

NOTES FOR MEETING WITH SEC. ROBINSON

Debrief recent Saipau negotiations.

- Wide representation on Micronesian side
 - .. JCFs - New Commission - COM - District
- Compact completed except for 605 and 401(e) 12 Titles, 39 out of 40 sections.
 - .. Came within an eyelash of 100% agreement
 - .. Effort to treat LOS separately and as a bilateral matter failed on last day
 - Influence of U.S. advisors to COM critical in turn of events (including the COM position at LOS Conference)
- As mandated (9 out of 10) and 6 out of 10 members COM Senate Compact meets and defines all U.S. negotiating objectives
 - .. Close and enduring relationship
 - .. U.S. Foreign Affairs + Defense response
 - .. Access and control (all DOD land)
 - .. Financial arrangements under the ceiling given us
 - .. Survivability U.S. defense rights - denial provisions continue even if Compact term expires - and will remain in force until changed by mutual consent.

Where do we go from here - Next Steps

- Some want to move ahead per the COM leadership's proposal, ^{per} calendar - i.e. COM approval in summer, plebiscite in late fall or winter
 - .. Some include: Solbi Solk, Henry Otter, Iierli, Harris, Margaret and Paul Wavle
- Some may want to put it on a back burner - and delay further action now.

- .. Some could include: Amaraich⁽²⁾
 (Although he has said Compact can go to COM in July depending on how quickly U.S. moves on LOS question)
 Wyle - Ramp - White and possibly Nakayama -
- Pros and Cons for early action (July 12)
 - .. both considered by OMSN and others
 - .. Consensus — early action will improve chances of Compact approval and prospects for Micronesian unity — ~~without~~ delay will do the opposite plus undermining the pro-US (pro Compact) leadership and thus increase the chances of those who favor independence. ^{The} latter will lead inevitably to the fragmentation of the TTPI
 - .. Possible to call 2nd Special Session of COM (in Aug) which give us more time.

Prospects for Early Agreement

- Not terribly good but worth a try
- Success will be dependent on:
 - .. resolution LOS question (Jurisdiction)
 - .. resolution Foreign Affairs question (what role will Micron have or not have with respect to its Ocean Nations)
 - .. Micronesian agreement among themselves on ADK(s)
 - .. Force fullness and solidity of pro-Compact forces in the COM
 - .. Willingness pro-FSM constitution forces to accept LOI and override idea.

• Micronesian minimums

- Micro authority over its ocean resources to extract such rights not by int'l law until treaty or agreement.
- Any int'l treaty respecting Micro ocean resources must be approved by Micronesia
- Micronesia shall represent itself in all bilateral negotiations relating to its ocean resources and shall sign agreements in its own name.
- Micronesia to participate as full member in int'l conferences on ocean resources and sign multilateral treaties in its own name (LOS)
- Micronesia full access to ^{int'l} dispute settlement machinery (except in dispute with the US.)

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- Wamike believes #1 is the real minimum and that compromise can be reached on the other points
 - I am not so sure - they seemed locked in on the LOS issue and they do want to become a signatory.

• U.S. minimums (no clear consensus)

- State at staff level (also LOS) opposed to all five Micro positions. Would attempt to give them assurances as to "their ^{full} beneficial interests in their marine resources in an exclusive ^{economic} zone." but would not concede any authority to the FOM to negotiate or represent itself in the

- .. Other Depts and agencies ^{at the State level} (4) agree or disagree with the State Staff position in varying degree depending upon the point at issue.
- In conclusion as to prospects - I am of the opinion that there is little or no chance for agreement unless there is some compromise some accommodation on both sides - This will require a more flexible US. position especially in the foreign affairs area.

Need for Decision

- NSC Staff has suggested separate special memorandum for the President to be forwarded via the NSC-US Committee.
- OMSA preparing the memo - will be done by IAG tomorrow
- Memorandum will set forth options. At the moment I see three:
 - .. Stonewall them on all points
 - .. Acknowledge their beneficial interests in the resources Marine Resources and give them assurance in this regard through ^{the Compact} a separate protocol - but deny them an equal role in their own name with respect to their Ocean Resources.
 - .. Acknowledge their maritime interests

- ⑤ themselves ^{with respect to their own interests} with such authority being carefully exercised to protect basic U.S. foreign policy interest and security interest - ~~in addition to~~ the other interests and protection of those interests already written into the Compact..... plus a separate protocol

Timetable (possible dates)

- Talks here on 6DS (July 6, 7, 8, 9) or July ~~10, 11, 12~~. 12, 13, 14, 15
- Need presidential decision by early July (9) (little over three weeks from now)