

Basel, April 2024

Submission by swisspeace (Swiss Peace Foundation) on Resolution 51/35 – Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands

Key recommendations

The long-term preservation of records is a prerequisite for dealing with the past (or transitional justice) processes aiming to overcome legacies of human rights violations and breaches of international humanitarian law. To promote the ‘right to truth’ of the Marshall Islands’ inhabitants regarding their nuclear legacy, an archival strategy considering both local specificities and global best practices is required. The following considerations are relevant for such a strategy:

- The preservation of existing records is the main objective of dealing with the past. It needs to consider different kinds of archives and sources related to the islands’ nuclear legacy, which have to be mapped and assessed.
- The creation and transfer of security copies to be based outside of the Marshall Islands is recommended. A successful example is the hosting of a security copy of the records produced by the Nuclear Claims Tribunal in view of securing their long-term access by the [Swiss Federal Archives](#).
- Original records based in the Marshall Islands must be safeguarded from harmful environmental impacts related to raising sea levels and temperatures as well as climate shocks.
- In addition to preserving the archives of the Marshall Islands Nuclear Claims Tribunal other sources, records and collections produced and/or hosted by civil society organizations must be considered in long-term preservation.
- Records providing testimonies of lived experiences are vital and particularly fruitful for future memorialization and educational activities addressing the islands’ nuclear legacy.

swisspeace contribution to archiving in Marshall Islands

Between 2014 and 2019 swisspeace was mandated by the Swiss Federal Department of Foreign Affairs (FDFA) to support the digitization of the archives Marshall Islands’ Nuclear Claims Tribunal including their transfer to Switzerland. swisspeace specializes in supporting archiving for dealing with the past processes around the world: <https://www.archives.swisspeace.ch/en/>

The Dealing with the Past (DwP) program at [swisspeace](#) supports governmental and non-governmental actors working to overcome the legacy of massive human rights violations and breaches of international humanitarian law having occurred in contexts of colonialism, armed conflict and authoritarian regimes, and to prevent their reoccurrence. Within this broad field, we focus on the role of information management and archives that safeguard information relevant to

ongoing and future dealing with the past processes around the world. As a center of competence on archives, documentation and memory, we provide support to DwP processes by offering capacity building and support in information management and digital transformation, using innovative processes and tools, to promote the creation and preservation of trustworthy information and sensitive, responsible use of data. We play a vital hub function, responding to requests from partners and connecting experts with contexts.