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The NPT Review Conference, April 27 - May 22, approaches, along with the Peace and Planet Mobilization, April 24-26. LCNP and its international body, IALANA, have developed recommendations for the Review Conference, as this eNews reports. Also included are an update on the Marshall Islands Nuclear Zero cases in the International Court of Justice, items regarding recent LCNP advocacy and media commentary, and event reminders. Please take a look!

Sincerely,

John Burroughs
Executive Director

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NPT PrepCom 2008. Image courtesy of Wiki Commons.

Nuclear Disarmament: The Road Ahead

A new IALANA paper, "[Nuclear Disarmament: The Road Ahead](#)," includes recommendations for the Review Conference, to be held at the UN in New York City, April 27 - May 22. Most centrally, the paper recommends that the Conference "immediately launch a process of negotiations on the establishment of a nuclear weapons-free world, with provision for participation by non-NPT states. (See Appendix to paper for all recommendations.) If the Review Conference fails to do so, states should initiate a process in the UN General Assembly. Such a process would implement the disarmament obligation set out in NPT Article VI and the 1996 Advisory Opinion of the International Court of Justice, and is a logical outcome of the humanitarian initiative. As the UN

Secretary-General has said, the Model Nuclear Weapons Convention is a good starting point for negotiations."

The paper explains that the mandate for such negotiations arises out of General Assembly resolutions, the NPT, and the Advisory Opinion of the International Court of Justice, as well as the illegality of nuclear weapons under international humanitarian law.

The paper appreciates the work ICAN has done in helping to open up the political space for discussion of the legal framework for a nuclear weapons-free world, but says that a ban treaty joined only by non-nuclear weapon states would have no legal effect on nuclear-armed and other states that do not join the treaty, serving at most to

reinforce existing norms. It encourages dialogue on the options for establishing a nuclear-weapons free world laid out in a 2014 New Agenda Working Paper.

[IALANA](#), the International Association of Lawyers Against Nuclear Arms, is the international association with which the Lawyers Committee on Nuclear Policy is affiliated and for which it serves as the UN office. LCNP President Emeritus Peter Weiss is Co-President of IALANA and is the principal author of the IALANA paper. IALANA just released a special publication for the Review Conference, "[No to Nukes: A nuclear weapons free world is possible.](#)"

The Marshall Islands' Two-Front Fight to Survive and Thrive: Climate Protection and Nuclear Disarmament

The most recent issue of [Disarmament Times](#) features an [article describing the leadership of the Republic of the Marshall Islands](#) (RMI) in both the nuclear and climate arenas, with its Nuclear Zero cases in the International Court of Justice and in setting goals for the Paris negotiations on a new climate agreement to take place in December.

Written by John Burroughs, LCNP Executive Director and a member of the RMI's [international legal team](#), the article explains the parallels between the two causes as follows:

"For the Marshallese, global warming is truly an existential threat; the projected rise in the ocean will make their home islands unlivable, even disappear. And they know from first-hand experience the threat to everyone that nuclear weapons pose. The United States conducted 67 atmospheric nuclear weapon tests in the Marshall Islands from 1946 to 1958 while it was a UN trust territory.... The health and environmental effects of the tests still plague the Marshallese today. US tests of missiles and anti-missile systems are also conducted in the Marshall Islands. The control center for the Ronald Reagan Test Site, a Pacific missile test range, is at Kwajalein Atoll.

So the Marshall Islands has compelling reasons to fight on both fronts. Their experience and example are instructive. First, the world as we now know and inhabit it is imperiled by both nuclear weapons and global warming. Second, nuclear disarmament and climate protection are both intrinsically global political and legal processes. They involve implementation of general obligations setting a framework for action contained in international legal agreements, the 1968 Nuclear Non-Proliferation Treaty (NPT) and the 1992 UN Framework Convention on Climate Change (UNFCCC)."

Current status of the cases in the International Court of Justice: In March, the Marshall Islands filed a comprehensive opening brief in the case against the United Kingdom, on all issues, from jurisdiction to merits. How the case unfolds will depend on how the UK responds. In the India and Pakistan cases, hearings on preliminary issues, on which the RMI filed opening briefs in December and January, are expected in early 2016. The RMI claims that the three countries have failed to fulfill NPT and customary international law obligations relating to nuclear disarmament and cessation of the nuclear arms race.

Those are the three active cases; the UK, India, and Pakistan are the states among the nine nuclear-armed states which have accepted the general ("compulsory") jurisdiction of the ICJ. The Marshall Islands filed applications against the other states - the United States, France, Russia, China, North Korea, and Israel - and invited them to accept the jurisdiction of the Court in this matter and explain their view of the disarmament obligation. So far none have done so. The Marshall Islands also filed a companion case against the United States in US federal court in Oakland, California in which it is represented by the US law firm Keller Rohrback. That case was dismissed on grounds that the court had no authority to decide it; the RMI is appealing that decision.

For more information, see www.lcnp.org/RMI and www.nuclearzero.org.



International Court of Justice in The Hague

- LCNP President Guy Quinlan just wrote a letter to President Obama urging him-- before his time as president runs out-- to finally take action to [dealert nuclear forces](#).
- An IPS story by Thalif Deen, "[U.N. Warns of Growing Divide Between Nuclear Haves and Have-Nots](#)," quotes John Burroughs.
- Regarding the Transform Now Plowshares case, Board member Anabel Dwyer published a letter in the [New Yorker](#), and Vice-President Elizabeth Shafer has one in the [Saugerties Times](#).



Image courtesy of Wiki Commons.

Event Reminders: Angela Kane, Peace & Planet



- [Celebrate Angela Kane](#), departing UN High Representative for Disarmament Affairs, on May 11. If you can't make it, send a message of appreciation!
- You can still register for the April 24/25 conference that is part of the [Peace and Planet Mobilization for a Nuclear-Free, Just, and Sustainable World](#). LCNP will be presenting in workshops on the Marshall Islands' Nuclear Zero cases and on the NPT Review.

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