

DECEMBER, 1993

Western Nuclear States Sabotage United Nations Initiative to Test Legality of Nuclear Weapons

Intense last minute pressure by the Western nuclear weapon states has forced the Non-Aligned Movement to withdraw a resolution they had introduced to the United Nations challenging the legality of the threat and use of nuclear weapons.

The resolution, which calls for an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons, was introduced to the United Nations General Assembly's First Committee (Disarmament and International Security) by Indonesia, on behalf of the Non-Aligned Movement on 9 November.

The Indonesian representative, Ambassador Witjaksana Soegarda, noted at that time that "It is an undeniable truism that mankind has used every weapon invented in the past including nuclear weapons. Notwithstanding the significant measures of nuclear arms limitations already achieved in recent times, the prospect for nuclear disarmament is not yet in sight. Until then the safety, security and survivability of all nations is sought to be assured by banning the use of nuclear weapons."

However direct pressure by the USA, France and the UK on the capitals of NAM states swayed most of them to reluctantly concede not to push ahead with a vote on the resolution this year.

In a statement to the First Committee on 19 November, Indonesian Ambassador Nugroho Wisnumurti reaffirmed that "... (nuclear weapons) possession constitutes an unprecedented threat to human society and civilization," and declared that "... the immorality and illegality inherent

in the present situation can no longer be perpetuated.” However Ambassador Wisnumurti further stated that “...in the spirit of cooperation and compromise, the NAM have decided not to press the resolution for a final action by the Committee at this time.”

Alyn Ware, Director of the Lawyers’ Committee on Nuclear Policy, commented: “It is outrageous that the nuclear states prevented this resolution from coming to a vote. The fact that the 110 states which are members of the Non-Aligned Movement introduced this resolution, and many more were going to vote in favor, indicates the overwhelming support for this initiative. Democracy and justice have been thwarted by a small minority of countries using their political power to prevent action to curb the most dangerous threat to the planet.”

“Despite this setback, the International Court of Justice is still due to consider the legality of the use of nuclear weapons at the request of the World Health Organization. In May 1993, the governing assembly of WHO withstood the pressure from the pro-nuclear lobby and adopted, by overwhelming majority, a resolution requesting such an opinion. The ICJ has invited all WHO members to make submissions on this case by June 10, 1994.”

In addition, the Non-Aligned Movement stated on November 19 that they would monitor progress towards the elimination of nuclear weapons and that they retain they right to reintroduce the General Assembly resolution at any time.

“Every UN member government now knows about this initiative and how deeply the nuclear weapon states fear its success. It challenges the privileged status of the five declared nuclear powers. There is an unspoken assumption, for example, that without nuclear weapons they would no longer be able to justify their exclusive position as permanent members with veto power in the UN Security Council.”

Additional developments on the World Court Project will be reported on in the forthcoming World Court Project Report #5.

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