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Authority	ED 12958
By	AKA Date 4/21/05

THE PRESIDENT HAS SEEN... 14
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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

ACTION

November 9, 1973

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MEMORANDUM FOR: THE PRESIDENT

FROM: HENRY A. KISSINGER *HK*

SUBJECT: Micronesian Status Negotiations:
Offer of an Independence Option

The U.S. is currently negotiating the termination of our trusteeship over the Trust Territories of the Pacific Islands. At Tab B is a memorandum to you from the Chairman of the Under Secretaries Committee on the question of whether the U.S. negotiator should be authorized to offer an independence option to Micronesia, in addition to the option of Free Association, which is now about half drafted.

Background

Our negotiations with the Micronesians were suspended last fall when they insisted that we negotiate an independence option simultaneously with the Free Association option. Within the past year, however, Micronesian pressure for the offer of an independence option has declined somewhat. It is very possible, however, that they will raise the matter again as a tactic when our negotiations are renewed this month.

Options

The USC study deals with this question in two parts: (1) should Ambassador Williams be authorized to offer an independence option, and (2) if so, what form should the option take.

Option 1: Refuse an independence option.

Option 2: Defer any offer of an independence option until after a plebiscite is held on the Free Association option.

Option 3: Offer an independence option, which could take the form of the following:

-- Unqualified independence.

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-- Marginally qualified independence -- the U.S. would retain basing rights in Kwajalein Atoll (our missile testing facility) and would continue to deny access to Micronesia by third countries for military purposes.

-- Independence and a pre-negotiated U.S. - Micronesian defense treaty -- Micronesia would be legally responsible for defense and foreign affairs, but the treaty would provide for denial and U.S. basing rights.

-- Independence and pre-negotiated U.S. control over Micronesia's foreign and defense affairs.

I agree with State, Interior, Justice, and Ambassador Williams that the balance of risks and objectives argues for authorizing Williams to offer an independence option now in order to spike likely renewed attempts by Micronesian negotiators to exploit the independence issue, to facilitate U.N. approval of our termination of the trusteeship, and in order to avoid further delays in these already drawn-out negotiations. (I would note that in principle we have already offered the Micronesians independence by agreeing that they have the right unilaterally to terminate the Compact of Free Association after a moratorium of 15 years. The present question, therefore, is whether the U.S. is willing to offer independence at this point.)

I also agree with these departments and Ambassador Williams that whatever small risk exists that Micronesia might opt for independence, that risk can be further reduced by extending the offer in the form of "Marginally qualified independence." This form poses a clear choice between Free Association and independence, particularly as regards the minimal financial benefits which Micronesia would receive from us under independence in this form.

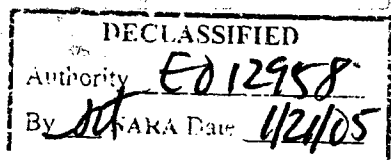
Defense dissents, recommending no offer of an independence option in any form at this time, contending that the risk of Micronesian acceptance, though small, is too great in light of the U.S. security interests at stake. Based upon the consensus of those closer to the negotiations, that Micronesian acceptance of the offer is extremely remote, I believe the risk to be acceptable. Recognizing the difficulty of judging the ultimate need to offer the independence option at all, however, I recommend that Williams's authority to offer it be discretionary, to be used only if tactically necessary.

Ambassador Williams' Negotiation Instructions

At Tab A is a draft instruction from you to Ambassador Williams which, in addition to incorporating my recommendation on offering an independence option, also includes:

Very important.

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-- Authority to negotiate a 10-year moratorium on unilateral Micronesian termination of the Compact of Free Association, if after a determined effort Williams cannot get the Micronesians to agree to a 15-year moratorium.

-- A definition of our basic objectives in these negotiations.

-- A reaffirmation that our preferred alternative is Free Association, and a definition of the essentials of that relationship.

-- Guidance on negotiating U.S. land requirements.

-- Guidance on financial arrangements under a relationship of Free Association.

-- Ambassador Williams' terms of reference.

This instruction thus pulls together in one document your basic guidance to Ambassador Williams.

Recommendation:

That you approve the above instructions to Ambassador Williams (printed in full at Tab A).

Approve

Disapprove

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