

Contribution to examine the questions regarding the legacy of nuclear weapons and measures of victim assistance and remediation, in application of Resolution 78/240 of the United Nations General Assembly

France's contribution

France would like to thank the United Nations Secretary-General for the possibility of submitting its views for consideration, in accordance with Resolution 78/240 "Addressing the legacy of nuclear weapons: providing victim assistance and environmental remediation to Member States affected by the use or testing of nuclear weapons" adopted by the General Assembly on 22 December 2023.

France supports the reflection engaged on victim assistance and remediation measures related to the use of nuclear weapons. That being said, France would like to recall that it was not in a position to support Resolution 78/240. The text affirmed the emergence of new knowledge on the consequences of the tests, despite the fact that **conclusive scientific studies were not cited**. It aimed to establish an international accountability regime that does not take into account ongoing national or bilateral efforts to which France is committed, while calling for the systemization of technical and scientific information sharing that might concern international security and non-proliferation considerations.

1/ France, the first nuclear-weapon State to sign and ratify (with the United Kingdom) the Comprehensive Nuclear-Test-Ban Treaty, fully shoulders its responsibilities and does everything in its power to compensate all victims of nuclear weapons.

After the last testing campaign, **the transparency policy decided by French President Emmanuel Macron was translated into international studies conducted at the request of the French government on the assessment of effects of testing on the environment and populations.** The International Atomic Energy Agency (IAEA) conducted a study in 1998 on the current and future radiological situation at Atolls of Mururoa and Fangataufa after 30 years of testing. Although IAEA experts concluded that "neither remedial actions nor continuing environmental monitoring at Mururoa and Fangataufa are needed on radiological protection grounds", since that time, **France decided to continue this monitoring by taking periodical samples from the environment, which thus far have not shown any abnormalities.** To address transparency concerns, the findings of these analyses are publicly available.

2/ France has decided to implement a transparency policy to facilitate documentation on nuclear tests. In this regard, a commission on the opening of nuclear testing archives in French Polynesia was established on 5 October 2021 by the Ministry for the Armed Forces. This structure has brought together representatives from French Polynesia in an interministerial framework with representatives from different administrations and archive departments safeguarding documentary sources on this subject. Transparency is now widely practiced as the main archives (more than 120,000 documents at this stage) have already been declassified.

3/ The Act relating to the recognition and compensation of victims of French nuclear tests, known as the Morin Act No. 2010-2 of 5 January 2010, has introduced a system to compensate victims. This Act created a uniform regime, a one-stop shop and an application processing commission, a committee on compensation of victims of nuclear tests (CIVEN). This Act lays down that when an applicant meets the time, place and pathology requirements set out in Article 2, they shall benefit from the presumption of causality between the exposure to ionizing radiation due to French nuclear tests and the appearance of their illness. This presumption can only be overturned if the administration

establishes that the sole cause of the applicant's illness is different from exposure to ionizing radiation due to nuclear tests, particularly because they were not exposed to this radiation.

In Papeete on 27 July 2021, President Macron acknowledged the debt France owes to French Polynesia for the nuclear tests carried out from 1966 to 1996 in the Pacific, and pledged to implement a series of measures to supplement the State's action to address these cases (review of the compensation applications having already been refused; a three-year extension of the time limit for submitting a compensation application for victims of nuclear tests and their dependents).

Since 1 January 2022, a process for exploring and assisting in establishing compensation applications under the Morin Act for CIVEN was put into place.

Open-source bibliography items available:

- *RAPPORT D'INFORMATION N° 856 FAIT au nom de la commission sénatoriale pour le contrôle de l'application des lois (1) sur la mise en œuvre de la loi n° 2010-2 du 5 janvier 2010 relative à la reconnaissance et l'indemnisation des victimes des essais nucléaires français* (Information Report No. 856 drafted on behalf of the senatorial commission for monitoring the implementation of legislation (1) on the implementation of Act No 2010-2 of 5 January 2010 on the recognition and compensation of victims of nuclear tests)
- *LA DIMENSION RADIOLOGIQUE DES ESSAIS NUCLÉAIRES FRANÇAIS EN POLYNÉSIE : à l'épreuve des faits* (The Radiological Dimension of French Nuclear Tests in Polynesia: Put to the test), report by the Defence Ministry (2006 - ISBN-10 : 2110967803)
- "The Radiological Situation at the Atolls of Mururoa and Fangataufa", IAEA Radiological Assessment Reports Series No. STI/PUB/1028 ; 92-0-101198-9