

Reporting on Articles 6 and 7: Precedent and Recommended Guidelines for the Treaty on the Prohibition of Nuclear Weapons

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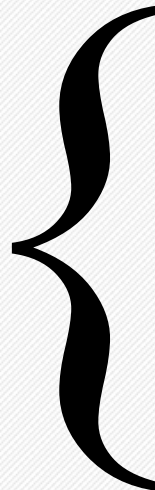
Presentation Roadmap

1. Value of Reporting

2. Vienna Action Plan

3. Methodology

4. Precedent,
TPNW Context, and
Recommendations



- Format and process of reporting
- Victim assistance
- Environmental remediation
- International cooperation and assistance

Value of Reporting

Regular reporting on a state party's treaty implementation can...

Provide Transparency



Promote monitoring and accountability

Lead to the Exchange of Information and Expertise



Improve efforts to assist victims and remediate the environment

Identify the Needs of Affected States Parties



Facilitate the provision of international coordination and assistance

Vienna Action Plan

The **Vienna Action Plan** commits states parties to:

- Develop **reporting guidelines**;
- Consider developing “**a voluntary and a non-burdensome**” reporting format, “**taking into account best practices for reporting under other disarmament treaties**”; and
- Implement Articles 6 and 7 in accordance with the principles of “**accessibility, inclusivity, non-discrimination and transparency and in coordination with affected communities.**”

Methodology

The International Human Rights Clinic (IHRC) report examines **precedent under three disarmament or arms-related treaties**, along with their reporting templates and guides:

- Mine Ban Treaty
- Convention on Cluster Munitions
- CCW Protocol V on Explosive Remnants of War

Methodology

The IHRC report:

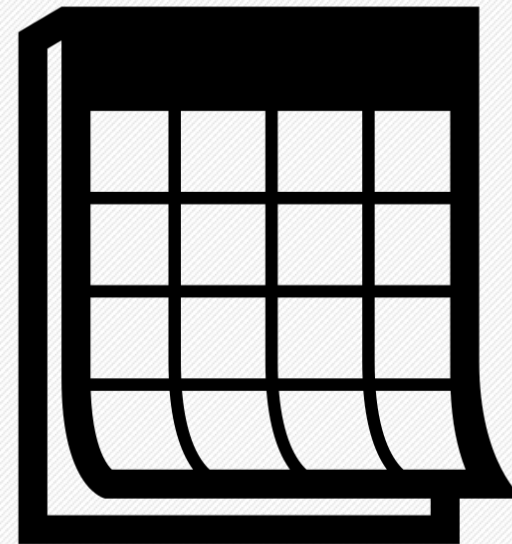
- Provides a **comparative analysis** of the three model reporting regimes,
- Draws on and **adapts these models to the nuclear weapons context**, and
- Makes **recommendations** for reporting on the TPNW in four areas:
 - Format and process,
 - Victim assistance,
 - Environmental remediation, and
 - International cooperation and assistance.

Format and Process of Reporting

Precedent

Best practices under the reporting models include:

- **Reporting templates and guides**
 - Prompts, checklists, flowcharts, suggested language
- **Clear procedures for submitting reports**
 - Required annual reporting with specific deadlines
 - Designated recipients and languages
 - Transparency options



Format and Process of Reporting

Application to the Nuclear Weapons Context

The format and process of reporting in nuclear context should take into account that:

- Vienna Action Plan stresses that reporting should be **non-burdensome**
- TPNW Meetings of States Parties convene **every two years**
- Reports should always be **fully public**, to be consistent with Vienna Action Plan's commitment to transparency

Format and Process of Reporting

Recommendations

Each TPNW state party should:

- File an **initial report between 180 days and a year** after the treaty has entered into force for the state
- File **reports every two years covering updates and progress**, or a cover page if the state has no significant updates to report, **by a specified date**
- Submit reports in an **official UN language** to the UN secretary-general or another body designated for this purpose
- Ensure that state's reports are **publicly available**

Victim Assistance

Precedent

Best practices under the models include reporting on:

- **Data on victims**
 - Number, location, demographics, harms, and needs of victims
- **National frameworks for implementation**
 - National plans, laws and policies, focal points
- **Status and progress of assistance services**
 - Services available, details of assistance provided, accessibility of assistance
- **Inclusion of victims throughout the assistance process**



Victim Assistance

Application to the Nuclear Weapons Context

Reporting on victim assistance in nuclear context should take into account:

- Challenges of **identifying individuals as victims** of nuclear weapons
- Need to clarify what **criteria are used to determine who is a victim**, and the potential utility of collectively **developing further criteria and norms** in the future
- **Kinds of assistance** required to address the distinctive harms faced by people affected by nuclear weapons

Victim Assistance

Recommendations

Each TPNW state party should report on:

- **Effects of nuclear weapons** use and testing on victims
- Development and implementation of **national victim assistance frameworks**
- Status and progress of **victim assistance measures**
- **Efforts to involve affected individuals and communities, including Indigenous Peoples**, in victim assistance

Environmental Remediation

Precedent

Best practices under the models include reporting on:

- **Nature of contaminated sites**
 - Location, size, types, and quantity of ordnance
 - Assessment methods
- **National frameworks for implementation**
 - National focal points, allocated resources
- **Status and progress of clearance programs**
 - Assessments of and activities for clearing contamination
- **Status and progress of programs to reduce exposure**
 - Marking and fencing, provision of warnings, and risk education measures



Environmental Remediation

Application to the Nuclear Weapons Context

Reporting on environmental remediation in this context should take into account:

- **Challenges of classifying areas** as contaminated, **need to clarify criteria** used, and potential utility of collectively **developing further criteria and norms** in the future
- **Distinctive steps required for environmental remediation** of nuclear contamination, such as long-term management of radioactive material
- Dangers of exposure to **contamination through water and food sources**
- Importance of **including affected individuals and communities**, often neglected in clearance precedent, in the process

Environmental Remediation

Recommendations

Each TPNW state party should report on:

- Areas known or suspected to be contaminated
- Development and implementation of national environmental remediation frameworks
- Status and progress of environmental remediation measures
- Status and progress of measures to reduce risks of civilian exposure
- Efforts to involve affected individuals and communities, including Indigenous Peoples, in environmental remediation

International Cooperation and Assistance

Precedent

Best practices under the models include reporting on:

- **Assistance provided**
 - Type, amount, sector, activities, and destination of assistance
- **Assistance received**
 - Type and results of assistance
- **Assistance requested**
 - Type of and needs to be addressed by the assistance



International Cooperation and Assistance

Application to the Nuclear Weapons Context

Reporting on international cooperation and assistance in nuclear context should take into account:

- Need for **comprehensive** approach to reporting
- Importance of promoting exchange of **information and technical assistance**
 - Specific expertise on assisting victims and remediating the environment
 - Details about nuclear weapons use and testing
- Vienna Action Plan's commitment to **needs-based assistance** and **inclusivity**

International Cooperation and Assistance

Recommendations

Each TPNW state party should report on:

- Assistance **provided** for purpose of victim assistance or environmental remediation
- Assistance **received** for purpose of victim assistance or environmental remediation
- Assistance **requested** for purpose of victim assistance or environmental remediation

All three categories of reports should:

- Include the **type, amount, sector, activities, and dates/timeframe of assistance**
- Address efforts to **include affected individuals and communities, including Indigenous Peoples**, in the process

Conclusion

Overarching Recommendation

States parties should **develop a TPNW reporting template to adopt at 2MSP.**

Other treaty regimes have adopted templates at their 1MSPs.

TPNW template would

- Be **feasible to develop** given that existing models could be adapted to nuclear weapons context
- **Meet Vienna Action Plan's criteria** of being voluntary, non-burdensome to use, and based on disarmament best practices
- **Promote implementation** of Articles 6 and 7
- **Advance TPNW's humanitarian objectives**

Contact

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