

Report of International Association of Lawyers Against Nuclear Arms

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Annual Abolition 2000 Meeting, June 19, 2021

July 8, 2021 is the 25th anniversary of the International Court of Justice advisory opinion on the legality of threat or use of nuclear weapons. On that date, 5-8 pm CET, IALANA is holding a webinar in which speakers will discuss the importance of the opinion and its relevance for the present day struggle towards nuclear disarmament. They will also address recent developments, including the Treaty on the Prohibition of Nuclear Weapons and the General Comment no. 36 on the right to life of the UN Human Rights Committee. Confirmed speakers are **Christine Chinkin**, Emeritus Professor of International Law, London School of Economics; **Paolo Palchetti**, Professor of International Law, Université de Paris (Sorbonne 1); **Amela Skiljan**, Vice-chair of IALANA Germany; **Phon van den Biesen**, attorney and Co-President of IALANA; **John Burroughs**, Vice President of IALANA; **Daniel Rietiker**, International Law Lecturer, Lausanne University, Co-President IALANA. There will also be video messages from **Takeya Sasaki**, IALANA co-president, and **Kenichi Okubo**, president of Japan Association of Lawyers Against Nuclear Arms. Register at https://us02web.zoom.us/webinar/register/WN_SoWcZO8S7uGN2fBnsCVtw.

IALANA affiliates in the past year have been actively working to building upon the Human Rights Committee's 2018 findings regarding nuclear weapons, including that their threat or use "is incompatible with respect for the right to life" set out in the International Covenant on Civil and Political Rights (ICCPR).

In a [submission](#) to the Committee on May 5, 2021, Lawyers Committee on Nuclear Policy (LCNP), Swiss Lawyers for Nuclear Disarmament, Western States Legal Foundation (WSLF), Japan Association of Lawyers Against Nuclear Arms, and IALANA maintain that the policy and practice of France in relation to nuclear weapons contravenes the right to life under the ICCPR in multiple ways. The submission addresses France's nuclear arsenal; the illegality of threat or use of nuclear weapons under human rights and humanitarian law; the obligation to negotiate to achieve nuclear disarmament; adequate reparation to victims of nuclear explosive testing; and the least diversion of resources. It also offers suggested questions, including one regarding a striking recent report concerning the inadequacy of current compensation to victims of testing.

Along similar lines, LCNP and WSLF also made a January 4, 2021 [submission](#) to the Committee regarding the DPRK's nuclear weapons program, and a June 1, 2020 [submission](#) regarding the Russian nuclear weapons program.

In January 2021, LCNP published a report entitled [Human Rights and Nuclear Weapons: New Dimensions](#). Based on two events LCNP organized in 2019, the report includes contributions concerning the Human Rights Committee's comment from Prof. **Roger Clark** of Rutgers Law; LCNP Executive Director **Ariana Smith**; LCNP President Emeritus **Peter Weiss**; and Dr. **Daniel Rietiker** of the University of Lausanne; a contribution from **Bonnie Docherty** of the Harvard Law International Human Rights Clinic addressing human rights aspects of the Treaty on the Prohibition of Nuclear Weapons; and a contribution from **Andrew Lichterman** of Western States Legal Foundation exploring how human rights discourse could be a terrain for making connections between disarmament movements and other movements for a more fair, democratic, and ecologically sustainable society.

On October 26, 2020, IALANA released a [Statement on the Imminent Entry into Force of the Treaty on the Prohibition of Nuclear Weapons](#). The statement among other things observes: “The TPNW robustly recognizes and reinforces existing international law requiring the non-use and elimination of nuclear weapons. That law applies to states whether or not they join the treaty, as the treaty’s preamble recognizes.” The statement also says: “In an innovation in the nuclear weapons sphere reflecting the rise of human- and victim-centred disarmament, the TPNW sets forth obligations of assistance to victims of testing and use of nuclear weapons and of environmental remediation of areas affected by testing and use (Article 6) These provisions are important because they recognize and address concretely the unacceptable suffering and devastation that have resulted from the use and testing of nuclear arms, and which could result again if current trends in global affairs are not reversed.”