SPAFMGUE BYES WILSON. TE


 COMMTMEE ON INTERIOR AD UGULARTAARS, USS. SENATE

MONDAY, JANUPY 29. 1073
Mir. Chairman, Members oi the Sui b Committee:
It is a privilege to appear ion the first time before the members of this subcommittee to discuss progress in out talks on the future political status of the Trust Tempitories of the Pacific Islands. Ambassador Haydn Williams, the Presiater's Personal Representative for these talks, would be only too pleased to respond in person to your chairman's invitation. Unfortunately his other responsibilities as President of the Asia Foundation nave made it necessary for him to be out on the comity on an extended tripe. As his deputy I will do my best
 then try to answer any of yciar anestions.

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(3) Determinations reganting tha future aplicability to Micronesia of U.S. laws and the extent to whin the duture govemunt of Micronesia would legislate its man atac;
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(6) Armagements for temmatry wh Gompact of Pee Associatom and resicuai amangments.

## The Fourth Round

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Under the Compact the U.S. Government would have responsibility for external affairs and defense; the Micronesian Govemment, for internal affairs. The Micronesian Government would be free to negotiate and sign contracts not involving intergovernmental obligations and responsibilities and to participate in appropriate regional organizations. It would also be fully consulted on intemationam meters involving the inverses of the people of mimesis.

Micronesia would also be emectod be am wo and adopt ibis ow constitution, which would not wave to onstutnt with tine U.S. Constitution so long as it guarded baps' funciemental right and freedoms and was not inconsistent win the compact. The U.S. whin have no power to amend it. The monembens maud, so long as the original conditions regarding momarat mote ard consistency with the compact were met.

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together in washation and inctead yasa: a jcint resolution which "authorizes and cirects the ünt Cowatane on abure Status to conduct negotiations with the Unived States regating the establishment of Micronesia as an irdepercent naǐion, wille continuing nerotiations toward Free Association." In its neport the Congress indicated a desire to put to the people or Maronata in the linei plebiscite two choices: one for free association; one son Ercependence.

## The Sixth Round

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Recent Develorments
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In November also some on the undutionez Enadons, magistuaten and

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MARIELS MTEOETONS
In his last fomal statement to thes sub-comittee Annoassador Willians noted that the Third Round oi talks at Fina had brought out the desire of the Marianas for a close and permanent association with the U.S. This had been acknowleaged by the fili Micronesian Dalegation, and the prospect that a separate status youid be reforiated for the itarianas had beon. openly recognized oy the Cobitan or we vicunesian Joint Comittee. Subsequently during the Fount nown when the representatives of the

 consideration agreed. Amessedo miaco. sata at the time:
"As the recond shons, U.S. poisy an wa nministering huthority ion the Trust Tempitory of the patife bitwe has been to develop Micoonesia toward a common statis pon i.mmadion of the finuteeship Agreement and our entores ave becn curcted toward this end. ...
"The furtren pursuit and imiementeron of this objective, aganib the expressed will of the people ol the ramanas, would deny them
 politheal suatus mien they have sam is wraceptable.
"Under these circuntances, I wolla like to state that iny Govermmat: is willing to respond aflimatively to the request thet has boen fomally presented to us today to miver frto separate negotiation. with the representatives of the jewnas in orien to satisiy a a, which the Joint Commititee has aneay reeomieed."

The Varianas' request by no mans ramesentod a new developmerti.


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Onening Discussions in Sainer
The formal openting of separeve staws wits took place in Saipan on bive l3th of last montin witn a ravencs Pots. al Status Comission estrabliched by a resolution of the Darianas District ragisiature. Its Chairman, Senator Edwand Pangelinan, is the senion manes repesentative on the Wicronesian Joint Status Combttee. Its co-chaiman is the Presicont of the Narianas District Legislature. Tre other I3 members represent oum section of various groups and opinjons in the wataras, both overniman and non-govemmental.

The meetings themselves we lanezy ceremonial in nature, with a gala openint cememony followed by plenay and womint sessions of the two delegations. The results are fairly ieflected in the joint cormunique issued as the close of the talks, copies of which have been mane available to this sub-connittee. Fine two delegations agreed to meet again in the spring - possibiy as ascly as April - after the Narianas delegation had a crance to sury out the cetails of its position.

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(3) Pinancial and economit andagenents to apply in the futuro, whether througa the extension of Pederai programs or through some forn of grants in aid.
 also be of great importance. But temaneston will rot be, fon iî tur mom
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The Executive Emanh at the presont $\because$ ana is undy devaloping the details of the u.s. postition on these an rejeted mattors. Again, as in the case of our negotiations with the Micironesian Joint Comittee, we will expect to stay in close consultation with the interested Comnittees of the Congress incluaing this Comittee in particular and will value most highly your wise acivice and counsel.

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Let me sum up this brief recitaition of develoments, Nre. Chaimmen, by saying that we apear at this time to be at sonething of a water shed. We shall be embenking shortiy on a ner set of regctiations with the Mariones. At the same time we will be resseeseng an yeapective positions Aurther



 Willians to this Comblube a jear ago:
"(1) Our generai concen for the innetan wifare of the peopie [of Mi.cnonesia j;
"(2) Our legal and monal ojsentions as the wininistering authorit; uncer oun agreement with tre Un.: and
"(3) Our lenger Paciñic roie and ow numbute with respect to the mantenance of peace an suabisur in the Pacific Cocan area.:


## DIGRESSION

At this point, Chainsan, if you unare it wouid be userul, I might digress from my preparec statement to pex up for the benerit of the new rembers of the sub-commtiee in the uniesest manner possible the general outine of events prion to fmbessacion 'Wllians' last fomal appearance,

The U.S. by agreement with the U.N. has been the administering authonity for the Thust Tamitony of the Pacific ishands since the end of World War II. This area aiso nererrea to as Micronesia-m is macie up of somathing over 2,000 ishands sinead across a vast expanse of the Pacific Ocean fust nown on tion equator, iouchiny the extent of the Continerital united Stetes auss inesica. There are anound 100,000 maditants invag an a a jang area of less than 700 square miles. It an divices gogarnicany thto there istand groups (Tre Morshalls, vine Cacolase wathe verianas) and politically into six districts (ammans, Ponpe, Tuk, Yap, Palau and Varianas).

Bewwen World Wan I and II Vonotesie was rontwoled by Jepan under a Leagie of Netions rancate; betwen seo ard torld war I, by Cemmany and for 350 years berone trat, bu sutn. Guem, which is geographically the southermost ishand in we intames chain, was acquired by the U.S. from Suan et the en on the sentsh Anerican dar. It is not part of the we but en whaouporated tercitory or the U.S.


to the particular cincumbtances on thamus Ternitcry and its people axin the freely expressed wishesi: of the people concerned." For a number of years the U,S, has been ergaged in a series of discussions With the Micronesiars, nemesered by a Joint Cormittee of their Congress; atrad at cetemmeng woterionture political status snould de.

In 1969 the Nioromesian congesi conkeed tos own stuay of this suoject and after examaing various aiternabives concluded that tneir first paperence woula be ion is status of self govermment in free assoctation witi the Untrea steces.: The U.S. in tum proposed status as an trincorporatea tomptoriy of the urites states. That was tumed dom by tae vachonesuas. We then proposed a

 iation was considered with the restits thentect an statenent, which i shall resume with your pernisoson.

# STATEMENT BY JAMES M. WILSON, JR. <br> UNITED STATES DEPUTY REPRESENTATIVE <br> FOR MICRONESIAN STATUS NEGOTIATIONS BEFORE <br> THE TERRITORIES AND INSULAR AFFAIRS SUBCOMMITTEE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, UTS. SENATE <br> MONDAY, JANUARY 29, 1973 

Mr. Chairman, Members of the Sub Committee:
It is a privilege to appear for the first time before the members of this subcommittee to discuss progress in our talks on the future political status of the Trust Territories of the Pacific Islands. Ambassador Haycin Williams, the President's Personal Representative for these talks, would be only too pleased to respond in person to your chairman's invitation. Unfortunately his other responsibilities as President of the Asia Foundation have made it necessary for him to be out of the country on an extended trip. As his deputy I will do my best to update this subcommittee on the recent course of the negotiations and then try to answer any of your questions.

Ambassador Williams has appeared informally before the members of this subcommittee on many occasions. His last formal appearance seems to have been something over a year ago in executive session. With your indulgence then it would probably be worth while as a starting point to go back to the negotiating situation as it existed in November 1971 and trace the major events since that time.

A major intervening development - our formal acquiescence in the request of the Mariana Islands District for separate status talks -makes it necessary to divide this presentation essentially into two parts. The first will deal with our negotiations with the Congress of Micronesia's Joint Committee on Future Status. The second will sketch the events in the separate Marianas discussions.

## NEGOTIATIONS WITH THE JOINT COMMITTEE

You will recall that in November 1971 Ambassador Williams had just completed a third formal round of discussions with the Joint Committee at Hana, Maui, Hawaii. This had resulted in a series of agreements in principle covering six major topics previously at issue. These were:
(I) The Micronesian request for a "Compact of Free Association" in lieu of the earlier U.S. offers of modified termitorial and commonwealth status, which they had rejected;
(2) Means for satisfying U.S. future land requirements for military and civilian purposes and at the same time meeting Micronesian desires for the retum of their lands held in public trust;
(3) Determinations regarding the future applicability to Micronesia of U.S. laws and the extent to which the future govermment of Micronesia would legislate its own affairs;
(4) The extent to which U.S. Federal Programs and Services might be made available in the future;
(5) The anticipated future needs of the people of Micronesia for financial and economic assistance and the willingness of the United States to extend future assistance; and
(6) Arrangements for terminating any Compact of Free Association and residual arrangements.

## The Fourth Round

Both sideg had agreed to study these matexg further and to meet; amin as soon as possible. The next meeting was in fact held at Koror, Palau, in April 1972. This fourth round served to confirm the agreements reached at Hana and resolved most of the remaining differences in principle. These were set forth in the joint commaique issued at the conclusion of the talks
copies of which have been made available to this sub-committee.
So far as the Compact of Free Association was concermed it was agreed that the instrument itself after final negotiation would be submitted for approval to the United States Congress and the Congress of Micronesia. Thereafter it would be put to the people of Micronesia for their approval or disapproval in a plejescite which would represent the exercise of their right of self determination.

Under the Compact the U.S. Govemment would have responsibility for extemal affairs and defense; the Micronesian Govermment, for internal aiffairs. The Micronesian Govermment would be free to negotiate and sign contracts not invoiving intergovermmental obligations and responsibilities and to participate in appropriate regional organizations. It would also be fully consulted on international matters involving the interests of the people of Micronesia.

Micronesia would also be expected to draw up and adopt its own constitution, which would not have to be consistent with the U.S. Constitution so long as it guaranteed the peoples' fundamental rights and freedons and was not inconsistent with the compact. The U.S. would heive no power to amend it. The Micronesians would, so long as the original conditions regarding fundamentai rights and consistency with the compact were net.

On the sensitive insue of land it was agreed that U.S. milititary ari avilian needs would be negrotiated before there was a change in political Status of the nripl. Thereafter all puilic trust lands would revert to the Micronesians and the U.S. would have no power of eminent domain. Jithe Goverment of Micronesia, however, would obligate itself to negotiate in good faith any subsequent on emergency U.S. military requirements.

After considerable discuission it was decided that the Compact could be terminated by unilateral action of either party after it had been in effect for an agreed number of years. The exact number of years was not established and this was left for further discussion. Upon termination of the Compact U.S. military leases would continue in effect for their originally designated term of years, and that arrangements would be made to protect larger U.S. security interests in the area after determination.

Financial and transitional arrangements were left for further discussion and agreement.

## The Fifth Round

After Koror the two sides met again in July and August last year here in Washington to begin work on the actual draft of the Compact. Tentative agreement was reached on the text of a Preamble and articles on Intermal Affairs, Foreign Affairs and Defense together with annexes on foreign affairs responsibilities and agreed U.S. military requirements. This committee has been provided with the text of these drafts. It was stipuiated between the two delegations, however, that the text would be considered as tentative and preliminary pending agreement on the Compact as a whole.

Things thus appeared to be moving velry well after the Fifth Round, although work still had to be done on finance, trade and commerce, nationality, transitional arrangements and further important details of termination. Then in September the Congress of Micronesia met in special session in Ponape. Aiter receiving the report of its Joint Comittee on Future Status it specificaily failed to endorse the draft articies put
together in Washington and instead passed a joint resolution 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." In its report the Congress indicated a desire to put to the people of Nicronesia in the final plebiscite two choices: one for free association; one for independence. The Sixth Round

The Joint Resolution of the Congress of Micronesia, coming as it did just on the eve of the scheduled resumption of talks between the two delegations, gave rise to a large measure of uncertainty. When the Sixth Round began at the end of last September at Barbers Point, Hawaii, the United States Delegation pointed out the inconsistency introduced in the previous position of the Micronesian Delegation, which until that point had maintained that its efforts were focussed on the development of a. mutually agreeable text of a Compact of Free Association. Efforts to eilicit from the Micronesian Delegation what they had in mind by way of an "independerice option" were tumed asice. In response the Chairman of the Micronesian Delegation said on this issue:
"You have ... 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 altemative status of independence at this time would be diversionary and premature. In our view piofity could be given to continued good faith efforts by both delegations to complete promptly a draft Compact of Free Association."

Por its part the United States Delegation expressed the need to consider these new developrents most carefully, and both sides agreed to recess the buins to provide each with an opportunity to study its position further. No attermt was made to continue the joint draiting process. Meanwhile it
was agreed that a survey of precise U.S. military requirements in Palau would proceed, with participation by members of the Micronesian Joint Committee.

Recent Developments
Since last October there have been two further developments. In November the regular elections for the Congress of Micronesia were held, resulting in the defeat of two members of the Joint Committee and a contested election in the case of the committee's co-chairman. Under the circumstances the Joint Committee's Chairman decided it would be impossible as a practical matter to meet with the U.S. delegation before the new Congress of Micronesia convened in regular session the first part of this month and indeed that no further meetings would be possible until late spring at the earliest.

In November also some of the traditional leaders, magistrates and district legislators in Palau met and issued a so-called "declaration" in which they expressed their opposition to the U.S. military requirements in Palau. This had been made an issue during the election campaign, when a considerable amount of misinformation regarding the nature of the U.S. requirements and U.S. intentions was disseminated. Ambassador Williams and the Chairman of the Joint Cormittee visited Palau together last month in an effort to clear up these misunderstandings, which appeared to be initially successful. Unhappily, however, thanks to subsequent efforts of unfriendly individuals in Palau, considerable misinformation still appears to persist. Further efforts will be necessary to straighten out the record, although the land survey scheduled earlier may be able to proceed in the near future.

During the intervening period the Executive Branch has been engaged in
a reassessment of the United States position - a process which is continuing. Upon its completion the members of this committee may be sure that we will, as in the past, consult fully regarding any changes in the position previously outlined to you. You will of course be kept continuously informed of any new developments.

MARIANAS NEGOTIATIONS
In his last formal statement to this sub-committee Ambassador Williams noted that the Third Round of talks at Hana had brought out the desire of the Marianas for a close and permanent association with the U.S. This had been acknowledged by the full Micronesian Delegation, and the prospect that a separate status would be negotiated for the Marianas had been openly recognized by the Chairman of the Micronesian Joint Committee. Subsequently during the Fourth Round at Koror the representatives of the Marrianas on the Joint Committee officially requested separate status negotiations with the United States. The U.S. Delegation after careful consideration agreed. Ambassador Willaims said at the time:
"As the record shows, U.S. policy as the Administering Authority for the Trust Territory of the Pacific Islands has been to develop Micronesia toward a cormon status upon termination of the Thusteeship Agreement and our efforts have been directed toward this end. ...
"Ine further pursuit and implementation of this objective, against the expressed will of the people of the Marianas, would deny them their right of self-determination and impose upon them a future political status which they have said is unacceptable.
"halen these ciroumstances, I would like to state that my Goverment is wiling to respond ainimatively to the request that has been fonmally presented to us today to enter into separate negotiations with the representatives of the Marianas in order to satisfy a deaire wilich the Joint Committee has alrealy recomized."

Tie Marianas' request by no means represented a new development. Time and agrain in the past they and their leaders had expressed dissatisfaction with the "accident of history" which after the U.S. acquisition of Guam at
the end of the Spanish-American War had Iumped the rest of the Marianas with the Carolines and Marshalls, first under the Germans and then under the Japanese and Americans. The people of the Northem Marianas by history, tradition, language and ethnic and family ties had been linked with Guam from time immemorial. They had nothing in common with the rest of Micronesia.

Their initial desire, expressed in a long series of votes and petitions to the United States and the United Nations, was for reunification with Guam. This appeared to be the easiest method of achieving their long sought after groal of becoming a part of the American family. Guam, however, was not tosenthusiastic back in 1969, rejecting the idea of unification in a preliminary vote. When it appeared that the rest of Micronesia had a chance to become part of the U.S. family under the initial U.S. territorial and commonwealth proposals, therefore, the Marianas had been willing to go along. But when it became clear in the summer of 1970 that the rest of Micronesia was bent on a much looser form of free association the Marianas drew back and asked to be considered for a different and closer status.

Opening Discussions in Saipan
The formal opening of separate status talks took place in Saipan on the I3th of last month with a Marianas Political Status Commission established by a resolution of the Marianas District Legislature. Its Chairman, Senator Edward Pangelinan, is the senior Marianas representative on the Micronesian Joint Status Committee. Its co-chairman is the President of the Marianas District Legislature. The other 13 members represent a cross. section of various groups and opinions in the Marianas, both governmental and non-governmental.

The meetings themselves were largely ceremonial in nature, with a gala opening ceremony followed by plenary and working sessions of the two delegations. The results are fairly remected in the joint communique issued as the close of the talks, copies of which have been made available to this sub-committee. The two delegations agreed to meet again in the spring - possibly as early as April - after the Marianas delegation had a chance to study out the details of its position.

The forthcoming discussions will undoubtedly concentrate on three major areas:
(1) The form of political association, 1.e. whether the Marianas will have some form of modified commonwealth or territorial status or some other, which will be put to the U.S. Congress for its approval and also the people of the Narianas;
(2) The land question: U.S. military requirements (primarily on the Island of Tinian) on the one hand, and the desire of the Marianas for return of all public trust and military retention lands on the other, together with some sort of arrangement - as yet unspecified - which will provide protection to the residents of the Marianas against the future alienation of their land; and
(3) Financial and economic amangements to apply in the future, wheher through the extension of Federal programs or through sore form of grants in aid.

As in the case of the rest of the TIPI transitional arrangements will aiso be of great inqortance. But temination will not be, for if the new amangement meets wi.th the approval of the U.S. Congress and the Marianas this is expected to be a permanent association.

The Executive Branch at the present time is busy developing the details of the U.S. position on these and related matters. Again, as in the case of our negotiations with the Micronesian Joint Committee, we will expect to stay in close consultation with the interested Committees of the Congress including this Committee in particular and will value most highly your wise advice and counsel.

CONCLUSION
Let me sum up this brief recitation of developments, Mr. Chairman, by saying that we appear at this time to be at something of a water shed. We shail be embariking shortly on a new set of negotiations with the Marianas. At the same time we will be reassessing our respective positions further on both sides with respect to the other five districts of the TTPI with a view to a resumption of discussions on this subject somewhat later in the spring. Throughout we shall have firmly in mind the three principal interests of the United States in this matter outlined by Ambassador Williams to this Cormittee a year ago:
"(I) Our general concern for the long-term welfare of the people [of Micronesia];
"(2) Our legal and moral obligations as the administering authority under our agreement with the U.N.; and
"(3) Our larger Pacific role and our conmitments with respect to the maintenance of peace and stability in the Pacific Ocean area."

Thank you, Mr. Chairman. This concludes my statement.

