



The Law and Nuclear Weapons

Presented by

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See www.abolition2000europe.org



The Preparing for Peace Project

In 2000, Westmorland General Meeting of the Religious Society of Friends (Quakers) in Britain, began a PEACE initiative, called Preparing for Peace, to explore these questions with international experts and witnesses. This is one of the papers.

The themes were:

- Can we demonstrate that war is obsolete?
- Is war successful in achieving its objectives?
- Can war be controlled or contained?
- What are the costs of war?
- What are the causes of war?
- Can the world move forward to another way?



The Law and Nuclear Weapons

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AN OVERVIEW

The World Court Project has a very robust attitude towards nuclear weapons. We oppose the possession, threat or use of nuclear weapons by anyone, at any time, under any circumstances. We go further. We find the very idea of them an offence to our basic values. Therefore, abolishing them must go hand in hand with the mentality which makes them possible.

The World Court Project was founded in 1992 by The International Peace Bureau (IPB), International Physicians for the Prevention of Nuclear War (IPPNW), and the International Association of Lawyers Against Nuclear Arms (IALANA). Thus lawyers, peace activists, and health workers forged a common cause – to subject nuclear weapons to the rule of law.

The Project succeeded in bringing requests to the World Court (International Court of Justice, or ICJ) asking it to judge whether using, or threatening to use, nuclear weapons violates existing International law. It lobbied countries to vote for a UN resolution, and to take part in proceedings with written and oral legal submissions to the Court. Two thirds of the states presenting evidence argued for the illegality of nuclear threat or use.

The Project has invoked the idea of *The Public Conscience*, which carries weight in International law. 3.6 million *Declarations of Public Conscience*, stating the belief of ordinary citizens that nuclear weapons are immoral, were collected world-wide in 36 languages, 110,000 of them from the UK. They were officially received by the Registrar of the Court who drew the attention of the judges to them.

In July 1996 the ICJ found no circumstance in which nuclear weapons could be threatened or used without violating International Humanitarian Law. It also agreed unanimously that there was a legal obligation to negotiate and achieve nuclear disarmament.

All this was achieved in the teeth of strong opposition from the Nuclear Weapon States. Truth, and the wish of the world's people for a nuclear-free planet, overcame naked power. The morality and legality of nuclear deterrence was, for the first time, publicly defended before the highest court in the world. Ordinary citizens were involved on a large scale.

Since then The World Court Project has not formally operated as a global organisation. However, World Court Project UK has maintained its identity and builds on the loose international network set up to achieve the ICJ Opinion. It has worked to raise awareness of the Court's Advisory Opinion and its implications among the media, politicians and the public, and to challenge the UK Government to comply with it.

The ICJ put almost impossibly severe restraints on the legal threat or use of nuclear weapons. In practice, existing nuclear weapons cannot be used lawfully. However, it fell short of declaring them absolutely illegal, mainly because it lacked sufficient information about actual nuclear weapon systems. The groups which set up World Court Project are now planning to return to the Court to clarify its Opinion and to rule on whether the Nuclear Weapon States are actually negotiating "in good faith" to abolish nuclear weapons.

THE NUCLEAR MENACE

Teasing out the effects of International Law on nuclear weapons has a certain fascination. Working with people to eliminate them under the law is absorbing and administratively demanding. It is therefore important to be reminded of what, precisely, we are talking about.

In a recent book, "Whole World on Fire" Lynn Eden has described the effects of a 300 kiloton nuclear detonation. Such a weapon is about 18 times the power of the Hiroshima bomb. It is the typical weapon of choice for the Nuclear Weapon States. If you live in a large city at least one of them is probably targeted at you on constant alert status. Much of what follows is directly quoted from Lynn Eden's book.

In a 300 kiloton nuclear strike on a city the warhead would explode about 300 feet above the target. The resulting fireball, 5,000 times brighter than a desert sun at noon, would extend more than a mile in diameter and at its centre produce temperatures of over 200 million degrees Fahrenheit, about four times the temperature at the centre of the sun. The heat would melt the surface of bronze statues. Marble memorials would crack and possibly evaporate. People exposed to the light would be instantly cremated. Within 3 miles of ground zero the clothing worn by people in direct line of sight of the fireball would burst into flames or melt, and areas of skin not covered by clothing would be scorched, charring flesh and causing third-degree burns. For many miles in all directions, any creature unfortunate enough to look into the fireball at the time of detonation would either be blinded or suffer permanent retinal damage.

The release of heat and energy would ignite extensive fires for many tens of square miles. The consumption of oxygen would create a fire storm at hurricane speeds as the fires joined up. The 300 kiloton detonation would create a mass fire with a radius of 3.5 miles.

A few seconds after the explosion a blast wave of 750 miles per hour would cave in buildings and turn windows and furniture into missiles and shrapnel. The interiors of buildings that remained standing would, within minutes, be burning pyres of splintered

walls, doors and other combustibles. Those who sought to flee through the streets would be burned alive by hurricane-force winds laden with flames and firebrands. Even those who sought shelter in the deepest basements of massive buildings would likely die from heat prostration, suffocation, or lack of water. There would be no escape. All life would be eliminated in the fire zone.

Deadly fallout would contaminate hundreds of square miles downwind with radioactive poisons from the blast, dooming hundreds of thousands of humans and animals to a painful, vicious death from radiation sickness. Much of the land contaminated by the fallout would remain uninhabitable for years. Scattered deaths and higher mortality rates would continue for centuries from cancer, leukemia, and genetic damage to succeeding generations.

That is the effect of just one nuclear detonation. According to the Stockholm International Peace Research Institute, an estimated 13,470 nuclear weapons are deployed worldwide by eight countries, with another 14,000 weapons in reserve.

A CLOSER LOOK AT THE ICJ OPINION

The ICJ is the court of the United Nations. It can give *Advisory Opinions* on questions from a UN agency, such as the General Assembly. The Court expects, but cannot force, compliance with its Opinions as they confirm what international law is with the highest authority. Advisory Opinions are only given after careful consideration by the Court's 15 judges. In the 1996 nuclear weapons case, 43 states, a record number, (including all the Nuclear-Weapon States except China) made written statements and 22 made oral ones.

The ICJ depended mainly on *International Humanitarian Law*. It is important to emphasise that armed conflict is still legally permitted under very restricted circumstances such as self-defence. International Humanitarian Law was based on the “customs of civilised nations” over the centuries but developed considerably in the twentieth century through the various Hague and Geneva Conventions. It was an attempt to limit the effects of brutality in war. Thus civilians and prisoners were given legal protection and weapons which were used in such a way that they could not distinguish between civilians and combatants were proscribed. However, this was only up to a point. Armed conflict must also be proportionate and necessary - it must not exceed in scale what is needed to defeat the enemy. This means that some “collateral damage” is legally acceptable, provided that civilians are not deliberately targeted and that it does not outweigh the military advantage to be gained.

This creates a problem for many peace activists who want to see an end to war itself and regard attempts to humanise it as misguided. It is as if we tried to set limits on what is acceptable in torture instead of outlawing torture itself. They point out that, in practice, once war starts, law goes out of the window. I would argue, however, that at the very least International Humanitarian Law is a useful tool at our disposal. In addition, if International Humanitarian Law is taken seriously, it sets such severe restrictions on the

conduct of armed conflict as to make it very difficult to conduct lawfully. The net of International Humanitarian Law certainly limits the lawful threat or use of nuclear weapons to vanishing point.

I am outlining the main findings of the Court with paragraph references so that readers can check this summary out for themselves. These were:

- a) The threat or use of nuclear weapons is generally contrary to International Humanitarian Law (Opinion, para 105D). There are no international agreements banning them *as* nuclear weapons. However, the Court confirmed unanimously that their threat or use, just like other weapons, must comply with International Humanitarian Law and be judged according to their effects and the circumstances of their use (Opinion, para 86, 105, 2D). Weapons which could not distinguish between civilian and military targets would be unlawful.
- b) To threaten anything illegal is itself illegal (Opinion, para 47). Possession and deployment of a weapon with the stated intention to use it under certain circumstances would constitute an illegal threat if the purpose of its use would inevitably violate the principles of necessity and proportionality (Opinion para 48).
- c) Proportionality includes the requirement that even if a nuclear response were proportionate to a threat or attack, it would still have to meet the requirements of humanitarian law (Opinion para 42).
- d) The Court said that "the use of such [nuclear] weapons in fact seems scarcely reconcilable with respect for such requirements" (Opinion para 95) and noted that no state making submissions to the Court provided a plausible scenario in which the use of nuclear weapons would be lawful (Opinion para 94).
- e) The Court could not decide whether threat or use of nuclear weapons by a state would be lawful if its "very survival would be at stake" (Opinion para 97) because it did not have sufficient detailed information before it about the precise circumstances of such an event (Opinion par 95) but:

the President of the Court said that *this "cannot in any way be interpreted as a half-open door to the recognition of the legality of the threat or use of nuclear weapons"* (Judge Bedjaoui, Separate Statement, para 11).
- (f) The restrictions imposed by International Humanitarian Law are intransgressible. This means that it applies in all circumstances, even if the very survival of a state would be at stake (Opinion para 79).
- f) The Court unanimously decided that "**there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control**" (Opinion, para 105F).

The Full ICJ Opinion is available on <http://www.icj-cij.org/>. Click on top LHS for "English," then "Decisions," then "Advisory Cases." Scroll down to 1994 when the case was submitted.

THE UNITED KINGDOM AND THE LAW

Individuals knowingly engaged in an illegal activity bear personal responsibility (1946 Nuremberg Principle IV). This includes "complicity" in such activity (Nuremberg Principle VII) and therefore preparations for the illegal use of a weapon, including its deployment and manufacture, are unlawful.

The main conclusions of the ICJ depend heavily on customary international law. Such law is arguably part of British Domestic law.

The ICJ was unable to say that every possible threat or use of nuclear weapons would be illegal. However, it could not identify any circumstance for its legal use. Therefore discussion of the legal status of the UK's policy of nuclear deterrence applies to the particular nuclear weapons it deploys, not to nuclear weapons in general.

Britain is one of a minority of states with nuclear weapon systems. It currently has just one way of delivering nuclear weapons – Trident.

The UK has 4 Trident nuclear-powered submarines. Normally, only one submarine is deployed at sea with its missiles. Since the July 1998 Strategic Defence Review the single deployed submarine carries a maximum of 16 missiles with three warheads of 100 kilotons each - eight times more powerful than the Hiroshima bomb. However, the missiles have been de-targeted and are now on several days notice to fire.

Trident has replaced the Polaris system. There were four Polaris submarines each with 32 warheads. Trident warheads are less powerful but much more accurate. Also, because each warhead can be aimed at different targets a Trident submarine with 48 warheads can strike three times more targets more destructively than a Polaris submarine could.

The whole Trident fleet has the destructive power of 1200 Hiroshimas.

Imagine the use of a submarine's full load of 100 kiloton warheads in a strike on the centres of power and/or population in an enemy country. With a population density of 5,000 per square kilometre, a realistic figure for most cities, the number of immediate deaths for each warhead has been estimated at approximately 127,500 with 472,000 injuries.

Because of the legal restrictions imposed on ANY weapon, it is almost impossible to see how Trident could be lawfully used or threatened. The British Government must therefore show that its policy of nuclear deterrence is lawful. In the absence of such assurances it is reasonable to claim that there is a very strong case, amounting to near-certainty, that Government policy is illegal and arguably criminal.

REPLACEMENT OF TRIDENT

It seems only yesterday that activists were agitating about the UK's deployment of Trident. Yet now there is a firm Government announcement that its replacement will have to be considered during this Parliament as the system will eventually pass its sell-by date.

This time round there will be more opportunity for discussion. The Defence Secretary, John Reid, has promised this, although some sceptics suspect that the decision has already been made. The choices presented seem to be a new submarine-based system, missiles launched from aircraft, or simply replacing the present system with an upgraded model.

The whole anti-nuclear movement, including World Court Project UK, insists that there is another choice: no replacement at all. There is growing opposition to replacement in the media and Parliament. The reasons given include the cost of replacement and its irrelevance, as well as the danger of sending a signal to other would-be proliferators that nuclear deterrence is an asset instead of a liability. With climate change threatening catastrophic consequences to our real security, trying to defend ourselves with Trident is beside the point, not to say distracting. .

There is another aspect of Trident Replacement which World Court Project UK should highlight. **Would it be legal?** We ask this because successive Ministers of Defence have made statements which seem to ignore this question.

Here we have a general point which applies to all nuclear weapons. The Court stated that any threat would be illegal if actually carrying it out would be illegal. The policy of nuclear deterrence can only work if a state says that it would be willing to use its nuclear weapons under certain, if unspecified, circumstances. The possession and readiness to use nuclear weapons thus amounts to a threat which would be illegal unless it complied with the principles of international humanitarian law – and we don't see how this could possibly be achieved.

The assumption is, therefore, that any use of nuclear weapons would be illegal unless proved otherwise. It is up to any state deploying nuclear weapons to show that they could be used lawfully. So, we need to look at Trident replacement in particular. In order to test its legality we would have to know what it would consist of. Whether launched from land, sea, or air its lawfulness would depend on its yield, how it would be targeted and the probability of something going wrong. All this is cloaked in secrecy. No detailed studies have been released. We suspect that if they were we would be looking at a potential war crime of huge proportions.

As citizens we need to know whether what is planned in our name and with our money would violate the law and the values the law is based on. We must therefore continue to press for the detailed information we need to come to a judgment.

THE PUBLIC CONSCIENCE EXAMINED

World Court Project UK describes itself as "The Public Conscience in Action." This is a serious claim which needs to be expanded if challenged.

The Public Conscience is a real concept in International Humanitarian Law. It was formalised in the 1899 Hague Convention and gained more prominence in the 1907 Hague Convention IV, well before nuclear weapons were thought of. The diplomats who drew up the Convention knew that new situations, not covered by the Convention, would arise and they found a formula which applied the law to them. It said:

*Until a more complete code of the laws of war has been issued, the High Contracting Parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and **the dictates of the public conscience.***

As a matter of historical fact this clause was inserted as part of a diplomatic deal which had little to do with idealism. However, international lawyers have increasingly come to see it as an expression of Natural Justice. This often happens. Magna Carta, for example was a stitch-up between King John and the Barons, but that hasn't stopped us using it as a clarion call to respect the rule of law.

World Court Project UK interprets *The Public Conscience* to mean a natural sense of justice common to humanity. It includes concepts such as "Do not harm the harmless." There may be individuals or even whole groups who lack this natural sense, but it is a norm which defines us as a species. In the words of the Russell-Einstein Manifesto, "Remember your humanity, and forget the rest."

We believe that the very thought of possessing, let alone using, nuclear weapons violates the Public Conscience.

The concept of the Public Conscience is rooted in an International Law Tradition of *Natural Justice* - the idea that law must be based on common values equally applicable to everyone and not just on treaties and state practice.

The Natural Justice tradition has been overlaid by another doctrine of international law - the Positivist approach. This takes the view that unless something is positively forbidden by law, it is allowed. It takes considerable account of state practice. In reality this favours the strongest states capable of wielding force. Thus, the fact that states had adopted a policy of nuclear deterrence over several decades had an effect on the 1996 ICJ Opinion. Not surprisingly, the Nuclear Weapon States adopted the Positivist approach when they presented their views to the International Court of Justice.

However the ideas of Natural Justice and the Public Conscience played a part in the ICJ opinion and especially in the separate opinions of several of the judges. It also impinged on the thinking of the Nuremberg Tribunal and is now playing a more important role in the thinking of many International Lawyers.

THE OFFICIAL ATTITUDE

The ICJ could not quite bring itself to declare nuclear weapons illegal as such. It said that they are generally illegal but could not come to a decision on whether or not they might be legally used in an extreme circumstance of self-defence when the very survival of a state was at stake. Even then, they could only be used in accordance with the principles of International Humanitarian Law. All the Nuclear Weapon States accept this but they have argued that there might be circumstances in which nuclear weapons could be used proportionately if the threat were great enough. In this case, considerable civilian casualties would be acceptable.

These arguments, however distressing, are being reported here, rather than endorsed. However, they must be addressed. One quite useful way of doing this is to write to an MP. He or she will probably not be familiar with the issues so it will be passed on the Foreign Office or the Ministry of Defence. A letter will come back, via the MP, signed by a named official. A correspondence with the official can then be set up. Initial replies will be pasted from a routine source but, with persistence, the correspondence can begin to come to grips with the real issues. This is useful. Officials do not make policy but they do select the advice and arguments to be presented to ministers. At the very least, probing letters can help them to think more deeply about the positions they feel obliged to take.

Ideas about Natural Justice should be reflected in the way we work and communicate with people, even when they are part of the nuclear establishment. When we write to the Foreign Office or the Ministry of Defence, we try not to be confrontational but to engage them in an area where dialogue is useful. We believe that even with its limitations International Humanitarian Law is enough to make the lawful threat or use of nuclear weapons almost inconceivable. When applied to a particular nuclear weapon system such as Trident, legal threat or use is reduced to vanishing point. So we might write to an official that we "would need to be assured that the choice of targets would never incur the risk of disproportionate civilian casualties". We believe that no such assurance is likely to be convincing and that the Public Conscience forbids it anyway. But if an official says that UK nuclear weapons would never be used except in accordance with International Humanitarian Law, we invite him or her to explain how this could be so in an attempt to identify the reasoning behind this claim.

Official letters have said: "... the Government is confident that the ICJ's Advisory Opinion on the legality of the threat or use of nuclear weapons does not require a change in the United Kingdom's or NATO'S nuclear deterrence policy. We would only ever consider the use of nuclear weapons in self defence, which includes the defence of our NATO allies, and in extreme circumstances."

or

: " ... the actual use of nuclear weapons is extremely unlikely. The fundamental purpose of the nuclear forces is political: to preserve peace and to prevent coercion by ensuring

uncertainty in the mind of any aggressor about the nature of the Allies' response to military aggression".

We have to work hard to get any detailed reasoning to support such statements. A full explanation would include answers to these questions:

- ❖ Does the Government agree with the World Court that even in self-defence it could never legally use a weapon which breaks humanitarian law?
- ❖ If so, how could Trident ever be used lawfully? How, for instance, could it discriminate between military targets and civilians?
- ❖ How is the legal requirement of proportionality assessed? How is the balance between huge numbers of civilian casualties balanced against the military advantage to be gained from using Trident?
- ❖ Could Trident leave neighbouring neutral states free from radioactive fall-out? Would it have no serious long-term effect on the environment?
- ❖ When the Government says that "self-defence" would be the only reason for using Trident does this mean the same thing as "the very survival of a state" (in the words of the World Court). What then does the Government understand by this? Does it mean the destruction of most of its people? Or just the system of government? Or something else?
- ❖ What "coercion" is Trident meant to respond to? Surely this word has a wider meaning than "the survival of a state." Could it be used in response to a chemical or biological attack? If so, how does this square with the requirement of proportionality in any military response?

THE OBLIGATION TO DISARM

The ICJ unanimously ruled that all the states have a legal obligation to achieve a world free from the menace of nuclear weapons. The Nuclear Weapon States recognise this obligation. However, the Court made it quite clear that negotiations to eliminate nuclear weapons must not only be pursued: they must have a result. The aim is the abolition of nuclear weapons within the foreseeable future. Just controlling them and stopping their spread is not good enough. Even one nuclear weapon is one too many.

International Treaties are not just words on paper. They are solemn obligations between nations and they have the force of law behind them. Since 1968, 188 states have signed the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). This includes China, Russia, France, the UK and the US, which were the only states at that time with nuclear weapons.

The Treaty aims to curb the spread of nuclear weapons. There is also a pledge to "*pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament*" The International

Court of Justice has ruled that achieving global nuclear disarmament is a legal obligation on all states, and not just a good idea.

The undertaking to rid the world of nuclear weapons was made thirty seven years ago. We are still waiting. Negotiations haven't even started.

At the Review Conference held in 2000, the **Final Document**, agreed to by all NPT states, contained an *"unequivocal undertaking by the Nuclear weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament ..."* plus a 13-step **Programme of Action** which provided a route map for this.

However, there are few signs that the Nuclear Weapon States are treating the Programme of Action seriously or urgently. Their war plans still take it for granted that they will have nuclear weapons for the indefinite future. At the same time they are trying to deny them to other states. This is self-defeating. We still cling to nuclear weapons for our security and other countries have got the message. Not surprisingly they see them as a passport to power. Already, India, Pakistan and Israel have developed nuclear weapons. Iran and North Korea may well do so.

The original Nuclear Weapon States have reduced their arsenals in recent years. However, instead of taking steps to phase out nuclear weapons the US, and possibly the UK, are planning to upgrade these smaller arsenals so that lower-yield more "usable" nuclear weapons can be used to threaten non-nuclear weapon states which might be considered a threat.

Every five years the NPT states meet at the UN in New York for a Review Conference. In May 2005 World Court Project UK representatives joined nearly 2,000 members of citizens' groups around the world in New York. The occasion was this year's Review Conference where official delegates from 153 countries gathered to discuss the vital issues of nuclear non-proliferation, possible nuclear terrorism, and disarmament.

That was the idea. In the event the United States (ably supported by the UK) and Iran deployed ingenious blocking moves in their own self-interest. Delegates such as those from New Zealand and Canada produced positive ideas for a way forward, but the big sticks wielded by a few states meant that the Conference failed to craft any real decisions. Then the diplomats all went home.

Meanwhile thousands of nuclear weapons are still ready to be used at a moment's notice. It is easy to point the finger at a few diplomats and politicians who are not listening to us, the ordinary people of the world, who want freedom from the nuclear threat. But we are talking about a failure of humanity itself. The dismal outcome of the Review Conference underscores the need for the rest of us to find other ways of having our hopes taken seriously.

This year's NPT Review Conference was disappointing. But as Mayor Akiba of Hiroshima pointed out in his open letter to the President of the Conference, "disappointment does not equal discouragement." We therefore need "careful consideration of new ways forward" he said.

AFFIRMATIONS OF FREEDOM FROM NUCLEAR WEAPONS

One way forward World Court Project UK is following involves our *Affirmations of Freedom from Nuclear Weapons*. We hope to use them to support a new request for a ruling from the ICJ which further tightens the legal screws on nuclear weapons. The Affirmations simply say "*I do not accept that nuclear weapons can protect me, my country, or the values I stand for.*" This is a rejection of the very thought of deploying nuclear weapons which may actually be used one day. Each person, with each signature, has asserted their personal freedom from the tyranny of this thought.

It is the word "values" which links the Affirmations with The Public Conscience. The Affirmations are not petitions. When you sign a petition you are appealing to a higher authority to do something. The Affirmations are a personal expression of your basic values which has standing in law as evidence for invoking the Public Conscience.

We intend to work with *Mayors for Peace* in our initiative and have already discussed it with the UK Working Group. The Affirmations will therefore be a central initiative for World Court Project UK for the next five years, linked with the call by Mayors for Peace for a signed Convention by 2010, to be fully implemented by 2020, to abolish all nuclear weapons everywhere.

Sr. de Alba, the Mexican Ambassador to the UN, is one of many diplomats who were frustrated at the behaviour of some of the states represented at the Conference. Through his good offices we have obtained an official endorsement from the Mexican Government for the Affirmations. This should help to enlist the support of other like-minded states which genuinely want to see more urgent progress towards global nuclear abolition. Thus we ambitiously aim to link states, municipalities, citizen groups, and ordinary citizens in the cause of nuclear abolition using the law and our values as one set of tools among many.

A LEGAL CONFERENCE

For July 2006 World Court Project UK is helping to plan a legal conference to mark the tenth Anniversary of the ICJ Opinion. The organisers will invite academic lawyers, representatives from NATO, MEPs and other politicians, mayors linked with Mayors for Peace, and peace activists as participants. The venue will probably be the European Parliament. The intention is to analyse and identify relevant aspects of International Humanitarian Law clarified by the Opinion and to explore those areas where there is less clarity. In addition the conference will explore what comprises "Good Faith" in bringing about negotiations leading to nuclear disarmament and how far the Nuclear Weapon States are showing Good Faith. The results will be of great value for a return to the ICJ and will be made available to activists to help with their litigation and their dialogue with politicians and officials. The proceedings will result in a publication.

We are determined to make sure that there is a strong activist presence and World Court Project UK will organise transport and accommodation for its supporters to travel to Brussels.

THE NATURE OF OUR PROJECT

What the Project actually does is coloured by the way we do it. In the UK we have built up a strong network of supporters. They collect Affirmations, help with lobbying, and suggest avenues worth exploring. In return we keep them regularly updated with newsletters and respond to every comment or suggestion by letter or phone as promptly as we can possibly manage. Every letter is answered and every donation acknowledged personally. Even seemingly wild ideas are taken seriously.

This is a citizens' movement and people like working for it because it is flexible and open to improvement - and seen to be so. Supporters can also see a specific end in view - a nuclear-free world with the law as an essential element in achieving it. Our supporters also enjoy working with an international movement. They have helped to involve their own overseas contacts and taken part in campaigns and events which have a global importance. In this way we have developed a network of friends in several countries many of whom have worked with the ICJ Opinion in their own countries.

We try to maintain a reputation for truthfulness. We check our conclusions with lawyers and follow the arguments of those opposed to our point of view. If a position is shown to be incorrect or invalid we abandon it. When something is less than certain we say so. "Trident is Illegal" is perfectly acceptable on a banner at Aldermaston but our general tone is cautious and qualified.

We are small scale. The "staff" consists of myself and my wife. This makes us flexible. We live by donations and grants and, having no London Office or salaries to pay, we can run very economically. Working from home makes it possible for my wife and I to be available during evenings and weekends as well as in "office hours."

Cheap technology is essential. We can keep in touch with supporters and contacts by Email; and we can give people personal attention by having a good data base and a variety of materials which can be constantly updated.

The idea of bringing nuclear weapons under the law appeals to the public. The fact that they can actually do something about it by signing Affirmations is encouraging. Once we gain someone's attention for 10 seconds the response is almost invariably positive. People want a nuclear-free world and see law as a good way of achieving it. We saw this on the streets of New York last May when a team of World Court Project supporters visited various parts of the city to collect signatures from passers-by. Many responded enthusiastically to the direct and simple wording and there was practically no support for nuclear weapons.

The time is right for a serious initiative towards a world free of nuclear weapons. The Cold War is well in the past and yet the Nuclear Weapon States continue to maintain

their arsenals. Most UN member states have been deeply outraged by the way the Nuclear Weapon States still see the Nuclear Non-Proliferation Treaty as carte-blanche for them to retain nuclear weapons. It is as if they had never made a commitment to eliminate ALL nuclear weapons. Many states therefore see the law as a serious tool for working towards global nuclear disarmament.

Go to **www.abolition2000europe.org** where you can sign you own Affirmation online in one of eighteen languages. Click on “Affirmation of Nuclear Freedom” on the RHS and scroll down to “**Sign the Affirmation online in English** (scroll down for links to other languages)”

George Farebrother



George Farebrother, a retired history teacher, is the Secretary of the World Court Project UK and treasurer of the Institute for Law and Peace, working from his home in Sussex. He also works with Abolition 2000, a global network to eliminate nuclear weapons and is a member of the UK core group. He is Secretary of the Sussex Peace Alliance, a director of Peacerights and a Quaker.





Westmorland General Meeting

Westmorland General Meeting is a Meeting for Worship and Business of the Religious Society of Friends (Quakers), comprising Friends from the Swarthmoor, Kendal and Sedbergh, Lancaster and Preston areas in the north-west corner of England. George Fox, founder of the Society, made his first visit to these towns, villages and dales in 1652, and the region continues to be known among Friends as the birthplace of Quakerism.

Quakers seek "that of God" in everyone, worshipping together in silence without doctrine or creed. For three hundred and fifty years Friends' Peace Testimony has been at the centre of a corporate witness against war and violence, through conscientious objection, conflict resolution, service in the Friends' Ambulance Unit or alternative paths of conscience. In the 21st Century we face fundamental changes to the 'engines of war', and new social and international challenges in a changing world, yet the Peace Testimony of 17th Century Friends still bears powerful witness.

In 1660 Friends declared:

All bloody principles and practices we do utterly deny, with all outward wars, and strife, and fightings with outward weapons, for any end, or under any pretence whatsoever, and this is our testimony to the whole world.

Today the Society's book of 'Advices and Queries' advises members:

We are called to live 'in the virtue of that life and power that takes away the occasion of wars'. Do you faithfully maintain our testimony that war and the preparation for war are inconsistent with the spirit of Christ? Search out whatever in your own way of life may contain the seeds of war. Stand firm in our testimony, even when others commit or prepare to commit acts of violence, yet always remember that they too are children of God.

