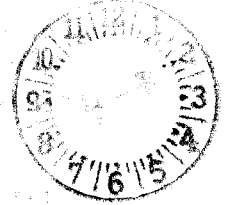


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TRUST TERRITORY OF THE
PACIFIC ISLANDS
SAIPAN DISTRICT

U.S. DEPARTMENT
OF THE INTERIOR
GENERAL MAIL ROOM
10 APR 1959



1 April 1959

From: The Undersigned
To: The United Nations Trusteeship Council
Subj: Claims of Saipanese people - submission of

Reg. No. _____
Dist. No. _____

Purpose

The purpose of this writing is to submit additional facts related to our Petition resubmitted to the 1959 U.N. Visiting Mission by our local legislature for losses of properties and lives that occurred by action of warfare during the invasion of Saipan and Tinian in World War II, and to support said claims for a subsequent discussion by the United Nations Trusteeship Council.

Historical Background

(a) About 140 years after the discovery of the Marianas by Magellan, the Spanish Government launched a ruthless war against the inhabitants of the Marianas which lasted over 100 years. This war practically annihilated the population of the Marianas, and reduced the estimated figure of 100,000 inhabitants to approximately 3400. Their farms and homes totally destroyed. No compensation was made for the destruction of properties and lives. In 1898 Guam was occupied by the United States as a consequence of the Spanish-American War and all the islands north of Guam were sold to Germany in 1899 without the knowledge and consent of the inhabitants of the Territory.

(b) The German Government occupied the Northern Marianas until 14 October 1914 at the outbreak of the First World War when Japan invaded and occupied the islands as agreed by the Allied Powers. At the conclusion of that War the Northern Marianas was mandated to Japan by the League of Nations. Japan withdraw her membership in the League of Nations in 1935 but still retained the Mandated Territories up to 1944 when the islands were invaded and occupied by the armed forces of the United States as a consequence of World War II.

(c) During the invasion of Saipan and Tinian by the U.S. Armed Forces the native population suffered heavy losses in personal properties, homes and lives. Claims of said losses were submitted to the invading forces immediately after the islands were secured. Said claims

were recorded and kept on file in the office of the Military Government of the occupying forces.

(d) On the 26th day of June 1945 prior to the end of the war a Union of Nations was established, chartered and signed in San Francisco to be known as the United Nations and founded on the following four principles:

1. To maintain international peace and security;
2. To develop friendly relations among nations based on respect for the equal rights and self-determination of people;
3. To co-operate in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting respect for human rights and fundamental freedoms for all; and
4. To be a centre for harmonizing the actions of Nations in attaining these common ends.

(e) Said Charter set up a system for international supervision and administration of certain territories, the Trusteeship System, and by virtue of the Trusteeship agreement for the former Japanese mandated islands Article 1, the islands formerly held by Japan under mandate in accordance with Article 22 of the covenant of the League of Nations, are hereby designated as a strategic area and are placed under the Trusteeship system established in the Charter of the United Nations, and in accordance with Article 2, the United States of America was designated as the administering authority. Said authority was exercised by the United States after a Proclamation made by the High Commissioner for the Trust Territory of the Pacific Islands dated 18 July 1947.

(f) The Claims mentioned in sub-para. (c) were submitted to the U. N. Visiting Mission in 1950 and to the U. S. Congressional Committee which also visited the Territory in the same year. Both missions have not given any answer. To our understanding, said Claims have been forwarded by the Saipan Naval Administration Unit to Higher Naval Authority in 1957 for their assistance. No word had been heard of as of this date.

In 1959 another Visiting Mission of the U. N. Trusteeship Council met with the local Legislature. A written petition concerning the same claims was again submitted to the mission. That petition was a request to the United Nations by the local Legislature for United Nations assistance in the expedition of its accomplishment. The petition was accepted by the Visiting Mission without comment, but a discouraging statement on said issue was made by Mr. Delmas H. Nucker, High Commissioner, Trust Territory of the Pacific Islands, who was accompanying the mission on the tour. He said "There is a very little hope for payment of such claims either by Japan or the United States."

Now, in view of the foregoing, it seems clear to us that neither the covenant of the defunct League of Nations and the United Nations agreement contains any provision ensuring or guarantying compensation for the destruction of properties and lives of the inhabitants of the Trust Territories in acts of hostilities or warfare. However, the United Nations Charter contains a Declaration on Non-self governing Territories:

(a) To ensure the political, economic, social and educational advancement of the inhabitants, with due regard to their culture and to ensure their just treatment and protection against abuses; and on the four principles on which the United Nations organization was founded as shown in subpara. (d) subsections 3 and 4 of this petition, it is our belief that this petition is within the purview of the United Nations and is the proper and competent authority to consider our claim and bring it to a satisfactory solution.

Therefore, We the peoples of the Saipan District, Trust Territory of the Pacific Islands, petition the United Nations to clarify the status of our Claims which has disturbed our minds and peace for over a decade, and it is further requested, that a provision shall be added to the Trusteeship agreement guarantying a just compensation for destruction of properties and lives that may occur by action of future wars among nations.

Undersigners:

Juan M. Ada
Judge, District Court

J. M. Ada

Olympio T. Berja
Chairman, Eleventh Legislature

O. T. Berja

Jose S. Pangelinan
Chief Immigration Officer

J. S. Pangelinan

Vicente D. Guerrero
Labor Officer

V. D. Guerrero

Elias P. Sablan
Assistant Land & Claims Officer

E. P. Sablan

William S. Reyes
Super-Intendent Saipan School

William S. Reyes

Manuel T. Sablan
Chief, Insular Constabulary

M. T. Sablan

Jose C. Tenorio
President, Saipan Shipping Co.

J. C. Tenorio

Herman R. Guerrero
Vice-President, Saipan Shipping Co.

H. R. Guerrero

Manuel B. Sablan
Member, Eleventh Legislature

M. Sablan

Jose D. Torres
Doctor, Chalan Kanoa
Dispensary

Jose D. Torres

Jose P. Tenorio
Land Appraiser

J. Tenorio

Juan B. Blanco
Manager, Bank of America
Saipan Facility

Juan B. Blanco

Segundo T. Sablan
Post Master

Segundo T. Sablan

Manuel M. Aldan
Dentist

Manuel M. Aldan

Copy to:
Naval Administrator
ComNavMarianas
HiComFerPacIs
CincPacFlt
CNO (215)

E. P. Sablan
Elias P. Sablan
Group Representative