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MARIANAS STATUS REFERENDUM--CHOICES TO BE OFFERED & U.N. ROLE

Introduction

During recent informal discussions in Hawaii between Ambassador Williams, Mr. Wilson and the Chairman and Vice Chairman of the MPSC-- Senator Pangelinan and Ben Santos, President of the Marianas District Legislature, it was agreed that the U.S. side would prepare a paper on which choices should be put before the people of the Marianas in a status plebiscite. It is important that we be in a position to address this and related issues, such as the timing of a Secretarial Order separating the Marianas District from the rest of the TTPI prior to the next round of status negotiations. The MDL is on record favoring separation as soon as possible after approval by the people; expect strong pressures from the MPSC for early action along these lines.

I. Choices to be Offered

A. Discussion

During the recent discussions of this subject in Hawaii Senator Pangelinan and President Santos proposed that a simple "yes-no" vote on the proposed Commonwealth agreement be put to the electorate; they agreed, however, that further thought should be given to the U.N. situation and to the relationship of the Marianas plebiscite to the broader Micronesian problem.

In considering this matter it is believed that the following factors are salient:

1. Primary U.S. interests and objectives--to wit, early and conclusive approval by a majority of the voters of the Commonwealth Agreement and the early separation of the Marianas District

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from the remainder of the TTPI.

2. The fundamental importance of giving the people of the Marianas District a genuine and definitive opportunity to exercise their right of self-determination;

3. A plebiscite format and action which would not prejudice the chances of obtaining ultimately the U.N.'s approval of the termination of the Trusteeship, as proposed by the U.S.

4. The fact that the U.S. has formally assured the Trusteeship Council that "the U.S. expected and would welcome a U.N. presence during the act (sic) of self-determination".

(This statement from the TC's 1974 report to the SC of the U.N. follows immediately a reminder by the U.S. representative of our right to administer one part of the Territory separately from the others). In turn, the T.C. expressed "the

hope that the terms of the consultation will be clearly defined and that no alternative, including independence will be ruled out". Later, in a direct reference to the possibility of a separate referendum in the Marianas, the T.C. stated that the "consultation of the people of the Marianas should also take place in the presence of the U.N. and should not exclude any alternative".

5. The importance of conducting an adequate program of political education in advance of the plebiscite, one which would describe and evaluate all of the options generally regarded as legitimate alternatives to the status quo, e.g., territorial status (Commonwealth) and in Free Association with the U.S. as a part of the future state of Micronesia; and

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6. A plebiscite format which will be acceptable to U.S. Congressional leaders.

Based on best available intelligence, a majority of the electorate in the Northern Marianas favors a "close and permanent" political relationship with the U.S., and a commonwealth status appears best to reflect these attitudes. However, there are powerful vested interests among local businessmen and TT employees in the status quo. Also the Carolinians in the District are generally opposed to Commonwealth or separation from the other districts.

The basic issue or requirement, nonetheless, is how best to insure that a pro-Commonwealth majority vote will be accepted by other Micronesians and the international community (the U.N.) as a legitimate and conclusive act of self-determination by the people of the Marianas District.

To this end and in order to promote political education and maximize the chances of a large majority vote for the Commonwealth option, the number of status choices should be limited and be presented in clear and simple terms.

Although the UNTC has called upon the U.S. to "not exclude any alternative" in a U.N. supervised plebiscite in the Northern Marianas, the "unique status" and recent political history of this district, plus its obvious lack of means to sustain such a status, rules out considering an independence option for the Marianas now in advance of the other districts.

B. Options

In view of the above considerations the main options seem to be:

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1. A simple "yes-no" vote on the proposed Commonwealth Agreement. The U.S. and the Marianas leadership would explain that a "no" vote majority would mean that the District would remain with the other five districts and continue to participate in the status talks being conducted by the COM, i.e., could lead to a subsequent plebiscite on a Compact of Free Association, with alternatives of independence, status quo, or commonwealth at a later date. We could argue in the U.N. that this would provide a real choice to the people, given our explanation of the "no" vote, and that an independence vote for the Marianas now is neither desired nor realistic in view of the circumstances.

PROS

- This format would have the merit of simplicity. It would also force the electorate to make a definitive choice between the advantages associated with joining the American political family including the possibility of an eventual union with Guam, and the disadvantages of throwing in with the rest of Micronesia--submitting themselves to the will of a non-Chamorro majority embarked upon an uncertain and possibly less rewarding political course.

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- Might inflate the "no" vote by forcing all opposed to Commonwealth to combine forces, i.e., those favoring independence, the status quo, or Free Association;

- Could be criticized in the U.N. as "loading the deck", given the absence of clear-cut choices, e.g., remaining with the other districts in a Free Association relationship with the U.S. or independence.

2. Posing two positive alternatives--(a) Commonwealth

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status for the Marianas District and (b) remaining with the other districts in a "Free Association" relationship with the U.S.--as negotiated by the U.S. and the JCFS. We would argue in the U.N. that this formula provides an opportunity to remain with the other districts, i.e., preserves the unity of Micronesia and does not exclude independence, if the COM decided to negotiate this also or if it is decided that this option should be included on the ballot regardless of the COM's wishes.

PROS

- This formula would tend to induce all those in favor of a separate status from the other districts to vote for Commonwealth, thus maximizing the pro-Commonwealth vote. It might also encourage those favoring the continuation of the Trusteeship to abstain.

- It also has the merits of simplicity and might be more acceptable to the U.N.

CONS

- It might give rise to some criticism in the U.N., etc., on the grounds that an independence option had not been offered (though the offer might be included as a variant along the lines of option one).

- It might reduce substantially the number of those voting if those favoring the status quo or independence abstain.

3. Commonwealth, Free Association or independence, the latter two in union with the rest of the TTPI. This would be a multiple choice (3) ballot posing all of the main status options available to the people of Micronesia, except the status quo or independence for the Northern Marianas alone.

PROS

- Would present the widest range of choices and thus remove any basis for international criticism regarding a restricted or biased plebiscite, i.e. would be more acceptable to the U.N.

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- Would tend to fragment the vote against Commonwealth.

CONS

- Might reduce the chances of a large majority vote for Commonwealth.
- Might strain relations with COM leaders favoring Free Association and opposed to an independence option.
- Would arouse U.S. Congressional opposition.

C. Conclusion

A vote on Commonwealth versus continued unity with the remainder of the TTPI, Option 2, would be most likely to produce the result desired if it were explained that continued unity could also lead to eventual independence.

D. Recommendation

That we inform the leaders of the MPSC that we prefer Option II.

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## II. U.N. Participation

### A. Discussion

During the Honolulu meeting it was tentatively agreed that the status plebiscite should be scheduled in May 1975, if possible. It was recognized, however, that the UNTC would have to take some kind of action in response to a U.S. invitation to observe the plebiscite and that this matter would require more thought. The May date is predicated on the Commonwealth agreement being approved by the MDL in January 1975 and a successful program of political education during the subsequent four to five months.

This in turn assumes that final agreement on all remaining issues will be reached in the December round and an agreement signed in January; however, the election results in the Marianas District reduce the chances of obtaining a signed agreement by January 1975.

### B. Recommendation

The ideal transition timetable for the Marianas would reflect a possible postponement of a final agreement and its approval by the MDL to February-March 1975. This would mean that the plebiscite should be held in July 1975, at which time a U.N. group could be on the scene. We proposed the following as a timetable for a status referendum leading to a U.N. presence at the act of self-determination and separate administration before the convening of the Micronesian constitutional convention, scheduled to be held on Saipan July 12, 1975.

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Preferred Timetable

|                                |   |
|--------------------------------|---|
| December 2-17                  | Marianas V--agreement reached on all outstanding issues.  |
| January/<br>March 1975         | Agreement formally signed by U.S. and MPSC, and approved by MDL.  |
| March/<br>April 1975           | Special Marianas ESG program for status plebiscite begins.  |
| March/<br>May 1975             | Elections of delegates to Marianas Constitutional Convention.   |
| May-June 1975                  | Regular meeting of Trusteeship Council to provide official U.N. presence at Marianas status plebiscite. |
| Late June or<br>Early July '75 | U.N. supervised status referendum.  |
| July 10, 1975<br>(Friday)      | Separate administration.  |

While this schedule would accommodate the UNTC's schedule and its putative attitudes or probable reactions to the timing of a separate vote in the Marianas, it has three disadvantages.

(1) It would further delay the separation of the Marianas District from the rest of the TTPI, thus giving anti-commonwealth factions in the TTPI, particularly in the COM, like Salii, more time to attempt to thwart the divorce of the Marianas from the remainder of the TTPI;

(2) Also, such delay might weaken the resolve of those in the Marianas favoring a close and permanent relationship with the U.S., for it would mean further postponement of the autonomy they are so anxious to obtain.

(3) The Micronesian Constitutional Convention is scheduled to convene on Saipan on July 12, 1975. This event could interfere with or complicate the conduct of a Marianas plebiscite.

In this respect, there are recent indications that the MPSC may press us next month to abandon our position against the establishment of a separate administration until after a plebiscite can be held. The



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MPSC will probably repeat the argument that the will of the people is already known and that further delays can only result in greater confusion and doubts regarding the wisdom of their chosen course.

It is clearly in the U.S. interest to move ahead as rapidly as possible toward a final agreement with the leaders of the Marianas along the lines of the ideal schedule, as we do not wish to prejudice the chances of obtaining the U.N.'s approval of a Commonwealth status for the Marianas.

C. Contingency Plans

If for some unforeseen reason the UNTC cannot or will not agree to send an observer team to the Northern Marianas prior to the July plebiscite, we should be prepared to establish separate administration prior to the U.N. supervised status plebiscite.

Our U.N. Delegation should be able to ascertain in March or April the willingness of other members of the UNTC to send observers to a late June or early July status plebiscite in the Northern Marianas. If for some reason a majority of the UNTC rejects this proposed schedule, we would inform the T.C. that in view of the strong wishes of the local political leaders (MPSC) and the schedule of other political events in the Marianas, we are obliged to proceed with the establishment of a separate administration over the Marianas in advance of the plebiscite. We would, however, state our intention to base this on a popular test of the peoples' support of a political divorce from the other districts - either via a yes-no vote on separate administration or by including this as a question in the election of delegates to the constitutional convention, scheduled sometime next spring.

For example, the U.S. would inform the UNTC that it accepts the vote for separate administration as a legitimate exercise of self-government

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and as "interim" to the formal status plebiscite to be held at a time acceptable to the UNTC.

The major disadvantages of this plan are that it might be viewed by a majority in the T.C. as an "end run" --an "illegal" substitute for a status referendum designed to separate the Marianas from the remainder of the TTPI.

It would also provide loud dissent from the leaders of the COM and those in the Marianas opposed to Commonwealth or separate U.S. administration of the District.\*

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\*The Department of State opposes this contingency plan on the grounds that

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