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## ADDRESSING THE LEGACY OF NUCLEAR WEAPONS

**Angela Woodward**, International Advisory Board Member of APLN and deputy executive director of VERTIC.

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Nuclear weapons have caused, and continue to cause, significant harm to communities around the world. This harm is not limited to those who suffered the catastrophic consequences of the use of nuclear weapons in Japan during World War II. Communities affected by nuclear weapons testing have also struggled for decades to secure appropriate redress for the wide-ranging harm they have suffered, including the lingering effects on their people, land and waters from radiation exposure, as well as mental harm caused by post-traumatic stress, disruption of cultural practices and forced displacement from their homelands.

Much of this nuclear testing occurred far from the mainland of the nuclear-armed states, often in territories subject to their colonial jurisdiction, primarily in the Asia-Pacific region. Nuclear weapons testing states have continually refused to provide their data and analyses on the effects of such testing, which could usefully inform remediation efforts, to the affected communities that have requested it. They have also discounted valid concerns about the sufficiency of any remediation conducted by testing states in years past, adding insult to injury.

In response, the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW), colloquially known as the Nuclear Ban Treaty, explicitly mandated victim assistance and environmental remediation for survivors of nuclear testing and use, alongside its comprehensive prohibitions on nuclear weapons and provisions on verified nuclear disarmament. It is the first treaty to provide for nuclear weapons-affected communities in this way. While only states that adhere to the treaty are bound by these provisions – which, to date, does not include any of the nine nuclear-armed states, including France, the United Kingdom and the United States, which tested nuclear weapons in colonial territories or allied states in the South Pacific – it is helpfully changing the discourse on approaches to remediating nuclear harm. In particular, it is giving a significant voice to affected communities located in jurisdictions that remain outside the TPNW.

## **The Nuclear Ban Treaty's Vienna Plan of Action**

At its first meeting, the TPNW states parties agreed on a comprehensive action plan to guide their collective efforts in implementing the treaty. With regard to the victim assistance, environmental remediation, and international cooperation and assistance obligations outlined in Articles 6 and 7, the plan requires state parties to closely consult with affected communities at all stages, engage with civil society and the U.N. system, establish a government focal point responsible for this work, ensure that principles of accessibility, inclusivity and non-discrimination are applied, and, crucially, examine how to establish an international trust fund to fund this work. States affected by nuclear weapons use and testing agreed to start reviewing the impacts and developing a national action plan, with other states' parties committing to support them in this process with financial and technical assistance. A dedicated working group was established to facilitate these activities, co-chaired by Kazakhstan and Kiribati, both nuclear-affected states.

## **United Nations General Assembly's First Committee resolution**

The TPNW working group's efforts have borne fruit in just its first year of operation, with the adoption of the first-ever resolution on victim assistance and environmental remediation related to nuclear weapons use and testing at the United Nations General Assembly's First Committee on disarmament and international security issues on Oct. 27 this year. The resolution secured 171 votes in favor, with only four states voting against it, and six states abstaining.

Notably, the resolution recognizes that the responsibility to address harms caused lies with the state that tested or used nuclear weapons and urges those states to share information on the humanitarian and environmental impacts. Despite those states that caused such harm not voting in favor, the resolution holds political and moral weight.

## **Outcomes of the Nuclear Ban Treaty's second meeting**

The treaty convened its second meeting from Nov. 27 to Dec. 1 2023 at the United Nations in New York to review progress in fulfilling the action plan. The meeting heard survivor testimonies, including a joint statement endorsed by 26 affected communities, and agreed to initiate discussions on the feasibility of establishing an international trust fund for victim assistance and environmental remediation, which is crucial for supporting affected states.

The lack of a definitive call to proceed to launch such a fund may reflect the reality that the current cohort of state parties comprises predominantly developing states and that traditional wealthy donor states, who could be called upon to contribute to these assistance efforts, remain stubbornly outside the treaty. Any concern that allowing nuclear-armed states that bear responsibility for such harm to contribute to the fund without having joined the treaty, thereby hindering the goal of universal treaty adherence and thereby nuclear disarmament itself, will need to be overcome to achieve nuclear justice for affected communities.

*The opinions articulated above represent the views of the author(s) and do not necessarily reflect the position of VERTIC, the Asia-Pacific Leadership Network or any of its members.*

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## **ABOUT APLN**

The **Asia-Pacific Leadership Network for Nuclear Non-proliferation and Disarmament (APLN)** is a Seoul-based organisation and network of political, military, diplomatic leaders, and experts from across the Asia-Pacific region, working to address global security challenges, with a particular focus on reducing and eliminating nuclear weapons risks. The mission of APLN is to inform and stimulate debate, influence action, and propose policy recommendations designed to address regional security threats, with an emphasis on nuclear and other WMD (weapon of mass destruction) threats, and to do everything possible to achieve a world in which nuclear weapons and other WMDs are contained, diminished, and eventually eliminated.



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