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With filings in the International Court of Justice in the Marshall Islands' Nuclear Zero cases, the Vienna Conference on the Humanitarian Impact of Nuclear Weapons, and preparations for the upcoming NPT Review Conference, not to speak of the holiday season, it's been a busy past three months for LCNP. We have been happy to see some excellent media coverage of the Marshall Islands initiative. I hope you can take a moment to learn more in this eNews.

Sincerely,

John Burroughs
Executive Director

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The Peace Palace in The Hague, Netherlands, home to the Permanent Court of International Justice. Image courtesy of WikiCommons.

The Marshall Islands' Nuclear Zero Cases-- Media Coverage and More

The *New York Times*, TheNation.Com, and the *Boston Globe* all recently ran pieces on the Marshall Islands' Nuclear Zero lawsuits in the International Court of Justice.

An excellent December 28 *New York Times* [story](#) by Marlise Simons, "A Former Ground Zero Goes to Court Against the World's Nuclear Arsenals," reports that the initiative "comes as nuclear arms are increasingly being linked to other pressing international issues, such as the prosecution of war crimes and crimes against humanity and the effort to combat climate change". It quotes LCNP Executive Director John Burroughs

noting that there "have never even been any multilateral negotiations to eliminate nuclear weapons since the 1968 nonproliferation treaty."

In "The Marshall Islands Versus the World's Nuclear Weapons States," [published](#) January 26 on [TheNation.com](#), LCNP President Emeritus Peter Weiss cogently explains key issues in the cases. And he observes that the initiative "is a *cri de coeur* by a people who, like the hibakusha of Japan, have experienced the barbarism of nuclear weapons on their own bodies and their own lands."

In an eloquent January 5 column in the *Boston Globe*, "Tiny Pacific nation aims to stop new nuclear arms race,"

noted author James Carroll writes: "The Marshall Islands are desperately trying to rescue the 1968 Nuclear Nonproliferation Treaty, which made authentic steps toward disarmament a matter of international law. Nuclear modernization of the kind being ordered in Washington and elsewhere assumes the weapon's permanence, and is therefore illegal. It will push the world across yet another, ever more dangerous, threshold. That is the argument the wee nation is making before the court."

Also recommended are videos ([Pt. 1](#), [Pt. 2](#)) from a December 5 event in Vienna on the Nuclear Zero cases organized by the International Association of Lawyers Against Nuclear Arms (IALANA) and Nuclear Age Peace Foundation (NAPF). Speakers included Marshall Islands Foreign Minister Tony de Brum, lead lawyer Phon van den Biesen, IALANA Co-President Judge Christopher Weeramantry, Tri-Valley CAREs Executive Director Marylia Kelley, and NAPF President David Krieger.



The Marshall Islands Nuclear Zero Lawsuits Public Forum from Vienna Part 1 of 2

from [Projekt Soziales Europa](#)

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The next day, Tony de Brum and Judge Weeramantry spoke at the International Campaign to Abolish Nuclear Weapons (ICAN) civil society [forum](#) held in advance of the December 8-9 [Vienna Conference](#) on the Humanitarian Impact of Nuclear Weapons. At the conference, former Marshallese Senator Abacca Anjain-Maddison ([video](#) at 1:06) described the impacts of nuclear testing in her home islands. The conference was spirited and well-attended, with about 160 nations and many civil society representatives there. The Chair's Summary, Austrian Pledge, and presentations are well worth [reviewing](#).

At the International Court of Justice, the Marshall Islands has now filed opening briefs in the India and Pakistan cases on preliminary issues of whether the cases are suitable for decision on the merits. In the UK case, the Marshall Islands will file an opening brief on all issues, from jurisdiction to merits, in March. The [international legal team](#) (including LCNP) is keeping extremely busy! For more on the status and background of the cases, see this [memo](#).

Upcoming NPT Review Conference

The five-year review of the Nuclear Non-Proliferation Treaty will be held April 27 - May 22 at the United Nations in New York. It will be extremely challenging for states parties to reach a consensus agreement on an outcome document. Among the adverse factors: the Ukraine crisis and the breakdown in relations between Russia and the United States; the failure to hold a conference on a WMD-free zone in the Middle East as promised at the 2010 Review Conference; and the failure of the NPT nuclear weapon states to fulfill disarmament commitments made in 2000 and 2010.

Nonetheless, in the spirit of good faith, LCNP and colleagues are engaged in dialogue with governments about a desirable outcome. A positive factor, highlighted in the most recent Middle Powers Initiative [briefing paper](#), is the strength of the humanitarian initiative for nuclear disarmament shown at the conferences in Oslo, Nayarit, and Vienna and in joint statements made in UN and NPT meetings. A Middle Powers Initiative Framework Forum roundtable is planned for in Geneva in mid-March.

Prospects for the Review Conference were addressed at a [seminar](#) in Santiago held by the Chilean Ministry of Foreign Affairs on January 8-9 attended by John Burroughs. In his remarks, [Were Nuclear Weapons Born Illegal?](#), he recommended that governments seek to include in the outcome document an affirmation that the record of non-use of nuclear weapons since World War II should be extended forever. That statement was originally made in the 2010 US Nuclear Posture Review. Another recommendation: seek a commitment to launch a process of deliberation and negotiation for a nuclear weapons-free world, with provision for participation by non-NPT states. Such a process is a logical outcome of the NPT and the humanitarian initiative.

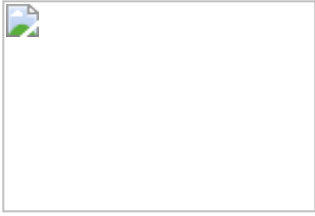


Image courtesy of Pax Christi International

Prior to the Review Conference, there will be civil society activities in New York City, open to the public, with a conference, march, and rally, April 24-26. See www.peaceandplanet.org and come if you can! The conference will link nuclear abolition to move the money (cutting military spending to prevent wars and fund essential human needs), climate change and environmental justice, the new era of global military tensions and wars, and racism and militarism.

In events we have co-sponsored over the past year, in [May](#) and [September](#), LCNP and colleagues have explored such linkages, in particular between nuclear disarmament, war prevention, and climate protection. And LCNP President Guy Quinlan has been speaking and writing about the nuclear-climate connection, for example in this [article](#) in *Disarmament Times E-News*.

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