**Oral update by the United Nations Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Dr. Marcos A. Orellana (*video message*)**

4 October 2024, Geneva

Excellencies, distinguished delegates, colleagues,

The legacy of nuclear testing that spans from the Pacific to West Asia, and from Central Asia to North Africa, leaves behind a global concern with profound human rights implications.

This March marked the 70th anniversary of the Castle Bravo test at Bikini Atoll in the Marshall Islands. The United States conducted 67 nuclear tests in the Marshall Islands while it was under United Nations trusteeship, between 1946 and 1958. The Human Rights Council, in its resolution 51/35, acknowledges that toxic nuclear waste and radiation from these decades-old tests continue to harm the human rights of the Marshallese people, including displaced communities. This ongoing impact extends to their rights to life, health, food, housing, water, cultural rights, self-determination and a clean, healthy, and sustainable environment.

In a new report to the Human Rights Council, published on 24 September, the UN Human Rights Office highlights the ongoing human rights challenges stemming from the U.S. nuclear testing, calling for a formal apology and full reparations for the Marshallese people. The Marshall Islands continues to face high cancer rates, environmental degradation, and cultural dislocation due to the nuclear tests. The repercussions of nuclear testing have not only caused immediate harm to those exposed to radiation and waste, but they also continue to infringe upon the human rights of current and future generations.

In 2012, my predecessor on the mandate, Mr. Calin Georgescu, conducted an official visit to the Marshall Islands and the United States of America. Some of the recommendations of the report have been followed up by the two States. For example, the Marshall Islands has entered into agreement with a number of  international academic institutions, has joined the Pacific Regional Central Cancer Registry and is conducting ecological assessments of the Bikar and Bokak Atolls. The Marshall Islands and the US have entered into renewed compact-related agreements which provides for Grants for Continued Economic Assistance. Yet, after more than a decade, many other and crucial issues are still to be addressed.

I once more emphasize that it is crucial to establish adequate mechanisms to ensure truth, accountability, and reparation to address the legacy of unaddressed human rights violations. These are not just my words, but international obligations that States signed up to. These human rights conventions urge States to allocate the maximum available resources to realize human rights and sustainable development. International standards, such as the Basic Principles and Guidelines on the Right to a Remedy and Reparation, also call for guarantees of non-repetition of these tests.

The International Court of Justice, in 1996, clearly stated that States have an 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 offers a path forward in addressing the enduring challenges of the nuclear legacy. We urge States to support the Treaty and its humanitarian provisions for victim assistance, environmental remediation, and international cooperation.

Remembrance is vital in confronting the nuclear legacy. By acknowledging past human rights violations, we honour the victims, both past and present. With nearly 13,000 nuclear weapons still stockpiled and conflicts proliferating globally, including those involving nuclear powers, we reiterate the call for general and complete disarmament.

In the face of enduring nuclear legacies and ongoing conflicts, such as the past and ongoing violations for the Marshallese people, we must collectively embrace disarmament and non-proliferation to ensure human rights for all and a sustainable future.

I thank you.