



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

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

The Office of the United Nations High Commissioner for Human Rights presents its compliments to all Permanent Missions to the United Nations Office at Geneva and New York and has the honour to refer to Human Rights Council resolution 51/35 of 13 October 2022 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 and other relevant stakeholders 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 their inputs, the Office of the United Nations High Commissioner for Human Rights invites Member States to respond, as appropriate, to the attached questionnaire. For environmental considerations, electronic submissions not exceeding five pages are encouraged. Please submit your inputs 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.

The Office of the United Nations High Commissioner for Human Rights avails itself of this opportunity to renew the assurances of its highest consideration to all Permanent Missions to the United Nations Office at Geneva and New York.

Geneva, 18 October 2023



**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 States, 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 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. 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.

If your country does not have a nuclear legacy, please reflect on the following questions taking into consideration the potential transnational impacts of nuclear legacies in other countries, relevant laws and policies within your country related to the potential extraction, use, clean-up, disposal and/or storage of nuclear material, and relevant views, perspectives and lessons learned from addressing issues of large-scale industrial pollution, chemical accidents, abandoned site remediation and decommissioning, hazardous material disposal and clean-up.

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 in your country and how discrimination and post-World War II colonialism contributed to the creation and 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.