

# **United Kingdom's nuclear weapons policies: Obligations under international human rights law including Article 6 of the International Covenant on Civil and Political Rights**

Submission to the United Nations Human Rights Council during its  
Periodic Review of the United Kingdom

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### 1. Summary

The civil society organizations making this submission contend that specific nuclear weapons policies and practices of the government of United Kingdom fail to comply with the **Right to Life** as outlined in Article 6 of the International Covenant on Civil and Political Rights (ICCPR) and as interpreted by the UN Human Rights Committee in General Comment 36 of October 30, 2018, nor with other international law applicable to human rights.

Such policies and practices include:

- Failure to provide adequate reparations for the impact of explosive nuclear tests undertaken by the United Kingdom in Australia, the Pacific and Nevada (USA);
- Production and deployment of nuclear weapons at considerable opportunity cost;
- Threat to use nuclear weapons, along with plans and preparations for their use in armed conflict;
- Failure to implement obligations to dismantle and destroy nuclear weapons under their control;
- Failure to pursue negotiations in good faith on the global elimination of nuclear weapons under strict and effective international control.

In times of high tensions between nuclear-armed and allied states, plans and preparations for the use of nuclear weapons, including their possible first use in an armed conflict, elevate the risk of nuclear war, which would be a humanitarian catastrophe of unimaginable scale exceeding any previous human or natural disaster. A nuclear war would severely curtail the rights of current and future generations, and would threaten human civilization itself. Compliance with the Right to Life with respect to nuclear

weapons is therefore an urgent matter, impacting not only the rights of UK citizens and those impacted by UK nuclear tests, but also the rights of all humanity.

We recognise that the United Kingdom is not alone in its failure to comply with human rights and other relevant law with respect to its nuclear weapons policies. Eight other states produce and possess nuclear weapons. Some of the organisations making this submission, have made and will continue to make similar submissions with regard to the policies and practices of other nuclear-armed countries.

We also understand that there are security issues that play a role in the nuclear weapons policies and practices of the UK and other nuclear-armed States. These security issues are taken into consideration in order to ensure that the recommendations made in Section 7 are realistic and able to be implemented.

## 2. Nuclear weapons and human rights law including the Right to Life

### 2.1: Nuclear weapons and the ICCPR

On October 30, 2018, the United Nation Human Rights Committee (HRC) adopted *General comment No. 36 on article 6 of the International Covenant on Civil and Political Rights, on the Right to Life*.<sup>1</sup> In paragraph 66 of General Comment No. 36 the HRC stated:

*“The threat or use of weapons of mass destruction, in particular nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with respect for the right to life and may amount to a crime under international law.*

*States parties must take all necessary measures to stop the proliferation of weapons of mass destruction, including measures to prevent their acquisition by non-state actors, to refrain from developing, producing, testing, acquiring, stockpiling, selling, transferring and using them, to destroy existing stockpiles, and to take adequate measures of protection against accidental use, all in accordance with their international obligations.*

*They must also respect their international obligations to pursue in good faith negotiations in order to achieve the aim of nuclear disarmament under strict and effective international control and to afford adequate reparation to victims whose right to life has been or is being adversely affected by the testing or use of weapons of mass destruction, in accordance with principles of international responsibility.”*

Under the ICCPR, Article 4(2), the right to life is non-derogable, to be observed in all circumstances, even in the event of a “*public emergency which threatens the life of the nation.*”

The UK is a state party to the ICCPR and as a result is obligated to implement its provisions in good faith according to Article 26 of the 1969 Vienna Convention on the Law of Treaties (*pacta sunt servanda*).

Even if the General Comment is not legally binding as such, it is considered the Committee’s authoritative interpretation of Article 6 and the relevant practice thereto. It clarifies the scope and meaning of Article 6 and elucidates to States parties what the Human Rights Committee’s views are on the obligations they have undertaken.<sup>2</sup>

### 2.2 Nuclear weapons and other international human rights law

The **Right to Life** is also found in the *Convention on the Rights of the Child* (Article 6).

The **objective of nuclear disarmament** is found in the preamble to the *Convention on the Elimination of All Forms of Discrimination against Women*.<sup>3</sup>

The use and testing of nuclear weapons also threaten the **Right to Health** as affirmed in *General Comment No. 14 (2000) The right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights)*, which concludes that:

*'States should also refrain from unlawfully polluting air, water and soil, e.g. through industrial waste from State-owned facilities, from using or testing nuclear, biological or chemical weapons if such testing results in the release of substances harmful to human health.'*<sup>4</sup>

### **3. Other relevant international law: International humanitarian law, the laws of peace and security and the Nuclear Non-Proliferation Treaty**

The obligations under *international human rights law* to not threaten or use nuclear weapons and to pursue comprehensive nuclear disarmament, are reinforced by the *international Law of Armed Conflict (LOAC)*, which includes international humanitarian law (*jus in bello*), and by the law of peace and security (*jus ad bellum*) including Article 2 of the UN Charter.

The relevance of the LOAC to the Right to Life in this context is warranted by Art 31(3)(c) of the *Vienna Convention on the Law of Treaties 1969* which provides that in interpreting a treaty (such as Article 6 of the ICCPR), *"There shall be taken into account, together with the context,... any relevant rules of international law applicable in the relations between the parties."*

International humanitarian law (IHL) is applicable primarily to the use of nuclear weapons in armed conflict. IHL prohibits the use of weapons or methods of warfare which cause indiscriminate harm (e.g. to non-combatants); unnecessary suffering to combatants (e.g. that lasts long after the armed conflict is over); damage to neutral territories; widespread, long-term and severe damage to the environment; or which are disproportionate to the military acts to which they are responding.

The law of peace and security relates to both the threat and use of nuclear weapons. Under Article 2 of the UN Charter, the UK is obliged to settle its international disputes by peaceful means and refrain in its international relations from the threat or use of force. The UN Charter provides, especially in Articles 33-38, methods and mechanisms for settling international disputes and achieving security without the threat or use of force. These provide a legal obligation on the UK and other nuclear-armed states, to end their reliance on nuclear deterrence.

The International Court of Justice in 1996 affirmed that these bodies of law and additional elements of customary international law render the threat or use of nuclear weapons generally illegal and require the pursuit and achievement of nuclear disarmament in all its aspects under strict and effective international control. Since 1996, the UN General Assembly has called on UN member states to implement these obligations by negotiating a nuclear weapons convention – an international treaty to prohibit and eliminate nuclear weapons.<sup>5</sup>

The United Kingdom has also accepted an obligation to work actively for nuclear disarmament under Article VI of the Nuclear Non-Proliferation Treaty.<sup>6</sup>

And the United Kingdom has also accepted an obligation under Article 26 of the UN Charter to establish a plan with other UN Security Council members for the regulation of armaments in order to *"promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources."*

## 4. Policies and practices of the United Kingdom

### 4.1 Production and deployment of nuclear weapons including costs

The United Kingdom currently possesses four Vanguard-class nuclear-powered ballistic missile submarines. Each submarine carries up to eight Trident II D5 missiles. Each missile can carry up to five nuclear warheads. The W76 warheads currently deployed on the submarines have an explosive yield of 100 kilotons each, which is eight times as destructive as the bombs which flattened Hiroshima and Nagasaki in 1945. At least one of these nuclear-armed submarines patrols the seas at all times.<sup>7</sup>

The UK is planning to upgrade its nuclear arsenal by replacing the current submarines with four new ones, and increasing the total number of deliverable warheads from 180 to 240, an increase of 40%.<sup>8</sup>

Work on building the successor submarines – named the Dreadnought class – has already begun. The whole life cost to upgrade and operate the Trident nuclear system is estimated to be between £172 billion<sup>9</sup> and £205 billion.<sup>10</sup> Currently, the annual cost is estimated to be approximately £4.5 billion.<sup>11</sup>

The continued production of nuclear weapons by the UK is inconsistent with General Comment 36 on the Right to Life which affirms that States parties of the ICCPR must refrain from developing, producing, testing, acquiring, stockpiling, selling, transferring and using nuclear weapons and must destroy existing stockpiles.

According to a legal opinion of Professor Christine Chinkin and Dr Louise Arimatsu released in April 2021, the UK's plans to continue production of nuclear weapons and increase the numbers of these weapons in the UK stockpile are also a violation of the UK's obligations under Article VI of the Nuclear Non-Proliferation Treaty (NPT).<sup>12</sup>

In addition, as a Permanent member of the UN Security Council, the UK has an obligation under Article 26 of the UN Charter<sup>13</sup> to work for the reduction of military expenditure and the establishment of a global system for the regulation of armaments in order to ensure adequate resources for human and economic need.

A comprehensive model for such a regulation of armaments has been developed by the *Strategic Concept for Removal of Arms and Proliferation* based at SOAS University of London, and introduced to the UK and to other members of the United Nations.<sup>14</sup>

However, not only has the UK failed to take action in the Security Council to adopt such a plan, but it is acting in direct violation of Article 26 by diverting considerable human and economic resources to nuclear weapons from vital human security needs such as climate stabilisation and sustainable development.

The global shortfall in international financing required for developing nations to meet climate targets, after all pledges are accounted for, is £60 billion.<sup>15</sup> If the UK decided not to build new nuclear submarines, part of the £172-205 billion saved could be re-directed to the International Climate Finance to help make up the shortfall.

If allocated domestically, the £172-205 billion would be sufficient to build 120 state of the art hospitals and employ 150,000 additional nurses, or build three million affordable homes and install solar panels in every home in the UK, or pay the tuition fees for eight million students.<sup>16</sup>

Finally, with regard to employment, a number of UK studies have indicated that if the economic and industrial resources currently dedicated to the nuclear weapons renewal program were shifted to other areas of economic activity, the factories and workers employed in the nuclear weapons industry could

be converted to other comparable activity (so as not to lose jobs or company profits), in addition to enabling 5-10 times more jobs able to be created.<sup>17</sup>

## 4.2 Testing of nuclear weapons

The United Kingdom undertook 45 nuclear tests (nuclear detonations) between 1952 and 1991. None of the tests were undertaken in the UK. 21 atmospheric/above ground tests were conducted in Monte Bello Island, Emu Field and Maralinga in Australia, as well as at Christmas Island in the Pacific. 24 underground tests were conducted at the Nevada Test Site in the United States.<sup>18</sup> The UK also cooperated with the US on an additional 31 atmospheric tests at Christmas Island.

The above ground tests ranged in yield from 1 kiloton to 3000 kilotons (200 times more powerful than the Hiroshima bomb).

The nuclear tests produced large amounts of radioactive fallout that have severely impacted Aboriginal (indigenous) populations on the mainland near Monte Bello Islands, the Maralinga Tjarutja indigenous population, the Kupa Piti Kunga Tjuta population of South Australia (close to the Emu nuclear testing field), the citizens of Kiribati (where the Christmas Islands are located) and 43,000 military and civilian personnel from the United Kingdom, New Zealand, the United States and Fiji who were sent as part of their military service to participate in the nuclear weapons tests in and around Kiribati.

For example, amongst British Nuclear Veterans, a 1999 survey found that:

- 30 percent of the veterans had already died young, in their fifties or younger;
- Spina bifida rates in grandchildren of veterans were more than five times the usual rate for live births in the UK;
- More than 200 skeletal abnormalities were reported; and
- Over 100 veterans' children reported reproductive difficulties.<sup>19</sup>

Compensation for military personnel impacted by the tests has been available, although in many cases this has been late and inadequate with many compensation claims rejected. Compensation for civilians impacted by the tests has been much more limited, and in the case of Kiribati appears to be non-existent. The scope and adequacy of the compensation provided by the UK is far below that provided, in comparison, by the US through the US Radiation Exposure Compensation Act<sup>20</sup> for the health impacts of their nuclear tests.

## 4.3 Nuclear doctrine: Threat or use of nuclear weapons, plans & preparations for use

The UK's nuclear doctrine, outlined in its *2021 Integrated Review of Security, Defence, Development and Foreign Policy*,<sup>21</sup> affirms the 'resolve and capability' of the UK to threaten and use nuclear weapons in a wide range of scenarios that the UK will not determine precisely.<sup>22</sup> However, key elements of the policy are set out in the Integrated Review. These include:

- The UK will continue to maintain a *Continuous at Sea Deterrent*, meaning that at least one nuclear armed submarine will remain on patrol with armed nuclear weapons prepared for use at all times.
- The UK will contemplate the threat and use of nuclear weapons against non-nuclear threats, including "*threats of weapons of mass destruction, such as chemical and biological capabilities, or emerging technologies that could have a comparable impact*";
- The UK will not rule out the possibility of being the first to use nuclear weapons in a conflict.

The above policies are in violation of UK's obligations under the Right to Life as outlined in General Comment 36, which affirms that "*The threat or use of weapons of mass destruction, in particular*

*nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with respect for the right to life and may amount to a crime under international law.”*

These policies are also in violation of international law of armed conflict and the law of peace and security as indicated by the 1996 Advisory Opinion of the International Court of Justice.

In 1999, Scottish Judge Sheriff Giblett held in the *Greenock Case* that the UK’s Continuous-at-Sea deterrence practice is illegal under international law when she acquitted three defendants who admitted to destroying nuclear weapons-related property at the UK nuclear naval base in Clyde, Scotland.<sup>23</sup>

Sheriff Giblett held that:

*“I have to conclude that the three accused ladies in front of me in company with many others were justified in thinking that their Britain in their use of Trident, not simple possession, their use and deployment of Trident allied with that use and deployment at times of great international unrest, coupled with a first strike reservation policy and in the absence of any indication from any government official then or now that such use fell into the very strict category suggested by the International Court of Justice in their opinion, then the threat or use of Trident could be construed as a threat, has indeed been construed by other states and as such is an infringement of international customary law.”<sup>24</sup>*

General Comment 36 of the Human Rights Committee provides an even more comprehensive prohibition on nuclear weapons than applied by Sheriff Giblett, by affirming that all threats and uses of nuclear weapons are incompatible with the Right to Life and that this is applicable at all times – in peace or wartime.

#### **4.4 Nuclear disarmament obligations**

The UK continues to produce and deploy nuclear weapons, and to oppose or block multilateral initiatives for nuclear disarmament including the *Treaty on the Prohibition of Nuclear Weapons*<sup>25</sup> and negotiations for a nuclear weapons convention.<sup>26</sup>

The UK has agreed that a nuclear weapons convention or similar framework of agreements is necessary to achieve the global elimination of nuclear weapons.<sup>27</sup> However, the UK opposes UN General Assembly resolutions which would enable such negotiations to commence,<sup>28</sup> gives no indication of when – if ever – it plans to join such negotiations, and maintains the nuclear arms race by continuing to design, develop and produce new nuclear weapons.

A detailed *Memorial*<sup>29</sup> outlining the failure of the UK to fulfill its nuclear disarmament obligations was submitted to the International Court of Justice in 2014 by the Marshall Islands in the case *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. United Kingdom)*.<sup>30</sup> The UK has not done anything since 2014 to affect the conclusions of this Memorial.

#### **4.5 Conclusions**

- 4.5.1 The continued production of nuclear weapons by the UK is inconsistent with General Comment 36 on the Right to Life which affirms that States parties to the ICCPR must refrain from developing, producing, testing, acquiring, stockpiling, selling, transferring and using nuclear weapons and must destroy existing stockpiles.

- 4.5.2 The renewal and deployment of the UK nuclear weapons system are diverting human, technical and economic resources from key areas of human security, including climate protection, public health, education and employment, further infringing human rights.
- 4.5.3 The UK's policies of threat and potential use of nuclear weapons are in violation of the Right to Life. This includes, in particular, Continuous-at-Sea deterrence, maintaining options to threaten and use nuclear weapons in response to non-nuclear threats, and maintaining the option to be the first to use nuclear weapons in an armed conflict.
- 4.5.4 The UK's actions to oppose the *Treaty on the Prohibition of Nuclear Weapons* and to block multilateral negotiations on a nuclear weapons convention are in violation of its obligations under the Right to Life and other international law to pursue negotiations in good faith on comprehensive nuclear disarmament'

## 5. Nuclear weapons and climate change

Paragraph 62 of General Comment 36 on the Right to Life states that “Environmental degradation, climate change and unsustainable development constitute some of the most pressing and serious threats to the ability of present and future generations to enjoy the right to life.” The production, deployment and use of nuclear weapons impact negatively on climate change in a number of ways:

- a) *The production of nuclear weapons and their delivery systems consumes human, financial and technical resources that are required to cut carbon emissions, make the transition from a fossil fuel economy to a green economy and ensure a stable climate for current and future generations;*

As noted in Section 4.1 above, the UK's sizeable nuclear weapons budget could become available to support international climate finance and faster transition to a green economy domestically if the UK implemented its obligations to refrain from producing nuclear weapons. For example, current annual government spending on its Net Zero Strategy<sup>31</sup> could be doubled if the nuclear weapons spending discussed in section 4.1 were diverted to this program.

- b) *The tensions between nations, which are elevated by nuclear threat postures, and the armed conflicts arising from suspected (or actual) nuclear weapons programs, place barriers on the international cooperation required to address the climate crisis;*

The production, deployment and threat to use nuclear weapons may be perceived by the possessing state to be 'defensive', but are generally perceived by adversaries to be threatening. The nuclear policies of the UK and NATO, of which the UK is a member, are perceived by Russia, for example, as threatening, especially as NATO membership expands eastward toward Russia. Similarly, Russia's violation of the Intermediate Forces Treaty through suspected production and deployment of intermediate range nuclear weapons in the European theatre, plus other nuclear weapons and policy developments of Russia, are perceived by the UK and the West as threatening.

This nuclear stand-off contributed to the breakdown in relations that led Russia to stay away from COP26, and more recently to invade Ukraine in violation of international law. Similar tensions between China and the USA/Japan/Korea in East Asia, amplified by nuclear threats (over the status of Taiwan for example), contributed to the break down in relations that led China to stay away from COP26.



- c) *The use of nuclear weapons in armed conflict would cause catastrophic climatic consequences which would manifest in the short term following the detonations and which would last for generations.*

Since 2007, studies using sophisticated climate modelling programs, such as those used to produce scenarios for the Intergovernmental Panel on Climate Change, have indicated that the use in wartime of as few as 50-100 nuclear weapons (less than 1% of the nuclear stockpile) would likely cause catastrophic climatic impacts leading to the destruction of over 50-80% of the world's crop production causing widespread famine, along with other negative impacts.<sup>32</sup> Research by Scientists for Global Responsibility in the UK, extrapolating to a scenario involving the use of the 40 nuclear warheads carried by just one UK Trident nuclear submarine, concluded that similar catastrophic impacts could result in this situation.<sup>33</sup>

## 6. Promising policy actions

The United Kingdom took certain policy actions in the late 1990s (following the 1996 Advisory Opinion of the International Court of Justice) which indicated, at that time, some level of responsibility regarding its obligations under international law to phase out the threat or use of nuclear weapons, end the production of nuclear weapons and pursue negotiations in good faith on the comprehensive elimination of nuclear weapons under effective international control.

In the 1998 UK Strategic Defence Review, for example, the UK Labour Government announced a reduction in the number of operational nuclear weapons from 300 to 200, the elimination of the nuclear air-force capability leaving only one nuclear weapons system remaining (the submarine nuclear force), a lowering of the operational readiness to use nuclear weapons (de-alerting) and the establishment of a disarmament verification research program to be conducted by the Aldermaston Weapons Establishment in order to provide technical support for nuclear disarmament negotiations once they began.<sup>34</sup>

These actions demonstrate that the UK can undertake constructive policy action if it so chooses. Unfortunately, subsequent UK governments have shifted their focus away from such constructive initiatives to concentrate more on upgrading the UK's nuclear weapons system, expanding the role of nuclear weapons and blocking multilateral negotiations for nuclear disarmament.

## 7. Recommendations

We recommend that the United Kingdom:

- Undertake a comprehensive health study on the communities (including descendants) of the veterans and indigenous people on the islands. With access to specialist health and trauma care;
- Establish a more comprehensive and inclusive compensation program for all those affected by the UK Nuclear tests, modelled on the approach of the US Radiation Exposure Compensation Act;
- Cancel the Trident nuclear weapons renewal program, reinvest the budget allocated for this program to instead support public health and transition to a green economy, and schedule a UN Security Council special session on implementation of UN Charter Article 26 to encourage other nuclear armed states to take similar actions;

- Announce its intention to participate in the First Conference of States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW) as an observer country;
- Adopt a UK national policy never to use nuclear weapons first, and call on all other nuclear-armed states to adopt a similar policy as an initial measure to reduce the risk of nuclear war, reduce the role of nuclear weapons in security doctrines and pave the way for nuclear disarmament;
- Initiate a policy process to end (phase out) the role of nuclear weapons in the UK security doctrine completely, taking into consideration opportunities and processes for achieving Common Security and Human Security including those outlined in the UN Charter;
- Enter into strategic dialogue with other nuclear-armed states with a view to commencing negotiations on a framework agreement, nuclear weapons convention or protocols to the TPNW to prohibit nuclear weapons and achieve their global elimination under strict and effective international control, and within a specified period of time, no later than the 100<sup>th</sup> anniversary of the United Nations (75<sup>th</sup> anniversary of the NPT).

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## Endnotes:

<sup>1</sup> General comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, CCPR/C/GC/36. 30 October 2018.

[https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1\\_Global/CCPR\\_C\\_GC\\_36\\_8785\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf)

<sup>2</sup> The HRC's authority to adopt general comments derives from Article 40(4) of the ICCPR, which provides that the Committee may transmit "such general comments as it may consider appropriate" to all States parties. These general comments clarify the scope and meaning of the ICCPR's articles and elucidate to States parties what the Committee's views are on the obligations they have undertaken. While most general comments are detailed interpretations of particular Covenant rights, some address the rights of specific groups while others address procedural issues. Each general comment is included on the HRC's list of general comments that have been drafted or adopted. See [https://ijrcenter.org/un-treaty-bodies/human-rights-committee/#General\\_Comments](https://ijrcenter.org/un-treaty-bodies/human-rights-committee/#General_Comments).

<sup>3</sup> The Convention affirms that "... the strengthening of international peace and security, the relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, **in particular nuclear disarmament under strict and effective international control**... will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women." Convention on the Elimination of All Forms of Discrimination against Women, preambular paragraph 11.

<sup>4</sup> Paragraph 34, General Comment No. 14 (2000) The right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights)

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW1AVC1NkPsgUedPIF1vfPMJ2c7ey6PAz2qaojTzDJmCOy%2B9t%2BsAtGDNzdEqA6SuP2r0w%2F6sVBGTpvTSCbiOr4XVFTqhQY65auTFbQRPWNdxL>

<sup>5</sup> See, for example, [A/RES/70/56](#), *Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons*, adopted by the UNGA on Dec 7, 2015.

<sup>6</sup> "Each of the Parties to the Treaty undertakes 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, and on a treaty on general and complete disarmament under strict and effective international control." Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Article VI, at <https://www.un.org/disarmament/wmd/nuclear/npt/text/>

<sup>7</sup> Nuclear Notebook: How many nuclear weapons does the United Kingdom have in 2021? Bulletin of Atomic Scientists. May, 2021. <https://thebulletin.org/premium/2021-05/nuclear-notebook-how-many-nuclear-weapons-does-the-united-kingdom-have-in-2021/>

<sup>8</sup> This was announced by the UK in March 2021 in the release of the revised UK Defence and Foreign policy - *Global Britain in a competitive age. The Integrated Review of Security, Defence, Development and Foreign Policy*.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/975077/Global\\_Britain\\_in\\_a\\_Competitive\\_Age- the Integrated Review of Security Defence Development and Foreign Policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975077/Global_Britain_in_a_Competitive_Age- the Integrated Review of Security Defence Development and Foreign Policy.pdf)

<sup>9</sup> Trouble Ahead: Risks and rising costs in the UK nuclear weapons programme, Nuclear Information Service, 2019

<https://www.nuclearinfo.org/wp-content/uploads/2020/09/Trouble-Ahead-low-resolution-version.pdf>

<sup>10</sup> The Cost of Trident, in Scrap Trident, Campaign for Nuclear Disarmament, 2021 <https://cnduk.org/wp-content/uploads/2021/04/Scrap-Trident.pdf>

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<sup>11</sup> Complicit: 2020 Global Nuclear Weapons Spending, ICAN, 2021

[https://www.icanw.org/2020\\_global\\_nuclear\\_weapons\\_spending\\_complicit](https://www.icanw.org/2020_global_nuclear_weapons_spending_complicit)

<sup>12</sup> *Legality under international law of the United Kingdom's nuclear policy as set out in the 2021 Integrated review.*

Professor Christine Chinkin and Dr Louise Arimatsu, London School of Economics and Political Science, April 2021.

<https://cnduk.org/wp-content/uploads/2021/05/CND-legal-opinion-1.pdf>.

<sup>13</sup> "In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments." Article 26, UN Charter.

<sup>14</sup> *Framework for a Treaty on General and Complete Disarmament*, Strategic Concept for Removal of Arms and Proliferation, <https://www.scrapweapons.com/proposal/>

<sup>15</sup> See Poorer nations expected to face up to \$75 billion six-year shortfall in climate finance: Oxfam, September 2021.

<https://www.oxfam.org/en/press-releases/poorer-nations-expected-face-75-billion-six-year-shortfall-climate-finance-oxfam>

<sup>16</sup> See endnote 11

<sup>17</sup> See *Defence Diversification: International learning for Trident jobs*, Nuclear Education Trust, June 2018

<http://www.nucleareducationtrust.org/sites/default/files/NET%20Defence%20Diversification%20%20%20%20Report.pdf>

and *Arms industry in the Clyde and renewable energy options*, CAAT, November 2015,

<https://www.caat.org.uk/campaigns/arms-to-renewables/clyde-case-study.pdf> and *Cancelling Trident: the economic and employment consequences for Scotland* (Report Commissioned by the Scottish Campaign for Nuclear Disarmament and the Scottish Trades Union Congress, March 2007 <http://worldofstuart.excellentcontent.com/repository/STUC-CND-Trident-Report.pdf>

<sup>18</sup> *The United Kingdom's nuclear testing program*, Comprehensive Nuclear Test Ban Treaty Organization (CTBTO),

<https://www.ctbto.org/nuclear-testing/the-effects-of-nuclear-testing/the-united-kingdoms-nuclear-testing-programme/>

<sup>19</sup> Reported in The United Kingdom's nuclear testing programme, CTBTO *ibid*.

<sup>20</sup> Radiation Exposure Compensation Act 1990. See <https://www.justice.gov/civil/common/reca>

<sup>21</sup> *Global Britain in a competitive age. The Integrated Review of Security, Defence, Development and Foreign Policy.*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/975077/Global\\_Britain\\_in\\_a\\_Competitive\\_Age\\_the\\_Integrated\\_Review\\_of\\_Security\\_Defence\\_Development\\_and\\_Foreign\\_Policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975077/Global_Britain_in_a_Competitive_Age_the_Integrated_Review_of_Security_Defence_Development_and_Foreign_Policy.pdf)

<sup>22</sup> "While our resolve and capability to do so if necessary is beyond doubt, we will remain deliberately ambiguous about precisely when, how and at what scale we would contemplate the use of nuclear weapons." UK Integrated Review, page 77.

<sup>23</sup> See *Sheriff judges Trident nuclear defences illegal*, <https://www.heraldsotland.com/news/12209714.sheriff-judges-trident-nuclear-defences-illegal/>, Trident Ploughshares documents on the Loch Goil Action and Greenock 1999

<http://tridentploughsharesarchive.org/loch-goil-action-and-greenock-1999-trial/>, and *Trial and Survey and Preliminary Analysis of Domestic Cases in Which Defendants Raised the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons*, John Burroughs and Saul Mendlovitz, Lawyers Committee on Nuclear Policy, July 2001 <http://216.119.84.251/wcourt/surveyanalysis.htm>

<sup>24</sup> See Greenock 1999 Extracts from Sheriff's Ruling, <http://tridentploughsharesarchive.org/greenock-1999-extracts-from-sheriffs-ruling/>. Some of Sheriff Gimblett's conclusions were later dismissed by the Scotland High Court of Justiciary in response to questions posed to the court by the Lord Advocate in relation to the Greenock Case and the application of the 1996 ruling of the International Court of Justice to all threats and uses of nuclear weapons and to its application in times of peace and times of war. However, General Comment 36 of the Human Rights Committee resolves both issues, affirming that all threats and uses of nuclear weapons are incompatible with the Right to Life which is applicable at all times – in peace or wartime.

<sup>25</sup> See UK Statement on treaty prohibiting nuclear weapons, July 2017. <https://www.gov.uk/government/news/uk-statement-on-treaty-prohibiting-nuclear-weapons>

<sup>26</sup> UN Secretary-General Ban Ki-Moon, in his 2008 Five-Point Proposal for Nuclear Disarmament, called for states to negotiate a **Nuclear Weapons Convention** that would provide for the complete prohibition and elimination of nuclear weapons over a phased period with strict and effective verification and enforcement. He also circulated a Model Nuclear Weapons Convention as a guide to such negotiations. The proposal was supported in principle in the 2010 NPT Final Document and is also supported by successive UN General Assembly Resolutions. See <https://www.unfoldzero.org/unsgs-five-point-plan/>

<sup>27</sup> The UK joined other Parties to the NPT in adopting the final document of the 2010 NPT Review Conference which affirmed that "All States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Conference notes the Five-Point Proposal for Nuclear Disarmament of the Secretary-General of the United Nations, which proposes inter alia the consideration of negotiations on a nuclear weapons convention or a framework of separate mutually reinforcing instruments backed by a strong system of verification."

<sup>28</sup> This includes, for example, UNGA Resolution A/76/444 DR XII entitled *Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament* which „Calls for the urgent commencement of negotiations in the Conference on Disarmament on effective nuclear disarmament measures to achieve the total elimination of nuclear weapons, including, in particular, on a comprehensive convention on nuclear weapons“ adopted December 6, 2021 by 145 votes in favour, 34 against and 9 abstaining. <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com21/resolutions/L23.pdf>

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<sup>29</sup> Memorial of the Marshall Islands. *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. United Kingdom)*. International Court of Justice 2016, <https://www.icj-cij.org/public/files/case-related/160/160-20150316-WRI-01-00-EN.pdf>

<sup>30</sup> *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. United Kingdom)*. ICJ, 2016 [www.icj-cij.org/en/case/160](http://www.icj-cij.org/en/case/160)

<sup>31</sup> UK government spending on its Net Zero Strategy in 2021-22 is £4.4 billion. See: GCOMS UK Briefing points on the UK Autumn Budget and Spending Review, 2021 <https://demilitarize.org.uk/gcoms-uk-briefing-points-on-the-uk-autumn-budget-and-spending-review/>

<sup>32</sup> Climatic consequences of regional nuclear conflicts, Robock et al, 2007, *Atmospheric Chemistry and Physics*, vol.7, pp.2003–2012; DOI:10.5194/acp-7-2003-2007; Multidecadal global cooling and unprecedented ozone loss following a regional nuclear conflict, Mills et al, 2014, *Earth's Future*, vol.2, pp.161–176; DOI:10.1002/2013EF000205; Rapidly expanding nuclear arsenals in Pakistan and India portend regional and global catastrophe, Toon et al, 2019, *Science Advances*, vol.5(10); DOI:10.1126/sciadv.aay5478

<sup>33</sup> The climatic impacts and humanitarian problems from the use of the UK's nuclear weapons, Scientists for Global Responsibility, 2013 <https://www.sgr.org.uk/publications/climatic-impacts-and-humanitarian-problems-use-uk-s-nuclear-weapons>

<sup>34</sup> 1998 UK Strategic Defense review [https://web.archive.nationalarchives.gov.uk/ukgwa/20121018172816/http://www.mod.uk/NR/rdonlyres/65F3D7AC-4340-4119-93A2-20825848E50E/0/sdr1998\\_complete.pdf](https://web.archive.nationalarchives.gov.uk/ukgwa/20121018172816/http://www.mod.uk/NR/rdonlyres/65F3D7AC-4340-4119-93A2-20825848E50E/0/sdr1998_complete.pdf)

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## Annex: Submitting organisations

### Abolition 2000 UK

[www.abolition2000.org](http://www.abolition2000.org)

Abolition 2000 UK is the UK Section of Abolition 2000, the global civil society network of over 2000 organisations working to prevent nuclear war and achieve the elimination of nuclear weapons. Abolition 2000 was established in 1995 with the principal objective of achieving a nuclear weapons convention, a global treaty including nuclear armed and non-nuclear states which provides for the prohibition of nuclear weapons and their elimination under strict and effective international control.

**Contact person:** Frank Jackson [frank.jackson70@ntlworld.com](mailto:frank.jackson70@ntlworld.com)

### Aotearoa Lawyers for Peace

[www.facebook.com/nzpeaceclaw](http://www.facebook.com/nzpeaceclaw) [www.ialana.info](http://www.ialana.info) [www.unfoldzero.org](http://www.unfoldzero.org)

Aotearoa Lawyers for Peace (ALP) is an organization of lawyers and law students from Aotearoa (New Zealand) working to abolish nuclear weapons, increase respect for international law and abolish war. ALP is the New Zealand affiliate of the International Association of Lawyers Against Nuclear Arms, and is a founding partner of UNFOLD ZERO, which promotes United Nations initiatives for nuclear disarmament.

**Contact person:** Matt Robson [matt@mattrobson.co.nz](mailto:matt@mattrobson.co.nz)

### Association of Swiss Lawyers for Nuclear Disarmament

<https://safna.org/>

The Association of Swiss Lawyers for Nuclear Disarmament (Schweizer Anwälte für Nukleare Abrüstung - SAFNA) is an organization of lawyers, jurists and law students to support general and complete disarmament, in particular nuclear disarmament. SAFNA raises awareness among the larger public, including legal circles, of the dangers of nuclear weapons through publications, seminars, conferences etc. The approach the association takes is above all a legal one. SAFNA is politically and religiously neutral and places the humanitarian aspect and the victims of nuclear weapons at the center of its activities. It respects gender diversity and equality. SAFNA supports all efforts towards the fortification of international humanitarian law, friendly settlement of disputes and the regulation of international arms trade.

**Contact person:** Daniel Rietiker [Daniel.Rietiker@unil.ch](mailto:Daniel.Rietiker@unil.ch)

### Basel Peace Office

[www.baselpeaceoffice.org](http://www.baselpeaceoffice.org) [www.facebook.com/BaselPeaceOffice](http://www.facebook.com/BaselPeaceOffice)

Basel Peace Office is a coalition established by five Swiss and four international organizations to advance the peace and security of a nuclear-weapon-free world. Basel Peace Office makes connections between inter-related issues - including peace, the climate, nuclear disarmament, human rights and sustainable development - and builds cooperation amongst key constituencies including mayors, parliamentarians, religious leaders, academics, youth/students, women, lawyers,

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medical professionals, government officials and UN entities. Basel Peace Office is a member of the EU Non-proliferation Consortium.

The partner organizations are the **Basel-Stadt Canton (a member of Mayors for Peace), Global Security Institute, International Physicians for the Prevention of Nuclear War Switzerland, Middle Powers Initiative, Parliamentarians for Nuclear Non-proliferation and Disarmament, Schweizer Anwälte für Nukleare Abrüstung** (the Association of Swiss Lawyers for Nuclear Disarmament), **Swisspeace, University of Basel Sociology Seminary of the Department of Social Sciences** and the **World Future Council**.

**Contact person:** Marzhan Nurzhan [marzhan@pnnd.org](mailto:marzhan@pnnd.org) and [info@baselpeaceoffice.org](mailto:info@baselpeaceoffice.org)

### **Bertrand Russell Peace Foundation**

[www.spokesmanbooks.org](http://www.spokesmanbooks.org) [www.russfound.org](http://www.russfound.org)

The Bertrand Russell Peace Foundation, established in 1963, continues the work of the philosopher and activist Bertrand Russell in the areas of peace, social justice, and human rights, with a specific focus on the dangers of nuclear war. This includes the *Spokesman Journal* and *Spokesman Books*, the publishing imprint of the Bertrand Russell Peace Foundation.

**Contact person:** Tony Simpson [tonysimpson@russfound.org](mailto:tonysimpson@russfound.org)

### **Christian Campaign for Nuclear Disarmament**

<https://christiancnd.org.uk/> <https://www.facebook.com/ChristianCND/>

Christian CND is a specialist section of the UK Campaign for Nuclear Disarmament. Christian CND provides a focus for Christians who want to witness on the basis of their faith against nuclear weapons and other weapons of mass destruction, while also positively campaigning for peace.

**Contact person:** Roger Horne [horneroger@btinternet.com](mailto:horneroger@btinternet.com) and [christians@cnduk.org](mailto:christians@cnduk.org)

### **CND Cymru**

[www.cndcymru.org](http://www.cndcymru.org) [www.facebook.com/cndcymru](http://www.facebook.com/cndcymru)

CND Cymru - the Campaign for Nuclear Disarmament in Wales – works, alongside other groups and individuals, to rid Britain and the world of nuclear weapons and all weapons of mass destruction. We also campaign for peace and justice for humanity and the environmental, and against the arms trade.

**Contact person:** Brian Jones [brian.jones@phoncoop.coop](mailto:brian.jones@phoncoop.coop)

### **International Association of Lawyers Against Nuclear Arms**

[www.ialana.info](http://www.ialana.info) [www.facebook.com/IALANAinternational](http://www.facebook.com/IALANAinternational)

The International Association of Lawyers Against Nuclear Arms (IALANA) is an international association of lawyers and lawyers' organisations working for the elimination of nuclear arms, the strengthening of international law and the development of effective mechanisms for the peaceful settlement of international disputes. Founded in 1988 in Stockholm IALANA has grown into a fully-fledged international citizens' organization with consultative status with the United Nations. IALANA has also expanded its scope of action to include: efforts to abolish all types of inhumane weapons and to control the international arms trade; advancing concepts of security based on the application of law and legal mechanisms; development of non-offensive defence and implementation of confidence building measures; and encouraging the establishment and use of the International Criminal Court and other legal procedures to address crimes against international humanitarian law.

**Contact:** Phon van den Biesen [phon@vandenbiesen.eu](mailto:phon@vandenbiesen.eu)

### **International Forum for Understanding**

<https://ifound.global>

Based in Cambridge, the International Forum for Understanding promotes constructive dialogue and impactful solutions for urgent contemporary challenges such as: nuclear, biological, chemical, and strategic conventional weapons (NBC and SCW); disarmament, arms control, and non-proliferation; migration and refugee issues; human trafficking and modern slavery; rule of law; women, peace and security; mental health and wellbeing; empowerment in the context of age, gender, and nationality. Through facilitating discussion among opinion leaders, decision-makers and an innovative range of actors, the International Forum for Understanding focuses on achieving actionable results informed by diverse, intergenerational perspectives.

**Contact person:** Les Simm [les@ifound.global](mailto:les@ifound.global)

### **Legacy of the Atomic Bomb/Recognition for Atomic Test Survivors (LABRATS)**

[www.labrats.international](http://www.labrats.international)

LABRATS represents all individuals across the world who have been affected by the Atomic Testing program. The Atomic

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family, includes Veterans, descendants, indigenous people and organisations that represent all aspects of the Atomic tests. Thousands of people have been affected by the tests, and there are many organisations across the world representing these people. LABRATS brings all of these organisations together in one place.

**Contact:** Alan Owen [info@labrats.international](mailto:info@labrats.international)

### **Nuclear Free Local Authorities**

[www.nuclearpolicy.info](http://www.nuclearpolicy.info)

Nuclear Free Local Authorities is an organisation of approximately 50 city and regional councils throughout England, Scotland, Wales and Ireland which is established to address problems posed by civil and military nuclear hazards and support local authorities to adopt and implement anti-nuclear policies. NFLA aims to increase local accountability over national nuclear policy; identify the impact of national nuclear policy on local communities; and work to minimise nuclear hazards and increase public safety.

**Contact:** Richard Outram [Richard.Outram@manchester.gov.uk](mailto:Richard.Outram@manchester.gov.uk)

### **Pax Christi Scotland**

[www.paxchristiscotland.org](http://www.paxchristiscotland.org)

Pax Christi Scotland is a member of Pax Christi International, a Catholic movement which promotes peace, respect of human rights, justice and reconciliation throughout the world. Pax Christi Scotland seeks to address the root causes & destructive consequences of violence within our own society, as well as campaigning to end violent conflict and war around the world.

**Contact:** Marian Pallister [marian.pallister@zen.co.uk](mailto:marian.pallister@zen.co.uk) and [admin@paxchristiscotland.org](mailto:admin@paxchristiscotland.org)

### **Sheffield Creative Action for Peace**

<https://yorkshirecnd.org.uk/sheffield/> and [www.facebook.com/Sheffield-Creative-Action-for-Peace-Scrap-214396975421071](https://www.facebook.com/Sheffield-Creative-Action-for-Peace-Scrap-214396975421071)

Sheffield Creative Action for Peace (SCRAP) is a peace group from Sheffield and the Hope Valley using creative actions to campaign against Trident, the military use of drones and the arms trade. SCRAP grew out of the Wool Against Weapons knitting and continues to look for creative ways to oppose war, militarism and injustice.

**Contact:** Rachel Rowlands [rachelrow@yahoo.co.uk](mailto:rachelrow@yahoo.co.uk)

### **Scientists for Global Responsibility**

[www.sgr.org.uk](http://www.sgr.org.uk)

Scientists for Global Responsibility (SGR) is an independent UK-based membership organisation of hundreds of natural scientists, social scientists, engineers, IT professionals and architects, supported by hundreds more outside of these professions. SGR promotes ethical science, design and technology, based on the principles of openness, accountability, peace, social justice, and environmental sustainability. SGR carries out research, education, and advocacy work centred around the military, environmental and political aspects of science, design and technology. SGR is affiliated to the International Network of Engineers and Scientists for Global Responsibility (INES).

**Contact:** Stuart Parkinson [stuartp@sgr.org.uk](mailto:stuartp@sgr.org.uk)

### **Uniting for Peace**

<https://unitingforpeace.com>

Uniting for Peace was established in April 2011 by the merger of World Disarmament Campaign (founded 1979) and Action for UN Renewal (founded 2000) to promote Peace, Security and Disarmament, United Nations Human Rights, International Law, Development and Poverty Reduction. Its approach to solving global threats and challenges is a holistic one. We advocate that hard and soft challenges facing the world today have to be dealt with the same urgency. It will be futile to be only spending most of our resources and time to fight terrorism and the proliferation of nuclear weapons and Weapons of Mass Destruction (WMD), if 30,000 children per day are dying of poverty and malnourishment whilst 7,000 people die daily of HIV aids.

**Contact:** Vijay Mehta [vijay@vmpeace.org](mailto:vijay@vmpeace.org)

### **World Future Council**

[www.worldfuturecouncil.org](http://www.worldfuturecouncil.org)      [www.facebook.com/wfc.goodpolicies](https://www.facebook.com/wfc.goodpolicies)

The World Future Council (WFC) was established to promote effective policies to ensure a peaceful and sustainable future. WFC consists of 50 eminent global change-makers from governments, parliaments, civil society, academia, the arts and business who have already successfully created change. They are supported by a staff of experts that work with the councillors to identify, develop, highlight and spreading effective, future-just solutions for current challenges

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humanity is facing.

**Contact:** Alyn Ware [alyn@pnnd.org](mailto:alyn@pnnd.org)

### **Youth Fusion**

[www.youth-fusion.org](http://www.youth-fusion.org)    [www.facebook.com/Youth4Abolition](https://www.facebook.com/Youth4Abolition)

**Youth Fusion** is a world-wide networking platform for young individuals and organizations in the field of nuclear disarmament, risk-reduction and non-proliferation. Youth Fusion focuses on youth action and intergenerational dialogue, building on the links between disarmament, peace, climate action, human rights, sustainable development and building back better from the pandemic. Youth Fusion **serves as the youth section of Abolition 2000**, the global civil society network to eliminate nuclear weapons.

**Contact:** Michaela Sorensen [michaela@pnnd.org](mailto:michaela@pnnd.org) and [youthfusiona2000yn@gmail.com](mailto:youthfusiona2000yn@gmail.com)

### **80.000 Voices**

80,000 Voices is a catalyst for positive change. We believe that there is no place in the world for nuclear weapons and we are committed to working towards their eradication. As advocates for global peace, we are excited to be finding creative ways to bring new awareness of the nuclear threat to the next generation - through youth engagement, music and song; the arts and education. We believe in the power of youth. We are organising big gatherings in different countries with thousands of people, bringing the best of humanity together through incredible art, food, music, technology and dance. A massive people-powered, positive message is going to be sent out that we must rid this world of nuclear weapons before they get rid of us. 80,000 Voices is a partner of the International Campaign to Abolish nuclear Weapons (ICAN) and the Peace One Day Coalition.

[www.80000voices.org](http://www.80000voices.org)

**Contact:** Gina Langton [gina.langton@80000voices.org](mailto:gina.langton@80000voices.org)