GOVERNMENT OF MICRONESIA CONSENTS, AND ONLY IN ACCORDANCE WITH MICRONESIAN LAW. WITH THE COMING INTO EFFECT OF THE COMPACT THE UNITED STATES PERMANENTLY RELINQUISHES THE POWER OF EMINENT DOMAIN IN MICRONESIA.

4. THE PARTIES REACHED PRELIMINARY AGREEMENT ON THE PRINCIPLE OF UNILATERAL TERMINATION UNDER WHICH EITHER PARTY MAY GIVE NOTICE AFTER THE COMPACT HAD BEEN IN EFFECT FOR A NUMBER OF YEARS. DETAILS, IN PARTICULAR THE PRECISE LENGTH OF THAT PERIOD, STILL HAVE TO BE WORKED OUT.

5. BOTH SIDES AGREED THAT NEW MILITARY LEASES AND OPTIONS TO LEASE WILL CONTINUE FOR THE LENGTH OF THEIR DESIGNATED TERM AND THAT A MUTUAL SECURITY PACT, WHICH WILL PROVIDE FOR CONTINUING U.S. DEFENSE INTERESTS BE NEGOTIATED IN ADVANCE OF THE SIGNING OF THE COMPACT TO GO INTO EFFECT IN THE EVENT OF TERMINATION.

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6. FINALLY, THE AGREEMENTS REACHED AT HANA AND PALAU ARE UNDERSTOOD BY BOTH PARTIES TO BE PRELIMINARY PENDING FINAL AGREEMENT ON THE COMPACT AS A WHOLE.

7. THERE REMAIN A NUMBER OF AREAS WHICH ARE IN NEED OF FURTHER DISCUSSION AND AGREEMENT. THEY INCLUDE THE MATTERS OF FINANCE AND TRANSITION, AND SEVERAL OTHER ISSUES LEFT OVER FROM THE TALKS HELD AT HANA, MAUI, LAST YEAR. IT IS ANTICIPATED THAT THERE WILL BE FURTHER DISCUSSIONS ON THESE MATTERS AT THE TIME OF THE DRAFTING OF THE PRECISE LANGUAGE OF THE COMPACT.

IT IS EXPECTED THE CHAIRMAN OF THE JOINT COMMITTEE ON FUTURE STATUS AND THE PRESIDENT'S PERSONAL REPRESENTATIVE WILL BE IN COMMUNICATION TO WORK OUT TIMING AND PROCEDURES FOR THE JOINT DRAFTING OF THE COMPACT AND FOR THE DISCUSSIONS ON THE ISSUES IN WHICH PRELIMINARY AGREEMENT HAS NOT AS YET BEEN REACHED.

IN CONCLUSION, THE UNITED STATES DELEGATION WISHES TO EXPRESS ITS THANKS TO THE JOINT STATUS COMMITTEE FOR ITS HOSPITALITY IN HOSTING THIS MOST RECENT ROUND OF STATUS NEGOTIATIONS. ADDITIONALLY, BOTH DELEGATIONS EXPRESSED APPRECIATION TO THE PEOPLE OF PALAU FOR THE MANY COURTESIES SHOWN TO THEM DURING THE COURSE OF THE FOURTH ROUND OF NEGOTIATIONS.

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THE FULL MEMBERSHIP OF THE TWO DELEGATIONS WAS AS FOLLOWS:

THE MICRONESIAN JOINT COMMITTEE:

SENATOR LAZARUS SALII, CHAIRMAN

REPRESENTATIVE EKPAP SILK, CO-CHAIRMAN

SENATOR ROMAN TMETUHL

SENATOR ISAAC LANWI

SENATOR ANDON AMARAICH

SENATOR TOSIWO NAKAYAMA

SENATOR PETRUS TUN

REPRESENTATIVE JOHN MANGEFEL

REPRESENTATIVE OLTAR PAUL

SENATOR BAILEY OLTAR

SENATOR EDWARD PANGELINAN

REPRESENTATIVE HERMAN Q. GUERRERO

THE AMERICAN DELEGATION:

AMBASSADOR FRANKLIN HAYDN WILLIAMS, CHAIRMAN

CAPTAIN WILLIAM J. CROWE, JR., USN

MR. LINDSEY GRANT

MR. RONALD F. STOWE

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MR. JOHN C. DORRANCE
MR. FRANKLIN J. CRAWFORD
COLONEL ATHOL M. SMITH, USA
MR. HERMAN MARCUSE
MR. THOMAS WHITTINGTON

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