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## **Pacific Nation Challenges Nine Nuclear-Armed States in Lawsuits before the World Court**

*Republic of Marshall Islands' Historic Lawsuits Charge the U.S., Russia, UK, France, China, Israel,  
India, Pakistan and North Korea with Breaches of International Law*

April 24, 2014 –The Hague, Netherlands -- The Republic of the Marshall Islands (RMI) today filed unprecedented lawsuits in the International Court of Justice to hold the nine nuclear-armed states accountable for flagrant violations of international law with respect to their nuclear disarmament obligations under the 1968 Nuclear Non-Proliferation Treaty (NPT) and customary international law.

The small island nation, which was used for 12 years as a testing ground for nuclear bombs by the United States, says the five original nuclear weapon states – U.S., Russia, UK, France and China – are continuously breaching their legal obligations under the treaty. The lawsuits also contend that all nine nuclear-armed nations are violating customary international law.

Article VI of the NPT requires states to pursue negotiations “in good faith” on cessation of the nuclear arms race “at an early date” and nuclear disarmament. The five original nuclear weapon states are parties to the treaty but continue to ignore their obligations. The four newer nuclear-armed states – Israel, India, Pakistan, and North Korea – are not parties to the treaty but are bound by these nuclear disarmament provisions under customary international law.

“Our people have suffered the catastrophic and irreparable damage of these weapons, and we vow to fight so that no one else on earth will ever again experience these atrocities,” said Marshall Islands Foreign Minister Tony de Brum. “The continued existence of nuclear weapons and the terrible risk they pose to the world threaten us all.”

“The failure of these nuclear-armed countries to uphold important commitments and respect the law makes the world a more dangerous place,” said Archbishop Desmond Tutu, a vocal backer of the lawsuits. “We must ask why these leaders continue to break their promises and put their citizens and the world at risk of horrific devastation. This is one of the most fundamental moral and legal questions of our time.”

These lawsuits detail the states’ offenses in continuing to modernize their arsenals while failing to negotiate nuclear disarmament. The nuclear-armed states are projected to spend \$1 trillion on their arsenals in the next decade.

The Marshall Islands does not seek compensation with these lawsuits. Rather, it seeks declaratory and injunctive relief requiring the nine nuclear-armed states to comply with their obligations.

“In 1996, the World Court unanimously held, ‘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.’ The nuclear-armed states have chosen to ignore this ever since and in these cases the Marshall Islands requests the Court to tell them in no uncertain terms that they need to fully meet

international obligations,” said Phon van den Biesen, who is heading up the RMI’s international legal team with Tony de Brum.

Three of the nine states, the UK, India, and Pakistan, accept the compulsory jurisdiction of the World Court when the opposing state equally has done so, as has the Marshall Islands. As to the other six states, the RMI is calling on them to accept the jurisdiction of the Court for this particular case and explain to the Court their positions regarding the nuclear disarmament obligations.

The United States conducted 67 nuclear weapon tests in the Marshall Islands from 1946 to 1958, and the health and environmental effects still plague the Marshall Islanders today. The power of the 1954 “Castle Bravo” nuclear test was 1,000 times greater than the bomb that destroyed the city of Hiroshima.

World leaders, international non-governmental organizations, world-class experts and Nobel Peace Laureates have declared strong support for these lawsuits and have denounced nuclear weapons as immoral (list on the [website](#)). The lawsuits are also supported by the Nuclear Age Peace Foundation (NAPF), a U.S.-based civil society organization consulting with the Marshall Islands and its international pro bono legal team.

“Nuclear weapons threaten everyone and everything we love and treasure. They threaten civilization and the human species. After 46 years with no negotiations in sight, it is time to end this madness,” said David Krieger, president of the Nuclear Age Peace Foundation. “The Marshall Islands is saying enough is enough. It is taking a bold and courageous stand on behalf of all humanity, and we at the Foundation are proud to stand by their side.”

The lawsuits filed today in the International Court of Justice in The Hague are accompanied by a related lawsuit brought in U.S. Federal District Court in San Francisco against the United States.

To learn more about these lawsuits please go to [www.nuclearzero.org](http://www.nuclearzero.org)

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