



UNITED NATIONS  
TRUSTEESHIP  
COUNCIL

UN LIBRARY  
OCT 10 1985



Distr.  
GENERAL

T/PET.10/346  
12 September 1985

ORIGINAL: ENGLISH

PETITION FROM MR. DAVID R. ANDERSON OF WILMER, CUTLER AND  
PICKERING, ATTORNEY FOR THE PEOPLE OF ENEWETAK, CONCERNING  
THE TRUST TERRITORY OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 85, paragraph 1,  
of the rules of procedure of the Trusteeship Council)

WILMER, CUTLER & PICKERING  
1666 K Street, N. W.  
Washington, D.C. 20006

6 June 1985

H.E. Mr. Peter Malcolm Maxey, C. M. G.  
President  
Trusteeship Council  
New York, N. Y. 10017

Dear Ambassador Maxey:

The purpose of this letter is to follow up on the petition presented by the people of Enewetak to the fifty-second session of the Trusteeship Council at the meeting held on Wednesday, 15 May 1985. 1/ The petition asks that the Council not approve the termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands 2/ until the United States provides for the continuation of the Enewetak Support Program.

Under the Enewetak Support Program, the United States, as the Administering Authority, provides a number of services to the people of Enewetak. These include the provision of food; an agricultural programme which has as its goal the replacement of crops destroyed during the nuclear testing programme and the subsequent clean up; a health care programme; and the services of a small motor sailer. Currently, the budget for these services is \$US 900,000 a year (plus the amount required for the health care programme). All of the services are necessary for the maintenance of the community on Enewetak and all are scheduled to be discontinued by the United States upon termination of the Trusteeship Agreement.

To date, from all that I have been able to learn, the United States has made no plans to continue the programmes or to transfer responsibility for their administration and funding to any other entity, public or private. Unless adequate provision is made to continue these programmes, however, the people of Enewetak will be left without an adequate supply of food; the crop replacement programme will be jeopardized, as will the health care programme and the use of the motor sailer. The result will be that the already precarious position of the community on Enewetak will be rendered even more precarious.

As you know, the United States undertook a number of obligations when it accepted the trusteeship responsibility. There is a very strong case that it has not fulfilled these obligations with respect to the people of Enewetak. First of all, the use of Enewetak Atoll for the nuclear testing programme went far beyond the limited right of the Administering Authority to provide for the defence of the area. Second, the efforts of the United States to restore Enewetak to a habitable condition after the testing are incomplete. Third, the United States has not, by training, example or otherwise, put in place on Enewetak either the trained personnel or physical facilities necessary to permit the people of Enewetak to administer the Enewetak Support Program for themselves. Moreover, the Government of the Marshall Islands has so far taken no steps to assume responsibility for the administration of the programme or its funding. On the contrary, it has informed the relevant committee in Congress that it will not accept the financial responsibility for the programme.

Against this background, the United States will soon be before you asking that the Trusteeship Agreement be terminated. As matters stand, the people of Enewetak believe that this request would be premature. The United States ought not to be permitted to close up shop in the Trust Territory until it has made adequate arrangements for the continued well-being of the people of Enewetak. Unless it does, we ask you to withhold approval of its request.

Sincerely yours,

(Signed) David R. ANDERSON  
Attorney for the  
people of Enewetak

cc: H.E. Mr. Harvey J. Feldman

Notes

1/ See T/PET.10/340.

2/ United Nations publication, Sales No. 1957.VI.A.1.

-----