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# **FUTURE POLITICAL STATUS** of the **TRUST TERRITORY OF THE PACIFIC ISLANDS** **MICRONESIA**

## **Proceedings of the Sixth Round of Negotiations**

**BARBERS POINT, OAHU, HAWAII  
SEPTEMBER 28 - OCTOBER 6, 1972**

**JOINT COMMITTEE ON FUTURE STATUS  
SAIPAN, MARIANA ISLANDS**

**1972**

03- 028521

**THE FUTURE POLITICAL STATUS**

**OF THE**

**TRUST TERRITORY OF THE PACIFIC ISLANDS**

**(MICRONESIA)**

**PROCEEDINGS OF THE**

**SIXTH ROUND OF NEGOTIATIONS**

**BARBERS POINT, OAHU, HAWAII**

**September 28-October 6, 1972**

**Joint Committee on Future Status**

**Saipan, Mariana Islands**

**1972**

**028522**

TABLE OF CONTENTS

	PAGE
MANDATE OF THE JOINT COMMITTEE	
Senate Joint Resolution No. 91, S.D.1 .....	i
Senate Joint Resolution No. 117, S.D.1 .....	iv
OPENING PLENARY SESSION	
Ambassador Franklin Haydn Williams	
Opening Statement .....	1
Chairman Lazarus E. Salii	
Opening Statement .....	10
CLOSING PLENARY SESSION	
Ambassador Franklin Haydn Williams	
Closing Remarks .....	19
Chairman Lazarus E. Salii	
Closing Remarks .....	28
FINAL JOINT COMMUNIQUE .....	33

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A SENATE JOINT RESOLUTION

Authorizing and directing the Joint Committee on Future Status to continue negotiations with the United States toward the resolution of the issue of the future political status of Micronesia, and to seek a tentative agreement on such future political status which in its opinion is best suited to the needs, interests and aspirations of the people of Micronesia.

1           WHEREAS, House Joint Resolution No. 102, Third Congress of  
2 Micronesia, which establishes the Joint Committee on Future Status,  
3 provides in part that

4                   "The Committee and all its members shall to the best  
5                   of their ability adhere to the desires and policies  
6                   of the Congress of Micronesia as expressed by reso-  
7                   lution or otherwise . . ."

8 and,

9           WHEREAS, the Congress recognizes the progress made in negotia-  
10 tions between the Joint Committee and the United States with  
11 regard to the future political status of Micronesia; and

12           WHEREAS, the Congress realizes that the increasing complexity  
13 and detail of the negotiations renders specific approval of each  
14 article of negotiation cumbersome and not conducive to the rapid  
15 completion of such negotiations and the drafting of an agreement  
16 tentatively acceptable to the parties thereto and that flexibility  
17 is required to that end; and

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1        WHEREAS, the Congress expresses its confidence in the Joint  
2 Committee and its members to negotiate to the best of their  
3 ability for the best interests of Micronesia and her people, in  
4 the absence of specific guidelines from the Congress; and

5        WHEREAS, the Congress is satisfied that the periodic reports  
6 to the Congress required of the Joint Committee, together with  
7 past expressions of the sense of the Congress with regard to the  
8 issue of future political status, as well as the ultimate reserva-  
9 tion of final authority in the Congress and the people of Micro-  
10 nesia to approve any agreement as to such future political status,  
11 constitute sufficient safeguards and controls as to the actions  
12 of the Joint Committee in negotiating with the United States; now,  
13 therefore,

14        BE IT RESOLVED by the Senate, Fourth Congress of Micronesia,  
15 Second Regular Session, 1972, the House of Representatives con-  
16 ccurring, that the Joint Committee on Future Status be and it hereby  
17 is authorized and directed to continue negotiations with the United  
18 States toward the termination of the Trusteeship of the Trust  
19 Territory of the Pacific Islands, and to conduct such negotiations  
20 in the effort to arrive at a tentative agreement which, in its  
21 judgment, is best suited to the needs, interests, and aspirations  
22 of the people of Micronesia; and

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1           BE IT FURTHER RESOLVED that certified copies of this resolution  
2 be transmitted to the Chairman of the Joint Committee on Future  
3 Status, and to the President's Special Representative for the  
4 Micronesian Political Status Negotiations.

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A SENATE JOINT RESOLUTION

Authorizing and directing the Joint Committee on Future Status to conduct negotiations with the United States regarding the establishment of Micronesia as an independent nation, while continuing negotiations toward Free Association.

1           WHEREAS, the 1947 U.N. Trusteeship Agreement also provides  
2 for the development of the Trust Territory of the Pacific Islands  
3 towards Independence; and

4           WHEREAS, the Congress of Micronesia in 1970 adopted the  
5 alternative of Free Association with the understanding that if  
6 the Congress of Micronesia and the United States fail to reach  
7 an agreement, Micronesia has no other alternative but Independence;  
8 and

9           WHEREAS, the Congress of Micronesia through its representatives  
10 has not reached after three years and five rounds of negotiations  
11 an agreement with the United States along the lines of "Four  
12 Basic Principles and Legal Rights of Free Association" as established  
13 by House Joint Resolution No. 102; and

14           WHEREAS, the emerging agreement on Free Association between  
15 Micronesia and the United States may provide for terms and  
16 conditions other than those which the Congress of Micronesia  
17 desires, and which may not be in the best interests of the people

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1 of Micronesia, and hence would not be acceptable to the Congress  
2 or the people; and

3 WHEREAS, in the event that an agreement on Free Association  
4 proves unacceptable to the Congress and people of Micronesia,  
5 the Congress finds that Independence is the only viable alternative  
6 for the future political status of Micronesia; and

7 WHEREAS, it is a sacred duty and responsibility of the Congress  
8 of Micronesia to explore fully the alternative of Independence so  
9 as to enable the people of Micronesia to genuinely exercise  
10 their inevitable right of self-determination on the choices  
11 between Free Association and Independence during the plebiscite  
12 at the termination of the Trusteeship Agreement; now, therefore,

13 BE IT RESOLVED by the Senate, Fourth Congress of Micronesia,  
14 Second Special Session, 1972, the House of Representatives con-  
15 curring, that the Joint Committee on Future Status is hereby  
16 authorized and directed to conduct negotiations with the United  
17 States regarding the establishment of Micronesia as an independent  
18 nation, while continuing negotiations toward Free Association; and

19 BE IT FURTHER RESOLVED that certified copies of this Joint  
20 Resolution be transmitted to the Chairman of the Joint Committee  
21 on Future Status and the President's Personal Representative to  
22 the Micronesian Status Negotiations.

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24 Adopted: September 2, 1972



OPENING PLENARY SESSION

028529

AMBASSADOR FRANKLIN HAYDN WILLIAMS - OPENING STATEMENT  
September 28, 1972

AMBASSADOR WILLIAMS: Senator Salii, Congressman Silk, members of the Joint Committee on Future Status, Congressman Setik:

I welcome you all on behalf of my Government to the Sixth Round of talks on the future political status of the Trust Territory of the Pacific Islands. We were happy to accede to the Micronesian Delegation's request that we hold these talks on a U. S. military base and to your choice of Barbers Point, and our thanks go to Captain Ames, the Commanding Officer of Barbers Point Naval Air Station, and his staff for their hospitality and support.

I would like now to take a moment to share with you, the people of Palau, and all of Micronesia, our deepest sympathy in the loss of one of your great traditional leaders, the Ibedul of Koror. We extend our sincere and heartfelt condolences to his family and his host of friends.

Gentlemen, we have come together for the fourth time in less than a year. The time spent in preparations for and in actual negotiations over the last eleven months speaks of the seriousness which we both attach to the important responsibilities which we have been charged with by our respective principals.

As we take up once more our common concern, there is no need to review the record of Hana, Koror, and the Washington talks. The results of these rounds are to be found in the proceedings, the final joint communique and particularly in the agreed language of a partial draft Compact.

Through patient hours, days and weeks of listening to one another, discussing in open sessions major principles, issues and interests, preliminary understandings were reached at Hana and Koror. Building on that base, we then proceeded to the drafting of agreed language of a Compact of Free Association. While this task has not been completed, the cooperative joint effort of both delegations, working together toward a common objective represented a significant forward step toward a common objective represented a significant forward step toward the kind of a future relationship which had long been the stated preference of the Joint Future Status Committee and the Congress of Micronesia.

The progress that has been made over the past year may be measured by your own assessment and your own words. You have said:

The two delegations have "reached agreement on all of the four principles and legal rights which have been the yardstick against which we measured all potential agreements."

Again, "at all stages of the drafting committee's work, the tentative proposals (the Preamble, Titles I, II, and III, and Annexes A & B) have been reviewed thoroughly and approved by our full delegation."

Still again, "the partial draft Compact . . . represents . . . an agreement which meets and exceeds all of our minimum requirements, if not our every desire."

And, finally, the Compact "is the future of Micronesia and we believe, a future which we (the Joint Future Status Committee) can recommend to the Congress, and ultimately to the people of Micronesia."

This is where things stood in August at the end of Round Five. This is how the Joint Future Status Committee presented the partial draft Compact to your Congress meeting in Ponape.

We are perplexed by the meaning of developments at Ponape, particularly by the Congress' inaction on your proposal that it endorse our work to date, and by the passage of SJR 117.

We are apparently not the only ones perplexed. It has been reported in Micronesia that the September round of negotiations will open "amid some uncertainty as to the future of the talks themselves . . ." and your Chairman has been quoted as saying that the eventual outcome of the talks is now less certain and that in light of the Ponape Special Session, any agreement we might reach will be less definite . . ."

We do not understand the full significance of these statements since we have not heard directly from you on this issue. Before proceeding further down the common path we were pursuing, we believe that it is only wise that any uncertainties be clarified. These talks are far too important to both sides to be carried on in an "uncertain negotiating environment."

You all know what happened to the New Testament house that was built on sand. Similarly, negotiations cannot produce sound results unless the underlying footings, that is, the basic premises and assumptions under which both parties approach such negotiations are mutually understood.

Therefore, I believe that it would be useful to begin these talks by reviewing the questions which have arisen concerning certain basic assumptions which have determined our approach to these negotiations

to date.

(1) First, my Government has assumed that after years of study of various alternatives that the Joint Status Committee first and then the Joint Future Status Committee had recommended and the Congress of Micronesia had approved a form of Free Association with the United States as your negotiating objective.

(2) Second, my Government had assumed that in accordance with your mandate and my instructions that we were working together toward an agreement which both delegations could jointly endorse and recommend to the Congress of the United States and the Congress of Micronesia for their approval. We had assumed that once we had reached agreement, both delegations, my Government and your Congress would be obligated to support its passage through the subsequent procedural steps leading to a plebiscite and a termination of the Trusteeship Agreement. We had not approached these talks with an American blueprint. We have rather wanted to hammer out with you the kind of an agreement you have said you have wanted, and one that in the end both delegations could stand on and defend.

As to the first assumption, we must know whether we are working together to develop a joint formula for Free Association. If you expect us to develop U.S. proposals rather than joint ones, and if you seek a U. S. proposal on independence, we will need to consider your request as a whole, rather than approaching the alternatives piece-meal.

On the second assumption, we are uncertain after observing the Congress of Micronesia sessions at Ponape, whether the full Joint

Future Status Committee intends to endorse and support an agreement which we might negotiate, whether as a body it intends to reserve on any agreement, or whether after agreement between our two delegations, individual members of the Joint Future Status Committee reserve the right to either support or oppose the agreement.

While this is an internal matter, it does raise the legitimate question of what an agreement between our two delegations means. Do you consider the Compact a joint proposal which the Joint Future Status Committee would support, or will it be considered an American proposal toward which the Committee may take a noncommittal or neutral attitude, or even support legislative proposals which are inconsistent with the Compact? If this is the characteristic the draft Compact would have, my Government would feel less obliged to follow the joint approach in negotiating such a proposal.

These questions have a direct bearing on the manner in which our own Congress will be approached, and how it will react. We had assumed that the U. S. Congress would pass enabling legislation when the Congress of Micronesia endorsed the Compact. Our consultations with our Congress have been along these lines. If more than one status alternative is contemplated, it is unclear to me how the U. S. Congress would consider them and what it would be asked to do. Perhaps the U. S. Congress would prefer to wait for a clear referendum from the people of Micronesia before taking any action at all. In any event, this is an important consideration and if the basic assumptions have changed, the U. S. must rework its view of the role of the U. S. Congress in further consultation with its leadership.

Let me make it clear that we are not trying to tell you what to do. We are not saying what your role or the role of your Congress should be. It is important, however, to know if our past understandings remain valid. If, indeed, the talks should now be viewed in a different perspective, if our agreements with you will be tenuous ones and if there is an indefiniteness about how the Congress of Micronesia will proceed, we should know this before continuing. There is a vast difference between negotiating a joint agreement and simply seeking your advice about a draft Compact which, as administering authority, we would be placing before the Micronesian electorate.

We are not saying that you and your Congress and your people cannot consider again alternatives to the kinds of status which in the past the Joint Future Status Committee and the Congress have advocated. You are free to talk about alternatives to free association, but you must recognize that such fundamental changes in the basic assumptions which underlie these talks could affect their outcome. Indeed, if your original goal of free association does not continue to be an objective which you can support, the United States, too, will have to reconsider its own position.

From the foregoing discussion you can readily see why we believe that your answers regarding the basic assumptions may influence how the U. S. Government proceeds. Our preparations for the present talks were based on the agreements I have described. These preparations include those remaining Titles of a draft Compact on which time did not permit us to reach agreement in Washington in July. Also, we are ready to carry forward initial discussions with the members of your

two sub-committees on Finance and Land. I would emphasize again, however, that before proceeding we must know more about your present thinking:

-- What are the "uncertainties" which have been referred to?

-- Has the basic approach of your delegation to these talks been modified by the Ponape session and, if so, in what respect?

-- Does the jointly agreed text of the Preamble, Titles I, II and III and Annexes A and B of July still represent your position?

-- Is your Committee prepared to continue to draft a joint recommendation, or do you regard the draft Compact simply as a U. S. proposal?

-- What would your Committee's endorsement of any agreed text mean in terms of supporting it before the Congress and people of Micronesia?

Before closing, I would like to make a few comments about the time factor. There will be no termination of the Trusteeship Agreement until Micronesia has a new operational government in place, based on a new constitution. It was for this reason that my Government urged the early calling of a constitutional convention. We repeat this invitation, this call for your leaders and your people to begin the process of framing your own future governmental institutions, your own law-making procedures, your own concepts of divisions of authority, your own judiciary, your own design for central government and district government relationships, your own laws on land and eminent domain, and your own regulations with respect to the collection and distribution of revenues and sharing between the central government and the district governments.



These are questions which must be resolved, whatever the precise relationship with the United States. These are issues which only Micronesians can resolve. They are internal family matters. The responsibility is yours. Delays in resolving these issues affect you more than they affect us, since they only prolong the period before full self-government. 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 Trusteeship.

It is for this reason that my Government followed with great interest the consideration given the constitutional convention bills during your recent session in Ponape. While it regretted that action was not taken, the U. S. Government continues to hope that this matter will be given very high priority in all circles of Micronesian society as well as by the Congress of Micronesia.

Mr. Chairman, this concludes my opening statement and we now look forward to your opening statement and to your response to our questions. Thank you, Senator Salii.

SENATOR SALII: Thank you, Mr. Ambassador. Before I proceed, I would like on behalf of the members of our Committee to thank you, Ambassador Williams and the rest of your delegation for agreeing to meet for this round of talks. I would also like to extend our thanks to Admiral Gayler and Captain Ames and the members of his staff for the courtesies they have extended to our Committee during our stay at Barbers Point.

In addition to the members of the Joint Committee on Future Status, we have invited to observe this round of talks the Speaker.

of the House of Representatives, the Honorable Bethwel Henry, who will join us in future sessions, and Congressman Raymond Setik, Chairman of the House Appropriations Committee and also Chairman of the Joint Budget and Program Planning Committee of the Congress of Micronesia. For the record, we also have a new member of our staff, Mr. Robert Toothman, who is the new Fiscal Officer for the Congress of Micronesia, and to join us in future sessions will be Congressman Sasauo Haruo, Chairman of the House Resources and Development Committee, and Mr. Steve Miller, one of the staff attorneys of the Congress of Micronesia.

We came this afternoon with an opening statement which we thought we would present after your opening statement. However, in view of the nature of your statement and your request that certain uncertainties and assumptions need to be clarified from your point of view before we proceed, I would like to request a postponement of our opening statement to give me and Co-Chairman Silk an opportunity to consult among ourselves, and, with your concurrence, we would like to leave the time open to be determined later on between you and myself. With that, I would like to close on behalf of our Committee.

AMBASSADOR WILLIAMS: Senator Salii, we have no further comments and I will look forward to a call from you as to when you would like to meet with me to discuss a convenient time. I can fully understand your request so, with that, I think we can close this session.

SENATOR SALII: Thank you. We would like to use this room, if you please, and I would like to request the members of our delegation to remain.

CHAIRMAN LAZARUS E. SALII - OPENING STATEMENT

September 30, 1972

SENATOR SALII: Mr. Ambassador and members of the United States delegation:

As in our past rounds of negotiations, we are pleased to meet with you again, and hope to continue to make progress in resolving the issues which lie before us. This Sixth Round of Negotiations will continue the important work which we began at Washington toward arriving at the actual language of a Compact of Free Association between Micronesia and the United States.

In addition to those Titles which we have already negotiated, important areas remain to be negotiated at this round of talks. Areas such as finance, trade and commerce, immigration and travel, transition, and termination should receive considerable attention.

As in the past, we expect that a great deal of work which will be done at this round will be done through our joint drafting committees and through the several subcommittees which each of our delegations has established. We hope that your subcommittee on finance will be able to work closely with our corresponding subcommittee in arriving at an agreed upon position regarding finance which our drafting subcommittee can then translate into Compact language. Additionally, we have appointed a subcommittee on land which will deal with all the questions relating to the United States' request for military land use in Micronesia. Again, we would hope that a corresponding subcommittee from your delegation

will be able to meet and discuss important issues with our subcommittee at this round of talks. We believe that there are many issues which could be clarified prior to the scheduled hearings of this subcommittee in Micronesia during November, including an exact description and location of the land requirements which your delegation has set forth at the last three rounds of negotiations. Accordingly, we welcome your statement that your delegation is ready to carry forward initial discussions with these subcommittees.

In the interim, however, we would again renew our request made at Hana that no further alienation of Micronesian land by lease or transfer be effected without the consent of the district legislature concerned and of the Congress of Micronesia. Such actions can only interfere with the orderly progress of these negotiations and create an atmosphere of hostility toward any provisions in the Compact concerning the land requirements of the United States.

Also at past rounds of negotiations, we have stated our position that transition and termination are topics which must be given a high priority for discussion. In this connection, we hope that this round of negotiations will result in at least the outline of a time table for the termination of the Trusteeship Agreement and the effective date of a new constitution and government for Micronesia.

In another sense, however, this Sixth Round of Negotiations

is more than a continuation of past rounds. As you are aware, at its recently concluded Second Special Session in Ponape, the Fourth Congress of Micronesia adopted Senate Joint Resolution No. 117, which authorizes and directs the Joint Committee on Future Status to conduct negotiations with the United States regarding the establishment of Micronesia as an independent nation, while continuing negotiations toward Free Association. The resolution itself expresses several justifications for this mandate. It is obvious that if the present dissatisfaction with the provisions of the Compact expressed by some members of the Congress and of the District Legislatures matures into opposition, there will have to be some political alternative available to the people of Micronesia in order that the resolution of our future political status might not be delayed. Aside from this, there is an important and growing sentiment in Micronesia for independence, on its own merits.

Finally, the Congress of Micronesia took the position that the only acceptable type of plebiscite which will one day be submitted to the people of Micronesia must include a choice of more than one political alternative. At this round of negotiations, or in future rounds of negotiations, we therefore look forward to exploring the topic of independence for Micronesia with your delegation.

Now, let me turn to your opening statement and the questions you raised therein. In your opening remarks of September 28th,

reference was made to the statement that there is "uncertainty as to the future of the talks themselves." This language does not mean that we should not proceed toward the completion of a draft Compact. If there is in fact any uncertainty, it is due to the fact that we cannot, of course, predict the ultimate reaction of the Congress and people of Micronesia with regard to the Compact. We do not believe that this in and of itself alters, or should alter, either our basic approach or our mutual resolve to arrive at a draft Compact satisfactory to both our delegations.

In clarification of your questions regarding our basic assumptions, we would like to make it clear that Free Association is still the mandate of the Micronesian delegation, as the Congress of Micronesia has directed. This does not mean, however, that the Congress at this point has limited itself to this alternative alone. The adoption of Senate Joint Resolution No. 117, while not changing our basic mandate, has reiterated the additional direction that, at some point in the future, we must negotiate for independence so that this alternative might be available to the people of Micronesia. We do not find any inconsistency between the provisions of S.J.R. No. 117 and the Compact of Free Association; they are complementary, rather than contradictory. As Senate Standing Committee Report No. 229 points out:

". . . we believe that the submission of only one form of political association to the people of Micronesia in a plebiscite, a simple yes-no proposition, does not represent the kind of choice which the people of Micronesia should have on the all-important question of

our future political status. We believe that actual alternatives should be presented to the people, so that there can be a clear choice. Based upon the acts and deliberations of the Congress of Micronesia during its 1970 session, we believe that independence -- which appears to have strong and growing support in the Congress and among the people -- should be presented to the people as a political alternative."

As the resolution points out, the Congress of Micronesia must endeavor to protect the future of the people of Micronesia. The rejection of the alternative of Free Association, without a second alternative already negotiated and prepared for, could cause a considerable delay in the resolution of our future political status. We should also note that independence has always been our first alternative choice of Free Association; in this connection, we would refer you to House Joint Resolution No. 87, Third Congress of Micronesia, and to our opening remarks at the Third Round of Negotiations held at Hana, Maui. In view of this well-established position, and in light of your opening remarks, we would appreciate the expression of any new position which your delegation desires to take.

Following a final endorsement of one form of political status by the Congress of Micronesia, after having the opportunity to study the actual documents under which we would operate, we believe that the United States Congress will then be able to enact such enabling legislation as may be necessary and appropriate.

We would further reassure you that we regard the proposals which we arrived at during our rounds of negotiations as joint proposals, not simply proposals of the United States. It is our

intention to continue to negotiate in this manner both toward our primary goal of Free Association, as well as our alternative, independence. We believe that both delegations have been, and should continue, working "toward an agreement which both delegations could jointly endorse and recommend to the Congress of the United States and the Congress of Micronesia for their approval." We believe that our actions have been entirely in keeping with the letter and the spirit of this assumption. In our report of the Fifth Round of Negotiations, and during the Second Special Session of the Fourth Congress of Micronesia in Ponape, the Micronesian delegation did in fact give its endorsement to those provisions of the draft Compact on which there has been agreement between our two delegations. We would again stress, however, that it is difficult to expect the members of the Congress of Micronesia to endorse a partial draft Compact without even knowing the general nature of the unnegotiated provisions. It has always been our understanding, further, that the draft Compact which we negotiate at these talks would be subject to constant review throughout the course of these negotiations until a complete draft has been negotiated. We presume that this understanding is still valid. Finally, we would like to remind you that no member of the Congress, no member of the Joint Committee, and in fact not even the Committee itself, can commit the Congress of Micronesia. We, in making our recommendation to the Congress of Micronesia, can only recommend.



Let me now proceed to summarize our answers to the specific questions which you raised in your opening remarks. First, if there are any uncertainties as to the future of these negotiations, they are only as to the ultimate choice of future political status which the people of Micronesia may make, and we do not see how we can predict the will of the people. We believe that a careful reading of Senate Joint Resolution No. 117, its accompanying committee report, and our debate in Ponape, together with the existing mandates of our delegation, should have prevented any uncertainties or misunderstandings with respect to the future of these talks on the part of your delegation.

Second, the basic approach of our delegation to these talks has not been modified by the Ponape session. Our basic approach, as set forth in House Joint Resolutions Nos. 87 and 102 of the Third Congress of Micronesia, and Senate Joint Resolution No. 91 of the Fourth Congress of Micronesia, has not been changed. Senate Joint Resolution No. 117 only serves as an addition, rather than a modification, to our mandate, to the effect that we are directed to negotiate for independence "in the event that an agreement on Free Association proves unacceptable to the people of Micronesia."

Third, the jointly agreed text of the partial draft Compact still represents our delegation's position. We have negotiated these provisions in good faith, and will continue to negotiate in good faith. We would, of course, remind you again of our mutual understanding that all of these provisions are tentative

un til the entire Compact has been jointly agreed to. Your own opening statement, in quoting our Report of the Fifth Round of Negotiations, recognizes this fact.

Fourth, we are prepared to continue to work toward a draft Compact as a joint recommendation of our two delegations. We do not regard the draft Compact simply as a United States proposal.

Fifth, the endorsement by the Micronesian delegation regarding any draft Compact, as we have noted above, can only be an endorsement. It cannot, by the very nature of our governmental system, be any more than a recommendation, and cannot be binding on the members of the Congress of Micronesia, any more than your recommendation could be binding on the President or the Congress of the United States. In this connection, we detect a fundamental difference between our delegation and yours: while your delegation is appointed by the executive branch, and is ultimately responsible only to one man, our delegation is appointed by the Congress of Micronesia, which is composed of 33 members of substantially equal power, whose opinions may be internally quite different. Internal unanimity is not simple to command. We do stress, however, that the Micronesian delegation has endorsed and will continue to endorse and recommend to the Congress of Micronesia any mutually agreed upon provisions of a draft Compact, and will urge the Congress of Micronesia to take any action which may be appropriate to adopt the Compact and certify it to the people of Micronesia in a plebiscite. Any members of this delegation who participate in the majority report of the Joint Committee on Future Status to the

Congress of Micronesia which transmit a jointly agreed-upon draft Compact, will give their support to such a Compact.

We hope that we have clarified the questions which you have raised. We urge that both delegations now utilize the brief time remaining to the fullest, and proceed to the task which is before us; that is, the completion of a draft Compact of Free Association.

On behalf of the members of our delegation, let me now thank you for your opening remarks and express my hope that this Sixth Round of Negotiations will be a fruitful one for both of us.

Thank you.

AMBASSADOR WILLIAMS: Thank you very much, Senator Salii. I do not have any response to your statement to make at this time, and I will be in touch with you about how and when we should proceed.

SENATOR SALII: Very well. Thank you very much. We will close this meeting now.

CLOSING PLENARY SESSION

028548

AMBASSADOR FRANKLIN HAYDN WILLIAMS - CLOSING REMARKS

October 6, 1972

AMBASSADOR WILLIAMS: Senator Salii, Congressman Silk, members of the Joint Future Status Committee:

Over the past several days the American delegation has been studying and discussing the Joint Future Status Committee's response to my opening statement. We have appreciated your explanation of the meaning of the Ponape Special Session on these negotiations and your statements concerning your objectives, your authority, and your intentions.

We have considered your situation and we have pondered over what is the wisest way to proceed. We came prepared to resume the task begun in Washington. We also came with concern over the significance of actions taken at Ponape, on and off the floor of your Congress. Our concern stemmed partly from certain inconsistencies and contradictions and repudiations of past approaches and accomplishments, and partly because of the statements emanating from Micronesia about the uncertainties surrounding the future of the talks themselves.

Reluctantly, we have come to the conclusion that there are indeed degrees and shades of uncertainty which cannot be wholly dismissed. By this, I do not mean "uncertainties" with respect to how the people of Micronesia will vote in a final plebiscite. Their choice will be a free one and it is true that it is not possible to predict what their decision will be. Our concern was

with the more immediate uncertainties about how these negotiations are viewed from your side of the table and how any agreement that we might reach would be endorsed and supported by the Joint Future Status Committee and the Congress of Micronesia.

Your efforts to help clarify these questions in your statement of last Saturday were appreciated. The result has been a better understanding on our part of your difficulties, and the differences which you pointed out between my authority and yours.

We recognize how difficult your task is, given your particular circumstances. We have been told by many Micronesians that opinion in the Trust Territory of the Pacific Islands varies widely from District to District and even within Districts, over the question of what is the best course for Micronesia to follow with respect to its future political status. We expect that these differences are mirrored in your Congress and indeed within the membership of the Joint Future Status Committee itself. The latter was, of course, obvious at Ponape. This diversity of opinion and lack of solidarity clearly makes the work of the Joint Future Status Committee very complex and difficult.

We can also appreciate your difficulties if your mandate remains under continuous review and subject to change during the negotiating process. We can also appreciate the pressure you are under if there are doubts about the eventual support by the full Committee of any agreement reached and its acceptance by the Congress. Under these circumstances, one negotiating goal would be difficult enough, let alone two.

In these negotiations, the basic objectives of my Government have not changed. Our intentions remain the same -- to find a solution to the future political status question best suited to the interests and needs of the people of the Trust Territory of the Pacific Islands, to seek a future relationship which will be freely entered into, one which will satisfy my Government's obligations, and one that will prove to be mutually beneficial. We do not intend to abandon this goal, nor do we intend to neglect our national and international responsibilities.

Since Hana, we had presumed that both delegations were working together toward a common objective -- toward a joint agreement which would be endorsed and supported before the United States Congress and the Congress of Micronesia. We had further assumed that once these two bodies had approved the agreement it would then be presented to the people of Micronesia as a jointly-sponsored recommendation.

In my opening statement I said that our first basic assumption was that you had wished to negotiate with the United States a form of future political status which you have called Free Association. You had made it abundantly clear that this was your goal and that you had reached this decision after careful study and after full consideration by your Congress.

The U.S. Government, in turn, after lengthy consideration, agreed not to press its preference for a commonwealth relationship, but rather agreed to work with the Joint Future Status Committee toward the Congress of Micronesia's stated and preferred objective.

The focus of our attention, the development of our positions, our advance Congressional consultations, the presentation of our subsequent draft proposals, the entire nature of our approach to these negotiations has, I think, reasonably been premised on an understanding on our part that Free Association had become our common objective.

Such an understanding obviously cannot be valid for one party in a negotiation, however, unless it is valid for both. Here at Barbers Point you have confirmed that as of your last Congressional session this understanding no longer necessarily represents the firm intention of either the Joint Future Status Committee or your Congress. In fact, we really have no assurance now that even if our two delegations arrived at a mutually acceptable Compact, the Congress of Micronesia might not recommend some other choice to the people of Micronesia.

We have not, and we do not, raise objections to your right to change your preference for alternative solutions rather than a single agreement which has been your past position. You must realize, however, that changes in midstream place serious obstacles in the path of our negotiations. In particular, your proposal to prepare two mutually inconsistent plans may require modifications in our procedures and the joint-sponsorship nature of these negotiations.

We continue to believe that Micronesian interests and ours would be best served by the common approach we had undertaken beginning at Hana a year ago. However, it now appears that our



first basic assumption is no longer valid. Therefore, it is now essential that my Government consider this new development. The fact that you are asking for a two-track approach instead of one track may very well impact on our views of Free Association. You can hardly expect the U. S. Government in addressing Free Association to make binding financial offers, proposals on termination, and recommendations about the transitional process, when it has not had an opportunity to consider the new framework in which we are now negotiating. The United States will not move prematurely or piecemeal on such important matters.

Our second basic assumption which we sought clarification on was the joint nature of our relationship and the negotiating rules under which we had assumed we were operating. Basic to any negotiations is a common understanding as to the obligations of both parties once an agreement has been reached.

At the end of the Fifth Round of talks, the Joint Future Status Committee said "our delegation agrees with yours . . . and approves the joint language" and that the partial draft compact has "been reviewed thoroughly and approved by our full delegation." In addition, the jointly approved final communique said that both delegations had agreed that the talks had provided the basis for a mutually beneficial relationship of Free Association between the United States and Micronesia. We thus were of the opinion that both parties would be committed to support the joint agreements which had been entered into -- acknowledging the reservation that no final agreement would be reached until the remaining parts of the Compact had been drafted.

The record of the Ponape Session would indicate that our understanding of the terms "agreement" and "approval" differed widely from yours. We have noted the differences between the Washington agreements and the repudiation of those agreements a few weeks later by some members of the Joint Future Status Committee. We were surprised and disappointed because we thought we had reached a common agreement and we had assumed that those titles which had been approved would have been fully supported and defended, as we would have been obliged to do under similar circumstances.

Unless we are clear as to your position, we will never know for sure whether we have an agreement or not, and whether we are proceeding in a joint capacity. In this we have taken note of your statements of 30 September 1972 which included the following points:

"We regard the proposals which we arrived at during our rounds of negotiations as joint proposals"

and that

"the jointly agreed text of the partial draft Compact still represents our delegation's position.",

that

"we are prepared to continue to work toward a draft Compact as a joint recommendation of our two delegations"

and finally, that

"any member of this delegation who participates in the majority report . . . will give their support to such a Compact."

We appreciate these statements of desire and intent. We wish to make it clear that our concern is not with the internal workings of the Joint Future Status Committee but merely with assurances that once we have reached a joint agreement between the two delegations it will remain an agreement. We attached great importance to the joint approach and working together toward a complete draft Compact which we can both approve and support.

The United States Delegation regrets that progress in this direction has not been made over the past week. It is obvious that when one party in a two-party negotiation changes a fundamental premise of their joint understanding, the other party's approach to and interest in such negotiations are inevitably affected. You, therefore, can understand our desire not to go forward until my Government has had an adequate opportunity to review and reassess the situation and the question you have posed.

You have asked whether the United States has a new position on independence. As I said earlier, our common efforts have been directed solely toward Free Association and as a result the U. S. Government has not addressed this issue. I do not know what my Government's position will be. Over the past few days, I have asked for your views on an informal basis on what an independence alternative means to its advocates. I am sorry that my invitation was declined. Without knowing what those who advocate independence for Micronesia have in mind, it will be somewhat more difficult for my Government to consider this matter.

I should say again, however, that the circumstances which led to the Trust Territory's designation as a strategic trust will continue to exist whatever your future status might be. I cannot imagine, for instance, that my Government would agree to termination of the trusteeship on terms which would in any way threaten stability in the area and which would in the opinion of the United States endanger international peace and security. Aside from such security considerations, I can visualize relatively few issues that would need to be negotiated.

Taking all of the foregoing into account, I feel the time has come for a pause. I now feel it necessary to report to my Government and to consult further with the U. S. Congress before proceeding. Similarly, you, too, might utilize this interlude for your own reassessment and reevaluation and for further consultation with your own constituents.

I do not look at this request as a break in the talks. We have made progress. A pause now, in our judgment, is better than making unnecessary haste. Our desire is to move forward in a clear and certain negotiating environment rather than risking possible future misunderstandings that could flow from agreements reached under ambiguous and tenuous circumstances.

The Sixth Round has been worthwhile. We have sought clarification and our questions have given both sides an opportunity to review basic issues relating to procedure which hopefully will result in clearer future understandings. Additionally, I have had several substantive talks with your Chairman and our two Sub-Committees on Finance and Land have met for a general exchange of

views. These meetings proved useful from our point of view in clarifying where we stand on these two important matters. I am less certain about the value that can be derived from further meetings of the finance sub-committee until we actually get down to the specifics of Title IV of the Compact. The meeting of the Joint Sub-Committee on Land pointed up the further need for agreement between the heads of our two delegations on how this sub-committee can function most effectively on a joint cooperative basis.

I would like to conclude my statement this afternoon by saying that it is my intention to remain in close touch with your co-chairmen about how we can best complete the task which we began in Washington. We look forward to the completion of a draft Compact as I am sure you do.

In closing, my delegation joins me in wishing you all well, and in thanking Captain Ames, Commander Shirley, Commander Coale and their staffs for their support and assistance.

CHAIRMAN LAZARUS E. SALII - CLOSING REMARKS

October 6, 1972

Mr. Ambassador and members of the United States delegation:

Our delegation accepts your proposal to adjourn this round of talks at this time. In so doing, however, we would like to stress the urgency of completing the negotiation of a draft Compact of Free Association between Micronesia and the United States. It is our understanding that, at this stage, you feel the need to consult with your principals and to secure further instructions.

We can recognize that developments at the Special Session of the Congress of Micronesia in Ponape may have occasioned some questions in your mind as to the implementation of any agreement that we might reach. At the same time, we believe that you should recognize the inevitability of developments of this sort as these negotiations continue now into their fourth year.

As you know, this Committee is a creature of the Congress of Micronesia. Its work is subject to review and criticism by that Congress. Such review and criticism, when based on incomplete information, may cause confusion and misunderstanding. A completed draft Compact would permit all of the elements to be considered in their interrelationship with one another.

Under these circumstances, we must hope that it will be possible for you to receive the necessary clarification of your instructions in the very near future so that these talks may resume under circumstances that will permit the completion of our joint drafting effort. Specifically, we would urge that you put yourself in a position to present in specific terms the proposals of the United States with respect to the level and manner of financing under the Compact and the provisions for termination of that Compact if the people of Micronesia should conclude, after an appropriate period, that free association with the United States is no longer desired.

On our part, we will use the time of this adjournment to put ourselves in a position to facilitate our work. In particular, we will be happy to cooperate with you in the conduct of a survey to determine the exact specifications of your land requirements in Palau. In our discussions, you had suggested that the hearing scheduled to be held in Palau by our subcommittee on land should be postponed until the completion of that survey. We agree to this postponement. This will permit these hearings to focus on specific sites or alternative sites and to determine the reactions of the people of Palau to these proposals. In this connection, we are willing to have an American observer present. We would ask that this observer be authorized to present, on request, the American position with regard to the purpose of the requested options and the manner

of use in the event that these options should be exercised.

With respect to the land requirements in the Marshalls, the specifics about the present facilities in Kwajalein and Bikini are of course already established. We would hope, however, that the arrangements for the return of Eniwetok can be expedited so that the details of the residual rights to be requested by the United States, if any, can be known prior to completion of the drafting of the Compact.

We have asked, and ask again, that the United States provide to our subcommittee on land the details of its requirements in the Marianas. As you are aware, the mandate received by this Committee from the Congress of Micronesia requires that our consideration and negotiations encompass the entire present Trust Territory and not only five out of the six districts. The unilateral action of the United States in accepting separate negotiations with the Marianas does not, obviously, relieve this Committee from the obligations with which the Congress has entrusted us.

We shall also give further attention to appropriate measures for the orderly transfer of authority to the Government of Micronesia under the Compact and to the steps necessary for the implementation of the Compact's provisions, particularly with respect to your land requirements.



You have also suggested some exploration now of the position of those who espouse full independence as the immediate result of the termination of the trusteeship. We will give this suggestion thoughtful consideration. It appears to us, however, that an effort to deal in depth with the alternative status of independence at this time would be diversionary and premature. In our view, priority could be given to continued good faith efforts by both delegations to complete promptly a draft Compact of Free Association. If this effort is unavailing or unproductive, it will be necessary to focus on this alternative without further delay.

There can, of course, be no doubt that the pressures for the status of independence are growing and that continued delay in the development of a Compact of Free Association may make these pressures irresistible. We see no reason at this point to be discouraged about the prospects of resolving the remaining problems and arriving at a Compact which we would hope would prove acceptable. We agree to this adjournment in a spirit of continuing cooperation and hope, but also with a sense of the great urgency of reconvening soon for another and final effort to bring our work to a conclusion.

That is our statement, Mr. Ambassador.

AMBASSADOR WILLIAMS: Thank you very much, Senator Salii, for your final statement which brings the Sixth Round to a close. Before adjourning, I would like to make just one comment on the statement we have just heard. I refer to the Marianas. The position of the Marianas District with respect to its desire for a future political status is a matter of record, as is the response of my government to their request for separate talks leading to permanent political union of the Marianas with my country. We do appreciate the spirit of your remarks, Senator Salii.

Before bidding you farewell, I would like to say that the next time we meet one of the members of the American delegation will be missing. Lindsay Grant has been named Deputy Chief of Missions in Cyprus. I am going to miss his sound advice and his companionship. I know that there are those on my side of the table and yours who are going to miss him as a tennis partner.

I think we end the Sixth Round on one note of agreement and that is I think we are all going to miss you, Lindsay.

MR. GRANT: Thank you very much.

SENATOR SALII: If I may, on behalf of my delegation, I would like to extend our congratulations to Mr. Grant on the new position to which he has been assigned. All of us have held Mr. Grant in the highest regard and we will miss him and we wish him well in his new assignment. Thank you.

FINAL JOINT COMMUNIQUE

Barbers Point Talks  
September 28 - October 6, 1972

The Joint Committee on Future Status of the Congress of Micronesia met with the United States Delegation headed by the President's Personal Representative for Micronesian Status Negotiations at Barbers Point Naval Air Station from September 28 to October 6, 1972 in the Sixth Round of talks in a continuing series of negotiations aimed at arriving at mutual agreement on the future political status of the Trust Territory of the Pacific Islands. This meeting followed closely on a session in Washington in July-August when tentative agreement on a preamble and three of the most important Titles of a Compact of Free Association - Internal Affairs, Foreign Affairs and Defense - had been reached.

Plenary meetings during the Sixth Round centered largely upon procedural questions and a discussion of the implications of the special Ponape session of the Congress of Micronesia for the further progress of the talks, and upon an

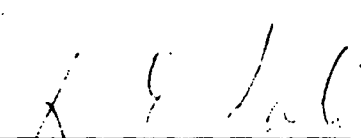
exchange of views as to how the two sides should proceed. The discussions included a review of basic assumptions held by each side concerning the nature of the joint negotiations.

Informal meetings were also held between the two Chairmen and between sub-committees on finance and land.

Both sides agreed that the talks should be temporarily recessed to permit both parties to address the substantive decisions necessary before proceeding with the on-going negotiations.

The two Chairmen will be in touch concerning further steps to be taken in the joint drafting of a Compact of Free Association and the next stage of the negotiations.

Both sides expressed their deep appreciation to the U.S. Navy for making facilities available for the meeting and to the officers and men of Barbers Point for their generous assistance and support.

  
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Lazarus Salii  
Chairman, Joint Future  
Status Committee

  
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Franklin Haydn Williams  
President's Personal Representative