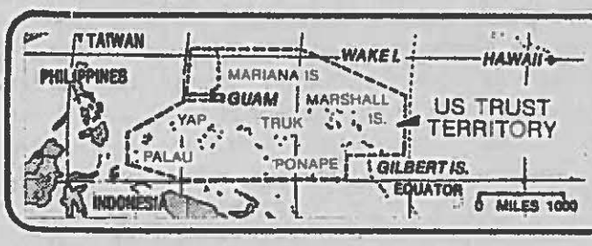
COM Ousts Palau Senator

For the first time, the Congress of Micronesia has expelled one of its members. Word was received in Guam yesterday that the Micronesian Senate had voted Monday to censure and expel Sen. Roman Tmetuchl of Palau.

Senate President Tosiwo Nakayama said the Senate "had no alternative because of Tmetuchl's neglect of duties and violation of his oath of office."

Tmetuchl has not attended any sessions since last year when he declared that the Congress "does not represent the needs of the people of Palau." His declaration followed a referendum in which Palau voted for separation from the rest of Micronesia.

Honolulu Advertiser March 1, 1978



MICRONESIAN SUPPORT COMMITTEE BULLETIN

Vol. III, No. 2 February, 1978

1212 University Ave., Honolulu Hi. 96826

New Working Paper Called "Step Backwards"

Micronesians Reject U.S. Negotiating Position

Dear Mr. Ambassador:

The Carter Administration has presented to the Chairmen of the three negotiating entities of the Trust Territory of the Pacific Islands a "working paper" which is unresponsive of the needs and legitimate aspirations of the peoples of the Trust Territory and denies their existing rights.

The Chairmen of the Marshall Islands Political Status Commission and the Palau Political Status Commission and their respective delegations consider this paper an unrealistic, drastic step backward from former United States proposals made by previous Administrations during the last nine years of negotiations which, themselves, were rejected. The working paper is so blatantly inequitable and unreasonable that it could be regarded as an affront to the people of Micronesia.

The United States proposal proceeds from a concept of free association that conflicts fundamentally with views all three negotiating commissions expressed at Molokai, and it also obviously ignores President Carter's call for "compromise, conciliation, and flexibility" in these negotiations. It is therefore unacceptable as a basis for negotiating the termination of the last remaining United Nations Trusteeship.

While we intend to remain flexible in these negotiations, we are not prepared to consider any "free association" proposal that does not assure our people the protections guaranteed by Principle VII of the United Nations General Assembly Resolution 1541, including the continuing right to alter unilaterally such political status in accordance with constitutional procedures. We believe it is possible to tailor such a genuine free association agreement that would assure the United States that its interests in land and, possibly, its other legitimate defense interests in this strategically important area of the world will be accomodated by an agreed upon term of years, even if our peoples were toexercise their inalienable right of self-determination to alter their political status during such term of years, provided such an agreement:

1. Were intergovernmental in form;
2. explicitly recognized the inalienable right of our people to alter their political status unilaterally through constitutional procedures and
3. appropriately limited United States foreign affairs powers in the area of the Trust Territory to legitimate defense related concerns.

We urgently request that the United States submit a draft compact within thirty days that is consonant with these principles. For our part, we shall endeavor to submit to the United States such a draft compact upon which the greatest consensus within the Trust Territory can be achieved. If the United States demonstrates a genuine willingness to negotiate seriously such an agreement and if a satisfactory agreement and if a satisfactory agreement emerges from this process, we shall take appropriate steps to assure that there are no legal impediments to the full implementation of such an agreement.

Signed,

Amata Kabua
Marshalls Status Commission

Roman Tmetuchl
Palau Status Commission

Old Glory And A New Political Status for Micronesia

by Roger W. Gale

Part One of a Two Part Series

Stretching across the Pacific from Hawaii to just off the edge of Indonesia and the Philippines are the more than 2,000 islands in Micronesia, all of which are under American control. They are the only territory in the western Pacific over which the U.S. either claims sovereignty or has the assurance of extended political hegemony. As the era of containment has come to a close and the U.S. has withdrawn military forces from the mainland of Asia, Guam and the Micronesian islands which form the Trust Territory of the Pacific Islands have become of increasing geopolitical significance. The expansion of national power over the open seas accompanying technological advances in exploiting the deep-sea has also enhanced the potential value of these until now economically unimportant islands around which a 200-mile resource zone will be extended in July 1979.

While for strategic and cultural reasons Micronesia is best thought of as a part of Asia, one crucial determinant of its future importance in supporting American foreign policy in Asia will be the extent to which Micronesia is politically integrated into the domestic political orbit of the U.S. Political status negotiations have been underway since 1969, although Micronesia-wide talks have languished since 1972 when the U.S. initiated separate negotiations with the Northern Mariana Islands. The Department of Defense then had plans to construct a large multi-service base on the island of Tinian in the Marianas, a contingency in the event the U.S. was forced to withdraw from Okinawa following its reversion to Japan. That has not come to pass, however, and except for periodic amphibious exercises, plans for the Tinian base are frozen.

But in 1975 agreement was reached with leaders in the Northern Mariana Islands for the 14,000 people there to become permanently affiliated with the U.S. under a commonwealth arrangement similar to that linking Puerto Rico and the U.S. The first elected governor took office in January 1978 when a new constitution, approved by President Carter, went into effect, marking the first outright territorial acquisition by the U.S. since the purchase of the Virgin Islands in 1917.

Talks with the rest of Micronesia remain unresolved because of disputes over the inclusion of control of tuna fishing in the 200-mile zone; the unilateral return of public land to the districts, bypassing the Congress of Micronesia; revelations of CIA spying and, most immediately, because of separatist movements in Palau and the Marshalls, the western- and eastern-most districts. The Carter Administration has reaffirmed its predecessor's goal of terminating the trusteeship under which Micronesia is administered by the U.S. by 1981, but Micronesia's size does not correspond with the magnitude of the problems to be overcome. Its 105,000 people, excluding those in the Northern Marianas and Guam, live on about 100 islands in six districts spread over three million square miles of ocean. While there are national institutions, primary among them the Congress of Micronesia, unity is still fragile and is presently taking second place to movements for local self-government. To some extent separatism has strengthened the hand of the U.S. and was fostered in the Marianas by the Nixon and Ford Administrations. But with the independence of Papua New Guinea in 1975 leaving Micronesia as the only remaining trust territory of the eleven created by the U.N., the U.S. is feeling pressure albeit diffuse, to reach some kind of agreement with Micronesia. From the beginning, however, the status talks have been out of phase. At first it was Micronesians who were eager to terminate the trusteeship and the U.S. which was reluctant to consider Micronesian proposals. Now, for a variety of reasons, it is the Congress of Micronesia which is blocking a settlement and the Carter Administration which is pushing for quick termination, its original plan for a plebiscite on future status by the end of 1978 now a chimerical goal.

In December 1976, shortly before taking office, the Carter Administration was confronted with its first crisis with Micronesia -- a front page revelation in the Washington Post that the CIA was conducting electronic surveillance and had surreptitiously hired Micronesian informers to report on the status negotiations.

The publicity aroused by newspaper stories on spying has focussed attention on the task facing the U.S. in creating a post-trusteeship status which will meet minimal international standards for decolonization, guarantee the protection of strategic and economic interests, prove at least tolerable to Micronesians, conform to the rhetoric of the administration's human rights policies, and not open a Pandora's box whereby Guam, American Samoa, Puerto Rico and the Virgin Islands, or even the new Marianas Commonwealth, might try to renegotiate their present status of permanent affiliation with the U.S.

The islands are individually and collectively too small, distant and culturally disintegrated for statehood in the near future; and their location on the rim of Asia only 500

Cont p. 5

MSC has just received the information on pages 3 and 4 from two different groups in Palau. Events in Palau are moving at a rapid pace, as these two documents indicate. At this stage, we will let them speak for themselves, and we hope to provide an analysis of the issues raised in future issues of the Bulletin.

Palauans Support Constitution

Dear Ambassador Rosenblatt:
Recently, representatives of the undersigned Concerned Citizens of Palau met in Koror with Mr. Don Paariberg of your office. We discussed the various confusing developments on the subject of Micronesian Future Political status. . .
. . . We hold that the Trusteeship Agreement contemplated a future Micronesian nation. Your government as party to this Agreement recognized this goal.

Your government further recognized the legitimacy of this view of a future Micronesian nation when it concluded with the Joint Committee on Future Political Status of the Congress of Micronesia, the Draft Compact of Free Association, a Post-Trusteeship political relationship between the U.S. Government and a future government of Micronesia. . .

The Constitution of the Federated States of Micronesia was drafted and will be presented before the Micronesian people for their endorsement in a referendum to be held on July 12, 1978. . .

The Referendum. . . will have profound meanings for our two peoples and progressive people everywhere. Americans and Micronesians alike, we believe, will look with certain pride at this mutual achievement so befitting civilized men. . . For us, the Federated States of Micronesia will be an attainment of an aspiration, long held, of a brethren people to unite in a nation of their own. Progressive people everywhere will welcome the new, free and democratic nation as another step closer to a world of Freedom and Justice. . .

We believe we made it clear to Mr. Paariberg that the only acceptable future political status for Palau is that which is contemplated in the Draft Constitution of the Federated States of Micronesia.

The revival of the whole future political status question is based, according to Mr. Paariberg, on the level of support the United States is prepared to render the people of Micronesia. The United States will not, according to the same Mr. Paariberg, render this certain level of support to the Federated States of Micronesia because our Draft Constitution contemplates independence. This information, so revealing in itself, we believe darkens the good name of the United States of America and the American People. We think it gives everyone very serious misgivings over the sincerity of President Carter's Human Rights program.

We wish to state for the record what must be evident already, that is: we do not view the legitimate aspirations of our people to form their own political family

Cont. p.4

Palau Leaders Respond to COM

PROCLAMATION OF PALAUAN LEADERS

Compelled by our deep responsibilities to our people and their future generations; and, in response to recent public attacks by a small group of Congress of Micronesia (COM) leaders against the integrity and dignity of Palau - we the undersigned solemnly join in this PROCLAMATION as an essential and timely expression of national indignation, will and unity:

WHEREAS, the people of Palau, on September 24, 1976, overwhelmingly decided in a free and open referendum to "negotiate separately and apart from the rest of Micronesia with the United States of America," their future political status; and,

WHEREAS, this statemen of the people's will irrevocably binds the elected representatives and leaders of Palau to pursue vigorously this mandate of the people; and,

WHEREAS, the Carter Administration has accepted this expression of the people's will and mandate to its elected representatives as the basis for its current official policy to recognize the Palau Political Status Commission as the sole representative of the people of Palau in the negotiations to terminate the Trusteeship; and,

WHEREAS, COM representatives Nakayama and Henry recently sent a cable to the President of the United Nations Security Council erroneously insisting that their interpretation of "Micronesian unity" is a principle of international law when this is clearly not the case; and,

WHEREAS, this cable to the United Nations Security Council, in effect, accuses the leadership of Palau of election fraud in the Popular Referendum of September 24, 1976 by declaring "serious election irregularities occurred in both places" (Palau and the Marshalls), when it is a matter of public record that there was not one vote officially challenged during or after the referendum in Palau making this accusation an irresponsible and malicious insult to our internal processes and institutions; and,

WHEREAS, this same handful of COM leaders have also prepared legislation designed to attempt to license illegal interference in Palau's sovereign political processes and institutions as exemplified in HJR No. 7-61, HD2, passed 8-29-77 which is entitled: "A House Joint Resolution expressing the support of the Congress of Micronesia for those peoples of the Marshall Islands and Palau Districts who desire to remain a part of a unified Micronesia," and,

WHEREAS, COM House Bill 7-382 passed, February 14, 1978 appropriates the sum of $304,000.00, the largest sum ever appropriated for any political cam-

Cont. p. 4

CONSTITUTION... Cont. from p. 3

as in any way connected with or affected by the level of support, financial or otherwise, that your government is prepared to render our people. Flaunting the dollar sign before the Micronesian people is an outrageous act, demeaning to both our peoples....

We are sorry to say here as we were when we informed your Mr. Paarlberg that the United States had been misled... To read the political aspirations of a people with a strong and highly developed political history, deeply rooted in their past, on the basis of utternaces of a certain newly organized political party or status commission necessarily produce incorrect feedback. The correct feedback and in fact the only feedback is this: Political powers in Palau are vested in the Traditional Leaders and supported without reservation by our people....

We believe it worthwhile to reflect on these truths: The Traditional Political System of Palau is time-tested. This system has roots reaching far back thousands of years into our past. To our people this system is more open and democratic than the elective system of these thirty-some years of Trusteeship Period. An experience of thirty-some years is an infant as compared to that of millenia. Palauans overwhelmingly identify with their Traditional Political System with powers vested in their Traditional Leaders. Any political policy toward Palau which ignores these important truths would be, in our view, highly provocative and irresponsible.

The validity of the above statement is demonstrated significantly by recent developments in the posture of the U.S-Palau Status Talks. We are sure you are aware, on the basis of feedback from your contacts here, that the Traditional Leaders since their boycott of your San Diego meeting have not participated in the activities of Palau Status Commission. This is largely due, we suspect, to their rejection of the political relationship your government advocate along with Palau Status Commission, that of Separate Political Status for Palau.

1. We suggest that your government conform to the fiduciary role originally intended and stipulated in the Trusteeship Agreement by the People of the world, including the American people. Without wishing to belabor the point, we believe the responsibility of the U.S. Government as Trustee includes at a minimum, a genuine effort on the part of her policy makers to resist the temptation to view their Micronesian wards as object of annexation or colonization.

2. Pursuant to the above we further suggest that you stop present or contemplated activities between your office and Palau Status Commission and confine yourself to dealing with the Congress of Micronesia on the subject of our future political status.

3. Finally, we suggest that your government adapt to a policy of non-interference on the Referendum on the Draft Constitution of the Federated States of Micronesia.

Our future, Mr. Rosenblatt, is in a political union with our fraternal Micronesian People from the Carolines to the Marshalls called THE FEDERATED STATES OF MICRONESIA.

Respectfully yours,
Concerned Citizens of Palau
Signed by 56 Palauans.

PALAU LEADERS... Cont from p. 3

paign in the T. T., to improperly attempt passage of their unrealistic and unacceptable constitution in Palau through excessive campaign spending, again intruding on our people's internal political decisions, and,

WHEREAS, in San Diego, on January 6, 1978, the COM Chairman of Future Political Status Baily Olter, formally committed the Congress and its Commission..."to undertake the drafting of language, which as a (negotiating) working paper of our own, would demonstrate in a positive way the principles we deem to be essential," and,

WHEREAS, instead of complying with this serious committment to distribute a working paper no later than 30 days after January 6, 1978 to the Status Commissions of Palau and the Marshalls, the COM passed a Resolution (SJR-7-63) to break this agreement and purposely delay the negotiations; and,

WHEREAS, in view of the intransigence and stall tactics of the COM, the paramount responsibility of the members of the Palau Political Status Commission is to now prepare intensively for the ongoing bilateral negotiations with the United States; and,

WHEREAS, the threats of "censure and expulsion" of our Status Commission Chairman from the COM are considered politically motivated for the specific purpose of trying to interfere in Palau's internal affairs and to force and intolerable future political status on our people;

THEREFORE, ...

WE, the undersigned, proclaim that:

1. The Palau Political Status Commission should not engage in any further multilateral negotiations at which the COM shall be represented.

2. The Palau Political Status Commission should vigorously continue to seek a just conclusion to the pending negotiations pursuant to its mandate

3. The Administering Authority should be petitioned forthwith to effectively separate the administration of the Palau District from what remains of the Trust Territory.

4. The Task Force of the Palau Political Status Commission should exert all efforts, including the exercise of subpoena power in connection with a full scale investigation of any external interference in Palau's sovereign internal processes before and during the COM referendum in July on their unrealistic and unacceptable constitution.

Signed by 125 Palauan elected officials, businessmen and others. February 22, 1978

Old Glory...

Cont. from p. 2

miles from Indonesia and the Philippines at the closest point and only 400 miles from the edge of Japan's 200-mile zone, may make them too politically sensitive to ever qualify. But it was the policy of the Nixon Administration and its predecessors to eventually bring about a new political status for Micronesia based on Guam's model as an unincorporated territory or Puerto Rico's as a commonwealth and created created by a recognized act of self-determination on the part of Micronesians. This was expected to result in the establishment of an entity which would be immune from international oversight, consistent with the U.S. position toward the U.N. decolonization committee's annual protest charging the U.S. with denying the right of self-determination to Guam and other island territories which the U.S. bought or conquered in the Spanish-American War or at other times.

In May 1977, the State Department, which is taking a more active role in the negotiations now than under Nixon or Ford, announced that the U.S. was prepared to grant independence to Micronesia if that should be the choice of the Micronesian people, since the "U.S. is not in the business of dictating such arrangements." Most of the press coverage of the statement emphasized this shift in policy. But, at the same time, the release also confirmed that the U.S. continues to support the broad outlines of the agreements reached between the U.S. and Micronesia prior to 1977 on military base rights. These rights are guaranteed to the U.S. in return for handsome financial support totalling more than $60 million a year under a status arrangement insisted upon by the Congress of Micronesia known as "free association" the only U.N.-approved status alternative to the granting of independence to colonies.

As its name suggests, it is a form of association freely entered into, and, more inportant, from which there must be free withdrawal through a guaranteed right to declare independence. Free association has received U.N. blessing in only one instance -- in the Cook Islands.

Cont. p. 6

Paul Jacobs

Paul Jacobs, a well known writer and close friend of many in Micronesia, died in early January of lung cancer. Shortly before he died, he said he just wanted to live a year to complete writing a book linking the Atomic Energy Commission's Nevada nuclear tests to his cancer.

Paul's writing on Micronesia, after he went to Palau and the Marshalls in 1977, syndicated throughout the nation, probably brought as much national attention to Micronesia as the earlier revelations of CIA bugging.

Paul had worked closely with the independence movement people in Palau in the early 1970's and was instrumental in helping fund their newspaper, still the only one on the island.

Paul was a good friend of many who work with MSC. He was supportive of MSC's work, contributing much of his time and energy to help MSC, and, on more than one occasion, helping MSC through financial straits by obtaining substantial grants for the Committee.

Although Paul did not smoke, and was in excellent health because of daily work outs, the lung cancer which killed him at 59 was that found in heavy smokers or people who have inhaled radioactive dust. We may never know the cause of his death, now that his book can't be completed, but he was working feverishly on a film on the effects of the Nevada tests that will be completed in the near future.

Someone said it seemed that almost everyone knew Paul and you either loved him or you didn't.

We did and we'll miss him.

HELP!

Dear Friends of MSC,

We want to thank all of you who have sent contributions to MSC in the past few months. It has kept the Bulletin coming out on a regular basis, enabled us to print new pamphlets on Micronesia, expand our mailing list to over 1200, and often send additional material to our many readers.

MSC is the only organization in the U.S. regularly publishing information on Micronesia.

Since MSC is a totally volunteer group, all the contributions received go directly to expenses for the Bulletin and other projects.

MSC is now at a critical stage. We are expanding our readership at a fast pace, but the contributions are not keeping up with the rising costs of the Bulletin. Right now, MSC is about one month behind on the bills. The average cost for the Bulletin each month is now: postage...$137.00; production and supplies...$50.00. It is costing MSC close to $200 per month for the Bulletin alone, not to mention other postage costs, printing of publications, etc.

We need your support urgently if we are to continue to bring you news of Micronesia. If you haven't sent us a contribution, or can't remember the last one (or even if you can) please send one today.

Old Glory...

Cont. from p. 5

a colony of New Zealand. Great Britain granted autonomy to a West Indies Federation in 1967 under terms it considered consistent with free association but which have never been recognized by the U.N. The dispatching of British troops to Anguilla shortly after the federation was formed illustrated the extent of autonomy that had been granted. As the U.S. sees it, free association can "best serve the present interests and needs of the peoples of Micronesia, provide the best basis for U.S.-Micronesian relations, and yet not jeopardize the opportunity of the peoples of Micronesia to choose freely their ultimate status, including independence." The emphasis on the transitional character of free association is a marked contrast to the viewpoint of the Nixon-Ford era which looked upon free association largely as a terminal status.

A draft compact was initialled by U.S. and Micronesian negotiators in June 1976 which elaborates the structure of free association in such a way that nearly all internal affairs would be in Micronesian hands although financing would be provided largely by the U.S. for at least 15 years. Foreign affairs and defense, including the right to build bases and to deny use of Micronesian territory to other countries, would be the domain of the U.S.

An Independence Coalition was formed in 1971 that had among its members eleven out of thirty-three of the members of the Congress of Micronesia. In August 1972 at a special session of the Congress, Roman Tmetuchl, who now heads the Palau separatist movement, succeeded in winning passage of a resolution directing the Micronesian Joint Committee on Future Status to begin negotiating for independence as well as free association. At the next round of talks in September near Honolulu, the U.S. was formally asked to discuss independence by Lazarus Salii, chairman of the Micronesian delegation, so that Micronesians might be presented with a full range of options in a plebescite. Haydn Williams, chief American negotiator with rank of ambassador, and also president of the Asia Foundation, refused to discuss the subject, claiming that neither side was prepared to do so without more groundwork. But a Carnegie Endowment study by Donald McHenry (now the deputy U.S. representative to the Security Council) says the "fact is the U.S. delegation was specifically instructed to avoid a discussion of independence." In addition, he goes on, "in a not too veiled threat..., the U.S. let the Micronesians know that the U.S. strategic requirements would not countenance independence."

This position was amplified at the Trusteeship Council meetings the following May when the American representative affirmed that the U.S. had "never refused to discuss independence as a status alternative." But when asked by the French delegate about the forms independence might take, answered that he was not "really able to respond to the question...because I do not truly expect the negotiations to fail." There was no reference to the fact that the Congress of Micronesia had already made a formal request to negotiate for independence.

Faced with this unwillingness to recognize that the Congress had asked to discuss independence and also a personal commitment of delegation Chairman Salii to free association, the pressure for independence was difficult to sustain, especially without support from the media and the support of other nations. In 1973, the leader of the Independence Coalition, Hans Wiliander, who came from Truk, the stronghold of the movement for independence, was defeated in his bid for re-election by a candidate who had the backing of the Trust Territory government. Since then, the coalition has dissipated as an organized force and most Micronesians, or those whose opinions can be measured by public statements, are willing to accept some sort of association with the U.S. at least for a transitional period, and the Congress remains officially supportive of eventually reaching an agreement on free association. Neither Palau nor the Marshalls has been consistent or precise about their preference for future status, but both districts seem to favor the continuance of ties with the U.S.

Next month: The Political Status Negotiations

INFORMATION AVAILABLE:

[] 2-page Micronesia Fact-sheet with map
[] Superport for Palau? 14 pages, maps, chronology, pollution info etc...$1
[] Micronesia and the Law of the Sea, by E.A. Poe 25 pages...$1
[] 2-page Palau Superport Fact-sheet with maps
[] Back issues of MSC Bulletin, issues 1-13, Vol. 2 No. 1-9 on request Specify.
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