Thank you Mr. Chair. I’m speaking on behalf of Mines Action Canada and ICAN. We are pleased to see that states are beginning to discuss the elements of a treaty banning nuclear weapons and that states have made statements in support of including victim rights and victim assistance provisions in such a treaty.

The goal of our work here is no future victims of nuclear weapons, however, the rights and needs of existing victims need to be addressed. Including victim assistance would acknowledge the rights of those affected by past nuclear detonations essentially - putting the humanitarian into humanitarian disarmament.

Legal provisions to assist victims and to ensure the fulfilment of their rights should not be viewed as requiring an admission of wrongdoing by states responsible for use of nuclear weapons, nuclear tests or accidents involving nuclear weapons. Instead, provisions to assist victims are a way to reaffirm the humanitarian focus of the future treaty and an attempt to mitigate the impact of these indiscriminate weapons.

As someone who also works on the Mine Ban Treaty and the Convention on Cluster Munitions I see many familiar faces in the room today. You all know as well as I do, that there is a strong precedent for the inclusion of victim assistance provisions in a nuclear ban treaty.

The Ottawa Treaty banning landmines and the Convention on Cluster Munitions have set a high bar for the legal recognition of the rights and needs of victims of banned weapons. Furthermore, due to the high rate of disability among victims of nuclear weapons, the Convention on the Rights of Persons with Disabilities can help form the basis for victim assistance under a human rights based approach.

All states participating in this open ended working group are states parties or signatories to one or more of those three conventions indicating that they have already accepted the basic responsibilities which would underpin victim assistance provisions in a ban treaty. Therefore this should not be a controversial proposal.

I have worked closely with many of you to strengthen victim assistance under the MBT and the CCM and I am looking forward to building on that work as we negotiate a treaty banning nuclear weapons.

There are some specific areas of assistance that apply to victims of nuclear weapons which will have to be discussed. For example, nuclear weapons testing took place disproportionately on indigenous land. Forced displacement of indigenous communities and contamination of traditional lands may impede indigenous communities’ freedom of religion, right to freedom of movement, right to food and perhaps indigenous treaty rights. Any discussion of victim rights and victim assistance in a nuclear weapons context will need to consider how to recognize the specific rights of indigenous communities as outlined in the United Nations Declaration on the Rights of Indigenous Peoples.

Victim assistance, as it is currently understood, is not charity; instead it is a humanitarian obligation. It is a tool for reinforcing rights and improving services or policies that will benefit all citizens.

*Mines Action Canada has submitted a working paper on this topic and in it we make five recommendations:*

1. **The participation of victims and survivors be ensured in negotiations of a ban treaty**
2. The open-ended working group defines nuclear weapons specific dimensions of victim assistance.
3. Victim rights and victim assistance be included in a treaty prohibiting nuclear weapons.
4. Victim assistance provisions in a treaty prohibiting nuclear weapons build on the existing understandings of victim rights and victim assistance.
5. The rights of indigenous people be recognized in a treaty banning nuclear weapons.

Thank you.