

Report of Working Group on International Law

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Annual Abolition 2000 Meeting, May 23, 2020

The 2019 [report](#) of the International Law Working Group highlighted the UN Human Rights Committee's unequivocal condemnation of the threat and use of nuclear weapons as contrary to the right to life set out in the International Covenant on Civil and Political Rights (ICCPR). The Committee included this assessment and more in paragraph 66 of a General Comment released in October 2018. Since that report for the May 5, 2019 meeting of Abolition 2000, the working group and its members have built upon the Human Rights Committee's intervention.

In a two-page [flyer](#) produced in the summer of 2019, the working group explained the significance of the General Comment for activism and advocacy. Entitled "Nuclear weapons violate the Right to Life: Using UN Human Rights Committee General Comment 36 in grassroots actions and campaigns," the flyer underlined that the Comment:

- Applies directly to the nuclear-armed states all of which are states parties to the ICCPR except China, which has signed but not yet ratified the Covenant;
- Clearly and comprehensively affirms the illegality of the threat or use of nuclear weapons;
- Notes the potential criminal responsibility of individuals for the threat and use of nuclear weapons;
- Applies human rights law and engages human rights constituencies.

In October 2019, Lawyers Committee on Nuclear Policy (LCNP), Western States Legal Foundation, and Swiss Lawyers for Nuclear Disarmament made a [submission](#) to the UN Human Rights Council Universal Periodic Review of the United States. The submission took as its starting point the finding of the Human Rights Committee and assessed that:

US nuclear weapons policy is not in conformity with the right to life set out in the International Covenant on Civil and Political Rights. US doctrine envisions the use of nuclear weapons in a wide range of circumstances, yet the threat or use of nuclear weapons is incompatible with the right to life. Further, the United States is not pursuing negotiations to achieve nuclear disarmament, as mandated by the right to life; indeed, it is undermining arms control measures and resuming nuclear arms racing.

And the comment makes several recommendations, including adoption of a policy of non-use of nuclear weapons and the vigorous pursuit of negotiations on nuclear arms control and the global elimination of nuclear weapons.

In the summer of 2019, LCNP also published video and texts from a May 1, 2019 NPT PrepCom side-event on human rights, democracy, and nuclear weapons. It featured [Daniel Rietiker](#) of Swiss Lawyers for Nuclear Disarmament, who explained the comment of the Human Rights Committee; [Bonnie Docherty](#) of the Harvard International Human Rights Clinic, who examined the application of human rights to nuclear arms in the context of the nuclear ban treaty; and [Andrew Lichterman](#) of Western States Legal Foundation, who discussed the role of social movements in realizing the promise of human rights law. Video and remarks are available at www.lcnp.org.