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Agenda item 10

Technical assistance and capacity-building

Resolution adopted by the Human Rights Council on 10 October 2024

57/26. Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments,

Recalling Human Rights Council resolution 51/35 of 7 October 2022 on technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands,

Noting with concern the adverse impact of the recent regular budget liquidity crisis affecting the United Nations on the work of the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights, including in the implementation of Council resolution 51/35,

Acknowledging with appreciation the constructive engagement between the Office of the High Commissioner, the Government of the Marshall Islands and other States in implementing Human Rights Council resolution 51/35,

Acknowledging the engagement between the Office of the High Commissioner and the Government of the United States of America, and noting the concerns expressed by the United States of America,

Recalling the report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes on his mission to the Marshall Islands,¹ in which the Special Rapporteur reported that the nuclear testing in the Marshall Islands had immediate and continuing effects on human rights that resulted in fatalities and serious health complications and that the radiation had led to environmental contamination and the loss of livelihoods and lands,

Recalling also the report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

¹ A/HRC/21/48/Add.1.



on a non-toxic environment,² in which he reported that people in the Marshall Islands continued to suffer the adverse effects of radiation from nuclear tests, resulting in elevated levels of cancer, birth defects and psychological trauma that continued to the present day, and that Marshallese women and girls suffered disproportionately from thyroid and other cancers and from reproductive health problems,

Having considered the report of the Office of the High Commissioner 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,³ in which the Office reported that the nuclear legacy was not just a chapter in history, but a continuing reality for the Marshallese people, and recommended that the United Nations, through the Human Rights Council, continue to provide technical assistance and capacity-building to the Marshall Islands and to prepare subsequent reports on transitional justice measures to address the human rights implications of the nuclear legacy through a cross-jurisdictional, interdisciplinary and gender-responsive approach,

Acknowledging General Assembly resolution 78/240 of 22 December 2023, entitled "Addressing the legacy of nuclear weapons: providing victim assistance and environmental remediation to Member States affected by the use or testing of nuclear weapons",

Noting with appreciation the guidance note of the Secretary-General, entitled "Transitional justice: a strategic tool for people, prevention and peace", of 11 October 2023,

Acknowledging with appreciation the regional solidarity of the Pacific Island Forum towards addressing the nuclear legacy in the Pacific, including that of the Marshall Islands, and the operationalization of the Taskforce on Nuclear Legacy Issues of the Council of Regional Organizations of the Pacific,

Recalling Human Rights Council resolution 48/13 of 8 October 2021 and General Assembly resolution 76/300 of 28 July 2022, and reaffirming the importance of a clean, healthy and sustainable environment as critical to the enjoyment of all human rights,

1. *Reaffirms* the importance of addressing the adverse impact of the nuclear legacy on the realization and enjoyment of human rights by the people of the Marshall Islands;

2. *Urges* States, all relevant United Nations agencies, as one United Nations, and other stakeholders to support the Government of the Marshall Islands in its efforts to improve the health of its people and environment;

3. *Requests* the Office of the United Nations High Commissioner for Human Rights to cooperate with the Government of the Marshall Islands in the field of human rights and to provide technical assistance and capacity-building to the National Nuclear Commission of the Marshall Islands in advancing its national strategy for nuclear justice and determining its technical assistance and capacity-building needs to pursue transitional justice in its efforts to address the nuclear legacy;

4. *Also requests* the Office of the High Commissioner 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, and to submit it to the Human Rights Council at its sixty-third session, to be followed by an enhanced interactive dialogue, with the participation of the National Nuclear Commission of the Marshall Islands;

5. *Further requests* the Office of the High Commissioner, in preparing the above-mentioned report, to seek the views of the Government of the Marshall Islands and its National Nuclear Commission, States, relevant United Nations mandate holders, relevant United Nations agencies, funds and programmes, non-governmental organizations and other relevant stakeholders, including civil society, the Marshallese diaspora, Indigenous Peoples, youth representatives and affected communities;

² A/HRC/49/53.

³ A/HRC/57/77.

6. *Decides* to remain seized of the matter.

*48th meeting
10 October 2024*

[Adopted without a vote.]
