



Buan-Ionad na hÉireann
chun na Náisiún Aontaithe
Permanent Mission of Ireland
to the United Nations

“Protecting Rights, Remediating the Environment: Addressing the Harm from Nuclear Weapons”

Side Event on Positive Obligations in a Treaty to Prohibit Nuclear Weapons

**June 21, 2017, 13:15 to 14:45pm
Conference Room B, UN Headquarters**

During the March negotiation session of the nuclear weapons ban treaty, 27 states plus the Caribbean Community (CARICOM), the ICRC and civil society called for the new legal instrument to include not only a comprehensive set of prohibitions but also positive obligations on states parties. The first draft of the treaty responded to these calls and incorporated general provisions on positive obligations. Negotiating states should now work to expand and strengthen the provisions in order to maximize their effectiveness.

This panel discussion and dialogue, scheduled during the June/July negotiating conference, will assess the positive obligations in the first draft of the treaty, suggest ways to improve them, and highlight why such revisions would be particularly important to the prohibition treaty.

Including positive obligations would enhance the treaty, its operation and impact and is consistent with recent international weapons prohibition treaties. Such positive obligations could include:

- Rights and remedial measures (e.g. environmental remediation, risk education, victim assistance),
- Promotion of the treaty and of its norms (e.g. universalization and disarmament education),
- International cooperation and assistance to implement the above two sets of obligations.

By promoting the inclusion of strong positive obligations in the new legal instrument prohibiting nuclear weapons, this event will help ensure that the treaty not only builds on previous humanitarian disarmament treaties but it also contributes to the SDGs and the 2030 Agenda.

Speakers:

- **H.E. David Donoghue**, Permanent Representative of Ireland to the UN
- **Roland Oldham**, Moruroa e Tatou (MET), President of an organization advocating for the rights of victims of nuclear testing in Tahiti
- **Bonnie Docherty**, Harvard Law School International Human Rights Clinic, expert on humanitarian disarmament law
- **Erin Hunt**, Mines Action Canada, expert on victim assistance
- **Elizabeth Minor**, Article 36, expert on humanitarian disarmament

Chair:

- **Matthew Bolton**, Director of Pace University’s International Disarmament Institute



Article36



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Further Reading

- Article 36. (2017) *Positive Obligations in a Treaty Prohibiting Nuclear Weapons: Stockpile Destruction, Environmental Remediation, and Victim Assistance.* [A/CONF.229/2017/NGO/WP.10.](#)
- Article 36 & International Human Rights Clinic, Harvard Law School. (March 2017) 'Environmental Remediation in the Nuclear Weapons Ban Treaty.' [\[PDF\]](#).
- Matthew Bolton. (2017) 'The Case for Risk Education and Dissemination Provisions in the Nuclear Weapons Ban Treaty.' [\[PDF\]](#).
- Matthew Bolton. (2017) 'Humanitarian Positive Obligations for a Nuclear Weapons Ban Treaty.' [\[PDF\]](#).
- ICAN and Mines Action Canada. (2017) *Victim Rights and Victim Assistance in a Treaty Prohibiting Nuclear Weapons: A Humanitarian Imperative.* [A/CONF.229/2017/NGO/WP.14.](#)