End of Mission Statement

**United Nations Special Rapporteur on the human rights of internally displaced persons**

*Country visit to the Republic of the Marshall Islands*

*5-15 October 2024*

1. Introduction

**Majuro, 14 October 2024** - In my capacity as United Nations Special Rapporteur on the human rights of internally displaced persons (IDPs), I have had the privilege to carry out an official visit to the Republic of the Marshall Islands from 5 to 15 October. The aim of my visit was to assess the human rights situation of IDPs in the context of the country’s nuclear legacy, disasters and the adverse effects of climate change, and the ongoing military presence of the United States of America.

During my visit, I traveled to the atolls of Majuro and Kwajalein, including Majuro city and the islands of Ejit, Lib and Ebeye. I met with executive and legislative officials at the national and island and atoll levels, traditional leaders, members of the diplomatic corps including representatives of the United States of America, international donors, United Nations agencies, and civil society organizations. I also met with internally displaced persons, including current and former residents of the four atolls which have historically been recognized as affected by nuclear testing, encompassing members of the Bikini, Rongelap, Utrok, Enewetak, and Enjebi communities, Kwajalein landowners, and residents of Lib Island who have never received remedy for their historical displacement.

I would like to thank the Ministry of Foreign Affairs and Trade and the National Nuclear Commission for their cooperation with my mandate and their support in organizing the visit. I am also grateful to the various ministries and Government agencies, members of the Nitijela and Council of *Iroij* for providing me with information relevant to my visit and to the local Governments of Bikini-Kili-Ejit, Kwajalein, and Rongelap for providing me with detailed information on the realities of their local situations. I would like to thank the UN personnel, members of the diplomatic corps and donor agencies, and civil society organizations in the Marshall Islands for providing me with an overview of the context. I would also like to express my appreciation to colleagues from the regional office of the High Commissioner for Human Rights and the Country Coordination specialist under the UN Resident Coordinator Office for the United Nations in Micronesia for their extensive support in preparing my mission. Above all, I express my profound gratitude to the victims of internal displacement in the Marshall Islands for sharing their deeply moving personal testimonies with me. I appreciate the generosity of spirit they showed me in recounting their experiences yet again, knowing that they have shared these stories many times over the years while hoping for changes that have yet to materialize. *Kommol tata*.

This statement presents only the preliminary observations from my visit. My complete analysis and recommendations to the Government and other duty-bearers will be prepared in the coming months and presented to the Human Rights Council at its 59th Session in June 2025.

1. Context

The Republic of the Marshall Islands faces a complicated and multifaceted displacement situation, one that is inextricably intertwined with the international community’s failure to uphold its obligations towards a remote small island developing state buffeted by forces beyond its control. At the end of the Second World War, the United States of America assumed control of the country from the then-Empire of Japan. In 1946, as an occupying power with no internationally-legitimized jurisdiction over the country, the United States forcibly displaced the Indigenous People of Bikini Atoll, comprising some 167 residents, to Rongerik Atoll before carrying out two atomic bomb tests in Bikini Atoll in July of that year; at this time, the peoples of Enewetak, Rongelap, and Wotho were also temporarily forcibly displaced while the tests were ongoing. Rongerik Atoll reportedly lacked the resources to sustain the population of Bikini for a prolonged period, and food shortages were reported by the end of 1946.

Despite the fact that the United States had subjected the Marshallese to forced displacement, nuclear fallout, and food insecurity in less than three years of occupation, the United Nations saw fit to grant the United States formal Trusteeship over the Pacific Islands in 1947, comprising the Marshall Islands as well as Palau, and the Federated States of Micronesia. This Trusteeship was unique, in that the United States was effectively able to eliminate any checks and balances on its authority by arguing for administration of the islands as a Strategic Trust, which not only permitted the use of the territories covered for military activities but also ensured that the Trust was administered by the Security Council, where the United States enjoys veto power as a permanent member, rather than the Trusteeship Council which administered the remainder of United Nations Trust Territories. Over the next 11 years, the United States carried out a total of 65 additional nuclear weapons tests on Enewetak and Bikini Atolls with extensive and ongoing displacement consequences, particularly for the Bikini, Rongelap, and Enjebi peoples who remain displaced today.

In parallel to displacing the Marshallese for the purposes of nuclear testing, the United States also displaced various populations in the context of other military activities during the Trusteeship period to the increasingly overcrowded island of Ebeye. This included the landowners and workers on Kwajalein Island, which now houses the U.S. Army Garrison - Kwajalein Atoll, and remains inaccessible as a place of residence, spiritual practice, or for the practice of traditional livelihoods for its Indigenous inhabitants and their descendants. The Trusteeship period also saw the displacement of other Indigenous populations in the Kwajalein Atoll area, in instances where their traditional lands lay in the impact zones of incoming missiles to be shot down by the missile defense systems being tested at the U.S. military base. This included the people of Lib Island who were displaced between 1961 and 1966, and the residents of the thirteen islands of the Mid-Atoll Corridor who along with their descendants remain displaced today.

Finally, as a low-lying island state with a mean elevation of just 2 meters above sea level, the Marshall Islands faces an existential threat of displacement due to the adverse effects of climate change. Sea-level rise remains the most looming challenge. The problem has already begun to disrupt traditional livelihoods through phenomena such as saltwater intrusion in agricultural areas, reduce the amount of habitable land as coastal erosion forces communities to move inland, and provoke cyclical displacement during king tides and other flooding events, which I understand have become increasingly frequent and severe. On top of this, the country is also subject to increasingly frequent droughts and typhoons. As the Marshall Islands is responsible for a mere 0.0001 percent of global greenhouse gas emissions, this is a crisis driven almost entirely by the actions of others in the international community, who consequently bear a significant moral and legal responsibility to support the country in addressing this challenge.

1. Displacement in the context of the nuclear legacy and military activities

*Nuclear testing*

The nuclear testing period from 1946 to 1958 entailed the repeated forced displacement of various peoples across the Marshall Islands. The people of Bikini were relocated from Rongerik to a temporary camp in the Navy base on Kwajalein Atoll in 1948 following an independent investigation which found the Bikinians were living under conditions of starvation. Later that year, the people of Bikini moved to the island of Kili; while they had ostensibly voted to do so, it is dubious whether this was a truly free choice, as they were not permitted to remain in Kwajalein nor provided with a wide range of options for culturally appropriate relocation. Reportedly, this also impinged on the land use rights of Kili by its traditional landowners. Some Bikinians were displaced again from Kili to Jaluit in 1956 to ease demographic pressure on Kili’s resources, but were forced to return to Kili two years later after a cyclone decimated their homes. Some Bikinians returned temporarily to Bikini Atoll in 1968 after the United States announced that it was safe to do so; however, they were displaced again in 1978 after high levels of radionuclides were found in their bodies to Kili and Ejit Island in Majuro Atoll, where they remain in displacement today. Their transfer to Ejit is reported to have had secondary displacement impacts, as the original landowners and/or inhabitants of Ejit were obliged to depart.

The people of Enewetak Atoll, including the ri-Enjebi who historically inhabited the northern part of the atoll, and the ri-Enewetak, also experienced repeated cycles of displacement. 145 residents of the atoll were first moved to Ujelang in 1947, but like Rongerik, Ujelang lacked the resources to sustain a large population over the long term, and the population had to depend on sparse, infrequent deliveries of food and other supplies by the Trust authorities. They continued to experience housing and food shortages for decades and outbreaks of communicable diseases while living in overcrowded, squalid conditions, for more than thirty years, finally returning to Enewetak in 1979. However, lingering contamination and the nuclear waste contained in the Runit Dome in the northern part of the atoll prevented the Enjebi from returning to their homelands safely, and they remain displaced.

Exposed to nuclear fallout from the Castle Bravo test in 1954, the people of Rongelap and Utirik were evacuated to Kwajalein. Their evacuation was only carried out after their exposure when they were already exhibiting symptoms of radiation poisoning. Furthermore, fallout had spread to other inhabited atolls, including Ailuk, Likiep, and Wotho, but these populations were not evacuated by the United States. The people of Rongelap and Utirik remained on Kwajalein for three months, after which the Utirik returned home despite the United States being aware that their homelands remained contaminated, while the Rongelap were displaced to Ejit. The Rongelap returned home in 1957, but as they continued to experience the effects of radiation over the years, they finally requested evacuation again in 1985 and were moved to the island of Mejatto by Greenpeace, where they remain displaced today. Throughout this period, the people of Rongelap and Utirik were subjected to covert medical study and experimentation by the United States under the guise of providing healthcare to these inhabitants, as part of the United States’ operation 4.1, a grave violation of ethical norms and the human rights of these traumatized peoples.

*Military activities*

In 1951, the United States forcibly relocated more than 500 Marshallese citizens from the military base on Kwajalein Island to Ebeye, where they had constructed housing for little more than half that population. The United States reportedly did not consult with or obtain the consent of those displaced. No compensation was provided until 1962, when a lease was signed with the Kwajalein landowners; however, it is unclear whether these payments reached all of those who had previously been displaced, as they were predominantly laborers residing on the base. As the military base was used for the purpose of testing missile defense systems, the United States proceeded to displace various populations in the area to an increasingly overcrowded Ebeye. In 1960, residents of the twin islands of Roi and Namur were displaced without compensation to the island of Enubirr to allow for the use of the latter islands as a second military base; they remained ineligible for compensation until they re-occupied their lands in protest in 1979, forcing the authorities to compensate them. The residents of Lib Island endured a five-year period of displacement from 1961-66 while their island lay in the impact zone of incoming missiles to be shot down. The survivors of this displacement informed me that they have yet to be provided with compensation or any explanation of what their island was subjected to during this period and whether any potential environmental hazards might remain.

In 1965, the residents of the so-called Mid-Atoll Corridor, a series of thirteen islands in the Kwajalein Lagoon in the path of missiles being shot from California to test the Kwajalein defense system, were also displaced by fiat. While around 194 were displaced at that time, more than 1,470 had traditional claims to the lands in this area. These landowners petitioned the Congress of Micronesia for redress, highlighting the negative impacts of their displacement on their ability to feed themselves, and mounted several protests which resulted in increased compensation, but did not address their core demand for access to their traditional lands to grow food. The Kwajalein and Mid-Atoll Corridor landowners and the people of Roi and Namur continued to protest the use of their lands for decades, but remain displaced and unable to return home today, save for a few islands in the Mid-Atoll Corridor that are temporarily opened each year to allow for burials.

1. Human rights impacts of nuclear and military displacement

The destructive impacts of nuclear weapons and missile defense testing in the Marshall Islands are not limited to the lands, environment, and bodies of the Marshallese people. They also ravaged the cultural and spiritual fabric that binds the people together. The Guiding Principles on Internal Displacement underline the particular obligation of States to prevent the displacement of Indigenous Peoples in view of their special dependency upon and attachment to their lands, and the case of the Marshall Islands embodies the importance of this principle. Nearly every Marshallese person I spoke to, particularly displaced persons, emphasized the profound and inextricable ties between one’s land and one’s sense of identity. While many displaced persons have rebuilt their lives elsewhere in the country, whether on Kili, Mejatto, Ejit, or Ebeye, they retain a deep sense of dislocation due to their inability to return to their lands of origin. This extends to their spiritual practices, with many reporting that they wait to bury their dead in the hopes that they will be able to inter their loved ones in the soil of their home islands.

Displaced persons are also deprived of their traditional fishing and agricultural practices, with further detrimental impacts to their health and food security. Islands like Ebeye, Mejatto, and Kili were largely uninhabited prior to the onset of displacement precisely because they lacked critical features to enable the self-sufficiency of potential residents, including protective reefs, access to lagoons for fishing, and an abundance of arable land, as seen on the more habitable islands of Kwajalein and the Mid-Atoll Corridor. Many displaced persons recounted the challenges they face in feeding themselves and their families in their locations of displacement, and reported having to rely on diminishing food shipments or cash assistance provided by the United States and turning to a diet heavy on more affordable processed foods. This in turn has led to a significant rise in non-communicable diseases, as Marshallese move away from traditional diets rooted in healthy local produce and lean proteins. During my own visit, I was hard-pressed to see any example of a traditional diet except on Lib Island, one of the more isolated communities I was able to visit and one that is not currently displaced from its homelands.

The circumstances of displacement in the context of the Marshall Islands’ nuclear legacy and ongoing military activities have had significant impacts on the right to health of those displaced. This is most clearly seen in the situation of those exposed to nuclear fallout, including at a minimum the people of Rongelap, Ailinginae, Ailuk, Likiep, Wotho, Wotje, and Utrok Atolls and Mejit Island, and those from Bikini Atoll who returned home between 1968 and 1978, but potentially dozens of other atolls, as suggested in official documents declassified after the fact. They experienced radiation burns and an increased incidence of cancer, thyroid abnormalities, birth defects, and other health conditions. Many have been forced to contend with lingering environmental pollution, including the Enjebi and Enewetak who rely on fish stocks from the irradiated lagoon of Enewetak, the people of Lib, who informed me that after returning from displacement some local flora and fauna had been rendered poisonous for consumption, and those who fish in the lagoon of Kwajalein which has been found to contain polychlorinated biphenyls (PCBs) and arsenic, byproducts of military activities, which impact fish stocks. For those displaced to Ebeye, overcrowding and poor sanitation systems exacerbate the threat of communicable diseases such as dengue.

Access to healthcare is a general challenge, particularly for communities outside of Ebeye and Majuro, and many interlocutors highlighted that this is one of the most frequent drivers of migration to the United States. There are few specialized doctors in the Marshall Islands and notably, there is no oncologist nor are there radiation and chemotherapy services in the country. There is also only one psychiatrist for the entire population. This is a critical gap, as those affected by displacement are dealing with a profound sense of cultural loss, lingering anxieties related to the effects to nuclear testing, and a feeling of insecurity stemming from the fact that they living in proximity to a United States military presence, which could render them liable to attacks by enemies of the United States in the event of future conflicts.

Taken together, these impacts illustrate why under contemporary international law, the principle of free, prior, and informed consent is a foundational principle for the protection of the rights of Indigenous Peoples, in particular their right to self-determination. This principle was not respected in the United States’ actions towards the Marshallese during the Trusteeship period, including both those displaced in the context of nuclear tests and those displaced from military sites. It is legally dubious whether the Marshallese were in a position to provide truly free consent under the coercive circumstances they faced as residents of a non-self-governing territory negotiating with a nuclear power. Further, consent was rarely truly informed, as few displaced communities reported having a clear idea of how long their displacement would last; many consented after being informed it would be temporary, yet remain displaced today, generations later. Finally, consent was not always sought or obtained, and many were obliged after the fact to sign away their rights in order to obtain minimal compensation, which cannot be said to constitute prior consent.

1. Access to justice and remedy for victims of nuclear and military displacement

The actions of the United States during the Trusteeship period constitute a clear violation of several of its obligations as the Administering Authority of the Trust, including *inter alia* protection of the inhabitants against the loss of land and resources, protection of the health of inhabitants, and ensuring their freedom of movement. Despite this, the United States has borne no legal consequences for its conduct during this period. While the people of the Marshall Islands repeatedly petitioned the United Nations to intervene and stop the nuclear tests, their pleas were unheeded; on the contrary, the United Nations sanctioned the continued use of the islands for nuclear testing, and did nothing to address other violations of the United States’ obligations as the Administering Authority of the Trust.

Prior to the country’s independence, the United States provided some *post-facto* compensation to certain groups of displaced persons. The people of Enewetak and Bikini accepted minimal cash payments and the establishment of small trust funds providing less than $20 per person each year in 1956 as compensation for the loss of their homelands; although they were obliged in doing so to state that these agreements were entered into “without any compulsion or coercion” this does not seem feasible, given that they were provided with no alternatives, already displaced, and residents of a non-self-governing territory negotiating with an occupying nuclear power. The residents and landowners of Kwajalein, the Mid-Atoll Corridor, and Roi and Namur similarly received minimal amounts of compensation well-below the value of their lands, particularly in cultural and spiritual terms, in agreements forced upon them after their displacement as a people deprived of self-determination.

Following the Trusteeship period, the Government of the Marshall Islands declared its independence in 1979. While the United States recognized its constitution at this time, full independence would not be granted until the entry into force in 1986 of the Compact of Free Association with the United States. This agreement not only granted the United States full authority over security within the Marshall Islands, but formalized the forced displacement perpetrated during the Trusteeship period through subsidiary agreements which granted the United States continued military use of areas occupied in Kwajalein Atoll, and the Section 177 Agreement which established Trust Funds for the compensation of the peoples of Enewetak, Bikini, Utrik and Rongelap; a later dedicated Community Trust Fund was established for the Enjebi. The 177 Agreement also provided some funding for payment of claims related to nuclear losses and damages, the cleanup of affected atolls and access to services; however, it contains a clause that required the termination of ongoing lawsuits - ending a legal challenge brought against the United States by the people of Bikini - and forecloses the possibility of any future claims for nuclear damages.

The Compact has been renewed twice over the years with new provisions. During its initial passage as well as during subsequent renewals, notably the most recent renewal in 2023, many interlocutors shared their concerns that the process was marked by a lack of transparency and inclusivity, with little input from displaced communities and other victims of the nuclear and military legacies. This raised painful memories of agreements entered into force during the Trusteeship Period, wherein the United States deployed a “divide and conquer” approach by isolating certain leaders and negotiating with them, then having them in turn convince their communities of the need to relocate. However, the Government of the Marshall Islands also bears some responsibility, as I was informed negotiations did not always include all relevant Government officials nor build in appropriate checks and balances, with some in Government left surprised at the outcome of these negotiations and unclear as to how they were reached.

The latest Compact has increased the number of atolls eligible for assistance; however, United States negotiators refused to include any reference to the country’s nuclear legacy tied to assistance provisions in this document, arguing that nuclear claims had already been settled by the 177 Agreement, and that such assistance was provided due to the “Extraordinary Needs” of the covered atolls, although these are widely considered to have been selected on the basis of their exposure to nuclear fallout, though not all atolls suspected of being subjected to fallout are included. This approach is not only incoherent - as other atolls not included also face development challenges - but appears to reframe compensation due to the people of the Marshall Islands not as a legal obligation to remedy harms suffered, but as charity provided thanks to the “generosity” of the United States. This approach denies the dignity of victims of the nuclear legacy, and has also fomented internal divisions, as the addition of new atolls under unclear circumstances has created resentment among some of the original atolls eligible for assistance.

During my visit, I was disturbed to hear that the Trust Funds established for the support of those displaced have been mismanaged with potential criminal implications, leading to the depletion of funds and a precipitous drop in the standards of living for community members. I understand the Bikini Trust Fund has been particularly affected, and many displaced Bikinians related the hardships they have been facing since last year. The United States Department of the Interior enabled this situation by removing restrictions on the use of the funds, against the express wishes of the Government of the Marshall Islands, which was not consulted as part of this decision. I was also concerned to hear that the Enjebi Community Trust Fund may have been similarly affected. I would urge the Marshallese authorities and to the extent that they are competent, the authorities of the United States, to fully and swiftly investigate these irregularities, hold perpetrators accountable, and establish transparent mechanisms for management of these funds to prevent such abuses.

Under the Compacts and subsidiary agreements, the configuration of lease agreements for use of Kwajalein Atoll and the Mid-Atoll Corridor has evolved from an initial arrangement in which the United States contracted directly with the landowners during the Trusteeship period to a system in which the respective Governments of the United States and the Marshall Islands maintain a bilateral agreement for the military use of Kwajalein Atoll and the Mid-Atoll Corridor, while the Government of the Marshall Islands makes payments to the landowners of Kwajalein Atoll through a separate land use agreement and improve the living standards of Kwajalein landowners and communities in Kwajalein affected by displacement through the Kwajalein Atoll Development Authority.

While such an arrangement appears to better respect the sovereignty of the Marshall Islands, it fails to provide for the true self-determination of the Indigenous communities affected, as the original displacement this arrangement seeks to codify occurred during a period of colonial occupation. The military use agreement cannot be terminated without the consent of both parties, so it is not a free agreement. Furthermore, I was not made aware of any provision that would allow displaced Indigenous communities and/or landowners to refuse such agreements in favor of reclaiming their lands, absent which the agreement would remain coercive in nature and does not legitimize the displacement of those affected. Lastly, although compensation has increased significantly since the original agreements, many report that it does not reflect the true market value - nor the cultural or spiritual value - of the lands covered by these agreements.

Domestically, the Government of the Marshall Islands initially sought to remedy victims of the nuclear legacy through the Nuclear Claims Tribunal using funding provided under the 177 Agreement, and the tribunal assessed around $2.3 billion in damages. However, only a fraction of these claims were paid out, as payments were to be made from a $150 million Trust Fund which was quickly exhausted. The Government of the Marshall Islands pursued a “Changed Circumstances Petition” with the United States Congress, arguing that they were owed further compensation for nuclear damages in spite of the espousal clause in the 177 Agreement prohibiting future nuclear claims, as they had not been provided with full information on the extent of the damage inflicted; however, these petitions have been rejected by the US judiciary and legislature on various occasions. In 2017, the Government also established a National Nuclear Commission which is charged with developing a strategy for nuclear justice, and has carried out domestic awareness-raising related to the nuclear legacy as well as raised the issue with the Human Rights Council, including through work with the Office of the High Commissioner for Human Rights on the implementation of Human Rights Council resolution 51/35. I commend the Marshall Islands for its advocacy, and call for international partners to support these efforts.

The search for remedy is frustrated by the unfulfilled right of displaced persons and other victims of the nuclear and military legacies to information. Many interlocutors affected by nuclear and military activities informed me that they still do not understand the circumstances that led to their displacement, nor whether there are risks to which they are exposed as a result of lingering contamination or the ongoing effects of missile testing. They do not have confidence in information provided by the United States, particularly in regard to radiological assessments and environmental impacts, given the long legacy of partial or incomplete information provided to them, nor is the United States’ claim to have declassified all relevant documentation credible given the slow declassifications that have taken place over the years, and assessments which indicate hundreds of millions of dollars would be required for full declassification.

1. Displacement in the context of disasters and climate change

In my discussions, many interlocutors informed me that they have faced periodic displacements due to the effects of disasters, whose frequency and intensity has increased in recent years, most likely as a result of climate change. Displacement was usually due to periodic flooding and king tide events, during which community members generally take shelter in the local school buildings, though I was informed by disaster management authorities that not all such buildings are fit for this purpose. Education for children is also impacted during displacement events, as schools are the primary shelter. Coastal erosion was another driver of displacement, as those in houses abutting the oceanfront sometimes found their homes washed away or no longer fit for habitation. Communities also reported increasingly hot temperatures, making the practice of traditional livelihoods and cultural activities a challenge, and this along with the intrusion of saltwater into agricultural lands and freshwater stocks threatens communities’ right to access traditional agricultural goods and drinking water. Ocean warming and acidification and periodic coral bleaching events also threaten fish stocks, as does sea-level rise which many report has prompted fish to move further out to sea, further reducing communities’ ability to depend on their traditional diets. This has potential health implications, as communities are increasingly obliged to turn to cheaper processed foods as subsistence fishing and agriculture become increasingly untenable, increasing the risks of non-communicable diseases.

These impacts intersect with the nuclear and military legacies, as these communities are often doubly-affected by the impacts of climate change. The displaced communities of Bikini and Rongelap were relocated to marginal lands which were not regularly inhabited in part because of their susceptibility to disasters. Those on Mejatto are often exposed to high temperatures as well as coastal erosion, while those displaced to Kili, which lacks a protective reef, as well as Ejit face frequent flooding and contamination of their minimal agricultural lands. Ebeye, which is low-lying, overcrowded, and lacks green spaces, is subject to high temperatures, as well as flooding due to king-tide events. On Enewetak, the Runit Dome, which houses nuclear waste from the tests conducted in the Marshall Islands and potentially elsewhere, is also threatened by sea level rise, which may lead to the leakage of nuclear waste into the ocean.

I commend the Government of the Marshall Islands for seeking to address these challenges head on through a suite of ambitious policies to address disasters and the impacts of climate change. The Marshall Islands was the first country in the world to submit a Nationally Determined Contribution in relation to its efforts to reduce national emissions and adapt to the impacts of climate change under the Paris Agreement, with ambitious greenhouse gas emissions reduction targets. It has also adopted a 2050 Climate Strategy - *Tile Te Eo* - with a vision for net-zero emissions and a full transition to renewable energy. At the same time, it has sought to adapt to the changing realities it faces through passage of an updated Disaster Management Act in 2023, as well as an ambitious National Adaptation Plan developed through consultations with communities, including those in outer islands. On the international stage, the Government joined Pacific Island Forum leaders in adopting the Boe Declaration on Regional Security to address climate change, and has sponsored the resolution underpinning the mandate of the Special Rapporteur on the promotion and protection of human rights in the context of climate change.

Nonetheless, there are significant challenges in terms of the country’s response to disasters, climate change, and displacement impacts. Coordination between the various stakeholders engaged, including climate change actors, national and local disaster management actors, and local governments, remains a challenge and impedes the effectiveness of responses; this is exacerbated by the difficulties of communication and positioning of supplies in the outer islands. I also understand that displacement is not systematically included as a consideration in all relevant policy documents. Disaster preparedness at community level remains a gap, as few interlocutors in my discussions with communities were able to identify instances in which they had been engaged in disaster preparedness exercises. There is a lack of systematic and harmonized data collection methodologies, approaches, centralization, and storage as well as information management systems, which can lead to fragmentation of approaches, redundant data collection efforts, and policies that are not informed by evidence. I am encouraged to hear that the government is working on an integrated system of information for the NDMO. This should be an opportunity to improve data collection on disaster displacement, and to establish a broader displacement tracking mechanism.The needs of displaced communities in their full diversity, including specific measures to adapt disaster responses to the needs of women, youth, older persons, and persons with disabilities, are not always taken into account.

Culturally, issues related to the traditional land tenure system also pose challenges for the effective implementation of climate change mitigation and adaptation measures, and disaster response. Finding warehouses to preposition disaster relief supplies, constructing protective infrastructure like seawalls, undertaking dredging exercises to reinforce shorelines, and identifying land for the planned relocation as a last result for communities whose homelands become uninhabitable as a result of climate change are all measures that require navigating the complicated traditional land tenure system, in which all land belongs to the traditional chiefs of the Marshall Islands. While a sensitive issue with significant cultural implications, I welcome the Government’s proactive efforts to sensitize relevant stakeholders on the importance of adapting this system to suit the country’s changing climatic realities and encourage these efforts to continue.

Lastly, securing access to adequate resources to implement disaster response, and climate change and mitigation measures remains a critical challenge. Disaster response stakeholders informed me that the available resources are rarely sufficient to meet the needs of affected populations, and are increasingly scarce as disasters increase in frequency and intensity. Although the Marshall Islands has demonstrated significant intellectual and political leadership on the issue of climate change mitigation and adaptation at the international level, as a small-island developing state it lacks the resources to fully implement the extensive measures required to protect its peoples and territory from a global threat it did not create. The international community has an urgent moral obligation to provide the Republic of the Marshall Islands with access to climate finance for the full implementation of its Climate Strategy and the NAP, as well as funding to strengthen its disaster response systems in line with its revised Disaster Management Act and best practice internationally.

1. Conclusion and recommendations

The Republic of the Marshall Islands is dealing with displacement challenges on multiple fronts as a result of existential challenges imposed upon the country by the international community. Nevertheless, the country and its people are not mere victims but have actively sought redress for the injustices they continue to suffer through international human rights diplomacy. The Republic of the Marshall Islands now has a seat in the Human Rights Council for the period 2025-2027, is pursuing nuclear justice through the implementation of the resolution 51/35 on the nuclear legacy which was just renewed this past week with the support of other Member States, and is a leader at the regional and international level in efforts to combat climate change, including as a sponsor of the Human Rights Council mandate on climate change.

To build upon these efforts, I recommend the Government of the Marshall Islands to adopt a comprehensive policy on internal displacement covering all forms of displacement and all aspects of the displacement cycle, with an institutional body that is charged with oversight and implementation of this policy across all relevant areas. This should entail a rights-based approach that considers the situation of internally displaced persons in their full diversity. I would also encourage the Government to pursue measures that promote greater transparency around issues relevant to the protection and remediation of internally displaced persons. This includes ensuring community engagement and sensitization as well as the involvement of all relevant Government officials in sensitive negotiations with implications for displaced persons, such as those related to the Compact of Free Association. I also call for transparency and accountability in the management of funds allocated for the benefit of displaced persons, including full investigation of any irregularities and the implementation of appropriate management arrangements.

In its disaster management and climate change adaptation policies, I encourage the Government to continue strengthening coordination mechanisms and ensuring coherence across different policies and programmes with displacement aspects. The Government should also continue to work with traditional landowners to ensure they are engaged and able to effectively support climate change mitigation and adaptation and disaster response efforts. Lastly, I encourage the Government to continue implementation of its pledges under the Human Rights 75 initiative, including work towards nuclear justice and the establishment of a National Human Rights Institution.

The United States of America bears a particular responsibility towards the Marshall Islands in view of its long and checkered history in the country and its continued contribution to the displacement of Indigenous Marshallese from their homelands, as well as its military and financial influence. It must not obfuscate its own role in some of the most painful chapters in Marshallese history. First and foremost, I urge the United States to issue a full and comprehensive apology for the atrocities visited on the people of the Marshall Islands during the Trusteeship Period.

Secondly, I would urge the United States to re-examine the displacement and other violations of the human rights of the Marshallese people that its actions continue to cause today and pursue an approach that seeks to provide meaningful remedy to victims. An initial step would be to acknowledge that nuclear damages have not been remedied by the paltry past settlements and to fully fund payment of the claims assessed by the Nuclear Claims Tribunal, as well as contribute significantly to the Marshall Islands’ efforts to combat the effects of climate change given overlap with the nuclear legacy, and compensate others affected by displacement whose stories remain not fully acknowledged, including the people of Lib Island. The United States should also provide dedicated support for the health sector, in view of the potential ongoing effects of the nuclear testing, including deployment of an oncologist and specialists in radiation, chemotherapy, and cancer treatment.

The United States should also provide the displaced landowners and residents of Kwajalein, the Mid-Atoll Corridor, and Roi and Namur with regular access to their traditional lands for traditional livelihoods and spiritual activities, while re-evaluating the terms of its use agreements for these areas with a view to providing affected Indigenous communities with the meaningful opportunity for free, prior, and informed consent, including the right to request repossession of their lands. Finally, the United States should expand its disclosure of relevant information to the Marshallese people, including on the full scope of nuclear tests and the impacts of ongoing missile tests, to rebuild trust and enable them to live in safety and security.

Lastly, the United Nations owes a major debt to the Republic of the Marshall Islands for its negligence during the Trusteeship Period and dismissal of meritorious petitions brought to its attention at great cost by the Marshallese people. Like the United States, the United Nations must apologize for its role in the Marshall Islands’ nuclear and military legacies. It should also give weight to such an apology by strengthening its presence in and assistance programmes to the Republic of the Marshall Islands to tackle critical challenges, including access to healthcare, livelihoods, resilience, environmental safety, climate change mitigation and adaptation, and disaster response.

In closing, I would like to thank the Government again for the invitation extended to my mandate and reiterate my willingness to support its efforts to protect and promote the human rights of displaced persons. *Kommol tata*.