

~~CONFIDENTIAL~~

FEB 29 1972

10

Defense Final Talking Paper

F - TTPI  
unif folder

It is the U. S. intention to continue in the Hana pattern and to concentrate on the significant issues which divide us. Once our fundamental differences are resolved and we have reached agreement in principle on these various issues, the problem of formalizing the relationship in a written document will be greatly simplified.

There are two basic U. S. interests which the Micronesian side has consistently recognized, but which were not in fact specifically included in Senator Salili's concluding summary at Hana of the "seven areas of agreement." Those are U. S. responsibility for foreign affairs and defense. Before proceeding to any final agreement, the United States would have to have firm commitments that these two basic interests would be fully met. Now to elaborate the U. S. view of these interests.

Defense Powers

Turning to defense, we envision that the United States would have full authority in all defense matters. This authority would include

- (1) The ability to prevent third parties from using Micronesia for military purposes or to threaten the United States' security interests.
- (2) Firm pre-negotiated arrangements for satisfying the United States' military land requirements as outlined at Hana and which would survive any termination of the Compact.
- (3) Complete responsibility for the defense of Micronesia.
- (4) Full freedom to employ bases in Micronesia to fulfill the United States' security responsibilities in the Pacific Ocean area as long as the U. S. maintained the bases.

Photocopy from Gerald R. Ford Library

DECLASSIFIED

AUTHORITY MR-NLF-00-19-17 TTPI Project  
BY KTR NLF, DATE 6/25/00  
4/3/00

~~CONFIDENTIAL~~



In essence the U. S. would assume full responsibility for defense matters just as the Government of Micronesia would assume full responsibility for internal affairs. These responsibilities and powers would derive from the final Compact with the consent of both parties and would be in force as long as the agreement prevailed.

#### Strategic Rationale

The United States has grave security responsibilities that relate to the realities and imperatives of its broader role in the Pacific and its commitments to many nations. The central thrust of U. S. foreign and security policy for the last two decades has been to deter and prevent a major international conflict from breaking out. Millions of people depend on the United States' strength for their freedom and peace of mind. It is not the intention hence to dwell on the need for an effective U. S. military posture, this is well known throughout the world. The intention is to emphasize that the United States has significant international security obligations which it cannot ignore and will not overlook. We believe it is in our interest, in your interest, and in the interest of people everywhere that the United States remain strong while it continues to work for peace.

This goal coincides with one of the basic objectives of the trusteeship system, which according to Article 76 of the UN Charter, is to further international peace and security. The Trusteeship Agreement itself recognizes the strategic importance of Micronesia in this regard, and specifically obligates the United States to ensure that the Trust Territory shall play its part, in accordance with the Charter, in the maintenance of international peace and security.

Photocopy from Gerald R. Ford Library



SECRET

Neither Micronesia's strategic role nor United States responsibilities under the Charter can terminate with the disappearance of the Trust. It is our view that the best way to satisfy these obligations, and simultaneously to insure the defense of Micronesia, is for the United States to assume full security responsibilities under any new status arrangement.

The U. S. security interests have been acknowledged by your delegation on a number of occasions dating back to 1969. Your July, 1970, report to the Congress of Micronesia regarding status negotiations put it very concisely:

"The responsibility for external affairs and defense would be handled by the United States, and it would therefore be necessary for the United States to retain sufficient powers in these areas to enable it to fulfill its responsibilities."

This statement also expresses the sentiments of the U. S. delegation.

#### Nature of Agreement on Defense

You have consistently characterized the type of association which you desire as "free association." In turn you have on occasion cited the West Indies Act of 1967 as an example of the type of relationship you propose. Since the term "free association" is a relatively recent one and does not enjoy a precise meaning of its own, it is certainly appropriate to look to the few precedents which are available - the six West Indies territories and the Cook Islands. In each of these cases the smaller state has agreed to the larger nation exercising full authority in the area of defense. In fact it could be argued that this characteristic is one of the significant features of "free association" and in a sense assists in defining the term. It is the



essence of such an arrangement that the larger partner performs functions, which would be difficult if not impossible for the smaller partner and, in turn, in which both parties profit.

The U. S. inclines toward the defense formula employed in the West Indies Act of 1967:

"any matter which in the opinion of Her Majesty's Government in the United Kingdom is a matter relating to defence (whether of an associated state or of the United Kingdom or of any other territory for whose government Her Majesty's Government in the United Kingdom are wholly or partly responsible)".

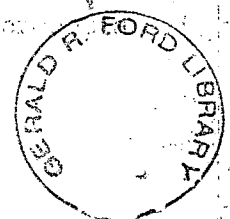
This language suggests the scope of the powers which the United States believes necessary to fulfill its defense responsibilities and we propose that U. S. defense authority be defined in a similar fashion.

#### Dividing Line Between Micronesian and U. S. Authority

It is not enough, however, just to sketch the functions that defense responsibilities could involve or to recommend language defining authority. One must also discuss the problems which might arise and how differences might be attenuated. Difficulties with the Government of Micronesia can always arise from the U. S. conducting military operations in Micronesia.

One of the prime reasons for obtaining bases is to support military forces or operations outside of the Micronesian area. The United States would require the freedom to act on its own authority in this regard, a procedure which is in accord with our practice in many other parts of the world.

In situations of direct concern to Micronesia, such as actions taken to deny military access to a foreign power, to counter a threat to Micronesia



itself or defend Micronesia from direct attack the United States is prepared to consult as to all matters relating to the defense and security of Micronesia and as to the means best suited to undertaking all measures required. We are open to suggestions as to the nature of the consultative machinery. We would be willing to supplement the Compact with some type of supporting agreement which would go into some detail on the consultation process.]

Our experience around the world would suggest that questions are bound to arise in the everyday relationships between U. S. bases and the host government. At Hana your delegation inquired if some type of "status of forces" agreement would be concluded to accommodate these problems. The United States has found this device very effective in providing in advance a means for dealing with and resolving such frictions. We believe that as a complement to the Compact an agreement of this nature could be concluded which would clearly establish the dividing line between Micronesian internal authority and U. S. military authority. This issue will be elaborated upon when we discuss the legal issues yet to be resolved. In summary, we believe that consultative machinery and a SOFA type complementary agreement will reduce potential problems to a manageable level.

Photocopy from Gerald R. Ford Library

