

30th Anniversary of the ICJ Advisory Opinion on the Illegality of Nuclear Weapons under International Law

Appeal to the German Government and the Parliament: Nuclear Disarmament Must Not Remain an Empty Promise!

Exactly thirty years ago – on 8 July 1996 – the International Court of Justice (ICJ) issued a landmark advisory opinion. Its key finding: the threat or use of nuclear weapons generally violates the rules of international humanitarian law.

‘The destructive power of nuclear weapons cannot be contained in either space or time. They have the potential to destroy all civilization and the entire ecosystem of the planet.’
(Paragraph 35)

Thus, the ICJ advisory opinion reminds us of what nuclear weapons are: weapons of mass destruction whose purpose is to kill millions of people in a very short space of time. They threaten us all. Every day.

This observation is distressingly relevant today. Tensions and wars involving nuclear-armed states, coupled with disregard for international law, make a nuclear war more likely than ever before. Furthermore, there are billions being invested in new nuclear weapons and we are witnessing the progressive erosion of arms control.

We recall the landmark advisory opinion of the International Court of Justice and call on everyone to advocate for an international order in which human rights and international law serve as the benchmark for political action. The findings regarding the catastrophic humanitarian consequences of nuclear weapons must form the basis for political action. This includes reaffirming the nuclear taboo, clearly rejecting all nuclear weapons cooperation in Europe and, instead, strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In line with the ICJ advisory opinion and the disarmament obligation under Article 6 of the NPT, we call for new political initiatives for arms control and disarmament negotiations. The ICJ has clearly stated:

‘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.’ (Paragraph 105 F)

A key instrument in this regard is the UN Treaty on the Prohibition of Nuclear Weapons (TPNW), which sets out a realistic path towards the comprehensive ban and complete abolition of all nuclear weapons. 99 states have already acceded to or signed this legally binding treaty under international law. These include South Africa, Brazil, Indonesia and New Zealand, as well as European countries such as Austria and Ireland.

For 30 years, it has been abundantly clear that nuclear weapons violate international law and human rights. We see this as a political imperative for the German Federal Government and the Parliament: stand firm in your commitment to nuclear arms control and the strengthening of international law. Support the objectives of the Treaty on the Prohibition of Nuclear Weapons and prepare for Germany’s accession. The promise to outlaw and abolish nuclear weapons worldwide must be kept!

Signatories

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