



**Affected Communities
& Allies Working Group
For a Nuclear-Free World**

Contributions for the 50th Session of the UN Human Rights Council UPR of US

The US has failed 1) to uphold the UN Charter commitment to equal rights and self-determination of peoples 2) to take appropriate measures to strengthen universal peace¹:

1. Through US Public Law 118-67 (Fire Grants and Safety Act),² also referred to as the ADVANCE Act of 2024³, the US concealed and misrepresented information to fund and promote more nuclear weaponry via nuclear energy production, increasing: uranium mining, milling, enrichment, fuel fabrication and transport, nuclear waste reprocessing, transport, storage and disposal; rather than funding cleanup of abandoned uranium mines⁴ and deadly nuclear pollution⁵. The US misrepresented the law as a safety bill with unclear technology provisions to support the global nuclear industrial complex and increase nuclear weaponry while denying funding for communities affected by nuclear weaponry⁶ that support human health⁷ and environmental restoration. The implementation of this legislation and other related documents, including arcane funding legislation, violates the UN Convention against Genocide, the UN Convention against Torture, the Convention against Corruption (CAC), the United Nations Convention against Transnational Organized Crime (UNTOC), the International Covenant on Civil & Political Rights (ICCPR) and the Convention on the Elimination of All Forms of Racial Discrimination. Further, this legislation violates instruments that the US should ratify and implement: optional protocols to the ICCPR and Convention against Torture, the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and optional protocols, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the Convention on Biological Diversity (CBD), the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the Stockholm Convention on Persistent Organic Pollutants (POPs).
2. International humanitarian law and the law of armed conflict prohibits attacks on noncombatants and non-military facilities, and also restricts the use of weapons that cause unnecessary suffering or superfluous injury, therefore the dropping of the atomic bombs by the US military forces was a torturous act in violation of international law.⁸ Survivors' countless testimonies^{9,10} that described the force of the nuclear bomb prove that the purpose of nuclear weapons material is to cause torturous destruction of humans. Nuclear weapons destroy the human body. The vacuum of a nuclear explosion sucks out flesh. Atomic burns peel the skin, swell and corrode the face. Survivors of this initial atomic torturous force were left in excruciating and delayed and long drawn-out pain as

radiation rots and rotted their bodies. Hibakusha testimonies depicted the victims going through the horror of dying inside-out and left communities in a chaotic state wondering who is next. The terrorist act of using or threatening to use nuclear weapons is illegal.¹¹ Such US practices promote conflict and endanger rather than defend those near US nuclear weapons.

3. Despite 1994 US Department of Energy (DOE) disclosures of classified records,¹² the US government continues to deny that it performed an unlawful study in which the US conducted nuclear weapons testing on the Ri-Majeļ, the Indigenous People of the Marshall Islands.¹³ Project 4.1, entitled a “Study of Response of Human Beings exposed to Significant Beta and Gamma Radiation due to Fall-out from High Yield Weapons,” was experimental research on the Ri-Majeļ People by the United States.¹⁴ The heavily exposed Ri-Majeļ from Rongelap Atoll were enrolled as human subjects in Project 4.1, and information was withheld that would have reduced their exposure to ionizing radiation and toxic pollution.

According to Resolution 51/35, the Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands, UN Special Rapporteurs reported that the Ri-Majeļ continue to suffer adverse effects to their human rights, livelihoods, lands and environment and health impacts, including psychological trauma and reproductive problems from nuclear tests.¹⁵ The US claims it has fulfilled “all claims past, present and future,” rejecting the findings of Resolution 51/35 as it continues to fail in providing adequate information, support, and health services to survivors and their impacted descendants.¹⁶

In addition, the US also did plutonium experiments on uninformed subjects¹⁷ and hundreds of nuclear weapons tests starting at the Trinity Site in New Mexico, in the Pacific and the Nevada Test Site¹⁸. Because the US government’s obligation has not been met to the Ri-Majeļ People¹⁹ and others that it experimented on, the US should be prohibited from efforts to plan for more nuclear weaponry.

4. Indigenous Peoples' self-determination should be respected as part of the UN Charter's commitment to decolonization architecture: To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. The UN Declaration on the Rights of Indigenous Peoples explains the individual and collective rights of Indigenous Peoples whose governments pre-existed those of the State.²⁰ The representative institutions of Indigenous Peoples have the right to initiate or negotiate proposals and to either give or withhold their free, prior, and informed consent to state proposals made to them, including proposals related to nuclear activities and victim assistance. The US fails to respectfully negotiate with Indigenous Peoples' representative institutions for access to their territories and resources at all stages of the uranium fuel chain.

5. Uranium production in the US occurs mostly in Indigenous Peoples' territories. Uranium mining and milling are the essential first steps in the production of every nuclear bomb and nuclear energy. Uranium extraction and processing have taken a terrible toll on Indigenous uranium workers and Indigenous Peoples worldwide. Abandoned uranium mines, uranium mine waste and mill tailings contaminate Indigenous Peoples' territories and food chain causing devastating human and environmental health impacts while crippling Indigenous Peoples' economies. Impacts to Diné People on the Navajo Nation are well-documented²¹, with similar and even more severe impacts occurring in places like Kazakhstan, Australia, Canada, India, the Democratic Republic of the Congo.²²
6. Additionally, transport of radioactive materials regularly occurs without community awareness or consent, with few tools available for impacted communities to protect themselves from radioactive transports. In the Southwest, there is an Indigenous grassroots movement to stop uranium transport from a uranium mine near the Grand Canyon to a uranium mill in southeast Utah²³. Regarding high-level radioactive waste from nuclear power plants, communities nationwide oppose Consolidated Interim Storage of this waste for many reasons, with national transport by rail being of major concern.²⁴
7. Proper radioactive waste storage and disposal at every stage of the uranium fuel chain is lacking in the US and globally. Indigenous Peoples and marginalized communities are not only targeted to be the solution to the world's energy demands, but also its waste problems. The Ute Mountain Ute nation's land and water in southeast Utah, where the White Mesa Mill²⁵ is located, is targeted as a place to process and store nuclear wastes called "alternate feed"²⁶ and for processing rare earth elements and critical minerals.²⁷
8. Because of the separation of the stages of the uranium fuel chain and related waste facilities, the cumulative amount of greenhouse gases (GHG) are not clear to the public. The nuclear industry and nuclear states often conceal this information, instead only focusing on the carbon footprint of nuclear power plants, misleading the public of the true amount of GHG emissions of the entire uranium fuel chain, from cradle to grave²⁸ and including all transports.

Further, nuclear weapons are part of the overall US military industrial complex which is one of the largest producers of GHGs internationally.

9. Although US decision-makers rejected unproven small modular reactors (SMR) designs, the US still passed Public Law 118-67 which is aimed at advancing the use of SMRs, High-Assay Low-Enriched Uranium (HALEU) fuel and other technologies. Despite being smaller, these SMRs do not have smaller risk factors or environmental impacts. Beyond the increased proliferation risks of using HALEU with higher-enriched uranium, small modular reactors have the same and even greater environmental and safety risks. The technology advertised in versions of the proposed law may be new but is not improved. The production, transportation, and storage of HALEU fuel and other

technologies financed by Public Law 118-67 or the “ADVANCE Act,” present serious safety concerns, including the risk of accidents, radioactive contamination, potential terrorist threats, and nuclear weapons proliferation. HALEU fuel also requires more natural uranium for a higher uranium concentration, thereby creating greater quantities of harmful radioactive waste and radioactive emissions at uranium mines and processing sites.²⁹

Increases in uranium production will adversely affect communities that are already burdened with uranium legacy, with the largest health burden disproportionately born by women and girls³⁰, ultimately impacting life for all humans.

10. Peoples need access to valid information, justice, and to equal and equitable political participation in determining their remedies to harm. Peoples have the inalienable right to self-determination. The US concealed the 1945 occurrence of Black Rain and a wide range of nuclear consequences in Hiroshima and Nagasaki, and continued its position of avoiding any responsibility for nuclear damage. Such practices of corruption, fraud, torture, and murder cause genocide and attack the rule of law and institutions that uphold it.
11. The US continued pushing its nuclear agenda while COVID-19 paralyzed the nation and prevented public engagement. Indigenous Peoples and those in rural communities lacking health facilities were disproportionately affected, exacerbated by water and health issues created by uranium and nuclear legacy. In this COVID-19 period of repression and suffering, the US wrote Public Law 118-67 which amended Public Law 115-439³¹, as well as pushed other nuclear projects such as Consolidated Interim Storage while residents were unaware and unable to attend public meetings due to curfews and lack of publicly open wifi because of Covid precautions.^{32,33}
12. The US does not permit peoples within US systems to fully develop their self-determination, especially in regards to denying nuclear development, storage and disposal. The US has promoted military conflict near and far, making false claims to territories and resources since the beginning of colonization while fostering ethnocentrism to proliferate nuclear weaponry and US imperialism across the planet. The US has illicitly influenced international organizations with conflicting mandates to coerce UN financial instruments and related institutions and organizations to pressure states into the global nuclear industrial complex, while relaxing responsibilities, with little to no oversight or accountability.
13. The US has limited and obstructed transparency, accountability, and equal political participation for economic and political decisions regarding governance of nuclear weapons, uranium fuel and radioactive wastes. For example, the US has no National Human Rights Institution (NHRI), preventing discussion or debate on uranium and nuclear proliferation as human rights violations.³⁴ The US uses the International Atomic

Energy Agency (IAEA) to enable UN financial instruments to coerce and mislead lower-income countries into the nuclear energy market. The US's push to triple nuclear energy production by 2050 announced at the 28th Conference of the Parties to the UN Framework Convention on Climate Change³⁵, also known as "COP 28," divert funds away from development of renewable energy to nuclear energy. Peoples' poverty, sickness, workload, homelessness, and marginalization worsen with increased nuclear development and self-regulation of the nuclear industrial complex, which poisons workers³⁶ and kills humans.

14. Public Law 118-67 misrepresents increased nuclear activities as climate action. Because the US conceals and misconstrues data, climate modeling misrepresents the true impacts from nuclear to climate, including the genetic impacts from ionizing radiation to ecosystems and biodiversity. The US has concealed radioactive and toxic impacts to ecosystems and climate, as it has concealed data about impacts to humans.
15. The US expansion of the global nuclear industrial complex threatens the survival of humanity and violates the human rights of all impacted by the uranium fuel chain (both civil and military) or the threat of nuclear weapons. Destruction to the environment and ecosystems from nuclear weapons impact and limit food, shelter, health and education options. All stages of the uranium fuel chain, nuclear testing and radioactive waste sites require colossal amounts of land and water, often exploiting, displacing, oppressing and infringing on the rights of local residents and Indigenous Peoples referred to as nuclear colonialism.³⁷

Affected communities lack full and accurate data on the effects of uranium exploitation and the uranium fuel chain because institutional mechanisms suppress data and information about the harm of nuclear impacts done to peoples and their ecosystems, impacting survival and livelihood. These activities impose involuntary or uninformed exposures to radiation and contaminate the local environment. Thus, the nuclear fuel chain destroys affected peoples' means of survival. Each stage of the nuclear chain contaminates the environment and damages ecosystems and the global macrosystem, causing a wide array of radiation-related disorders in people and other living beings with freshwater, oceans, land, biosphere, ozone, atmosphere, climate, and land. Workers and other civilians will be poisoned with increases in nuclear activity. There is no 100% guaranteed safe storage or disposal of nuclear waste. Nuclear contamination lasts for thousands of generations, making complete ecosystem restoration impossible.

16. As permitted in the Nuclear Non-Proliferation Treaty (NPT)³⁸ and the Treaty on the Prohibition of Nuclear Weapons, the US and other nuclear weapons states claim an inalienable right to so-called "peaceful" use of nuclear, while also claiming a right to manufacture weapons of mass destruction: nuclear weapons material. However states do not have a right to conduct uranium or nuclear activities because they do not have the

right to torture and murder.

17. All have the right to just and favourable working conditions. Poisonous nuclear weapons reactor devices and their supply chain will always harm workers and increase the need for medical care and compensation. Workers may refuse unsafe conditions with no negative ramifications.³⁹ Recognizing that there is no safe dose of ionizing radiation, that all exposures are cumulative, and that some isotopes are extremely long-lived, environmental remediation of contaminated areas should include measures to protect workers and the off-site population from any further radiation exposure. Ecosystem destruction increases unpaid ecological care work as survivors must work harder and longer to get lower quality food, health, shelter, and education options or relocate to survive. We ask the UN Human Rights Council (HRC) to support the US government to assist such victims, according to self-identification, as officially displaced persons, communities, or peoples.
18. In many cases (in the US and all over the world), workers are the original inhabitants of such sites, and as written in ACAWG's working papers, "nuclear lifestyles"^{40,41} have replaced the original, more sustainable lifestyle of communities, especially those of Indigenous Peoples. Nuclear lifestyles generate ionizing radiation and toxic pollution that pushes past the planetary limits of climate, freshwater, land, ocean, biosphere, and atmosphere integrity and destroy the means of producing food, medicine, clothing, shelter, and education options.
19. The global nuclear industrial complex – from uranium mining, to fuel fabrication, to weapons manufacturing and testing and the creation of radioactive and toxic wastes – devastates human life⁴² and produces carcinogenic, mutagenic, and teratogenic harms that create new generations of nuclear victims of many species. Expansions of the uranium fuel chain and use of nuclear energy and weapons violates the rights of peoples' self-determination, and that of future generations, as the impacts last for millenia.
20. Transboundary nuclear impacts increase violations to the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste⁴³ between the US and other States. Movement of waste and nuclear impacts to transboundary waters and marine life, can lead to conflict.^{44, 45}

Conclusion

The US has violated the UN Charter and UN instruments and core international instruments by producing, using, and proliferating harmful nuclear weaponry, failing to restore uranium-impacted and nuclear-affected communities and their ecosystems, and by misrepresenting facts related to Public Law 118-67. Ratification and implementation of international instruments for

universal peace would strengthen the US to face difficult realities.

As the US violates international law to support atomic atrocities and terror, the US violates the US Constitution.⁴⁶ The US should not be considered a UN Member in good standing as it has not taken responsibility for the nuclear crimes and violations of peoples' equal rights to self-determination that it has perpetrated, including the uranium and nuclear fuel chain. The nuclear legacy has not been addressed yet in a way that allows humanity to thrive or that satisfies US obligations under international law. Therefore the international community would undermine the Charter by cooperating with the US scheme to subvert the rule of law.

Recommendations:

1. We ask the HRC to recognize the fact that nuclear weaponry violates the Charter and Covenants, core international instruments.
2. We ask the HRC to call on the US to implement the ILO Conventions No. 29, 81, 87, 98, 122, 129, 138, 155, 159, 161, 169, and 170 and the Organization of American States (OAS) and United Nations (UN) Declarations on the Rights of Indigenous Peoples; to aid in the prevention of exploitation of all workers who are employed in radiation-contaminated areas; to assist the US to build a government capable of, in good faith and in accordance with these instruments, negotiating and maintaining agreements with Indigenous Peoples for access to their territories or resources, including labor, wherever in the world the US acts; to strengthen the US to accept its responsibilities to Indigenous Peoples by upholding the Rome Statute of the International Criminal Court.
3. We ask the HRC to recognize that nuclear weaponry is illegal and that nuclear expansion must cease and to support an end to the US's current push and expansion of nuclear operations^{47, 48} which promote conflict with other UN Security Council; to prevent the US from construction of nuclear weapons and production of fissile material and to call for safe dismantling of all uranium fuel chain facilities; to recognize peoples' rights to determine their development as they decommission nuclear reactors; to ensure that the US does not adopt or implement national measures that have extraterritorial or adverse impacts on the Right to Development and human rights⁴⁹; and to ensure that the Right to Development is realized wherever the US state operates.
4. We ask the HRC to call for stricter safety standards, to use the "Reference Girl"³⁰ model when managing radioactive materials and to identify and prevent unacceptable harm through radioactive waste and pollution-free policies based on human rights and precautionary principles that inform peoples of existing or potential risks and remedies as we lay nuclear weaponry to its final rest.
5. We ask the HRC to support a freeze of US nuclear spending until there are proper procedures to provide accountability for all those who have claims against the US and its

contractors, including survivors of the uranium industrial complex and nuclear testing.

6. We ask the HRC to regulate transnational corporations and to suspend UN involvement in processes, instruments and institutions related to fulfillment of Public Law 118-67 and related measures aimed at expanding nuclear activities, which pollute and proliferate nuclear weaponry.
7. We call on the HRC and US to reduce violence against women, children, and families by increasing US accountability to ICESCR, CEDAW and CRC standards.
8. We ask the HRC to confront US corruption that steals the wealth of those that it claims to represent, to increase transparency in the UN and its financial instruments so peoples can track state movement of funds. We ask the HRC to hold the IAEA accountable to comply with the UN CAC and UN anti-corruption framework and to report all transactions related to international uranium or nuclear projects.
9. We ask the HRC to establish an independent international body to ensure the safety of radioactive materials related to the uranium fuel chain, nuclear weaponry and safe management of all storage and movement of radioactive materials.
10. We ask the HRC to call on the US to provide open and transparent access to all available data, so that members of affected communities can make informed decisions to advance human survival. We ask the HRC to prevent information and data from being controlled, colonized, and manipulated by the military-nuclear industrial complex, as occurred with US Public Law 118-67. We ask the HRC to ensure that the US shares data about the impact to the climate from the uranium fuel chain, disasters and detonations, including pollution causing mutagenic harm to biodiversity that supports mitigation of climate change.
11. We ask the HRC to call on the US to support peoples' decision-making in peace, policy, health, budgeting, science, economics, security, energy, and development in order to secure and dismantle nuclear weapons, eliminate nuclear stockpiles, end uranium mining and uranium fuel chain processes and decommission nuclear reactors, while applying the precautionary principle to health, environmental, and development impacts.
12. We ask the HRC to help end perverse subsidies such as those for nuclear weapons reactors, regardless of whether the byproduct nuclear energy is used, and to support Buen Vivir strategies.⁵⁰
13. We ask the HRC to ensure equal access to peoples' financing of renewable energy and to protect Indigenous Peoples' representative institutions' right to participate equally in managing energy development without suffering disproportionate harm, and to recognize that nuclear energy is not safe or renewable.

14. We ask the HRC to establish and maintain funding that supports survivors and descendants of uranium mining, milling and fuel and weapons fabrication, weapons testing, radioactive waste dumping and storage, transport and all related activities through legislative measures or instruments such as the former US Radiation Exposure Compensation Act (RECA).
15. We ask the HRC to emphasize approaches that respect and protect waters, promote biological diversity and diversity of human economic, social, political and cultural ways of mitigating climate change; to reduce conflict by enabling accountability responses to aggression related to water access; and to work toward protecting waters globally by applying the precautionary principle to facilitate peoples' climate work, ending the monopolization of waters.

Annex List

- 1) List of Endorsing Organizations.pdf
- 2) 2025-acawg-tpnw-3msp-ngo-wp-on-articles-6-and-7.pdf
- 3) 2025-acawg-tpnw-3msp-ngo-wp-on-trust-fund.pdf
- 4) ACAWG Brochure on TPNW Issues.pdf

Endnotes

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