

# On Eniwetok

# MLSC SAYS TT LIED

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News Saipan Bureau

SAIPAN — The Micronesian Legal Services Corp. has branded as "absolutely false" a Trust Territory claim that the reversion of Eniwetok atoll to its displaced people is being delayed solely at the request of MLSC attorneys.

Responding to a story carried in the Micronesian News Service this week, MLSC Director Theodore R. Mitchell said in a statement that MLSC, which represents the Eniwetokese, was not contacted about a reversion agreement until one working day before a Dec. 31 deadline suggested by U.S. Ambassador Franklin Haydn Williams and Trust Territory High Commissioner Edward E. Johnston.

Mitchell's statement reads:

"In April, 1972, Ambassador Franklin Haydn Williams and the High Commissioner jointly announced that by the end of calendar 1973, the U.S. military would give up Eniwetok atoll. The atoll has been taken by the military in 1947 and held for nuclear and other testing up

until that time.

"As counsel for the people of Eniwetok, MLSC attorneys have repeatedly asked the Trust Territory Government and Defense Department officials to confer on the exact terms of the reversion. Nothing, however, was heard from the Trust Territory government until Friday, Dec. 28, 1973, one working day before the deadline. On that day, Mamoru Nakamura, Deputy Attorney General, and Lyle Richmond, of the Attorney General's office, rushed into the MLSC Office on Saipan with a complicated three-page legal document, many provisions of which involve difficult and important questions. Attorneys Nakamura and Richmond wanted MLSC attorneys to immediately agree, on behalf of the People of Eniwetok.

"Instead, the Attorney General's representatives were told that the matter would have to be studied, analyzed and the people of the Eniwetok themselves would have to decide whether they agree or disagree

with the proposed terms of the reversion of the atoll.

Jan. 2, Russell Walker, District Attorney in the Marshall Islands, went to the MLSC Office there. He insisted that the Majuro MLSC attorney get on the radio to the people of Eniwetok to obtain their consent to the government's document. That request was refused.

Ambassador Williams and High Commissioner Johnston, eight months ago, announced that the U.S. military would relinquish Eniwetok atoll. During that eight months, no effort whatsoever was made by the High Commissioner or anybody else in the Trust Territory government to confer with the people of Eniwetok or their counsel, until less than one working day before the deadline. The MNS news story cites "a spokesman for the TT Attorney General's office" as

having said that the "instrument of transfer has been ready for signature, at least as far as the U.S. Government and the TT administration is concerned, since before Dec. 31."

The MNS story goes on to say that MLSC attorney James Licke "asked that the transfer be delayed until consultations with the representatives of the People of Eniwetok can be completed." Throughout the story, an attempt is made to create the impression that MLSC attorneys for the people of Eniwetok are unreasonably delaying the long hoped for release of Eniwetok by the military. In light of the foregoing, that impression is obviously false. Any delay is a direct and sole result of the failure of the Trust Territory Government to expeditiously and appropriately plan the reversion in full consultation with the people of Eniwetok,

during the last eight months.

It is unfortunate that a matter as important as this has not been handled more expeditiously by the government officials involved and it is especially inappropriate, since Ambassador Williams, High Commissioner Johnston and Deputy High Commissioner Peter T. Coleman have repeatedly promised full cooperation and consultation with the people of Eniwetok on all matters concerning the atoll during this period of transition.

In a letter dated Jan. 7 to Deputy High Commissioner Peter T. Coleman, MLSC attorneys did all they could. They promised to review the document and at the earliest opportunity confer with their clients and then engage in discussions with the Trust Territory government about the appropriate terms for military relinquishment of the atoll."

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