

Cluster 4: Positive obligations

UN Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination

Delivered by Elizabeth Minor, 20 June 2017

Madam President,

The establishment of strong norms and obligations in this treaty for victim assistance and environmental remediation will reinforce the urgent humanitarian imperative to eliminate nuclear weapons.

During these negotiations, we have heard first-hand accounts of the severe, life-long, indiscriminate and inter-generational harm resulting from the use, testing, production and development of nuclear weapons around the world.

We have heard, too, of the great hazard to human health and communities posed by the environmental consequences of nuclear weapons. We must work together to address this suffering and contamination.

In order to best address the rights and respond to the needs of victims of nuclear weapons, reflect the humanitarian underpinnings of the treaty, and uphold the rights based approach that is the standard set by other treaties with respect to victim assistance, we make the following recommendations:

- The requirement to fulfil the rights of and assist victims under one's jurisdiction or control must apply to all states;
- The treaty should outline the principles for victim assistance and establish standards for effective implementation, such as requiring national focal points, action plans, budgets and involvement of victims as well as a provision for reporting;
- The principle of non-discrimination must be included in the convention;
- The need to realize fully the rights of all victims should be included also in the preamble, as should human rights and environmental law.

We also recommend that the treaty establish a positive obligation on all its states parties to take steps to remediate environments under their jurisdiction or control, to the greatest extent possible.

It should outline principles for environmental remediation and ways in which this can be undertaken, including measures for the protection of populations and the reduction of risk, it should also provide guidance and provision for reporting.

In fulfilling these obligations, on both victim assistance and environmental remediation, international cooperation and assistance to affected states will be of great importance – given the scale of the effects of these horrific weapons.

Thank you.