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Agenda item 10

Technical assistance and capacity-building

Resolution adopted by the Human Rights Council on 7 October 2026

63/31. 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 resolutions 51/35 of 7 October 2022 and 57/26 of 10 October 2024 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 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 resolutions 51/35 and 57/26,

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 resolutions 51/35 and 57/26,

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, inter alia, 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,

Taking note of the consideration by the special procedures of the Human Rights Council of the human rights implications of the nuclear legacy in the Marshall Islands, in which mandate holders have reported, inter alia, that:

(a) People in the Marshall Islands continue to suffer the adverse effects of radiation from nuclear tests, resulting in elevated levels of cancer, birth defects and psychological trauma

¹ A/HRC/21/48/Add.1.



that continue to the present day, and that Marshallese women and girls suffer disproportionately from thyroid and other cancers and from reproductive health problems;²

(b) The health impacts of nuclear testing have lasting effects on communities in the Marshall Islands, where the testing of 67 nuclear weapons by the United States of America has dramatically increased cancer rates, and that Indigenous Peoples in the Marshall Islands were displaced from their ancestral lands due to nuclear weapons testing and even misled into returning to contaminated sites;³ and

(c) Women and girls from the Marshall Islands are disproportionately vulnerable to the adverse health effects of toxic substances and continue to suffer adverse physical and mental health effects from radiation caused by nuclear weapons testing;⁴

Noting the continued collaboration between the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and the Government of the Marshall Islands, and taking note of the report of the Special Rapporteur,⁵ in which the Special Rapporteur refers to the transitional justice framework used to assess the human rights challenges stemming from the nuclear legacy in the Marshall Islands,

Taking note of the report of the Special Rapporteur on the human rights of internally displaced persons on her mission to the Marshall Islands,⁶ in which the Special Rapporteur reported, inter alia, that both the ongoing effects of the nuclear testing and the growing threat of the climate crisis threaten the livelihoods, health and cultural heritage of the Marshallese people by displacing them from their ancestral homelands,

Taking note also of the joint communication of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Special Rapporteur on the promotion and protection of human rights in the context of climate change, the Special Rapporteur in the field of cultural rights, the Special Rapporteur on the human right to a clean, healthy and sustainable environment, and the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes to the Government of the Marshall Islands on 10 October 2025,⁷ and the reply of the Government of the Marshall Islands on 5 December 2025 to the communication,

Having considered the reports 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,⁸ in which the Office reported, inter alia, that the nuclear legacy was not just a chapter in history, but a continuing reality for the Marshallese people, that the human rights impacts of the nuclear legacy are not only historical but ongoing, as the Marshallese people continue to face barriers in accessing justice, compounding and perpetuating underlying harms, and that, while the human rights impacts of the nuclear legacy are enduring, so too are the efforts undertaken to address them, and recommended, inter alia, that the Human Rights Council continue to mandate the provision of technical assistance and capacity-building to the Marshall Islands, including through dedicated global, regional and in-country expertise, and to continue its work on transitional justice measures addressing the human rights impacts of the nuclear legacy,

Taking note of 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",

Taking note also of the resolutions of the Association of Pacific Island Legislatures supporting the nuclear justice efforts of the Marshall Islands, and calling upon the United States of America to declassify all testing-related information,⁹ requesting an assessment of downwind

² See A/HRC/49/53.

³ See A/80/174.

⁴ See A/HRC/52/33.

⁵ A/80/175.

⁶ A/HRC/59/46/Add.1.

⁷ Ref.: AL MHL 1/2025.

⁸ A/HRC/57/77 and A/HRC/63/76.

⁹ Association of Pacific Island Legislatures resolution 64-BOD-07 (2025).

impacts across the region of Micronesia,¹⁰ and directing the establishment of a Taskforce on Nuclear Impact and Regional Advocacy.¹¹

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 Islands Forum towards addressing the nuclear legacy in the Pacific, including that of the Marshall Islands, and the mandate of the Taskforce on Nuclear Legacy Issues of the Council of Regional Organisations of the Pacific,

Acknowledging the signing of the South Pacific Nuclear Free Zone Treaty, also known as the Treaty of Rarotonga, by the Marshall Islands,

Acknowledging also that 2026 marks 80 years of the nuclear legacy in the Marshall Islands,

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-ninth 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 collaborate with the Government of the Marshall Islands and its National Nuclear Commission, and seek the views of 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;

6. *Invites* the Office of the High Commissioner, within available resources, to make its previous reports¹² and the report to be submitted to the Human Rights Council at its sixty-ninth session available in accessible formats, including in easy-to-read versions;

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

43rd meeting
7 October 2026

[Adopted without a vote.]

¹⁰ Association of Pacific Island Legislatures resolution 64-BOD-06 (2025).

¹¹ Association of Pacific Island Legislatures resolution 42-GA-06 (2025).

¹² A/HRC/57/77 and A/HRC/63/76.