ICAN intervention – Enhanced Interactive Dialogue on the nuclear legacy in the Marshall Islands

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Thank you.

The elimination of nuclear weapons is the only absolute guarantee of non-repetition of the harms that their use and testing have caused. The Treaty on the Prohibition of Nuclear Weapons is a key tool to promote nuclear justice and human rights in the Marshall Islands and beyond.

The TPNW is a humanitarian and human rights treaty built on the recognition of the catastrophic humanitarian and environmental consequences of nuclear weapons. It combines the prohibition of nuclear weapons-related activities with positive obligations to assist victims and remediate contaminated environments through a framework of shared responsibility.

This means that affected States maintain their self-determination in addressing nuclear harms within their jurisdiction, an important break with colonial pasts, while not having to bear that burden alone as other states are committed to international cooperation and assistance to this end.

Crucially, the TPNW does not absolve states who have used or tested nuclear weapons of their responsibility. The provisions within the TPNW are without prejudice to other agreements, and cannot nullify other obligations or agreements.

We welcome the OHCHR report and call upon the Human Rights Council to implement its recommendations. We encourage the United States, the Marshall Islands, and all other States who have not yet done so, to sign and ratify the Treaty on the Prohibition of Nuclear Weapons, and until then, engage with its provisions on victim assistance and environmental remediation. Thank you.