



DEPARTMENT OF STATE

Washington, D. C. 20520

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MEMORANDUM

September 21, 1977

To: Ambassador Williams

From: State, S/PC - Lindsey Grant

Subject: MIC SIX: The Pohna Session Problem --
Additional Language for Opening Statement

On reflection, and in light of Bill's proposal, I think that the actions taken by the Commission of the Congress of Micronesia require a stronger response than I suggested on September 14.

The easiest way to describe what I am proposing is to provide some language. The attached paragraphs are proposed for your consideration. They supplement rather than replacing earlier language I have given you. Obviously some of that earlier language would be made obsolete if you took this approach.

Let me note that this approach, by placing the responsibility on the Congress of Micronesia, provides you with a useful way to stiffen earlier statements or positions, if you find that necessary. The approach suggests that we stiffened in response to their actions.

The point should be made -- more clearly than I did on September 14 -- that the Congress of Micronesia has changed the rules of the game. Bill's proposal raises the question whether we should float the remainder of the compact, and expose ourselves to the inevitable criticism because we are ready with an answer to the query about the compact. I understand Bill's argument to be that

-- the remainder of the compact is not as attractive if (with a confidential arrangement) we pair it with an unapproved offer of aid. It is subsidized and qualified to protect our interests.

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-- since the Micronesians have returned the Compact to square one, we ourselves might wish to stiffen it in some ways, which would be saleable if we could concurrently open the door to unsubsidized independence. On the other hand, we might conceivably want to be more generous than your present authority permits if we wanted to make it attractive to help get by a US decision not to offer independence.

There is much to be said for Bill's argument, and I recommend that we discuss it further before putting our strategy in concrete.

I have sketched out the lines of the statement which would seem appropriate in connection with either decision.

Attachment:

Draft Opening Remarks (Partial).

cc: Delegation Members
IO/UNP - Mr. Sylvester

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MIC SIX: Draft Opening Remarks (Partial)

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I hope that the Congress of Micronesia recognized, during its special session at Ponape, how deeply its actions changed the nature of the negotiations in which we have been involved.

First, by rejecting your proposal to go ahead with the Constitutional Convention, it has added substantially to the time which will be required before any change of status can be effected. Whatever the precise relationship with the United States, there are deep and serious questions as to how Micronesia will set about governing itself, what form of government it will choose, and what will be the relationship between the center and the districts. Sorting out these problems will take time and much discussion. I am sorry that the process has not begun because, until it has been completed, you will be in no position to move to a new status, and we cannot honorably claim that we have fulfilled the terms of our Trust.

Second, your Congress by refusing to adopt your proposal and endorse the language which we have arrived at, has put me on clear notice that it has not decided whether it proposes to sponsor such a compact or simply take note of it, or even oppose it.

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The requests raised in the Congress to see more of the Compact before Congress makes any decisions, coupled with the desire to see what a negotiated independence solution would/like, both lead me to believe that the Congress of Micronesia does not plan to co-sponsor any compact which we may evolve, but/rather to reserve the right to select or reject any solution which we may propose, and to suggest changes.

The Congress of Micronesia certainly has the right to take this route. However, by taking this route, it raises a question as to precisely what you and we are doing here now. As you know, I have always looked upon the Compact as a document which we would attempt to draft together, and which we would sponsor together. I believe that you had the same view of it. I now learn that the Congress of Micronesia will look upon this as something for which it takes no responsibility. If this is to be a unilateral US document, the question arises: Why must the language be negotiated? Should we not simply set forth the best proposition we have to offer, recognizing that your side does not have the same right to call for changes in a unilateral US document which it would/if the document were to be a joint one?

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This does not mean that I do not still wish to have your advice. I think it is obviously in the interest both of the United States and of Micronesia that any compact we offer should take your interests into account as fully as possible. It does mean, however, that I will necessarily consider this compact to be a unilateral US document, unless the Congress of Micronesia changes its position and informs me that it wishes to co-sponsor a compact. I will listen to your advice, but I will not feel obligated to modify US positions or to make compromises which I now know your Congress is prepared to reject.

(Ambassador Williams: At this point, your draft will depend upon your decision as to whether or not you go with Bill Crowe's suggestion that we not float the Compact until we can handle it together with our reaction to an independence proposal. Let me pose the choices below:

(a) If you choose not to float the remainder of the Compact at this time, you should explain that, just as the Congress of Micronesia apparently wants to examine both alternatives, you believe that your government will need to consider its response to the query concerning independence, we will make our decisions concerning what kind of compact of free association we would offer, in the light of our response to the

Congress of Micronesia's question. You would presumably make some remarks to deflate expectations about independence -- some of the language in my September 14 memorandum may still be useful -- and you would wish to pose the second and third questions on page three of that memorandum plus any other questions You would ask for the specific Micronesian proposal we can think of. / concerning independence. You would also ask formally for a /response as to whether Salii's understanding of the Congress of Micronesia's position on the draft Compact is the one you described -- i.e. that it will not give any indication as to whether or not it would sponsor a compact until all questions are resolved. You would reiterate in closing that, similarly, the US Government could not be expected to have any final views on the process of moving to a new status until it knew the Congress of Micronesia's attitude, and more important until a Constitutional Convention had demonstrated that Micronesia had resolved the questions as to its future organization. You would propose a renewed meeting, but leave the date open.

(b) If you choose to float the remainder of the Draft Compact, you would propose that we go to a drafting session and present our present thinking. You would,

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however, reiterate that this is now all unilateral and very preliminary, and that we would not consider ourselves bound in any fashion by this draft, pending the resolution of the issues in (a) above. You would anticipate a rather short drafting process in which we surfaced the drafts and received Micronesian comments but did not negotiate agreed language. You would also plan on a closed formal session, to reiterate the points in (a) above.)

Drafted: S/PC:LGrant:cv
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