



50 YEARS AFTER TEST 596: CHINA'S NUCLEAR PROGRAMME IN EAST TURKESTAN AND ITS IMPACT TODAY

An International Policy for Compensation and Reparation: the French case Dominique Lalanne, Chair Armes Nucléaires STOP

Until now, no satisfactory general compensation system for victims of nuclear testing has been developed.

The oldest relevant regulation concerns the Marshall Islands which experienced 67 American nuclear tests. It was negotiated in 1986 under the Compact of Free Association with the USA. This created a compensation fund of \$150 million out of which payments were to be provided to Marshall Islanders affected by at least one cancer from a list of 25 types presumed to result from exposure to nuclear radiation. A compensation scale (between \$ 12,500 and \$ 125,000) is provided for each type of cancer. The "Marshall Islands Nuclear Claims Tribunal" is responsible for assigning this compensation. Unfortunately, for several years the U.S. Fund has not been replenished and the Marshallese government has tried without success to get a new installment authorised by the U.S. Congress.

Environmentally, Bikini Atoll remains too contaminated to house a permanent population. Enewetok Atoll was partially decontaminated by the U.S. Army and part of its population moved back. The Rongelap Atoll was also partially decontaminated, but the local public demand better cleaning before they can return to live on the atoll.

A separate American regulation was approved in 1988 by Congress for US military veterans and civilians exposed to nuclear testing and for "downwinders" of the 100 atmospheric detonations in Nevada. This regulation is flexible in that the number of compensatable cancers can be increased; this number was only a dozen in 1988 but now includes 35 different types of cancer. On March 10, 2011, 15,629 "downwinders" were compensated (80% of the claims) as well as 1,631 veterans (48% of the latter claims).

In Japan, a new regulation (June 22nd, 2009) includes survivors of the Hiroshima and Nagasaki bombings with any type of cancer and who were within 3.5 km of the epicenter of the bombing as affected "Hibakusha". These limiting conditions are certainly restrictive and unsatisfactory, but such "Hibakusha" have all their medical expenses paid by the government.

The United Kingdom conducted 45 nuclear tests in Australia, the Pacific Islands and Nevada between 1952 and 1991. British, Australian, New Zealand, Fijian and Christmas Island veterans await a compensation law. For the first time, on July 28, 2011, the UK Supreme Court recognised the existence of a causal link between illnesses suffered by veterans and their presence on the test sites. But the British government has provided no compensation; it merely issued a statement recognising "the invaluable contribution of all members who have participated in nuclear testing."

In New Zealand, following a 2005 study of the DNA from New Zealand veterans who participated in the UK tests, the government granted life pensions for 132 veterans. In 2006 after a study

involving 17,000 veterans, the Australian government received \$50 million compensation from Great Britain and approved free medical treatment for such veterans. On the other hand, Aboriginal communities where tests were carried out between 1952 and 1957 were not compensated. After lengthy legal proceedings between Australia and the UK, the British had to spend \$100 million to decontaminate the former Maralinga test site which took until the early 2000's. Cleaning of Christmas Island was also funded by the British government at a cost of £8 million in 2004.

Between 1960 and 1996, France conducted 210 nuclear tests, including 17 in the Algerian Sahara Desert and 193 on the Polynesian atolls of Mururoa and Fangataufa. After more than 10 years of struggle which included arrests of parliamentarians, the current French government created, on January 5, 2010, a law which called for "recognition and compensation for victims of nuclear testing." This law is only "declaratory". Until now only two French victims out of more than 600 files reviewed have been compensated! No Algerian or Polynesian received compensation.

In Polynesia, under pressure from the 'independantist' local government, France has begun, since 2006, a cleanup of military installations that have been abandoned for more than 20 years. These installations are located in almost a dozen inhabited islands. However the two atolls of Mururoa and Fangataufa remain military land and Polynesians are prohibited from them. The Mururoa atoll was so shaken by 137 underground detonations that there is serious risk of collapse and the escape of radioactive materials into the ocean. In the Sahara desert, the former French test site is still highly contaminated, more than 40 years after the last test of February 16, 1966. To date, no decontamination has been carried out and the associated danger is a permanent one for local people who know nothing about radioactive risks.

From Russia, Kazakhstan, and China we regret the lack of information on systems for compensation or medical care of victims. But this conference will fill this gap.

All the peoples and groups which are victims of nuclear tests have great difficulty in obtaining recognition by major Nuclear Powers of this violation of their rights. Therefore on August 29, 2011, to mark the UN International Day Against Nuclear Testing, some NGOs representing victims of nuclear testing and detonations around the world appealed to the Secretary General of the United Nations to organise an international conference under United Nations auspices. The goal of this proposal is for a decision accepting UN responsibility for nuclear test sites in all parts of the world and the programming of a decade (2012-2021) for the cleaning, rehabilitation and sustainable development of all places affected by nuclear detonations. For its part, the government of Kazakhstan has proposed the creation of an International Compensation Fund.

The call for action has been broadcast in several languages: English, French, Russian, Japanese, Arabic, German and Spanish. It is available online. We are pleased now to have the World Uyghur Congress among the signatories. And at this conference, we are inviting our parliamentary friends in the European Union to relay this call, using their privileged routes of access, to all the relevant international authorities.