

Message Text

SECRET

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FM SECSTATE WASHDC

TO CINCPACFLT MAKALAPA HI

S E C R E T STATE 116037

LIMDIS

FOLLOWING MESSAGE SENT ACTION AMEMBASSY MANILA INFO AMCONSUL
HONG KONG USLO PEKING AMEMBASSY TAIPEI 19 MAY 75; ALSO SENT
INFO CINCPAC HONOLULU HI FROM SECSTATE WASHDC 20 MAY 75:

QUOTE S E C R E T STATE 116037

LIMDIS

E.O. 11652: GDS

TAGS: PBOR, RP, CH, VN, TW

SUBJECT: DISPUTED TERRITORIES IN SOUTH CHINA SEA

REFS: AWM MANILA 4777; B. MANILA 5250; C. MANILA 5355;

D. MANILA 6119

1. U.S. POSITION REGARDING THE SPRATLY ISLANDS REMAINS
THAT CONVEYED TO POSTS IN SUMMER OF 1974, I.E., OUR POLICY
OBJECTIVE IS ONE OF NON-INVOLVEMENT, AND OUR PUBLIC POSI-
TION, WHEN QUERIED, IS THAT THE U.S. "TAKES NO POSITION ON
THE SOVEREIGNTY OF THESE DISPUTED ISLANDS" AND WOULD DE-
PLORE THE USE OF FORCE.

2. AS YOU SUGGESTED TO PRESIDENT MARCOS, NORTH VIETNAM'S

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OCCUPATION OF SOUTH WEST CAY AND NAMYIT ISLAND WAS PROBABLY

INTENDED IN PART TO PREEMPT MOVES BY OTHER CLAIMANTS INCLUDING THE PRC. WE DOUBT THAT IT PRESAGES AN EARLY DRV ATTACK ON EITHER PHILIPPINE OR ROC OUTPOSTS IN THE SPRATLYS BECAUSE OF ITS STAKE IN GOOD RELATIONS WITH THE DRV AND WITH THE REST OF SOUTHEAST ASIA, PRC ATTACK ON PHILIPPINE IS UNLIKELY AT THIS TIME. (PRC POLICY TOWARD OTHER SPRATLY ISLANDS COMPLICATED BY ROC OCCUPATION OF ITU ABA).

3. THE CAUTIOUS NATURE OF MARCOS' CONVERSATION WITH YOU, THE DRA TACTIC OF NOTIFYING US IN THE CONTEXT OF SEATO RELATIONSHIP, AND THE SKIRTING OF THE ISSUE IN ENRILE AND PAZ CONVERSATIONS WITH U.S. OFFICIALS SEEM TO INDICATE THAT THE GOP ANTICIPATES U.S. POSITION THAT MUTUAL DEFENSE TREATY PROVISIONS DO NOT APPLY TO SPRATLYS. DEPARTMENT BELIEVES THEREFORE, THAT THE POSITION YOU TOOK IN DISCUSSION WITH MARCOS (REF C) SHOULD MEET THE IMMEDIATE NEEDS.

4. FYI. THE PREFERRED LEGAL POSITION IS THAT THE TREATY DOES NOT APPLY AND AS A PRACTICAL MATTER THAT IS THE ONLY CONCLUSION WE CAN REACH. IF THE DRV OR PRC, CONTRARY TO OUR CURRENT EXPECTATIONS, SHOULD ATTACK PHILIPPINE-HELD TERRITORY IN THE SPRATLYS, WE WOULD OF COURSE CONSIDER HELPFUL POLITICAL ACTIONS REGARDLESS OF OUR TREATY OBLIGATIONS. END FYI.

5. THUS YOU SHOULD DO YOUR BEST TO AVOID ANY FURTHER DISCUSSION OF THIS ISSUE. IF IT IS RAISED AGAIN BY THE PHILIPPINE SIDE, YOU SHOULD SAY THAT THE USG TAKES NO POSITION ON SOVEREIGNTY OVER THE PARACELS OR THE SPRATLYS. YOU SHOULD ALSO REITERATE THAT WE HOPE THAT ANY DISPUTE CAN BE SETTLED PEACEFULLY BY THE PARTIES CONCERNED. (WE RECOGNIZE THIS IS THIN GRUEL BUT IT IS OUR CAREFULLY CONSIDERED POLICY.)

6. WE ARE REVIEWING CONTINGENCIES AND OPTIONS AVAILABLE TO US. THIS REVIEW MAY RESULT IN FURTHER GUIDANCE TO YOU, BUT IT IS MOST UNLIKELY, GIVEN THE DILEMMAS INVOLVED, THAT WE WILL BE ABLE TO AGREE TO ANY ACTIONS WHICH WOULD BE ENCOURAGING TO THE GOP. INGERSOLL UNQUOTE KISSINGER

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NNN

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