

Workshop on using the law to advance the  
prohibition and elimination of nuclear weapons

**#wethepeoples2020**

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Total Elimination of Nuclear Weapons, September 26, 2020

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Good afternoon everyone and thank you to John and Andrew for those great and informative presentations.

Something that I found myself asking while doing the background research on the UN Human Rights Bodies and NGO participation was how to make our contributions or submissions have the impact we want or have any impact at all for that matter. As John mentioned it is not all that promising that our submissions and contributions will make an immediate or any impact on the governments of nuclear weapon states. Additionally, it appears to be particularly challenging now to make arguments based on adhering to the laws when we see fragrant violations, disregard and disrespect for such laws and for America's democracy even, by the Trump administration, but this is all the more reason to continue to and even increase our efforts and further strengthen our legal and humanitarian appeals because like John mentioned they will get noticed by other organizations and maybe even by other states too.

We've seen all over the country how the Black Lives Matter protests have been continuously going on for months despite being repeatedly shut down and their message ignored by government officials, but they continue on. It is that kind of momentum though that makes governments uncomfortable and I think that should be our goal here as well. There is a lot that can be done by using what could be deemed "non-traditional" avenues to advocate for nuclear disarmament such as using Human Rights Committee General Comments, the ICCPR, as John mentioned and other relevant human rights treaties. The combination of humanitarian arguments backed by legal arguments strengthens our appeal in a way that I think can be particularly effective – especially if we continue to make these legal and humanitarian arguments and make them frequently.

Using UN Human rights mechanisms such as the Human Rights Council and the Human Rights Committee to make legal arguments the way we did with the US and Russia and what we are currently doing with Israel is, I think, a way to present governments with arguments that are harder to ignore. Governments claim to place a lot of weight on their international legal obligations and we need to remind them that they can't cherry pick which laws or treaties they want to abide by and which ones they don't.

In any case, combining international humanitarian law, human rights law, and disarmament law and continuously making these legal arguments in human rights settings is an area that we as

activists and as lawyers can use to highlight, the intersectionality of issues of human rights, nuclear disarmament, and even things like climate change because none of these issues exist in a vacuum and all have direct impacts on one another. LCNP's work thus far on this issue highlights that and shows that states cannot fully commit to and abide by their international legal obligations to protect and promote human rights or protect the planet from further degradation while still possessing nuclear weapons.

By confronting governments in a human rights setting such as at the Human Rights Council or at the Human Rights Committee and reminding them that they not only are not abiding by their legal obligations under disarmament treaties but they are also violating human rights law by doing so is a way to take the nuclear disarmament argument outside of an arms control, national security, setting and place it in a human rights setting where governments are not as used to seeing it, therefore making them think differently and hopefully making them a bit uncomfortable.

This tactic can also be translated to many other arenas and I believe has the potential to ignite real change if we keep at it and keep finding ways to incorporate nuclear disarmament into areas that states may not normally place it in. I personally look forward to seeing what more LCNP does in this regard.