STRENGTHENING HUMANITARIAN DISARMAMENT:

GERMANY'S ROLE IN SUPPORTING VICTIMS AND SURVIVORS OF NUCLEAR TESTING

PEACE & SECURITY

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CONTENTS

Abbreviations	4
1. Introduction	5
2. Assisting Victims Harmed by Weapons - a Core Element of Humanitarian Disarmament	8
2.1. The Emerging Norm of Victim's Assistance through the MBT, the CRPD and the CCM	8
2.2. Case Study: Semipalatinsk Region: Living with the Legacies of 40 Years of Nuclear Testing: "We are paying the price for the arms race between countries"	10
2.3. Victim Assistance in the Context of Nuclear Weapons	15
2.3.1. Victim Assistance within the TPNW	17
2.4. Assisting Victims of Weapons as Established International Norm	20
3. Strengthening International Assistance to Survivors of Nuclear Testing	22
4. Policy Recommendations	25
5. Conclusion	28
6. Bibliography	30

Abbreviations

CCM: Convention on Cluster Munitions
CRPD: Convention on the Rights of Persons with Disabilities
EWIPA: Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas
IPPNW: International Physicians for the Prevention of Nuclear War
MBT: Mine Ban Treaty: Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction
NGO: Non-governmental organisation
NNC: (Kazakh) National Nuclear Center
NPT: Treaty on the Non-Proliferation of Nuclear Weapons
TPNW: Treaty on the Prohibition of Nuclear Weapons

INTRODUCTION

Despite the 2022 *Zeitenwende*[1] and its objective to strengthen Germany's military capabilities, the German government continues to regard arms control and disarmament as fundamental pillars of the international order (Lurz, 2023). In its 2025 coalition agreement, the current German government commits to the long-term goal of arms control, non-proliferation, and disarmament (CDU, CSU and SPD, 2025). The 2023 *National Security Strategy*, drafted by the previous government, states that "effective and verifiable arms control, non-proliferation and disarmament help to foster our security and complement deterrence and defence" (The Federal Government, 2023, p.44; author's translation).

A study commissioned by the non-governmental organisation (NGO) Greenpeace in 2023 concludes that over the last ten years, the German government has very often been a supporter, or even an initiator, of multilateral arms control initiatives and has only taken on a hesitant or blocking role in a few instances. This applies to varying degrees both to conventional weapons and to weapons of mass destruction (Lurz, 2023).

Germany's support for arms control initiatives also holds true in the field of humanitarian disarmament, which aims at limiting the impact of the use of weapons with the goal of protecting civilians and promoting human security (Wisotzki, 2023). Humanitarian disarmament instruments, such as victim assistance or environmental remediation, are based on "principles and rules of international humanitarian law (IHL) and aims to prevent and mitigate the 'catastrophic humanitarian consequences' of nuclear weapons by means of a people-centred approach" (ICRC, 2023, p.2). For the vast majority of humanitarian arms control initiatives in the last decades – such as regional initiatives aiming at preventing illegal proliferation of small arms and light weapons, the *Antipersonnel Landmine Ban Treaty* (MBT), the *Convention on Cluster Munitions* (CCM), the *Global Framework for Through-life Conventional Ammunition Management*, or the *Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas* (EWIPA), Germany – consistently and across different governments – has been an (important) initiator, supporter and in many instances also an important donor (Wisotzki, 2023). Indeed, the first modern multilateral and humanitarian disarmament treaty which the German government has rejected, even being absent from its negotiation, is the *Treaty on the Prohibition of Nuclear Weapons* (TPNW) (Meier, 2021).

The TPNW entered into force in 2021 and is the first legally binding international agreement to comprehensively prohibit nuclear weapons. States parties are prohibited from possessing nuclear weapons or assisting nuclear weapons programmes and alliances that rely on nuclear deterrence (Meier, 2021). The treaty is rooted in the humanitarian disarmament tradition and is based on the principles and rules of international humanitarian law (ICRC, 2023). The TPNW is based on and mirrors existing frameworks such as the CCM and MBT, treaties for which Germany has been a crucial supporter from the beginning (ICRC, 2023; Wisotzki, 2023). Importantly, and in line with the CCM and the MBT, Articles 6 and 7 of the TPNW establish measures for alleviating the harm caused by nuclear weapons, including by providing victim assistance and environmental remediation (ICRC, 2023). As such the TPNW is the first multilateral treaty to establish such positive obligations for wea-

[1] After Russia's full invasion of Ukraine in 2022, former German Chancellor Olaf Scholf announced the so-called *Zeitenwende* (turning point), which describes a radical shift in Germany's foreign, security, and trade policy, with one of the goals being to drastically boost Germany's military capacities.

pons of mass destruction (ICRC, 2023).
Since the TPNW came into force in 2021, the international norm for assisting victims of nuclear testing is expanding, gradually becoming customary international law, and thus increasingly relevant even for states that are not States parties to the TPNW (Bolton, 2024). The previous German government even committed in its (now offline) guidelines to *Shaping Feminist Foreign Policy* to supporting "efforts to recognise and compensate the victims of nuclear tests" (Federal Foreign Office, 2023, p.28). At the second meeting of States parties to TPNW in 2023, Germany, in its role as an observer, stressed that it "is committed to engaging in exploring opportunities for practical cooperation on the humanitarian perspective" and that the "provision of victims assistance and environmental remediation from the damages of nuclear testing deserve broader attention and engagement" (Riegraf, 2023). Germany further committed to supporting concrete project work on victim assistance (ibid). This Policy Brief is part of one of these projects, which for the last two years has explored how Germany and like-minded governments can be better equipped to recognise and compensate victims and survivors of nuclear testing.

Actively implementing and constructively strengthening the international norm of assisting victims of nuclear testing holds the potential for the German government to first and foremost contributing to alleviate the suffering of those impacted by the harm caused by nuclear weapons. Additionally, it also has the potential to strengthen humanitarian disarmament, and in turn, the multilateral arms control architecture. Lastly, it has the potential of actively contributing to a world free of nuclear weapons by potentially reducing the polarisation between nuclear-armed states and nuclear free states (Wisotzki 2023; Meier, 2021).

This Policy Brief aims at supporting the German government (and like-minded governments) in this endeavour. It will first outline how the obligation to assist victims harmed by weapons has evol-

ved within the frameworks of the MBT, the CCM, and the *Convention on the Rights of Persons with Disabilities* (CRPD). In a second step, the Brief will highlight the history of the Semipalatinsk region in Kazakhstan to illustrate the current state of victim assistance for survivors of nuclear tests. Finally, it will argue that the obligation to assist victims of weapons in general and victims of nuclear testing in particular is developing into a norm of customary international law and will underscore the opportunities this presents for Germany to actively promote and implement this norm. The brief will conclude with concrete policy recommendations on how Germany can enhance its support for survivors of nuclear tests.

At this point, it is important to note that the great majority of survivors, activists, and scholars that have influenced this Policy Brief have stressed the important progress made by the TPNW in highlighting the needs and rights of survivors. Their wish for governments of nuclear armed states or their allies to sign and ratify the treaty is strong. At the same time, many of them recognise that for the foreseeable future, neither nuclear armed nor nuclear-allied states deem it the right time to ratify the TPNW. Many have put forward concrete proposals demonstrating that this should not serve as an obstacle or an excuse preventing nuclear-armed states and their allies from taking action to alleviate the suffering of those who continue to bear the human and environmental costs of the nuclear arms race—especially as the likelihood of a resumption of nuclear testing by nuclear-armed states appears greater now than at any point in the past three decades. Consequently, this Policy Brief tries to maintain a difficult balance: highlighting complementing avenues for countries like Germany to strengthen the international norm of assisting victims harmed by nuclear testing, while avoiding undermining the TPNW or contributing to a fragmentation of the emerging framework of global victim assistance. This approach reflects CFFP's work: as a feminist organisation, (nuclear) disarmament has been at the core of our work. We have always encouraged governments to ratify the TPNW. At the same time, we are aware of and have respected the need for political alliances and compromises, which can take time. We have thus always opted for outlining short- and medium-term steps that can be taken immediately or in the near future without losing sight of the objective, in this case the legal obligation under the *Treaty on the Non-Proliferation of Nuclear Weapons*' (NPT) Article 6 to pursue *Global Zero* in good faith.

2. ASSISTING VICTIMS HARMED BY WEAPONS – A CORE ELEMENT OF HUMANITARIAN DISARMAMENT

2.1. The Emerging Norm of Victim's Assistance through the MBT, the CRPD and the CCM

According to leading experts Bonnie Docherty and Alicia Sanders-Zakres, the development of victim assistance as a core element of humanitarian disarmament was developed over a series of three steps. The 1997 *Antipersonnel Landmine Ban Treaty* (MBT) introduced the concept as a humanitarian consideration. The 2006 *Convention on the Rights of Persons with Disabilities* (CRPD) created a framework of human rights that influenced its evolution. The 2008 *Convention on Cluster Munitions* (CCM) made victim assistance a robust and rights-based legal obligation (Docherty and Sanders-Zakres, 2022).

The MBT (1997) is the first disarmament treaty with a victim assistance provision, and thus marks a turning point in disarmament law, which previously was mainly shaped by national security interests instead of (or even in addition to) humanitarian perspectives. It was not included in the first draft and civil society organisations, such as the *Landmine Survivors Network*, pushed hard for victim assistance to be included in the final text of the MBT. In the end, negotiators recognised that "a comprehensive response to this suffering [caused by anti-personnel mines] necessitated not only preventing future use but also addressing the harm that had already occurred" (Docherty and Sanders-Zakres, 2022, p.256). The MBT (as well as the CCM, at a later date) was influenced by international humanitarian law and its goal to "maintain some humanity in armed conflicts, saving lives and reducing suffering" (ICRC, 2016). While first focused on addressing both medical and socio-economic needs of victims, subsequent treaty documents helped to expand the understanding of victim assistance. One example is *Ending the Suffering Caused by Anti-Personnel Mines: Nairobi Action Plan 2005-2009*, which broadened the scope to also include psychological care and introduced age and gender considerations (Docherty and Sanders-Zakres, 2022).

The CRPD, from 2006, while directed at all people with disabilities and not just victims of specific weapons, strongly benefitted from the experience of civil society pushing for victim assistance during the negotiations of the MBT. The Convention codified a human rights approach to disability, highlighting a range of human rights that apply to those affected by arms as well as persons with disabilities, such as civil and political rights (right to life, to access to information, to participation in political and public life) and economic, social and cultural rights (rights to education, health, work) (ibid.)

Building on the achievements of the MBT and the CRPD, the CCM negotiation process was more inclusive and culminated in "strong, detailed and legally binding victim assistance obligations" (ibid., p.260). Importantly, the CCM introduced a framework of shared responsibility: "Like the MBT, it requires all States parties in a position to do so to provide international cooperation and assistance to assist victims. Article 5 of the CCM goes a step further, however, and obliges affected States parties to take the lead in assisting victims within their territory" (ibid, p.263). The CCM also defines victim assistance to include medical care, rehabilitation and psychological support, as well

DEFINING VICTIM'S ASSISTANCE

Assistance to victims of cluster munitions, landmines and nuclear weapons are obligations enshrined in three instruments of international humanitarian law, namely the Mine Ban Treaty, the Convention on Cluster Munitions, and the Treaty on the Prohibition of Nuclear Weapons. In short, "this means that victims have the right to assistance – without their need to advocate for it – and that States Parties have the obligation to implement it and to be accountable" (Handicap, 2014, p.11). All three treaties aim to both prevent future harm by prohibiting certain types of weapons and to addressing harm that has already occurred. Victim assistance can thus be understood as "a positive obligation characteristic of humanitarian disarmament treaties" and "embodies the enduring commitment of states parties to work towards victims' full and effective participation in society through the realization of their human rights" (IHRC, 2018, p.1). Victim assistance includes services in the following sectors/policy areas: 1) health, 2) physical and functional rehabilitation, 3) psychological and psycho-social support, 4) education, 5) work and employment and 6) adequate standards of living and social protection (Handicap, 2014).

as social and economic inclusion. It further details that victim assistance needs to be age- and gender-sensitive. Building on the *Nairobi Action Plan*, the CCM also calls upon States parties to monitor and promote progress in the achievement of victim assistance goals. The CCM also mirrors the CRPD's human rights approach and places victim assistance in the context of the human rights framework. This is important as international human rights law (in contrast to international humanitarian law) has been much more explicit about providing "a remedy, both substantive and procedural, for individuals suffering injury from unlawful conduct by State authorities" (Zegveld, 2023, p.497). Importantly, the CCM expands the definition of victim to not only include those who have suffered physically or psychologically, but also those that have suffered economically or have been socially marginalised or hindered in realising their rights (Docherty and Sanders-Zakres, 2022). Docherty and Sanders-Zakres conclude that "the CCM broke new ground in disarmament law by making these detailed victim assistance provisions binding" (ibid, pp.264).

When analysing the success of these treaties since their adaption, Docherty and Sanders-Zakre conclude that the "implementation of victim assistance obligations have advanced the rights of not only landmine and cluster munition victims but also of other persons with disabilities" (Docherty and Sanders-Zakre, p.270). Norwegian Minister of Foreign Affairs Jonas Støre concluded at a disability conference in 2011: "The major steps forward that were taken through the Mine Ban and Cluster Munitions conventions, as well as the Convention on the Rights of Persons with Disabilities, have created an international norm, making victim assistance a human rights issue" (Støre, 2011).

[2] The Nairobi Action Plan was agreed upon at the Nairobi Summit on a Mine-Free World to guide the efforts of the 144 Member States of the MBT. It sets concrete goals for stockpile destruction, mine clearance, victim assistance, and others, for the period between 2005-2009 (UN, 2004 and Nairobi Action Plan, 2004).

2.2. CASE STUDY: SEMIPALATINSK REGION: LIVING WITH THE LEGACIES OF 40 YEARS OF NUCLEAR TESTING: "WE ARE PAYING THE PRICE FOR THE ARMS RACE BETWEEN COUNTRIES"

Between 1949 and 1989, the Soviet Union conducted more than 400 nuclear tests on the territory of the 18,500 km2 Semipalatinsk Test Site in the east of Kazakhstan, with the total yield of nuclear explosions reaching 17.7 megatons, "the equivalent of a thousand Hiroshima bombs" (Kassenova, 2022, p.28). During that period, around 1.5 million citizens of Kazakhstan were exposed to radioactive fallout – a statistic which does not account for the generational impact of the testing, with genetic aberrations still being present in the descendants of test victims and survivors (Hodgson, 2025).

Records of the *Kazakh Institute for Regional Pathology* show that Soviet authorities knew about the impact of nuclear testing on the local population starting in the 1950s, but they continued to deny the harm until the 1980s. Indeed, only in the mid-1950s were residents warned (inadequately) at all ahead of tests. Already at the end of the 1950s, a three-year study on the effects of radiation on human health conducted by Kazakh physician and scientist Bakhia Atchabarov showed the devastating consequences of nuclear testing (Seitenova, 2024). In July 1989, at a public health and environmental conference, a Moscow-authorised government commission comprising both Soviet and Kazakh medical professionals concluded that "people in the Semipalatinsk region died in greater numbers from cancers than anywhere else in the Soviet Union, with stomach cancers being most common. Pathologies present in almost 70 percent of women in Semipalatinsk and rural settlements near the Polygon complicated their pregnancies, leading to miscarriages and abnormal fetus development" (Kassenova, 2022, p. 85). Skin "diseases as pigmentation, keloid scars and precancerous illness were common. High child mortality, childhood diseases, genetic abnormalities from chromosomal changes – these were among the somber facts that the commission recorded. Suicide rates were 1.5 to 2 times higher than those in the rest of the Soviet Union. More than 40 percent of locals suffered from neurosis" (Kassenova, 2022, pp.85-86). The effects of 40 years of nuclear testing are impacting what is now the third and fourth generation of survivors even today.

Amplified by the nuclear power plant accident at Chernobyl in 1986, Kazakh popular resentment against the decades of nuclear testing reached its peak in the late 1980s, mobilising the Nevada-Semipalatinsk Movement[3]. The movement tapped into the broader resentment in Kazakhstan against the rule from Moscow[4] and coincided with a period of Kazakh self-awakening; at the same time, the reforms of the new leader of the Soviet Union, Michael Gorbachev, allowed for more civil society activities. The Semipalatinsk region – to the Soviet military a "harsh and barren terrain" – with its "role as the birthplace of Kazakh literature and center of intellectual life" (Kassenova, 2022, pp.13/14) played a pivotal role in the forming of the movement. Kazakhstan's anti-nuclear movement became a vehicle for the nationalist and pro-independence movement (Kassenova, 2022). "The February 12, 1989[5] test unleashed an antinuclear movement whose supporters and sympathizers eventually numbered in the millions and came from all corners of Kazakhstan" (Kassenova, 2022, p.76). In 1989, as a direct result of pressure by the movement, the Soviet Union first cut the number of nuclear tests planned for 1989 in half and reduced their yield. In July 1991, the Soviet Union then agreed to cease all nuclear tests at the Semipalatinsk Test Site, allowing for two final tests in 1991. Bevor these two final tests happened, however, during the process of the Soviet Union's disintegration, Nursultan Nazarbayev, the first president of Kazakhstan and in power since 1990, closed the world's largest nuclear test site in Semipalatinsk in August 1991 (ibid.).

After the Soviet Union collapsed, "Kazakhstan found itself with a daunting inheritance it had not sought – more than a thousand Soviet nuclear weapons. That legacy would have made Kazakhstan the world's fourth largest nuclear power, but, after complex and high-stakes negotiations with the United States, Russia, and others, it decided to spurn that option and become nuclear-free" (Kassenova, 2022, p.7). According to the Kazakh *National Nuclear Center* (NNC), the Semipalatinsk Test Site has been "completely remediated", and former military and industrial facilities have been converted (National Nuclear Center, 2021, p.3). The NNC, based in the city of Kurchatov (named after Igor Kurchatov, nicknamed the "father of the Russian atomic bomb") hosts the Museum of the Semipalatinsk Nuclear Test Site which details the history of nuclear testing at the test site, the human and environmental toll, and the road to a nuclear free country. The NNC is dedicated to researching peaceful use of nuclear power, supporting the international non-proliferation regime and to analysing the ecological consequences of nuclear testing. In 2021, for example, the NNC published the *Comprehensive Radioecological Survey of the Semipalatinsk Test* Site with the goal of informing the "country's economic turnover in the future" (National Nuclear Center, 2021, p.4). In some areas, scientific agriculture is being undertaken to understand the impact of radiation on vegetables and animals over time. In 2023, the "Law on the Semipalatinsk Nuclear Safety Zone" was passed, which, inter alia, allows for the gradual return of territory to economic use. While the Test Site continues to be a military zone, livestock farming was visible in summer of 2025. Kurchatov, a two-hour bus ride from Semey, remains a largely deserted city, with very few inhabitants, although new stores have opened recently.

[3] The reference to Nevada was included in the name to show solidarity with the Americans who were waging a similar campaign and trying to close the Nevada Test Site.
[4] In 1986, the demonstration of around 30,000 at Alma-Ata's main square against Moscow's replacing of Kazakhstan's popular leader, Dinmukhamed Kunaev – an ethnic Kazakh – with Gennadii Kolbin – a Soviet official with no prior ties to Kazakhstan, was brutally suppressed by Moscow, killing around 168 people (Kassenova, 2022).
[5] While the test followed decades of tests, this test became "a symbolic flashpoint for the Polygon's ultimate demise" (Kassenova, 2022, p.75). After the wind had suddenly changed, a huge radioactive cloud "travelled across the military settlement and then on to populated civilian areas". Additionally, it was the first time that the Soviet Union acknowledged a nuclear test and radioactive contamination (ibid, p.76).

Survivors and civil society organisations, however, have described the radiation and environmental risk assessment as inadequate, criticising the lack of a "systematic, large-scale programme to assess contamination levels across affected regions" (TPNW/MSP/2025/NGO/9, p.2). They are further concerned about the fact that the "absence of comprehensive remediation programmes increases long-term exposure risks for local populations and ecosystems" (TPNW/MSP/2025/NGO/9, p.2). Civil society actors have further stated that "gaps in scientific infrastructure, research funding, and data accessibility continue to hinder comprehensive radiation health studies" (TPNW/MSP/2025/NGO/9, p.3).

National Legislation: Assisting Survivors of Nuclear Testing at Home

In 1992 – very shortly after Kazakhstan became independent – the "Law on Social Protection of Citizens who Suffered from Nuclear Tests at the Semipalatinsk Nuclear Test Site" was passed, which is "intended to provide social protection to citizens who suffered from lengthy nuclear tests at the Semipalatinsk nuclear test site" (Ministry of Justice of the Republic of Kazakhstan, 1992). It grants citizens (and their children) who lived, worked or served in the army in territories affected by nuclear tests between 1949 and 1990 the right to compensation. The law guarantees them a one-time monetary compensation (sometimes paid as monthly instalments) for the damage caused by nuclear tests, dependent on their risk zone. The law defines risk zones depending on the effective equivalent radiation dose. Additionally, the law established additional benefits for women, children, adolescents and their parents, and family members of the deceased, including additional maternity leave, free health care and leave to take care of a sick child. So far, around 1.1 – 1.4 million people have received compensation (ibid.; Seitenova, 2024). Citizens of the defined territories are also entitled to medical screening and assistance. Persons with disabilities and consequences thereof associated with radiation exposure during nuclear tests are also entitled to compensation (Seitenova, 2024).

Survivors[6] have acknowledged this law as one of the few examples of a relatively comprehensive support programmes for affected communities and a genuine attempt to provide support to citizens. Yet, and as is the case with many national bilateral compensation programmes, it has been described as inadequate for following reasons: the limited definition of victim, the difficulty of being recognised as a victim, and an inadequate compensation scheme. The official definition of those entitled to compensation has been described as lacking, as many of those affected are excluded from compensation. This includes third and fourth generations (with the exception of compensation for a disability that has been proven to be linked to radiation). Individual entrepreneurs, employees of private companies, and the unemployed are also not eligible for compensation (TPNW/MSP/2025/NGO/23; Seitenova, 2024), as are impacted citizens who have relocated to areas unaffected by nuclear testing (TPNW/MSP/2025/NGO/23). Specific affected groups, such as military personnel stationed at the Semipalatinsk Test Site, often also remain ineligible (TPNW/MSP/2025/NGO/9, p.3). Survivors we had a chance to interact with have also noted a lack of transparency and data, which leads to different understandings of who can be considered eligible.

Additionally, the process of being recognised as being eligible continues to be very cumbersome. As with other programmes, the Kazakh laws follows the so-called casual presumption approach, which "assumes that an individual has been impacted and deserves assistance based on meeting identified

criteria, for example, presence in a particular place at a particular time plus a diagnosis of an illness related to exposure to ionising radiation" (Van Duzer and Sanders-Zakre, 2021, p.100). This is a high bar for people living in remote areas with little access to doctors and/or legal support. Survivors have described a lengthy, sometimes decades-long, cumbersome processes of being recognised as a disabled person due to nuclear testing. A survey conducted in 2025 by the *Qazaq Nuclear Frontline Coalition*, including more than 500 respondents in the regions of former testing, concluded that most "of the Kazakh-speaking respondents shared that they did not know how to document this status and/or did not have access to such kind of information" (TPNW/MSP/2025/NGO/23, p.3).

Additionally, survivors highlighted that the medial care is insufficient – people often must travel for hours to be treated, and psychological care is particularly inadequate. Nearly 60 percent of respondents to the survey by the *Qazaq Nuclear Frontline Coalition* noted that they do not receive medical support for the treatment of their illnesses, and nearly 25 per cent described the problems with accessibility to medical services as "very serious" (TPNW/MSP/2025/NGO/23, p.3). Obstacles include limited availability of specialised medical professionals trained in radiation-related illnesses, lack of dedicated oncology and genetic screening centres in the affected region, absence of a systematic long-term health monitoring programmes, and limited access to mental health services (TPNW/MSP/2025/NGO/9).

Many survivors noted the close correlation between financial and medical assistance for victims and the socio-economic development of the region, "as the region continues to grapple with socio-economic inequalities and lack of any development" (TPNW/MSP/2025/NGO/23, p.2). In the first quarter of the 20th century, the city of Semey was one of Kazakhstan's biggest cities. Now survivors describe Semey as economically unattractive. The desire to see the region sustainably developed was omni-present in the conversations with survivors – combined with the strong desire to ensure that any economic development is safe. Many survivors expressed concerns regarding the aforementioned 2023 law, which allows for the gradual return of territories, including to farmers. Furthermore, they are concerned about the underground water at the test site, which has never been officially studied: the effects of radiation on it remain unknown.

Currently, the 1992 law is under a review, which – according to survivors – was driven by civil society advocacy, particularly the Kazakh NGO *Committee Polygon 21*, and triggered by the TPNW coming into force. Kazakhstan has been one of the first 50 countries to ratify the treaty (see below). An intergovernmental *Working Group on Nuclear Survivor Support and Environmental Remediation*, which is open to civil society, is analysing how the law can be revised to be more inclusive and how the life of the people in the region can be improved, with a focus on economics and medical care. It was noted that the negotiations resulting in the TPNW have already fostered connections with affected communities across the world, and has increased the leverage towards their own government, since the Kazakh government has been a vocal supporter of the TPNW. The *Qazaq Nuclear Frontline Coalition* has developed concrete recommendations for the process of reforming the law, including to better define the rights and entitlements of citizen affected by nuclear testing, to improve healthcare accessibility and quality, to enhance the health infrastructure and medical services, create intergenerational rehabilitation and to make the government service more inclusive (TPNW/MSP/2025/NGO/23, p.4).

[6]The following sections are largely based on conversations with survivors in Semey and Astana in June 2025.

In sum, the conversations with survivors were clearly shaped by their strong desire to create a better future for them and their children – while they are simultaneously painstakingly aware of the high price they and their families are still paying for the arms race between the USA (and its allies) and the Soviet Union in the name of state security. There is a strong conviction that all states that have or are benefiting from a nuclear programmes of some sort must act based on the principle of assisting victims and survivors of nuclear testing. The TPNW and the community that formed around it ahead of and during its negotiations has certainly contributed to an increased international recognition of their realities. The TPNW is seen a very promising vehicle to establish a robust global policy framework for victim assistance, one that also can influence national legislations. Survivors have highlighted that victim assistance can take many shapes and forms, ranging from providing political and financial support for the much-discussed TPNW international trust fund (see section 2.3), highlighting the humanitarian consequences of nuclear testing (use and production) in multilateral negotiations such as the *NPT Review Process*, and/or supporting the Kazakh government in improving the medical care in the region and developing the region economically. There is also a desire for concrete technical assistance, such as analysing the effect of radiation on ground water and improving the mapping of underground water flows.

2.3. VICTIM ASSISTANCE IN THE CONTEXT OF NUCLEAR WEAPONS

The story of the survivors of nuclear testing in the Semipalatinsk Test Site is as unique as it is not. Between 1945 and 2017, more than 2100 nuclear tests have been conducted aboveground, underground and underwater, at more than 60 different locations (ICAN, n.d.), mostly "in colonies, former colonies, or the territories of ethnic minorities" (IPPNW, 2023, p.7). *UN High Representative for Disarmament* Izumi Nakamitsu stated that the legacy of tests continues to have "profound, harmful, and long-lasting effects on the environment, human health and the economic development of some of the world's most fragile regions" (Nakamitsu, 2022). In their report *The Devasting Consequences of Nuclear Testing. Effects of Nuclear Weapons Testing on Health and the Environment,* the NGO *International Physicians for the Prevention of Nuclear War* (IPPNW) gives "readers a sense of the scale of the catastrophe. It is staggering, although the full extent of the damage has been poorly researched and much relevant data continues to be kept a secret" (IPPNW, 2023, p.7).

However, fallout affected populations not just in the states and territories where the tests were conducted but also in downwind or downstream countries, and even globally due to atmospheric circulation (Bolton and Minor, 2021). "Radioactive fallout has dispersed around the world" (ibid, p.81). IPPNW conclude that the "radioactivity released by aboveground nuclear tests has spread through the atmosphere across the globe, resulting in 430,000 additional cancer deaths due to cumulative radiation doses by the year 2000 alone. In the long-term, at least 2 million additional cancer deaths can be expected due to the longevity of many radioactive isotopes" (IPPNW, 2023, pp. 7/8). The consequences of nuclear testing continue to affect environmental systems and human health today.

Notably, neither the 1970 NPT, nor the 1996 *Comprehensive Nuclear-Test-Ban Treaty* addressed the humanitarian or environmental harm that nuclear tests had caused. Only in 2010 did the final outcome document of the *NPT Review Conference* recognised the catastrophic humanitarian consequences of any use of nuclear weapons (NPT/CONF.2010/50 (Vol 1), 2010). Thus, until the TPNW entered into force, assistance to victims of nuclear testing was addressed only through national and bilateral compensation schemes, such as the 1990 *US Radiation Exposure Compensation Act* (RECA) which "provides one-time cash benefits to certain persons who participated in atomic weapons testing or lived near the Nevada Test Site during periods of atmospheric (above-ground) atomic weapons testing" (Congressional Research Service, 2024, p.5), the 2004 Morin Law, which grants Polynesians affected by radiation-induced illness over the course of French nuclear testing in French Polynesia between 1966 and 1999 to be compensated by the French government (Arms Control Association, n.d.), or the above-mentioned Kazakh "Law on the Social Protection of Citizens who Suffered from Nuclear Tests at the Semipalatinsk Nuclear Test Site", which provides compensation for people or family members having lived in the so-called radiation zones of the country, where the Soviet Union carried out more than 400 nuclear tests between 1949 to 1989.

Other assistance programmes provide compensation for victims of nuclear testing to people in the Marshall Islands, France, Canada, Australia, New Zealand, Fiji, Russia, India, and China, and for victims of nuclear use in Japan (Van Duzer and Sanders-Zakre (2021).

While these programmes vary widely in their effectiveness, most of them are in need of reform to "appropriately meet the needs of victims from the full range of impacted communities, in particular marginalised populations" (Van Duzer and Sanders-Zakre, 2021, p.100).

Some programmes follow a casual presumption approach, "which assumes that an individual has been impacted and deserves assistance based on meeting identified criteria, for example, presence in a particular place at a particular time plus a diagnosis of an illness related to exposure to ionising radiation" (Van Duzer and Sanders-Zakre, 2021, p.100). Other programmes provide assistance for individuals above an established threshold based on a scientific formula "that seeks to measure exposure and the likelihood that this exposure has led to health issues" (Van Duzer and Sanders-Zakre, 2021, p.100). In both cases, survivors – very often members of marginalised communities – must prove that they have met an arbitrary threshold of radiation exposure, which excludes those that have been exposed to less radiation, or are outside of an artificial geographical and time threshold (Bolton, 2022b; Bolton, 2024), and/or cannot prove that their health issue is linked to nuclear testing. Having access to legal support and doctors is often a challenge in remote areas, as is the necessity to speak a foreign language (Bolton, 2024). Additionally, survivors are faced with the lack of available data and evidence to prove their claims (Van Duzer and Sanders-Zakre, 2021).

Many programmes, such as the ones in Australia, the United States, France, and the Marshall Islands provide one-time financial compensation or ex-gratia payment (where the payment is not connected to acknowledgement of responsibility for the harm or an apology), often not accounting for inflation or increase of healthcare and living costs. Ongoing programmes are most likely better equipped to address the ongoing harm to survivors. Additionally, the great majority of programmes do not address the needs of third and fourth generations, in some case even of second generations (Van Duzer and Sanders-Zakre, 2021).

Many programmes are also far from inclusive: China, for example, only provides compensation for veterans, but not civilians. The USA has provided funding for its own citizens but only inadequate funding for Marshallese citizens. Under the French programme, at least until 2019, Algerians have received basically no compensation (Van Duzer and Sanders-Zakre, 2021).

In sum, significant gaps exist in the design and implementation of the existing national programmes. A robust global policy framework grounded in humanitarian and human rights has the potential to enforce established definitions of victims entitled to compensation, codify adequate assistance - which will need to differ from those schemes established for survivors of land mines and cluster munitions (see below), and ease the process of victims and survivors enforcing these rights. The TPNW provides a critical step in this direction (Bolton, 2024).

2.3.1. VICTIM ASSISTANCE WITHIN THE TPNW

The TPNW, which was adopted at the UN in 2017, is the most recent in a line of humanitarian treaties to include provisions on victim assistance, and the first one controlling weapons of mass destruction (Docherty and Sanders-Zakre, 2022). It was grounded in humanitarian disarmament precedents and encompasses key norms and standards of victim assistance developed under previous humanitarian treaties (IHRC, 2018). It was guided by the objective to "address the harm from past use and testing of nuclear weapons as well as the ongoing and expected future harm from the resulting contamination" (TPNW/MSP/2022/6, p.13).

Its final passage, Article 6, obliges States parties to provide "with respect to individuals under its jurisdiction who are affected by the use or testing of nuclear weapons, in accordance with applicable international humanitarian and human rights law, adequately provide age- and gender-sensitive assistance (...), including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion" (UN, 2017, p.6). Article 7 requires all State parties "in a position to do so" to "provide technical, material and financial assistance to States Parties affected by nuclear-weapons use or testing" (UN, 2017, p.7). It further notes that States parties that have "used or tested nuclear weapons or any other nuclear explosive devices shall have a responsibility to provide adequate assistance to affected States Parties" (UN, 2017, p.7). Like the MBT and the CCM, the TPNW places the main responsibility on states with affected individuals – respecting their sovereignty and acknowledging that the affected state is best placed to provide the needed support – at the same time pairing it with general obligations to all States parties (IHRC, 2018; Bolton, 2024). This framework of paired responsibility has been strengthened by one of the outcome documents from the first meeting of States parties to the TPNW in 2022, the *Vienna Action Plan*, in which States parties explicitly commit to strengthening "international cooperation among States parties to advance the implementation of positive obligations of this Treaty" (TPNW/MSP/2022/6, p.8). At the same meeting, Kazakhstan and Kiribati were appointed as co-chairs of the informal working group on victim assistance, environmental remediation and international cooperation and assistance (TPNW/MSP/2022/6).

So far, States parties' interpretation of operationalisation for TPNW's Article 6 and 7 has focused on establishing an international trust fund for victim assistance and environmental remediation: the *Vienna Action Plan* provides a mandate for States parties to engage in discussions on the feasibility of and potential guidelines for an international trust fund, with the goal of providing aid to survivors and to supporting measures toward environmental remediation (TPNW/MSP/2022/CRP.7). At the third meeting of States parties in 2025, chaired by Kazakhstan, Kazakhstan and Kiribati recommended the establishment of an international trust fund for victim assistance and environmental remediation. The proposed function of

the trust fund would include conducting studies on the needs of the affected communities, facilitation of medical, psychological, and rehabilitation support for victims, and the provision of support for assessing and addressing environmental contamination from the use or testing of nuclear weapons (TPNW/MSP/2025/4).

The co-chairs also noted that such a trust fund could serve the goal of universalising the Treaty, as it "could encourage non-Treaty States that have traditionally supported victim assistance provisions in other treaties to make contributions and engage directly with the States parties to the Treaty" (TPNW/MSP/2025/4, p.4). They further explained that a "number of non-Treaty States have already expressed interest in either providing bilateral funding or supporting an international trust fund" (TPNW/MSP/2025/4, p.4). The third States parties meeting on the TPNW concluded with a decision "that further focused discussions will be held under the informal working group on victim assistance (…)" and "that a standalone report will be submitted (…) before the first Review Conference (…) containing recommendations for States Parties' consideration on possible guidelines, technical provisions and/or terms of reference of an international trust fund for victim assistance and environmental remediation (…) with the aim of establishing, if feasible, such a trust fund at the first Review Conference" (TPNW/MSP/2025/CRP.3, p.2). Consultations organised by Kazakhstan and Kiribati in partnership with the *Qazaq Nuclear Frontline Coalition* with Central Asian civil society organisations concluded in a set of recommendations on the envisioned trust fund. Recommendations include involving key stakeholders from nuclear affected communities, experts and scientists, and civil society in decision-making, e.g. through advisory boards, opening the fund to non-States parties (with conditionality agreed by the TPNW States parties)[7], and prioritising key projects such as research and studies or public education initiatives (TPNW/MSP/2025/NGO/23). In 2023, *Harvard's International Human Rights Clinic* outlined potential governance structures for any such trust fund (IHRC, 2023).

It is worth noting that Kazakhstan is politically invested in these topics internationally – despite its strategic partnership with Russia. Indeed, since the 1980s, the Kazakh government has been trying to negotiate between the clear preference of its population to end nuclear testing and give up nuclear weapons while at the same being highly dependent on Russia (Kassenova, 2022).

While the TPNW is strongly influenced by MBT and the CCM, addressing the harm caused by nuclear weapons differs in some ways from those presented by land mines and cluster munitions (IHRC, 2018). This in particular holds true for the intergenerational harm of nuclear weapons, as the children and grandchildren of those directly exposed to nuclear testing can also suffer health impacts and stigma. Moreover, "nuclear weapon testing has disproportionately taken place on indigenous lands, resulting in cultural harm such as forced displacement from homelands and disconnection from indigenous ways of life" (IHRC, 2018, p.4). Third, the harm to people is closely

[7] There is no consensus among victims, survivors, and nuclear-affected communities on whether States that are not yet parties to the TPNW should be allowed to contribute to the trust fund. This is mainly due to concerns that such contributions could enable these States to selectively engage in supporting survivors of nuclear testing and to exerting influence over the fund's modalities. For these reasons, many advocate for allowing non-States parties to contribute to the trust fund, but only under certain conditions.

linked to the harm to the environment. “Long-term environmental contamination adversely affects human health and a number of human rights, such as the right to water and the right to freedom of movement” (ibid). Fourth, because “radiation and toxic or radiological remnants may be invisible to the naked eye, may migrate and spread over large areas, and may increase the risk of health impacts without being the sole source, while their effects can be slow to manifest (and have been proven to transcend generations)”, “the chain of causality and scope of effects can be harder to establish than, for example, the impact of conventional weapons on the human body” (ICRC, 2023, p.5). Fifth, UN and civil society human rights institutions have suggested that victim assistance for communities affected by nuclear weapons testing should consider assistance with the exercise of civil and political rights, including transitional justice processes. This is because nuclear weapons testing occurred in the context of significant constraints on the rights of communities in the vicinity and downwind of detonations (e.g. A/HRC/57/77 (2024)).

2.4. ASSISTING VICTIMS OF WEAPONS AS ESTABLISHED INTERNATIONAL NORM

In sum, one can conclude that all major "international treaties on weapons over the last three decades – particularly those prohibiting weapons deemed morally, ethically and legally unacceptable – have included (...) positive obligations addressing the harms they cause" (Bolton et al, 2025, p.5).

Importantly, the norm to assist victims of weapons is spreading beyond the mentioned treaties and regulations. The norm to assist victims of landmines, for example, has spread beyond the MBT, and its positive obligations have had normative effects on states not yet party to the Treaty (Bolton et al, 2025). The 2003 *Protocol on Explosive Remnants of War (Protocol V to the 1980 Convention on Certain Conventional Weapons)*, for example, reads: "Each High Contracting Party in a position to do so shall provide assistance for the care and rehabilitation and social and economic reintegration of victims of explosive remnants of war" (ICRC, 2003). The protocol was adopted in consensus, meaning that states such as China, Russia, and the USA all agreed to the language on victim assistance despite not having ratified the Mine Ban Treaty (Bolton, 2024).

The 2022 *Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas* (EWIPA), which Germany supported from its inception (Wisotzki, 2023), "calls on states to 'provide, facilitate, or support assistance to victims – people injured, survivors, families of people killed or injured – as well as communities affected by armed conflict' and support 'post-conflict recovery and durable solutions'" was also endorsed by the USA – not a State party to the MBT (Bolton et al, 2025, p.6).

Furthermore, the *Final Outcome Document of the 2024 Review Conference of the UN Programmes of Action on Small Arms and Light Weapons*, which was adopted in consensus by the UN General Assembly, calls for "providing comprehensive social safety nets for victims and survivors" (Bolton et al, 2025, p.6).

There is a similar development with regard to assisting victims of nuclear testing: while the 2020 *Final Outcome Document of the NPT Review Conference* was not agreed upon, Article 125 was included in the final draft document (despite opposition from some nuclear armed states such as France): "The Conference welcomes the increased attention in the last review cycle on assistance to the people and communities affected by nuclear weapons use and testing and environmental remediation following nuclear use and testing and calls on States parties to engage with such efforts to address nuclear harm" (NPT/Conf.2020/CRP.1/Rev2, p.17).

Notably, nuclear armed states such as India, Pakistan, China, and the USA abstained and did not vote against relevant General Assembly resolutions in 2023 and 2024. The resolution *Addressing the legacy of nuclear weapons: providing victim assistance and environmental remediation to Member States affected by the use or testing of nuclear weapons* (A/RES/78/240) was adopted with a vote of 161 in favour, which included countries such as Germany and other NATO member countries (A/78/49 (Vol.1), p.363). Similarly, resolution A/RES/79/60 with the same title was passed with a vote of 174 states in favour. Again, Germany and other NATO countries voted in favour (United Nations, 2024).

Furthermore, in November 2024, the UN Human Rights Council released 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* (A/HRC/57/77), which also draws attention to the ongoing consequences of nuclear weapons and human rights violation due to nuclear testing in many other places.

These examples show that the norm to assist victims of nuclear weapons has "spread well beyond the membership of the Treaty on the Prohibition of Nuclear Weapons" (Baldus and Fehl, 2024).

Most recently, scholars such as Professor Matthew Bolton have encouraged states, activists, and civil society representatives engaged in discussions on a treaty to ban fully autonomous weapons to consider the relevance of precedent as offered by international treaties and norms on weapons, which have included provisions on victim assistance and remediation of contaminated land (Bolton et al, 2025, p.6).

Indeed, supporting victims of weapons can by now be described as a long-standing norm and consistent state practice – as such, it is becoming customary international law, which can be defined as international obligations arising from established international practices (Bolton et al, 2025; Cornell Law School, 2022). The basic principle that people who have been harmed by weapons deserve assistance is increasingly being extended to survivors of nuclear weapons – even within the framework of nuclear deterrence (Bolton, 2025).

3. STRENGTHENING INTERNATIONAL ASSISTANCE TO SURVIVORS OF NUCLEAR TESTING

Germany, as a key supporter and donor to humanitarian disarmament, can play a significant role in engaging with the increasingly established norm of assistance to victims of nuclear testing. Over the last few decades, Germany has strongly supported every humanitarian disarmament treaty and process, except for the TPNW. Germany supported the MBT right from the negotiation phase, and since then has been both an important political and financial supporter. Similarly, Germany was one of the first 30 countries that ratified the CCM, and has strongly advocated for the treaty's universality (Wisotzki, 2023). Recently, the *Global Framework on Ammunition*, which was drafted under the presidency of the German diplomat Albrecht von Wittke, was adopted by the UN General Assembly in 2023 (ibid). In addition, Germany supported, right from the start, the 2022 *Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas from the beginning* (bid). Germany also recognises the multilateral rule-based order as another pillar of its foreign policy and actively commits to strengthening international law and its institutions. This includes customary international law. In this context, it is also worth noting that providing redress to victims and survivors is one important pillar of transitional justice (in addition to accountability, truth-telling, and reform/recurrence) (Fehl, 2024).

As emphasised by many survivors, scholars, and activists, supporting victims of nuclear testing is also Germany's responsibility, even though it is not a nuclear-armed states that conducted nuclear tests[8]. However, as a beneficiary of the NATO's nuclear sharing arrangements, and thus NATO's extended deterrence, and as a country hosting US nuclear weapons, Germany has a responsibility to alleviate the suffering of those harmed by nuclear testing – even within the framework of nuclear deterrence.

Germany, as a non-nuclear armed state but close ally to the majority of the nuclear armed states, a key supporter of the NPT regime and a core NATO member, as well as key supporter of humanitarian disarmament and former observer to the TPNW, can contribute by constructively engaging with the international conversations around victim assistance. As outlined in the next section, this can mean enabling civil society organisations representing survivors to advocate for the rights of victims of nuclear testing. It can also mean actively advancing international discussions on assisting victims of nuclear testing and embracing a holistic understanding of victim assistance.

Internationally strengthening the norm of supporting survivors of nuclear testing can form a credible extension of Germany's commitment to both humanitarian disarmament and international law. This can have concrete benefits in line with Germany's foreign and security policy goals, as outlined below.

[8] Given that the Marshall Islands was a UN Trust Territory (administered by the United States), the Marshallese consider the UN and its member states as whole, including Germany, responsible for addressing the legacy of nuclear testing.

1. Better Supporting Those Harmed by Nuclear Weapons:

In line with the core idea of humanitarian disarmament – to limit the impact of and suffering by the use of weapons – an increased German engagement with assisting victims and survivors of nuclear testing can ultimately contribute to easing the suffering of those paying the price for the nuclear arms race. Bilateral cooperation with states with affected communities, e.g. with the objective of improving medical services for affected communities or of improving radiation and environmental risk assessment, can directly contribute to alleviating the suffering of those living with the consequences of nuclear testing (see section 4 for concrete policy recommendations). Constructively engaging in conversations on how states that are not yet States parties to the TPNW can support the operationalisation of Articles 6 and 7, as well as enabling civil society to advocate for their ideas in this regard, can contribute to a stronger global policy framework in support of victims of nuclear testing. This in turn not only strengthens the right of survivors, but also makes it easier for them to hold states accountable when these rights are being violated (see section 4 for concrete policy recommendations)

2. Strengthening the Multilateral Arms Control Architecture

Unfortunately, and as analysed comprehensively by experts across the globe, we have seen the end of many of the multinational arms control and disarmament treaties over the past few years. The USA and Russia both suspended their obligations under the INF-Treaty, which bans all of the two nations' nuclear and conventional ground-launched intermediate-range and shorter-range missiles (European Parliament, 2019). The USA and Russia both withdrew from the *Open Skies Treaty* in 2021 (Federal Foreign Office, 2021). The treaty gives each State party the right to conduct a certain number of agreed upon observation flights each year over the territory of other States parties (ibid). The last remaining treaty, the 2010 New START, limiting US and Russian nuclear forces, is set to expire in February 2026 (Woolf, 2025).

And yet, as other experts argue: although international arms control and disarmament are in deep crisis, Germany should continue to support and strengthen these efforts (Lurz, 2023). By flanking the current increased commitment to military spending and building up Germany's defence capabilities in terms of arms control and disarmament measures, the German government could provide an important impulse for repairing cooperative relationships in the future. This, in turn, holds the promise of limiting arms races (ibid). "Germany's continued commitment to arms control is an important contribution to preserving and strengthening the multilateral world order, even if, initially, progress is only made in small steps at first" (Lurz, 2023, p.3; author's translation). This in particular holds true for the area of nuclear disarmament. In this regard, it is worth recognising that the TPNW was possible because it was negotiated within the framework of humanitarian disarmament and focused so heavily on the humanitarian consequences of nuclear weapons. Strengthening the norm of assisting those harmed by (nuclear) weapons has the potential to strengthen the entire idea of humanitarian disarmament – which in turn can be a strong basis for new and improved arms control and disarmament regimes.

3. Advancing the Goal of Global Zero and Reducing the Risk of Nuclear Escalation:

Many experts that we have engaged with over the last two years have highlighted the potential for victim assistance and environmental remediation to build a bridge between TPNW supporters and opponents in the NPT membership (Baldus and Fehl, 2024). "Productive and action-oriented cooperation addressing the ongoing humanitarian and environmental impact of nuclear weapons use, testing, and related activities offers a way to build bridges between TPNW States parties and those not yet supportive of the Treaty. Victim assistance and environmental remediation programmes can be conceived of as confidence and security-building mechanisms addressing the current hostile global political context. "At a time of increasing tension in nuclear diplomacy, focus on humanitarian and environmental concerns could build much-needed trust (…). The humanitarian approach used by states in mine action—covering landmines, cluster munitions, and explosive remnants of war—offers a model of pragmatic and collaborative practice" (Bolton, 2022a, p.14). Indeed, in 2021, the *Wissenschaftliche Dienst* of the German Bundestag concluded that the "TPNW does not undermine the NPT but is part of a shared nuclear disarmament architecture" and also that the "TPNW is not legally in contradiction with the NPT" (Deutscher Bundestag, 2021, pp.36/37, author's translation).

Switzerland, in its role as an observer to the first meeting of States parties to the TPNW, described victim assistance as "an area where we should explore complementarities and synergies…we hope this issue will be taken forward at the 10th NPT Review Conference, since the humanitarian consequences should unite us all" (in Bolton, 2022a, p. 13).

Ultimately, both "treaties are an integral and permanent part of the international nuclear non-proliferation and disarmament architecture, and have the same goal at their core: a nuclear-weapon-free world" (ICAN, 2023, p.1). "Both treaties recognise in their preambles the inherent danger posed to humanity by a nuclear war and the consequent need to make every effort to avert such war" (ibid, p.3).

Without a doubt, the NPT remains valuable. At the same time, the NPT is currently being "strained by crises ranging from Russian nuclear threats in the Ukraine war to regional proliferation threats, nuclear modernisation and nuclear build-ups" (Baldus and Fehl, 2024). Finding pragmatic avenues for achieving progress in both regimes, and ideally limiting the gap between TPNW supporters (all of which are in the NPT) and opponents who are also in the NPT, holds the promise of making tangible and important progress on nuclear disarmament.

4. POLICY RECOMMENDATIONS

Germany is a well-recognised actor in humanitarian disarmament. Across legislative periods, the German government has often supported (if not initiated) and funded humanitarian disarmament initiatives and treaties covering a range of different types of weapons. Strengthening and engaging with the increasingly established norm of assisting survivors of nuclear testing can strengthen the humanitarian norm that all victims and survivors harmed by weapons deserve assistance – regardless of the type of weapon used. As a non-nuclear armed state, but strong ally to nuclear armed states, Germany can play an important role in bridging the political divide between nuclear armed states and non-nuclear armed states.
The following policy recommendations are intended to guide and support Germany (and other like-minded states) in implementing and strengthening the norm of assisting victims of nuclear testing while recognising the current political context and the fact that the German government has not yet ratified the TPNW. They centre around three key demands: supporting civil society; advancing international conversations on assisting victims of nuclear testing, and actively advancing measures to alleviate the suffering of victims of nuclear testing by embracing a holistic understanding of victim assistance.

1. Enable Civil Society Organisations Representing Survivors to Advocate for the Rights of Victims of Nuclear Testing

Historically, and as described above, civil society organisations, and in particular those representing survivors and victims harmed by land mines, cluster munition and nuclear testing and use have played a key role in advancing the international debate on victim assistance, and thus in turn on strengthening the rights of survivors. As in the case of Kazakhstan, they have also been instrumental in ending nuclear testing.

In the current climate of continuously shrinking spaces for civil society, budget cuts, and exhaustion, Germany can play a crucial role in supporting civil society organisations in advocating for the rights of victims and survivors of nuclear testing in multinational disarmament spaces (including the NPT and CTBT spaces), as well as advancing discussions on operationalising the TPNW's positive obligations towards survivors.

» Where appropriate, invite (and compensate) survivors, representatives of Indigenous and Non-Self-Governing Peoples and/or civil society activists to speak at multilateral disarmament forums, including the upcoming *NPT Review Conference* in 2026 or the 2026 *CTBT Ministerial Meeting*.

» Fund research and advocacy work by civil society, academia, and representatives of affected communities (including Indigenous and Non-Self-Governing Peoples) on operationalising TPNW's positive obligations as outlined in the Treaty's Articles 6 and 7, both within the framework of the trust fund discussed above and beyond. This can create opportunities for non-States parties to constructively engage with the TPNW community.

» Fund civil society, academic and affected peoples' organisations' research and advocacy work on the effects of nuclear testing, including by representatives of Indigenous and Non-Self-Governing Peoples. In particular fund the opportunity for exchange and alliance building between affected communities and lessons learned from national compensation schemes.

2. Actively Advance International Conversations on Assisting Victims of Nuclear Testing

As a credible supporter of humanitarian assistance and strong proponent of the multilateral rule-based order, Germany can play a crucial role in constructively engaging with the international conversations on assisting victims of nuclear testing and working towards advancing the debate within the framework of the NPT and the CTBT, often in close cooperation with others, such as the *Stockholm Initiative*[9].

» Within the context of the NPT, highlight the humanitarian consequences of nuclear testing and the joint responsibility to support victims of nuclear testing. Advocate for humanitarian disarmament objectives (Johnson, 2024).

» Invest political capital in strengthening this language in the outcome document of the *NPT Review Conference* in 2026. Stress the argument that survivors harmed by weapons deserve assistance – regardless of the type of weapon, even within the context of nuclear deterrence and nuclear sharing arrangements.

- This can include, ahead of the upcoming NPT Review Conference in 2026, building momentum within the *Stockholm Initiative* – building on efforts such as the *Working Paper submitted to the Preparatory Committee for the 2026 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons* (NPT/CONF.2026/PC.III/WP.42) – to jointly advocate for strong language on victim assistance.

» Commission research on disarmament commitments and steps that can be taken and are consistent with the NPT, CTBT, and the TPNW (Johnson, 2024).

» Engage constructively in discussions on how states not yet States parties to the TPNW can support the operationalisation of the Treaty's positive obligations outlined in Articles 6 and 7, such as a possible international trust fund on victim assistance and environmental remediation.

» Stress the compatibility of the NPT and the TPNW in relevant multilateral disarmament fora (such as the CTBT and NPT meetings).

» Within the framework of the *Stockholm Initiative*, encourage debates on advancing and strengthening the international norm of assisting survivors of nuclear weapons; on how to promote the compatibility of the NPT and the TPNW, and how to support the operationalisation of the TPNW's articles 6 and 7.

» Introduce the discussion on assisting victims of nuclear testing in other human rights discussions, in particular the national and international framework of "Women, Peace and Security" Agenda, of which one of the pillars focuses on disarmament.

[9] The Stockholm Initiative, founded in 2019 by Sweden, aims to advance nuclear disarmament, to strengthen the NPT, and to build bridges between nuclear-armed states and those not owning nuclear weapons. Members include Argentina, Canada, Ethiopia, Finland, Germany, Japan, Jordan, Kazakhstan, the Netherlands, Norway, Republic of Korea, Spain, Sweden, and Switzerland.

3. Embrace a Holistic Understanding of Victim Assistance

As aforementioned, Germany is seen as bearing responsibility to alleviate the suffering of individuals and communities affected by nuclear testing because it is a beneficiary of the NATO's nuclear sharing arrangements and NATO's extended deterrence. While official recognition of and apologies for the harm done to communities, and linked financial compensations, are important, "assistance can take many more forms, and, therefore, it is difficult to envisage a scenario under which a state (...) would be unable to provide any form of assistance" (ICRC, 2023, p.9). Germany could even choose to not engage in these activities under the umbrella of victim assistance, but instead engage under the umbrella of international cooperation or commitment to strengthen human rights internationally.

» Engage in conversations with States with affected communities and communities themselves on whether, for example

- assistance could be useful to conduct relevant scientific research to better understand the harm caused by nuclear testing. In the case of Kazakhstan, for example, survivors highlighted the need for analysing the effect of radiation on ground water and improving the mapping of underground water flows. Assistance in this regard could take the form of providing technical expertise or necessary equipment (ICRC, 2023).
- assistance could be useful to improve radiation and environmental risk assessments or improve remediation systems.
- assistance could be useful in improving the medical services in regions where affected communities live or improving the transparency and accessibility of health studies data.
- assistance could be useful in improving the economic situation in regions with affected communities. This assistance could include supporting the development of vocational training and or specific economic conversion programmes for survivors of nuclear testing. It could also include specific trade agreements, focusing on goods produced in the regions where affected communities live.
- financing scholarships at national or international educational institutions for all generations of survivors could be useful (ICRC,2023) as well as encouraging student and university exchanges between Germany and regions affected by nuclear testing.

» Engage with States with communities affected by nuclear testing and nuclear accidents (such as communities affected in Chernobyl and Fukushima) and ask if assistance could be useful in developing international guidelines on how to react to accidents like Fukushima, prioritising the (long-term) safety of affected communities.

»Engage nationally in highlighting the humanitarian and environmental consequences of nuclear testing and use. This can include updating school curricula or celebrating the *International Day Against Nuclear Testing*[10] on 29 August and deciding to divest government pension funds from nuclear weapons.

5. CONCLUSION

Between 1945 and 2017, more than 2,100 nuclear tests were conducted—above ground, underwater, and underground—across more than 60 locations. Most of these tests took place in colonised territories or regions inhabited by ethnic minorities. To this day, affected communities continue to suffer from severe health consequences, environmental devastation, and persistent underdevelopment. Existing national compensation programmes remain fragmented and insufficient, with significant gaps in their design and implementation.

A robust global policy framework grounded in humanitarian principles and human rights is urgently needed to ensure that victims can effectively claim their right to remedy for the violations of their political, civil, economic, cultural and social rights. The TPNW represents a critical step in this direction.

Germany, as a key supporter and donor to humanitarian disarmament, a non-nuclear-armed state but a close ally to many nuclear powers, a strong advocate of the NPT regime and core member of NATO, is positioned to play a pivotal role. Germany can engage more deeply with the emerging international norm of providing assistance to victims of nuclear testing and promote the principle that all survivors and victims of weapons—regardless of type—deserve support, even within the framework of nuclear deterrence. This includes empowering civil society representing survivors to advocate for victims' rights, actively advancing international conversations on assisting victims of nuclear testing, and embracing a holistic understanding of victim assistance.

By strengthening the international norm of supporting survivors of nuclear testing, Germany can credibly extend its long-standing commitment to humanitarian disarmament and international law. Doing so would contribute to better supporting those harmed by nuclear weapons, strengthening the multilateral arms control architecture, advancing the goal of Global Zero, and reducing the risk of nuclear escalation—all in alignment with Germany's broader foreign and security policy objectives.

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