

HUMAN RIGHTS COUNCIL – 57th SESSION

Enhanced Interactive Dialogue on the Nuclear Legacy in the Marshall Islands

04 October 2024

By introducing the High Commissioner's report on the implementation of UNHRC resolution 51/35, **Ms. Nada al-Nashif, UN Deputy High Commissioner for Human Rights**, explained that the report aimed at addressing the challenges and barriers to the full realization and enjoyment of the human rights of the people of the Marshall Islands stemming from the country's nuclear legacy. The report was the product of extensive consultations with member states, experts, UN system partners, and the people of the Marshall Islands. Furthermore, OHCHR conducted workshops, meetings and consultations in close cooperation with the National Nuclear Commission, as well as with traditional leaders, students, researchers, religious institutions, civil society organizations, journalists, and Marshallese and United States government officials. In preparing the report, OHCHR also coordinated closely with the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), the International Atomic Energy Agency (IAEA), and the World Health Organization (WHO), ensuring thereby that the **report findings** were not only aligned with human rights standards but also **grounded in the latest scientific and health data**.

From 1946 to 1958, the United States of America conducted 67 nuclear tests in the Republic of the Marshall Islands (RMI). These tests had a **combined explosive power of 7,232 times that of the atomic bomb dropped on Hiroshima**. Seventy-eight long years have passed since the first of those nuclear tests were conducted in the Marshall Islands, and yet their consequences were still painfully present. Communities remained displaced, and **radioactivity from the fallout continued to pollute land and sea**. The nuclear legacy cast a long shadow on generations, and the High Commissioner's report highlighted how this legacy remained a lived reality for the Marshallese people.

During consultations, OHCHR heard harrowing accounts of the historical and ongoing impacts of nuclear testing. Stories of radiation exposure and the proliferation of cancers, of painful memories of miscarriages, stillbirths, and of the so-called 'jellyfish babies' - infants born with translucent skin and no bones - a somber reminder of the **gendered impact of radiation exposure**. Marshallese indigenous people were relocated from their home atolls and disconnected from their traditional ways of life. In their visit to the Marshall Islands, OHCHR officers observed the practice among displaced communities to entomb their deceased above ground, fuelled by the unwavering hope of one day returning their remains to their home atolls - an illustration of **the profound impacts of the nuclear legacy on life and in death**, on the physical as well as the spiritual.

The **human rights impacts of the nuclear legacy** were not limited to what was known and quantifiable. They were rooted in pain that could not be measured and facts that remained unknown. Information gaps related to the nuclear legacy were the single most prevalent issue raised in OHCHR's consultations with the Marshallese. The High Commissioner's report took account of a factual record and identified gaps in it with the aim of supporting truth-seeking. While radiological impacts were typically seen as within the remit of scientific agencies, at the heart of OHCHR's mandate lay human rights. The long-standing consequences, displacement, health crises, and the erosion of livelihoods were fundamentally human rights issues, and OHCHR was uniquely positioned to assess the National Nuclear Commission's efforts in addressing them.

The truth was a key element of transitional justice, but it also served as a foundation for **accountability, reparation, and guarantees of non-repetition**. Uncovering the full truth about the nuclear legacy, its history, as well as its ongoing impacts, would empower the Marshallese to move

forward, and would pave the way for reconciliation. As the late Marshallese leader **Toni de Brum** said, **‘there can be no closure without full closure.’** The report recommended that the Governments of the Marshall Islands and the United States, the United Nations, the international community, and non-state actors consider **establishing truth and non-repetition mechanisms**, and adopt and support a transitional justice-driven approach to address the nuclear legacy.

The report addressed the human rights consequences of the Mashall Islands’ nuclear legacy, but it also evoked more broadly the need for **accountability for human and environmental consequences**. The lessons of nuclear testing in the Mashall islands were lessons for the whole world, as other areas, communities, and countries were and continue to be affected by nuclear testing. The international community must stand together to prevent human rights and environmental crises; promote accountability, truth, and reparations; and protect and empower those most at risk from their impacts.

Mr. Marcos A. Orellana, UN Special Rapporteur on Toxics and Human Rights, drew the international community’s attention to the fact that the legacy of nuclear testing spanning from the Pacific through Central Asia to North Africa, left behind a global concern with profound human rights implications.

The United States conducted 67 nuclear tests in the Marshall Islands while it was under the United Nations Trusteeship between 1946 and 1958. In its resolution 51/35, the Human Rights Council acknowledged that toxic nuclear waste and radiation from these decades-old tests continued to harm the human rights of the Marshallese people, including displaced communities. This **ongoing impact extended to the rights to life, health, food, housing, water, cultural rights, the right to self-determination, and the right to a clean, healthy, and sustainable environment**. In its new report to the Human Rights Council, OHCHR highlighted the ongoing challenges stemming from US nuclear tests, calling for a formal apology and full reparation for the Marshallese people. The Marshall Islands continued to face high cancer rates, environmental degradation, and cultural dislocation due to the nuclear tests.

The repercussions of nuclear testing had not only caused immediate harm to those exposed to radiation and waste but also continued to impinge upon the human rights of the current and future generations. In 2012, **Mr. Călin Georgescu**, former Special Rapporteur on Toxics and Human Rights, conducted an official visit to the Marshall Islands and the United States of America. Some of the recommendations of the report had been followed up by the two states. For instance, the Marshall Islands had entered into an agreement with a number of international academic institutions, had joined the Pacific Regional Central Cancer Registry, and was conducting ecological assessments at the Bokak and Bikar Atolls. The Marshall Islands and the United States had entered into renewed agreements providing for grants for continued economic assistance. Yet, after more than a decade, many other crucial issues were still to be addressed.

Once more, Mr. Orellana recalled the imperative of establishing adequate mechanisms to ensure **truth, accountability, and reparation** to address the legacy of unaddressed human rights violations. These were international obligations that states signed up to. Human rights conventions urged states to allocate their maximum available resources to realize human rights and sustainable development. International standards, such as the basic principles and guidelines on the right to remedy and reparation, also called for guarantees of non-repetition of these tests. **In 1996, the International Court of Justice** clearly stated that states were under the obligation to pursue and conclude negotiations for nuclear disarmament in all its aspects under strict and effective international control.

The 2017 **Treaty on the Prohibition of Nuclear Weapons (TPNW)** offered a path forward in addressing the enduring challenges of the nuclear legacy. The Rapporteur urged states to support the Treaty and

its humanitarian provisions for victim assistance, environmental remediation, and international cooperation. Remembrance was vital in confronting the nuclear legacy. By acknowledging past human rights violations, the victims - both past and present ones - were honored. Recalling the existence of nearly **13,000 nuclear weapons stockpiled** and conflicts proliferating globally, including those involving the powers, the Special Rapporteur reiterated its call for genuine and complete disarmament. In the face of enduring nuclear legacies and ongoing conflicts, the Rapporteur called upon the international community to collectively embrace disarmament and non-proliferation to ensure human rights for all and a sustainable future.

Ms. Ariana Tibon-Kilma, Chairperson, National Nuclear Commission of the Republic of the Marshall Islands, addressed the Human Rights Council also as a descendant of survivors of nuclear weapons testing and a mother to her three children. The RMI National Nuclear Commission was established in 2017 to coordinate the Government's needs to address the ongoing and unresolved issues of the nuclear legacy and to secure nuclear justice for the people of the Marshall Islands. This was a legacy not only of suffering, loss, and frustration, but also of strength, unity, and unwavering commitment to justice.

The profound and painful chapter began nearly 80 years ago. Despite initial petitions by the Marshallese people to cease the experiments, their pleas were met with silence and resolve to continue the destruction. The immediate effects of the **infamous Bravo Shot** were horrible. Hours after the exposure on March 1st, many people fell ill. They began to itch and scratch, with each scratch peeling their skin off. There was a burning sensation in their eyes. Their stomachs were churning in pain. Their fingernails had changed color, and they developed severe migraines. Mothers watched as their children's hair fell to the ground and blisters devoured their bodies overnight.

During the evacuation and as part of the **decontamination process**, Ms. Tibon-Kilma's family, along with the rest of their community, were stripped of their clothing, and they stood naked aboard the ship. Humiliated and ravaged by gruesome, blistering burns, they were hosed down with a pressure washer on their way to Kwajalein Atoll. Without their consent, they were enrolled as test subjects to a **top-secret medical lab study** on the effects of radiation on human beings. Initially, this study required blood and urine samples three times a day. It also required bathing in the lagoon and scrubbing their burns with soap in the salt water.

This study continued for 40 years and involved the extraction of healthy teeth, bone marrow, thyroid glands, and other parts of our bodies, and stored them in a laboratory for research purposes. This study withheld treatment from them to monitor and document the way their bodies responded to exposure. This study sourced an unexposed group from nearby atolls, matched by the age and sex of the exposed group. This study returned the affected population to their highly contaminated home, so the scientists could study how the body reacted to radiation in the environment traveling through the food chain. This study brought her great-grandparents to New York, where they were told by US medical researchers that they were being taken for treatment in the best hospitals, not knowing they were flown in to be showcased as objects during researchers' barbecues and picnics. This study performed autopsies under breadfruit trees in front of grieving and traumatized families.

It was not long after the initial exposure that health concerns began to arise. Affected communities were plagued with various types of cancer and thyroid disease, and their reproductive health had been compromised. Women began giving birth to the so-called '**jellyfish babies**'. The expression 'jellyfish babies' was coined after the birth of many babies born without limbs or heads, whose skin was so transparent their mothers saw their tiny hearts beating within. So deformed, babies were sometimes formed resembling the features of an octopus, the intestines of a turtle, in some instances a bunch of

grapes or a strange-looking animal. Mothers were told by those scientists that their babies were a result of incest, many of which were stored in jars that were kept in old hospital labs, destroyed by fire, along with the hospital records after the Trusteeship had ended and the Marshall Islands gained their independence.

This legacy had labeled the Marshallese many names. At one point, scientists were intrigued that the Marshallese seemed to be more like humans than mice. During oral examinations, researchers learned several phrases in Marshallese, one of them being, 'open your mouth, monkey'. Through it all, when asked, her grandfather would say he felt like a guinea pig. The rotor dome and the plutonium both inside and outside that facility, located in Enewetak Atoll, posed a significant threat to the health and well-being of her community. They now faced the terrifying reality of raising their families in a poisoned environment.

Ms. Ariana Tibon-Kilma wanted to share with the Council a deeply personal truth and her own experience as a caregiver for someone ravaged by cancer. As she watched her loved one endure relentless pain, she grappled with a profound sense of helplessness, with the weight of his suffering entwined with her own. In this vulnerable state, she witnessed firsthand how crucial access to comprehensive healthcare was, which was not available in the Marshall Islands. While discussing human rights before the Council, the dignity of every individual, especially those in their most vulnerable moments, must be fiercely remembered, protected, and upheld. In conclusion, she recalled the words from an esteemed elder no longer with us - **Mr. John Egnilang** - who worked tirelessly to make sure others never had to face the experience and horror of nuclear weapons: 'They can take me as I am, take my body to use it anywhere, but not my children, the future. That's what I need, to know my children will not be used as guinea pigs. They could take my body, they could tear it apart and share it with all the world to study with, but not my children.'

Mr. Benetick Kabua Maddison, Executive Director of the [Marshallese Educational Initiative](#), took the floor to represent the voices of the Marshallese diaspora. From 1947 to 1986, the United States held control over the Marshall Islands under the UN Trusteeship system. Despite the RMI asserting its independence as a sovereign nation in 1979, the United States refused to acknowledge it. Instead, the US proposed a treaty known as the Compact of Free Association. The Marshall Islands' leaders felt compelled to sign the treaty, but the Compact also shielded the US from future legal action stemming from its nuclear testing program in the Islands. The Compact went into effect in 1986 and was amended last year.

During recent Compact negotiations, Marshallese leaders were hopeful that the current US administration would take responsibility for the nuclear legacy and provide just compensation for nuclear claims. Instead, the US Special Envoy - Ambassador Yun - and members of the US Congress argued that previous agreements constituted full and final settlements of nuclear claims and that there was no more money available for nuclear damages. This argument was ironic, given that while Compact negotiations were ongoing in 2022-23, the US chose to **spend \$94.6 billion on nuclear weapons**. Over the next three decades, the US planned to spend an additional \$2 trillion to upgrade its nuclear arsenal. Ultimately, the new Compact included a paltry \$700 million to be added incrementally to a trust fund. The US Government continued to refuse to accept responsibility for the harm caused or even to apologize. The United States had historically and consistently downplayed or outright ignored the ongoing consequences of the nuclear testing legacy. This legacy - now decades away from the deadly mushroom clouds and fallout - was one of slow violence against the Marshallese people, but no less deadly. This legacy was the reason why now two-thirds of the Marshallese people had left their homelands.

The NGO **Marshallese Educational Initiative** worked tirelessly to serve the community in diaspora, to help overcome layers of barriers to a quality life, seeking access to healthcare, education, and employment. Yet, Marshallese living in the US struggled with access to basic needs. The renewed Compact agreement did reopen many public benefits to Marshallese citizens, but eligibility did not guarantee access or acceptance. Addressing these barriers and trying to mitigate the impact of the nuclear legacy was too great for one or even a hundred Marshallese organizations to address. As a consequence of nuclear testing and forced relocation, the Marshallese community suffered from some of the highest rates of cancer and diabetes globally. In the early months of the COVID-19 pandemic, this vulnerability was made painfully evident when a disproportionate number of Marshallese community members fell ill, and too many passed away. This was just one example of how **generational health issues stemming from radiation exposure and forced relocation** affected the Marshallese people.

Nuclear weapons did not keep us safe. Their very production caused harm and devastated entire communities. For these reasons, the world must reject the false narrative that nuclear weapons are necessary. Instead, the international community must embrace a nuclear **weapons-free world**. The Marshall Islands, the United States, and other countries must sign and ratify the Treaty on the Prohibition of Nuclear Weapons. **Like climate change, nuclear weapons remained an existential threat**. For his own family and all Marshallese families, whether living in the Islands or in diaspora, who had endured the loss of lands, health, and heritage for the so-called 'greater good', Mr. Benetick Kabua Maddison asked for **recognition, acknowledgment, and fair and dignified treatment**. It was high time for the United States to confront the profound challenges and injustices stemming from its nuclear testing program in the Marshall Islands. Only then could the Marshallese people reclaim their fundamental human rights and ensure a future for generations to come.

Concluding Remarks

In his concluding remarks, **Mr. Benetick Kabua Maddison** pointed out that roughly two-thirds of the Marshallese people live in the diaspora, and the life of the Marshallese in the US was difficult. While healthcare was available - Medicaid for instance - it did not mean that access was granted. Each US State had its own laws, allowing it to determine whether or not to expand federal programs to include Marshallese citizens. **Health consequences** such as diabetes, cancer, and diagnoses of autism among Marshallese children that could be connected to genetics were frequent among the youngest generation. Another example was that youth were not allowed to play sports because they did not pass their physical due to heart problems.

Under the Compact, the United States continued to designate as nuclear-affected areas only those from the atolls in which the testing took place, Bikini and Enewetak, and the two atolls that received the heaviest fallout from the 1954 Castle Bravo Shot. However, according to witnesses in the US Government's documents released in the 1990s, **contamination was much more widespread**. Marshallese Government officials made this case to the United States in 2000 when they submitted a 'Changed Circumstances Petition' that included evidence from newly released US documents that showed contamination as much more widespread. The George W. Bush White House and Congress rejected that petition. Despite a full and final settlement black on white, those words did not truly reflect the realities and the experiences of his generation.

Speaking as a US and Marshallese citizen, **Ms. Holly M. Barker, Commissioner at the RMI National Nuclear Commission**, explained that Americans were not at all aware of this legacy as it was not taught in schools. Although the US was no longer the UN Adminstrating Authority of the Marshall Islands, colonialism endured in the US response to the nuclear legacy. Structural racism was evident

in the failure to provide adequate health and environmental monitoring to the same standards as US citizens. The Marshallese citizens were still asking for equity. For example, the nuclear waste storage facility on Enewetak did not meet standards that contained US household garbage, let alone plutonium.

During the UN Trusteeship, the Marshall Islands were the 'proving ground' to design, test, observe, innovate and perfect weapons of genocide. The Islands and the people became a **living laboratory to extract and interpret data from their bodies**. Community anger and distrust were rooted in decades of dehumanizing treatment in the hands of US researchers who reduced people to mere test subject numbers. Test subjects received placebos when they had burns down through their skin and their bones could be revealed. They did not receive pain medication. All these allowed researchers to observe the unaltered medical impacts of the weapons designed. Human populations were purposely exposed to radiation - as the US did with its populations in the United States. Community members were routinely sent to US military hospitals in Guam and throughout the United States for organ removal and other procedures without consent, translation, or understanding. Sometimes children were sent without an adult family member.

The truth about the nuclear legacy and its impacts were far from being known while emphasizing 'the far'. Four known **fires destroyed all of the medical records** related to human experimentation. Two of those fires occurred at hospital facilities in the Marshall Islands, one of them occurred in Ohio in the US, and another in Saipan. The US Department of Defence, and particularly the US Navy that had initial jurisdiction for the testing, had yet to declassify or turn over any documents to the Marshallese Government despite repeated requests for that information.

The National Nuclear Commission had an established nuclear strategy vetted with stakeholders and communities throughout the RMI. Despite this strong strategy, the RMI needed technical assistance and capacity-building. This could take the form of training for Marshallese who could lead community-based work and the creation of a Scientific Advisory Board of independent scientists without ties to the US or the nuclear industry in order to help answer questions on radiation exposure coming from the impact-free phase of research. Despite the millions of dollars spent by the US on nuclear legacy, this did not go to the Marshallese people. The vast amount of that money supported US weapons laboratories and the contractors in California and New York who used that funding to develop their scientific knowledge about the impacts of nuclear weapons. As an American citizen, she called on the United States to embark on a process of self-reflection to understand why and how it maintained colonialist and racist responses to the RMI nuclear legacy and to **acknowledge wrongs with transparency and honesty** as an essential first step to restore trust and provide adequate and humane support to the people of the RMI. The backing of the international community made the Marshallese quest for justice less lonely, as there was no progress in their bilateral work with the US.

Assistance under **bilateral agreements** was not a full and final settlement. Within those agreements, it was allowed to have *ex gratia* payments made regularly. There was also a provision on 'changed circumstances' allowing for revision in case of new information that was not known and was not understood about damages and injuries emerging from US activities in the RMI, which maintained its right to ask for additional assistance. Until information was declassified and turned over to the Marshallese people, they could not know the full breadth of what had changed. The support of the Human Rights Council was therefore crucial.

In his **concluding remarks, Mr. Marcos A. Orellana** commented that testimonies heard by the Council revealed a reality of unspeakable and long-term harm to the human rights of the Marshallese

people; a reality of pain across generations that resulted from racial discrimination; and a reality of injustice that stemmed from insufficient reparation in the face of violations.

Recalling Human Rights Council resolution 51/35, the Rapporteur stressed that the Marshall Islands **did not have the capacity or resources to remove nuclear waste** from its territory or treat it. Therefore, the implementation of the **right to a clean, healthy, and sustainable environment** in the Marshall Islands required renewed international cooperation to remove such waste. The right to remedy for the victims of exposure to radioactive contamination should not be forestalled by systemic obstacles. In this regard, the safekeeping of records and testimonies of lived experiences, and all nuclear legacy-related information should inform an archival strategy for the benefit of present and future generations. Radiological contamination caused by nuclear testing had created **'sacrificed zones'**, a term describing the situation of racially marginalized and formerly colonized peoples who were disproportionately sacrificed, and their territories were rendered uninhabitable.

The legacy of radioactive contamination from nuclear weapons testing in various regions of the planet called for **non-repetition and accountability on a global scale**. In this regard, the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW) reflected a growing awareness of the catastrophic consequences of the use and testing of nuclear weapons on the enjoyment of human rights. The TPNW pointed the way forward in addressing the enduring challenges of the nuclear legacy, including by virtue of its provisions on victim assistance, environmental remediation, and international cooperation and assistance.

In her **concluding remarks**, **Ms. Nada al-Nashif** stressed how the interactive dialogue allowed to clearly understand the different ways in which human rights continued to be affected by the nuclear legacy which required collective attention. As emphasized in the HC's report, nuclear testing and its impact should be assessed against applicable human rights obligations, and the international community had a role in addressing this legacy in the Marshall Islands, and also more broadly. Among the potential supportive actions by the international community, she mentioned enhancing international cooperation and technical support; advancing efforts to stop the testing and use of nuclear weapons; preserving and making accessible historical records, including declassification; supporting educational initiatives, access to health care, as well as the monitoring of testing sites and potentially affected persons.

Addressing the manifold human rights impacts of the nuclear legacy would require sustained efforts by peoples, states, and the international community, and for this reason, the application of a **transitional justice approach** was the most appropriate. The **tenets of truth, justice, and reparation**, and the **guarantees of non-repetition** were not abstract ideals or concepts, but essential elements in the Marshall Islands' efforts to confront its legacy. The National Nuclear Commission had already taken tangible steps through its nuclear justice strategy, but this enormous responsibility should not rest on Marshallese shoulders alone. Hand-in-hand, the United States, the Pacific Islands, and more importantly, the entire international community, must support this transitional justice process in a culturally appropriate manner. The Marshallese were not only victims of the nuclear legacy, but they were also champions in addressing it. We must stand in full solidarity with them and with others affected by a similar legacy through meaningful action.

Interactive dialogue

The Republic of the **Marshall Islands (country concerned)** took the floor by giving the voice to **H.E. Mr. David Anitok, Presidential Envoy for Nuclear Justice and Human Rights**, who welcomed the HC's report and cooperation as providing the foundation for reconciliation, whose equivalent in Marshallese meant 'cleansing'. In relation to the nuclear legacy, 'cleansing' meant telling the truth, environmental remediation, victims' redress, and addressing the continuing implications of the nuclear legacy. The story of the Marshallese people must no longer be buried under the ashes of the 67 nuclear tests conducted between 1946 and 1958.

The HC's report was an important step in seeking the truth. The truth must be revealed, not any more shrouded in secrecy in volumes of classified documents. The international community must **pierce the veil of silence** and set aside all smokescreens clouding the truth. The absence of truth, barriers to truth, manipulation of truth, and destruction of truth must come to an end. Only with the truth justice would finally be achieved, and the truth would set the Marshallese free of the nuclear legacy. The Marshall Islands, the United States of America, and the United Nations had the opportunity to make things right today and right now.

This opportunity shall be seized to work together to deal with the past constructively, honestly, and fairly. This was **an opportunity to set aside an example for humanity**, to truly espouse the values of the Universal Declaration of Human Rights, affirming that all human beings are born free and equal in dignity and rights, endowed with reason and conscience, and should act towards one another in a spirit of brotherhood and sisterhood. People were not mice. The people of the Marshall Islands should never have been considered as mice to study the nefarious impacts of nuclear weapons. The Marshallese people's humanity must be recognized and must be treated in a spirit of shared humanity.

For almost 80 years, the Marshallese had struggled for nuclear justice. For almost 80 years, atolls and people living on these islands had been left behind without regard to their health, environment, and human rights. Perhaps for 80 more years and beyond, there would be communities forever displaced. However, the Marshallese people would not relent. The **Marshallese people would not drift away into a silent abyss**. They would be heard and would have justice. The world must know their story and their struggles. What the Marshallese had endured and continued to endure must never be inflicted on another. As a legend for nuclear justice once said, 'no closure without full disclosure'.

Acknowledging the continuous adverse impacts of the nuclear legacy on a broad range of human rights and standing in full solidarity with the Marshallese, **country delegations** urged the international community to renew its support to the Marshall Islands with all possible forms of assistance in addressing long-lasting consequences. Many delegations urged states to ratify the Treaty on the Non-Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, and the Treaty on the Prohibition of Nuclear Weapons.

Tuvalu (on behalf of the Pacific Small Island Developing States) emphasized it was high time to acknowledge the hardship the Marshallese had endured and take further steps to address historical injustice; achieving the SDGs for the Marshall Islands required addressing these unresolved issues. Considering as a key priority the universalization of the Comprehensive Nuclear Test Ban Treaty, the **European Union** urged all states to abide by a moratorium on nuclear weapon testing or any other nuclear explosion and to refrain from any action that would defeat the object and purpose of the Treaty. Stressing that the testing or use of nuclear weapons transcended national borders and could not be understated, **Ireland** welcomed the use of a transitional justice approach and the work underway to recognize harms, most notably the victim and environmental assistance provisions of the

TPNW. Reaffirming its long-standing position, **Malta** stressed that such weapons, their testing or even more their use, left such a severe and wide-ranging impact on every aspect of life that any use far outweighed any possible military or strategic gain. **Germany, Malta and Australia** acknowledged that the nuclear legacy was not just a chapter in history, but a continuing reality for the Marshallese people, who could count on their support to overcome it.

Acknowledging the hardships the Marshallese experienced, the **United States of America** affirmed that bilateral agreements provided just and adequate settlement of all claims, and under those, the RMI expressly took responsibility for areas affected by nuclear testing and for the welfare of its people. The US had provided more than 600 million to the affected communities for direct financial settlement of nuclear claims, resettlement funds, rehabilitation of affected atolls, and radiation-related healthcare costs. While appreciating OHCHR seeking US views, the United States reiterated its concerns with the content of the report and its recommendations, including incomplete, inaccurate, or misrepresented historical and scientific evidence. The US full response to the report would be posted on the websites of OHCHR and the US Permanent Mission.

Panama emphasized the international community's duty to support the Marshall Islands with technical, financial, and other forms of assistance in line with human rights and disarmament obligations, particularly those regarding assistance to victims and environmental remediation. **Samoa** emphasized the recognition of the intergenerational impacts of nuclear weapons of which descendants continued to bear the hardships endured by their elders. **China** argued that after the cessation of nuclear testing, the US dumped more than 130 tons of nuclear-contaminated soil in the Marshall Islands, brought from its domestic test sites thousands of miles away - which was referred to by residents as 'the tomb'. **China** urged the US to make reasonable compensation to the Marshall Islands and to effectively assume its historical responsibilities. Recognizing the devastating impact of the nuclear legacy on development, human health, and the environment, **Sierra Leone** urged countries, relevant UN agencies, and other stakeholders to provide support to the Marshall Islands in improving the health and environment of its people.

Unanimously considering nuclear weapons as a threat to humanity's existence, **NGOs** expressed their full support to and solidarity with the Marshallese people, recognizing the abhorrent and continuing human rights implications stemming from nuclear testing, such as their acute health and environmental impacts and intergenerational trauma. NGOs called upon states to implement the recommendations formulated in the HC's report; to honor their disarmament obligations including through international cooperation and assistance; and to ratify the Treaty on the Prohibition of Nuclear Weapons (TPNW).

The **World Council of Churches** called upon the US to pay all awarded compensation claims while encouraging the international community to fully support the RMI nuclear justice strategy with the resources needed. The **International Campaign for the Abolition of Nuclear Weapons** stressed that the elimination of nuclear weapons was the only absolute guarantee of non-repetition of the harms that their use and testing had caused. In this vein, the TPNW was a key tool to promote nuclear justice and human rights in the Marshall Islands and beyond. This Treaty did not absolve those states having tested or used nuclear weapons of their responsibility. Emphasizing that the Marshallese people deserved recognition and were entitled to justice and reparation, **RADDHO** noted with bitterness the erosion of the norms that had hard worn over decades to prohibit the use, spread, and the testing of nuclear weapons. **Iuventum e.V.** placed emphasis on the irreversible damages caused to local people's life, health, and livelihoods, with semi-permanent environmental impacts. Medical and scientific knowledge should be universally shared among similarly affected areas across the world; implementation measures and reparation for human rights violations shall be periodically reported

and closely monitored. **International Physicians for the Prevention of Nuclear War** called upon the US to pay the compensation claims requested by the people of the Marshall Islands and to publicly disclose all relevant data. Echoing the relevance of transitional justice mechanisms as suggested in the High Commissioner's report, **Earthjustice** strongly voiced the need for the establishment of a truth mechanism, aiming at a comprehensive and accurate factual accounting of the nuclear legacy for the present and future generations, which shall be informed by US disclosure of classified documents. Earthjustice further welcomed the support provided by the [Swiss Peace Foundation](#) for the digitalization and archiving of the records of the RMI Nuclear Claims Tribunal.

Delegations that took the floor during the Interactive dialogue (16 country delegations):

Marshall Islands, Tuvalu (on behalf of a group of countries), the European Union, Ireland, Malta, Germany, United States of America, Panama, Australia, United Kingdom, Samoa, Venezuela, China, New Zealand, Kiribati, Sierra Leone.

NHRIs and NGOs that took the floor during the Interactive dialogue (12):

World Council of Churches, ICAN - International Campaign to Abolish Nuclear Weapons, Centre for Global Non-Killing, RADDHO - Rencontre Africaine pour la Défense des Droits de l'Homme, Iuventum e.V., International Physicians for the Prevention of Nuclear War, Earthjustice.

To watch the full meeting refer to [UN WEB TV](#).