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AEC 125/28

April 3, 1956

COPY NO. 14

ATOMIC ENERGY COMMISSION

PETITIONS OF THE MARSHALLESE AND RELATED UN
ACTIONS

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Note by the Secretary

The following listed enclosures are circulated for the information of the Commission by request of the General Manager.

- Enclosure I - Letter Macpherson to High Commissioner 3-11-56 w/enclosures.
- Enclosure II - Macpherson to Secretary General, UN 3-11-56.
- Enclosure III - Communication from Marshallese Congress Hold-Over Committee.
- Enclosure IV - Draft Statement by U. S. Representative.
- Enclosure V - Draft Resolution - Approved in Subcommittee on Petitions.
- Enclosure VI - News Release re UN "Blessing" of Nuclear Tests by U. S.
- Enclosure VII - U.N. Unit Sanctions, U.S. Nuclear Tests.

W. B. McCOOL
Secretary

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General Counsel	10
International Affairs	11
Military Application	12
Spec.Asst. to GM (Liaison)	13
Secretariat	14-16

4-3-56

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ENCLOSURE I

11 March 1956

Sir:

In accordance with rule 84 paragraph 2 of the rules of procedure of the Trusteeship Council, I have the honour to transmit to you a copy of a communication dated 9 March 1956, from the Marshallese Congress Hold-Over Committee, addressed to the United Nations Visiting Mission to Trust Territories in the Pacific.

The original is being transmitted to the Secretary-General of the United Nations.

Very truly yours,

/s/

Sir John Macpherson
Chairman, United Nations Visiting
Mission to the Trust Territories
in the Pacific

The Acting High Commissioner of the Trust
Territory of the Pacific Islands,
Majuro,
Pacific

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ENCLOSURE II

Majuro, 11 March 1956

Sir,

In accordance with rule 84 paragraph 1 of the rules of procedure of the Trusteeship Council, I have the honour to transmit to you a communication dated 9 March 1956 from the Marshallese Congress Hold-Over Committee which was received by the Visiting Mission to the Trust Territories in the Pacific.

A copy of this communication has been transmitted to the Acting High Commissioner of the Trust Territory.

In transmitting the present communication to the Secretary-General the Mission wishes to record the circumstances in which it was received.

On 8 March 1956, the Mission held a meeting at Majuro with the members of the Marshallese Congress Hold-Over Committee in the course of which a wide range of matters came under discussion. The Committee stated that the people of the Marshall Islands had been informed officially that further nuclear tests would take place in the near future in the Trust Territory. The Committee wished to go on record before the Visiting Mission that they reiterated the position they had taken when they presented their petition in April 1954, namely; (a) that nuclear explosion tests in the Marshalls be discontinued; (b) that if these experiments were absolutely necessary for the eventual well-being of all the people of the world and could not take place elsewhere, all measures enumerated in their petition (T/Pet.10/28) should be taken.

On the following day the Mission held a private meeting of its own to discuss several matters. During this meeting, doubts were expressed as to whether it was the intention of the Hold-Over Committee that their statement should be brought to the attention of the Trusteeship Council prior to the completion of the Visiting Mission's report. In order to clarify the situation, the Mission called in a representative of the Hold-Over Committee who stated that the Committee wished to have its views brought to the immediate attention of the Trusteeship Council and was prepared to put them in writing. On 10 March the Mission received the present communication.

The Mission also desires to record that during a discussion with him, the Acting High Commissioner informed the Mission that all possible precautions were being taken to ensure the safety and the well-being of the people in the vicinity of the test areas.

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It is requested that the present letter be transmitted to the members of the Trusteeship Council at the same time as the attached communications.

Very truly yours,

/s/

Sir John Macpherson
Chairman, United Nations Visiting
Mission to the Trust Territories
in the Pacific

Secretary-General,
United Nations,
New York 17,
N. Y.

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ENCLOSURE III

March 9th, 1956

TO : The United Nations Visiting Mission
FROM : The Marshallese Congress Hold-Over Committee
SUBJECT: RE-ITERATION OF THE MARSHALLESE PEOPLE'S PETITION TO
THE UNITED NATIONS, DATED, APRIL 20th, 1954, REGARDING
THE EXPLOSION OF LETHAL WEAPONS WITHIN OUR HOME ISLANDS

In view of the official announcement to the Marshallese people of the coming nuclear test in this area in the not too distant future, we, the members of the Marshallese Congress Hold-Over Committee and other interested leaders of our people re-iterate our petition of April 20th, 1954, which dealt with the explosion of lethal weapons within our home islands.

Our petition emphatically stated that:

1. All the experiments with lethal weapons within this area be immediately ceased.

2. If the experiments with said weapons should be judged absolutely necessary for the eventual well being of all the people of this world and cannot be stopped or changed to other areas due to the unavailability of other locations, we then submit the following suggestions:

a. All possible precautionary measures be taken before such weapons are exploded. All human beings and their valuable possessions be transported to safe distance first, before such explosions occur.

b. All the people living in this area be instructed in safety measures. The people of Rongelap would have avoided much danger if they had known not to drink the waters on their home island after the radioactive dusts had settled on them.

c. Adequate funds be set aside to pay for the possessions of the people in case they will have to be moved from their homes. This will include lands, houses and whatever possessions they cannot take with them, so that the unsatisfactory arrangements for the Bikinians and Eniwetok people shall not be repeated.

d. Courses be taught to Marshallese Medical Practitioners and Health-Aides which will be useful in the detecting of and the circumventing of preventable dangers.

Our request Number 1 was not heeded, another test will soon be made. Request Number 2, to some degree, has been taken care of to the satisfaction of the Marshallese people. The Rongelap

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people are well subsisted and housed, and the medical care rendered them is excellent, yet, they are still on the small island of Fjit; but together with the Administering Authority, the responsible Rongelap leaders, and other Marshallese realize that long living in an abnormal existence is detrimental to their society. They were told that they will soon be going back to their home island, Rongelap, and with them, the other Marshallese are looking forward to the fulfillment of this promise.

Bikini and Eniwetok, like all the other land claims in the Marshall Islands, have not been compensated for, or returned to the owners. We should like to repeat here that, "Land means a great deal to the Marshallese. It means more than just a place where you can plant your food crops and build your houses; or a place where you can bury your dead. It is the very life of the people. Take away their land and their spirits go also."

Therefore, we, the members of the Marshallese Congress Hold-Over Committee, who are empowered by the Marshallese Congress to act in its name when it is not in session and which is in turn a group of members representing all the municipalities in the Marshalls, due to the undiminishing threat to our life, liberty, happiness and possession of land, do hereby submit this document to the United Nations Visiting Mission with the request that they send this on to the United Nations Trusteeship Council as soon as possible, which with its knowledge of our great concern may then act on our urgent plea and take all steps within its power to help remedy the situation.

In closing, we, the members of the Marshallese Congress Hold-Over Committee want to make it very clear to the United Nations Visiting Mission that this should not be interpreted as a reflection of the Trust Territory Government's deliberate ill-treatment of the Marshallese people or be misconstrued as a repudiation of the United States as our governing agency for the United Nations under the trusteeship agreement, for aside from repeating our plea to have the nuclear tests within our home islands stopped as we are fearful of the danger these lethal weapons can and have inflicted on people living in the Marshalls, and the deep concern we have for the number of people who have been dispossessed of land, we have found the Administering Authority the most agreeable one we ever had.

Respectfully submitted,

- | | |
|-------------------------|-------------------------|
| 1. Kabua Kabua _____ | 7. Henry Samuel _____ |
| 2. Atlan Anien _____ | 8. Jiblok _____ |
| 3. Dwight Heine _____ | 9. Aiseia David _____ |
| 4. Robert Reimers _____ | 10. Amata Kabua _____ |
| 5. Carl Dominick _____ | 11. Lazarus Simon _____ |
| 6. Namu Ermius _____ | 12. Lajibili _____ |

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ENCLOSURE IV

DRAFT STATEMENT ON NUCLEAR TESTS IN US TRUST TERRITORY
BY U.S. REPRESENTATIVE TO TRUSTEESHIP COUNCIL'S
SUBCOMMITTEE ON PETITIONS

Mr. President,

Nothing would please the United States more than to be able to comply with the wishes of the Marshallese people that nuclear tests be discontinued in their islands, but this is not yet possible. I can, however, assure the Council (the Committee) and the Marshallese people that the decision to hold further tests in these islands was considered a matter of such gravity that it was taken by President Eisenhower himself. Moreover, it was not taken until very careful and comprehensive studies were made that convinced him that there was at present no practicable alternative.

Under President Eisenhower's leadership, my Government is earnestly seeking, along with other governments, a fully safeguarded disarmament agreement which would make such tests unnecessary. Until such an agreement has been reached, and as long as there is the threat of Soviet aggression, elementary prudence requires the United States to continue its tests. It is our conviction that we have a responsibility not only to ourselves but to all the peoples of the free world to maintain at a maximum our capacity to deter aggression and preserve peace. Thus we do believe that, under present circumstances, further tests are "absolutely necessary for the eventual well-being of all the people of this world."

The question remains as to whether such tests could not be conducted elsewhere than in the Trust Territory of the Pacific Islands. An exhaustive examination of alternative sites

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in the United States and in other parts of the world was undertaken. The conclusion reached was that there was no other technically suitable site available where such complete safeguards against possible hazards could be taken.

Even after this conclusion was reached, there was no decision to hold further tests in the islands until a system of precautionary measures was worked out that gave convincing assurance that no human being, inhabitant of the Trust Territory or otherwise would be in any way endangered by the tests.

Thus we believe that, although we are regrettably unable to comply with the first request of the petitioners, we are so far as is humanly possible complying with the second, namely that "all possible precautionary measures be taken before such weapons are exploded."

To begin with, we have established a warning area that does not include any inhabited portion of the trust territory. The boundaries of this area, and the date they become effective since March 1st are being publicized by all available means, not only in the trust territory but to all parts of the world. Every effort has been made to see that the people of the trust territory, as well as all other people, are aware well in advance that it will be dangerous to enter this area after April 20th. Such warnings alone will not be solely relied upon, but elaborate sea and air patrols before each test will be conducted to make sure that no vessel or aircraft has strayed into the area.

I should like to refer to AEC Chairman Strauss' January 12 statement to the effect that:

"The forthcoming series of nuclear tests at the Eniwetok Proving Grounds, as announced today by the Commission and the

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Department of Defense, will involve weapons generally smaller in yield than those tested during the 1954 test series."

No test will be held if there is any possibility that areas outside the danger area would be affected.

The timing of all test shots will be governed by the judgment of weather experts assisted by new devices and techniques. The precautions that we will take will ensure that "fall-out" will occur only in the danger area.

Among the steps that will be taken are the following:

1. Improved techniques will provide for more reliable weather predictions. The number of weather stations in the Pacific will be increased, aircraft will fly at high altitude to collect weather data and new type weather balloons and rockets will ascend to greater altitudes to gather weather data. Recently developed computers have mechanized most of the computational problem of predicting "fall-out" patterns, permitting forecasts to be made more rapidly than heretofore.

2. On the day of each detonation, four separate aerial flights will be initiated to accomplish a quick radiological survey of the islands and surrounding seas.

3. There will be U.S. Air Weather Service and U.S. Public Health Service personnel present on 16 islands for monitoring purposes. They will be equipped with adequate radiological monitoring devices and two-way radios. These islands are as follows: Rongerik, Tarawa, Wotho, Utirik, Majuro, Kusaie, Ujelang, Midway, Kwajalein, Iwo Jima, Guam, Johnson, Truk, Wake, Ponape, and Rongelap.

4. Radioactive clouds caused by the tests will be tracked by airplanes so that the effect of unexpected wind changes can be anticipated.

In paragraph 2 (a) of their petition, the Marshallese request that "all human beings and their valuable possessions be transported to safe distance first, before such explosions occur." I would reiterate that the warning area does not contain any inhabited islands and it will not be necessary to evacuate any of the Marshallese people from their present homes. Nevertheless, as in all good planning, complete plans have been prepared for the evacuation of the inhabitants should such a measure be needed.

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In paragraph 2 (b) the petitioners request that "all the people living in this area be instructed in safety measures," and in paragraph 2 (d) they ask that "courses be taught to Marshallese Medical Practitioners and Health-Aides which will be useful in the detecting of and the circumventing of preventable dangers." These requests are being met in the following way: Scientific personnel, known as Radiological Safety Teams, who are trained radiological monitors fully acquainted with the necessary safety presentations will be within easy access of the entire Marshallese population if they are needed. Medical doctors will also be in the area prior to and during the new series of tests; training will be given to Marshallese medical practitioners and health aides in all basic emergency measures.

In paragraph 2(c) the petitioners request that "adequate funds be set aside to pay for the possessions of the people in case they will have to be moved from their homes. This will include lands, houses and whatever possessions they cannot take with them." As I have said, it is not anticipated that any of the inhabitants will have to be moved from their homes; however, should this prove necessary or should the inhabitants suffer any other hardship as a result of the tests, adequate funds as well as other facilities will be available to make appropriate compensation.

We appreciate the petitioners' view that the people of Rongelap, who were evacuated from their homes after the last tests, have been well cared for by the Administering Authority in their temporary location at Fjit. The United States Special Representative described in some detail to the Sixteenth Session of the Council the measures being taken to care for the displaced Rongelapese. He made clear that the Administration

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is at the same time acutely aware that these temporary arrangements do not provide a normal existence for these people. He indicated that it was the Administration's intention to repatriate them as soon as scientific surveys indicate that there will be no danger to the inhabitants in so doing. Several such surveys have been made, one very recently, and it is now hoped that this move can be made in the early autumn.

One of the most difficult questions referred to by the petitioners is that of the land claims in the Marshall Islands, particularly those of the people of Bikini and Eniwetok. It is unfortunately true that in the complicated process of settling land claims in the Territory other districts have been dealt with before the Marshall Islands District. Thus, despite considerable progress towards over-all settlement, the Marshall Islanders do have cause for dissatisfaction, as no settlements have been made in their district. Recently, however, agreement has been reached within the Government on general terms under which compensation would be made for the use of certain types of land, including Bikini and Eniwetok. Administrative arrangements are now being worked out pursuant to this agreement in order to permit early satisfaction of the claims.

My delegation deeply appreciates the friendly sentiments toward the United States expressed by the petitioners, all of them legislative representatives of the Marshallese people. I hope that, despite the decision that my Government has felt obliged to take, the other measures I have described will reassure them, as well as the Council, that my Government is exercising its trust with the highest possible sense of responsibility, conditioned only by its broader responsibility for world peace and security.

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ENCLOSURE V

DRAFT RESOLUTION

APPROVED IN SUBCOMMITTEE ON PETITIONS BY VOTES
OF AUSTRALIA, BELGIUM AND HAITI; INDIA AND
USSR VOTED "NO" AND FRANCE ABSTAINED FROM
VOTING

The Trusteeship Council

Having examined the petition from the Marshallese Hold-Over Committee (T/Pet.10/29) and from Mr. A. Elliott Castello (T/Pet.10/L.1) concerning the conducting of nuclear testing in and near the Trust Territory of the Pacific Islands;

Recalling its Resolution 1082 (XIV), which deals with certain aspects of nuclear testing carried on within the area of a strategic trust territory in particular,

Having regard to the view of the Marshallese petitioners that "experiments with lethal weapons" should cease, or if they are considered "necessary for the eventual well being of this world and cannot be stopped or changed to other areas.... all possible precautionary measures be taken before such weapons are exploded";

Nothing the statement of the Administering Authority that it has decided that further nuclear weapons tests are necessary in the interest of maintaining international peace and security,

Recalling also the recommendation of the Council "that if the Administering Authority considers it necessary in the interests of world peace and security to conduct further nuclear experiments in the Territory, it take such precautions as will ensure that no inhabitants of the Territory are again endangered, including those precautionary measures requested by the petitioners",

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Having heard the statement of the United States Representative as to the precautions which are being taken to avoid any danger to human life within the area where the forthcoming tests are being conducted,

Reaffirms its previous resolution and further Recommends that,

1. All necessary precautionary measures against dangers be taken, including those already mentioned by the Administering Authority;
2. Urgent steps be taken to complete the settlement of all just claims of the former inhabitants of Bikini and Eniwetok for the loss of their lands in connection with the establishment of a nuclear testing area, and
3. Adequate provision be made for compensation for any losses that might occur as a result of the new series of tests.

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ENCLOSURE VI

ITEM FROM THE NEWS TICKER

March 29, 1956

(ATOMIC TESTS)

United Nations, N.Y. -- The U.N. gave its blessing today to next month's scheduled tests of American Nuclear Weapons in the Pacific.

The U.N. Trusteeship Council overrode Russian and Indian objections to the tests and approved by a vote a resolution approving the tests in the Marshall Islands providing all necessary safeguards are taken. The Marshall Islands, which include Bikini and Eniwetok, are part of the Pacific trust area administered by the U.S. under U.N. supervision.

India's V. K. Krishna Menon led the move to have the April tests outlawed. He charged that previous American tests in the area had increased the radioactivity of the seawater by 10 per cent and that there was a hazard that humans might eat radioactive fish.

Although Menon also called for an end to similar Russian experimental explosions, he insisted that such tests should not be held by any U.N. Trust Territory on the ground that such areas belong to no particular country but are the responsibility of the world organization.

He called the council's attention to vigorous protests from the Japanese and Marshallese against any further nuclear experiments in the Pacific.

United States delegate Benjamin Gerig replied that there was no scientific evidence that any person had been harmed by handling or eating fish contaminated in previous explosions.

Gerig assured the Council that all safeguards are being taken to protect the Marshallese and to compensate them for any damage or inconvenience.

All ships and planes have been warned to stay out of a 500,000 square mile area surrounding the test site beginning April 20 and the U. S. planned extensive air and sea patrols to guard against any unprotected vessels "straying" into the area.

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ENCLOSURE VII

U. N. UNIT SANCTIONS

U. S. NUCLEAR TESTS

UNITED NATIONS, N. Y., March 29 - V. K. Krishna Menon of India deplored today attribution to President Eisenhower of ultimate responsibility for the decision to hold further tests of nuclear weapons in the Pacific proving grounds. They are projected for April.

As his country's representative, the Indian spokesman reminded members of the Trusteeship Council, he is free to discuss the actions of governments but not to comment in any way on those of a head of state.

The President's name was mentioned in the United States' observations on a petition by Marshall Islanders opposing the tests. Mr. Krishna Menon said this was in conformity with a custom in certain countries that in effect placed discussion of the issue on a political level it did not otherwise merit.

Although joined by the Soviet Union, Burma and Syria, India lost by 9 to 4 its attempt to prevent adoption of recommendations by the Petitions Committee of the council. The council, in effect, thus sanctioned the Pacific experiments. Guatemala, lacking instructions on the matter, did not participate in the voting. Australia, Belgium, Britain, China, France, Haiti, Italy and New Zealand lined up with the United States on the affirmative side.

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