



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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18 October 2023

**Subject: Resolution 51/35 – Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands**

Dear Sir/Madam,

I write to invite your contribution to the research and report that the Office of the United Nations High Commissioner for Human Rights (OHCHR) is preparing in accordance with Human Rights Council resolution 51/35 entitled “Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands”. In the above-mentioned resolution (para. 13), the Council has requested the Office of the High Commissioner to seek the views of States, relevant United Nations mandate holders, relevant United Nations agencies, funds and programmes, non-governmental organizations and other relevant stakeholders, including civil society and affected communities in order to prepare a report on 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 State’s nuclear legacy, to be submitted to the Human Rights Council at its fifty-seventh session. Consequently, the Office would be grateful to receive inputs for this report by e-mail to [ohchr-registry@un.org](mailto:ohchr-registry@un.org) with copy to [raphael.pangalangan@un.org](mailto:raphael.pangalangan@un.org) **no later than 31 January 2024**.

In formulating your inputs, OHCHR invites you to respond, as appropriate, to the attached questionnaire. For environmental considerations, electronic submissions not exceeding five pages are encouraged. Please submit your input in MS Word or compatible format in either of the official working languages of the United Nations (French or English). The inputs received will be posted on our website, unless clearly specified as confidential.

I take this opportunity to thank you in advance for your attention in this matter.

Yours sincerely,

A handwritten signature in red ink, appearing to read 'Benjamin Schachter'.

Benjamin Schachter  
Coordinator, Environment and Climate Change Unit

To: All United Nations departments, bodies,  
funds and programs, specialized agencies,  
International financial and multilateral trading institutions;  
National Human Rights Institutions;  
Civil Society Organizations and other relevant stakeholders

**Questionnaire in relation to Human Rights Council resolution 51/35  
on technical assistance and capacity-building to address the human rights implications  
of the nuclear legacy in the Marshall Islands**

The purpose of this questionnaire is to seek the views of relevant United Nations mandate holders, relevant United Nations agencies, funds and programmes, non-governmental organizations and other relevant stakeholders, including civil society and affected communities, in order to prepare a report on 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 State's nuclear legacy. A separate questionnaire will be circulated with States. The questionnaires are intended to offer a medium for the sharing of relevant information and experiences by diverse actors. The legacy of nuclear testing in the Marshall Islands is unique, and separate consultations with the Government of the Marshall Islands, its National Nuclear Commission and its people will further inform this report.

1. Please describe through concrete examples and stories the challenges and barriers stemming from nuclear legacies that impede the full realization and enjoyment of the human rights of people and how discrimination and post-World War II territorial influence contributed to the existence of nuclear legacies as well as how this has affected the pursuit of accountability for the human rights violations, related to nuclear legacies. In formulating inputs, please include:
  - a summary of any relevant data that captures how nuclear facilities, toxic nuclear waste, nuclear radiation and contamination, have threatened human rights, including the right to a clean, healthy and sustainable environment and any mechanisms and tools that are in place to measure and monitor the impacts on the full realization on those rights.
  - information on any specific measures, including public policies, legislation, practices or strategies that your Government has undertaken, in compliance with applicable international human rights law, to address the adverse human rights impact and risks associated with the extraction, use, clean-up, disposal and/or storage of nuclear material and any relevant mechanisms for ensuring accountability for these commitments including their means of implementation.
2. Please identify and share examples of promising practices and challenges related to financing efforts to address the adverse impact of nuclear legacies on the effective enjoyment of human rights, including adverse health and other effects resulting from exposure to nuclear and toxic waste, nuclear radiation and contamination arising from the extraction, use, clean-up, disposal and/or storage of nuclear material.
3. Please include examples and promising practices and challenges that highlight international and multilateral cooperation and rights-based approaches to addressing the adverse impact of the extraction, use, clean-up, disposal and/or storage of nuclear material including with respect to livelihoods, lands and marine ecosystems.



4. Please provide any additional information you believe would be useful for addressing the adverse human rights impacts of the extraction, use, clean-up, disposal and/or storage of nuclear materials.