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ACTION

DISTR CJCS DJS SJCS(02) J3(10) J5(02) SECDEF(04) SECDF:
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FM CINCPAC REP GUAM MARIANAS ISLANDS.
TO RUEHC /SECSTATE WASHINGTON DC
INFO RUEHDT /US MISSION TO UN NEW YORK NY
RUFHGV /US MISSION GENEVA SWITZERLAND
RUWJAJA /COMTWELVE SAN FRANCISCO CA
RUEKJSC /JCS/SECDEF WASHINGTON DC
RUHQHQA /CINCPAC HONOLULU HI
RUEADWW /WHITE HOUSE WASHINGTON DC

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PASS TO DEP INTERIOR FOR OMSN ACTION AND OTA

COMTWELVE FOR AMB WILLIAMS

STATE FOR EA, IO/UNP, L/UNA

DEFENSE FOR OSD/ISA

WHITE HOUSE FOR NSC

USUN FOR AMB WHITE

E.O. 11652: GDS

TAGS: PLOS TO

LOS: MICRONESIAN RELATIONSHIP TO LOS TREATY

A. GENEVA 2965

SUMMARY: MICRONESIAN APPROACH TO US LOS DEL IN GENEVA APPEARS TO BE
EFFORT TO STAKE OUT AMBITIOUS POSITION RE MARINE RESOURCES WHICH
WOULD LEGITIMATE ENLARGED FOREIGN RELATIONS SCOPE FOR CONGRESS OF
MICRONESIA UNDER TRUSTEESHIP AND FOR FUTURE GOVERNMENT IN FREE
ASSOCIATION WITH U.S. END SUMMARY

1. PRESENTATION OF POSITION ON RIGHTS OF CONGRESS OF MICRONESIA, IN
MANE OF MICRONESIAN PEOPLE, TO ECONOMIC RESOURCES OF SEA SHOWS CLEAR-

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LY THE FINE PALAUAN HAND OF SENATOR LAZARUS SALII AND MAY EXPLAIN HIS SOMEWHAT SURPRISING ABSENCE FROM TTPI AT TIME WHEN MAJOR EVENTS ARE TRANSPERING BOTH IN HIS HOME DISTRICT (PALAUAN CONSTITUTIONAL CONVENTION) AND ON SAIPAN (PREPARATION FOR MARIANAS PLEBISCITE JUNE 17). FORMER SENATOR AMARAICH, ALSO MEMBER DELEGATION, NO DOUBT SHARES SALII'S VIEWS.

2. FOLLOWING PARAGRAPHS SET FORTH OBSERVATIONS AND COMMENT OF STATUS LIAISON OFFICER, WHOSE BACKGROUND ON LOS IS ADMITTEDLY LIMITED. HE AGREES, HOWEVER, THAT SUBJECT AS PRESENTED HAS MORE STATUS THAN LOS SIGNIFICANCE.

3. IT APPEARS SALII IS TRYING TO USE APPROACH IN GENEVA TO FURTHER A NUMBER OF MAJOR (AND UNAGREED) PREMISES:

A. PRESENT "FOREIGN RELATIONS" PROVISIONS OF DRAFT COMPACT OF FREE ASSOCIATION ARE INSUFFICIENTLY TILTED TOWARD MICRONESIAN AUTONOMY AND AUTHORITY IN RELATIONS WITH OTHER STATES. "DISTANT FISHING" STATES, WITH WHOM MICRONESIA WOULD BE AUTHORIZED TO NEGOTIATE MARINE RESOURCE MATTERS, INCLUDE THOSE COUNTRIES WITH WHOM NOT MERELY FISHING PROBLEMS BUT MICRONESIA'S RELATIONS IN GENERAL ARE AND WILL BE MOST IMPORTANT: JAPAN, ROK, ROC, PHILIPPINES, EVEN U.S. ALTHOUGH LOCALLY NOT THOUGHT OF OFTEN AS A "DISTANT FISHING STATE."

B. FUTURE MARINE RESOURCES POLICY SHOULD BE HANDLED BY MICRONESIA AS AN ENTITY, I.E., NEITHER BY THE U.S. AS TRUSTEE OR FUTURE SENIOR PARTNER IN FREE ASSOCIATION, NOR BY DISTRICTS ACTING SEPARATELY ON BASIS OF PUTATIVE LOCAL AUTONOMY. FROM THIS PREMISE IT FOLLOWS THAT A FUTURE MICRONESIAN STATE WILL REQUIRE A STRONG CENTRAL GOVERNMENT.

C. CONGRESS OF MICRONESIA (COM) AS PRESENTLY CONSTITUTED IS THE AUTHENTIC VOICE OF MICRONESIA AND HENCE SHOULD FUNCTION AS LOCUS OF MICRONESIAN AUTHORITY. (U.S. HAS PERMITTED IF NOT ENCOURAGED THIS DOCTRINE BY PERMITTING COM PER SE TO REPRESENT IT AT PRECISELY SUCH FORUMS AS LOS.) THIS SUPPORTS LONG-STANDING COM AMBITION TO HANDLE IT'S FOREIGN RELATIONS AND DEAL ON AUTHORITATIVE BASIS WITH THIRD COUNTRIES, AS WELL AS ITS PRETENTIONS TO BEING THE GOVERNMENT, I.E., IGNORING THE EXECUTIVE BRANCH OF THE TT GOVERNMENT.

D. DOD INTERESTS PREDOMINATE IN U.S. POLICY FORMULATION WITH RESPECT TO MICRONESIA. BY ASSURING US THAT MICRONESIA ISN'T EVEN THINKING OF TAMPERING WITH U.S. SECURITY INTERESTS HERE, SALII EVIDENTLY HOPES DEFENSE WILL BE PLACATED AND NOT OPPOSE HIS PROPPSAL.

E. TACIT ASSUMPTION THAT TRUSTEESHIP DOESN'T REALLY CONFER AUTHORITY ON U.S. EXCEPT IN AREA OF DEFENSE. THIS IS TYPICAL BIT OF SALII EFFRONTERY--OR HOPEFULNESS.

4. PROPPSAL HAS MERIT OF MAKING CLEAR HOW AT LEAST THOSE WHO MADE

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IT VIEW FUTURE OF U.S. "AUTHORITY" OVER MICRONESIA'S FOREIGN AFFAIRS. THERE IS A LOT MORE OF THE CAMEL THAN ITS NOSE THAT SALII'S PROPOSALS WOULD LET UNDER THE TENT. SPECIFICALLY, SALII'S PROPOSAL THAT THE TT BECOME A PARTY TO A FORMAL DISPUTES SETTLEMENT PROCEDURE (ITEM 2 IN MICRONESIAN LETTER) WOULD OPEN THE DOOR TO COM, AND TO A FUTURE GOVERNMENT OF MICRONESIA UNDER THE COMPACT, TO UNDERTAKE AN UNENDINGLY CONTENTIOUS RELATIONSHIP WITH THE U.S.

5. IN SUM, AFFIRMATIVE ANSWERS TO THESE QUESTIONS, ALTHOUGH AUGMENTING MICRONESIAN AUTONOMY AND AUTHORITY, WOULD BE MUCH MORE CONSISTENT WITH INDEPENDENCE THAN WITH FREE ASSOCIATED.

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