



Is the threat or use of **nuclear weapons** in any circumstances permitted under **international law**?

# Legality Of Threat Or Use Of Nuclear Wea

**Ronald C. Kramer**



## **Legality Of Threat Or Use Of Nuclear Wea:**

**The Legality of Threat Or Use of Nuclear Weapons** John Burroughs, 1998 The threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict and in particular the principles and rules of humanitarian law 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 Advisory Opinion of the International Court of Justice 8 July 1996 This book shows how courageous states from the developing world working in concert with visionary lawyers physicians and other sectors of international civil society boldly obtained astonishing results from the highest court in the world The World Court clearly ruled that the threat or use of nuclear weapons is illegal in almost all conceivable circumstances The Court further underlined the unconditional obligation of the nuclear weapon states to begin and conclude negotiations on nuclear disarmament in all its aspects It is now up to all of us to determine the follow up whatever the opposition We cannot end this century without clear commitments and steps to eliminate nuclear weapons Razali Ismail Permanent Representative of Malaysia to the United Nations President of the United Nations General Assembly 1996 1997 It is not often that a judicial opinion on a given question is both hailed and criticized by participants on all sides of the question This book written by a leading member of the team that helped to prepare the case on the illegality of the threat and use of nuclear weapons explains succinctly what the World Court and the judges in their separate statements did and did not say In so doing it makes a compelling case for the proposition that the Opinion represents a milestone on the road to nuclear abolition Peter Weiss Co President International Association of Lawyers Against Nuclear Arms The 20th century has been defined in large part by the unleashing of the terrible destructive power of the atom and the subsequent struggle to overcome the threat of nuclear annihilation If humankind survives the 8 July 1996 Advisory Opinion of the International Court of Justice and the extraordinary process that led up to it will have played an essential role The Illegality of the Threat or Use of Nuclear Weapons is a concise yet thorough guide to the case In straightforward language it describes the history of this unprecedented initiative and summarizes and explains states arguments to the Court the Court's findings and the separate statements of the judges The author provides cogent expert analysis and most importantly reveals how the opinion imparts hope and points the way to the future The Court has authoritatively interpreted law which states acknowledge they must follow including humanitarian law protecting civilians from indiscriminate effects of warfare the United Nations Charter and the Nuclear Non Proliferation Treaty The implications are profound abandonment of reliance on the threat and use of nuclear weapons as an instrument of national policy and expeditious elimination of nuclear arsenals The opinion can be cited as an authoritative statement of the law in any political or legal setting including the United Nations and national courts and parliaments in which nuclear weapon policies are challenged John Burroughs an attorney for the Western States Legal Foundation in California served as the legal coordinator for the World Court Project International Association of Lawyers

Against Nuclear Arms at the November 1995 hearings before the International Court of Justice      **International Law**

Boleslaw Adam Boczek, 2005 The system of public international law has reached a major turning point in its history and is confronting serious challenges generated by a variety of developments unfolding in the structure of the international society This Dictionary acquaints legal and other professionals students and interested general readers with the basic tenets of public international law combining the features of both a brief encyclopedic dictionary and a textbook in clear understandable language A list of acronyms and abbreviations a glossary of Latin phrases a chronology that offers a historical perspective by listing major developments relating to international law throughout the centuries a table of cases with references to entries and a list of the 373 entries precede the main text The survey of international law is organized into nine chapters Chapter I contains the usual introductory topics found in international law textbooks the nature of this law its sources the relationship between international and national municipal law and some other general problems Chapters II VIII deal with matters coming within the scope of the law of peace organized according to the framework consisting of states individuals spatial context and interaction Chapter IX whose subject unfortunately becomes ever more relevant describes the rules governing the conduct of warfare that is international humanitarian law Numerous cross references in bold lead the reader to appropriate entries and the abundant references to primary sources mostly treaties and court cases enable the reader to locate the materials needed for research The selective bibliography includes books research aids textbooks and casebooks as well as recent books on special international law topics This Dictionary is a useful addition to both public and academic libraries including in particular libraries of law schools The format of the book allows it to be used as a reference guide for legal professionals scholars inter      *Landmark Cases in Public International Law* Eric Heinze, M. Fitzmaurice, 1998-11-25 This book contains excerpts in extenso from leading cases in general international law and seeks to provide a greater volume of case law than that currently available on the market It contains no editorial commentary and no secondary literature as these are widely available in other works It can serve either as a principal text or as a supplement to other standard books It is thoroughly up to date including recent ICJ judgments on the Bosnia case the Gavcmkovo Nagymaros Project the Advisory Opinion on Nuclear Weapons and the Lockerbie case It will be of inestimable value to all libraries of international law large and small institutional and private No student or practitioner in the field should be without it      **Finnish Yearbook of International Law, 1999** Jarna Petman, Martti Koskenniemi, 2002-04-01 Despite its Finnish innitiative and pedigrees the Finnish Yearbook of International Law does not restrict itself to purely Finnish topics On the contrary it reflects the many connections in law between the national and the international The Finnish Yearbook of International Law annually publishes articles of high quality dealing with all aspects of international law including international law aspects of European law with close attention to developments that affect Finland Its offering include longer articles of a theoretical nature exploring new avenues and approaches shorter polemics commentaries on current

international law developments book reviews and documentation of relevance to Finland's foreign relations not easily available elsewhere The Finnish Yearbook offers a fertile ground for the expression of and reflection on the connections between Finnish law and international law as a whole and insight into the richness of this interaction Nuclear Weapons, the Peace Movement and the Law John Dewar, 1986-05-01 *The Challenge of Abolishing Nuclear Weapons* David Krieger, 2017-07-05 In the more than sixty years since the advent of nuclear weapons there has been little meaningful progress toward nuclear disarmament Some countries have nuclear weapons while other states are forbidden to acquire them a status quo that lacks rational basis and cannot be sustained In this remarkable collection scholars and policy analysts argue that humankind has a choice either allow nuclear weapons to continue to proliferate throughout the world or move toward their complete elimination The vast majority of people on the planet would surely opt to abolish nuclear weapons But decisions about nuclear weapons are not made by the public but by small groups of political elites Consequently in a world with nuclear weapons the fate of humanity rests in the hands of a small number of individuals whose perceptions communications and judgment determine whether there is to be a future The contributors to this volume provide historical perspective on nuclear weapons policy explore the role of international law in furthering the prospects of nuclear weapons abolition consider the obstacles to abolition present a path to achieving a nuclear weapons free world and look beyond abolition to consider issues of post abolition sovereignty and general and complete disarmament The goal of a nuclear weapons free world can be awakened by an engaged citizenry bringing pressure from below in demanding action from political leaders This book contributes to this awakening and engagement Universalising International Law C.G. Weeramantry, 2004-04-01 Universalising international law is one of the most urgent tasks awaiting those who wish to advance the discipline Though all the world acknowledges its universal nature it has long been confined in a largely monocultural mould Indeed a tendency is sometimes discernible for international law to be compartmentalised and to function within a close cabinet of technical rules little known to those outside the ranks of specialists This volume looks initially at some general aspects of universalisation It thereafter adopts a universalist approach to some of the sources of international law and it deals with peace the bedrock of international law which likewise requires a universalist approach It is hoped that these studies will highlight the imperative need that now exists for extending the conceptual framework of international law thereby buttressing its moral authority and widening its appeal at a time when universal acceptance of international law is one of the most pressing demands of the international system **The Handbook of Humanitarian Law in Armed Conflicts** Dieter Fleck, Michael Bothe, 1999 This book offers the most authoritative commentary and analysis of international humanitarian law applicable in armed conflict available It is based upon the Joint Service Regulation for the German Ministry of Defence augmented with extensive international references and accompanied by commentary by a team of distinguished and internationally renowned experts Whilst the past decades have seen consistent development of

international law applicable in armed conflict culminating in a series of International Covenants and Protocols world events in recent years have made reassessment of the law both a timely and topical concern This Handbook available for the first time in paperback will serve as an indispensable reference source for practising lawyers and academics working in the field of international humanitarian law and for military personnel worldwide

**The Future of International Law and American Foreign Policy** Francis Anthony Boyle, 2023-09-29 This in depth analysis based on the implicit connection between the basic principles of international law and the effective practice of international relations by a constitutional democracy with a commitment to the rule of law takes into account the diversity of viewpoints held by the different states and peoples of the world community to provide a global perspective Published under the Transnational Publishers imprint

*Threats of Force* Francis Grimal, 2013 Adopting an interdisciplinary approach and drawing on the works of strategic literature and international relations theory this book examines the theoretical nature behind a threat of force in order to inform and explain why and how the normative structure operates in the way it does The core of the book addresses whether Article 2 4 is adequately suited to the current international climate and if not whether an alternative means of rethinking Article 2 4 would provide a better solution

International Law Wade Mansell, Karen Openshaw, 2019-08-22 This new edition provides a critical introduction to the concepts principles and rules of international law through a consideration of contemporary international events It examines both the possibilities and limitations of the legal method in resolving international disputes and notes the actual effects of international law upon international disagreements Such an approach remains sceptical rather than cynical and is intended to provide the means by which the role of international law may be evaluated This entails discussion of the legal quality of international law the relationship between international law and international relations the Eurocentricity of international law and the connection between political power and the ability to use or abuse or ignore international law The new edition explores the impact of the United States latest direction in foreign policy arguably an intensification of pre existing neo conservative trends considers in greater depth the issue of economic self determination in relation to ex colonial nations expands the discussion of jurisdiction to cover immunity from jurisdiction and covers recent developments at the International Criminal Court Underlying the book is the assertion that international law is political in content in the sense of being concerned with the exercise of power but that it draws much of its effectiveness from its self portrayal as being apolitical or at least politically neutral

**International Law** Antonio Cassese, 2005 Professor Cassese is a leading figure in the field and this new edition takes full advantage of his extensive experience to provide a more personal approach to the subject than is typically found in the standard textbook acting as good intellectual exercise for the stronger student This new edition of Cassese s *International Law* provides a stimulating and authoritative account for all students of international law It has been fully revised and updated to include all recent developments in the subject and contains a new chapter on terrorism as well as extensive revision of the section on state

responsibility Providing a comprehensive commentary on international law as a whole it compares the traditional legal position with the developing and evolving law in a way that is sensitive to political and economic considerations as well as including detailed yet accessible examinations of state responsibility and international criminal law Features Fully revised and updated to include all recent developments in international law contains a new chapter on Terrorism and extensive revision of the section on State Responsibility Written by a world leading practitioner and highly respected academic in the field of international law providing a more personal approach to the study of international law good intellectual exercise for stronger students A comprehensive commentary on international law as a whole comparing the traditional legal position with the developing and evolving law in a way that is sensitive to political and economic considerations Includes detailed yet accessible examinations of state responsibility and international criminal law Updated companion web site containing a wealth of material traditionally found in cases and materials books includes all key documents cases materials principal agreements and treaties needed by students as well as useful web links to related web sites

**The Non-governmental Voice at the United Nations Third Special Session on Disarmament, New York, 31 May-25 June 1988** United Nations. Department for Disarmament Affairs, 1988 From the John Holmes Library collection

**The Handbook of International Humanitarian Law** Dieter Fleck, 2008-01-24 This fully updated second edition the work previously known as The Handbook of Humanitarian Law in Armed Conflicts sets out an international manual of humanitarian law in armed conflicts accompanied by case analysis and extensive explanatory commentary by a team of distinguished and internationally renowned experts Topics examined include the historical development legal basis and scope of application of international humanitarian law methods and means of combat protection of the civilian population and of the wounded sick or shipwrecked and of prisoners of war the protection of cultural property the law of neutrality and the enforcement of international humanitarian law This edition also incorporates new chapters covering the law of non international armed conflicts and international peace operations Highly topical issues including the role of the UN security council the relevance of International Humanitarian Law in peacetime and post conflict military operations and enforcement through trials for war crimes in national and international courts are also discussed

**Apocalyptic Crimes** Ronald C. Kramer, 2025 Ronald C Kramer applies theories from criminology to argue that possession of nuclear weapons is a criminal act and shows how a nuclear apocalypse might be averted offering a pathway to the abolition of these devastating weapons

**At the Nuclear Precipice** D. Krieger, 2008-10-13 This book examines the intersections between international law and national policies and nuclear proliferation and disarmament offering a way out if policy makers of leading countries can summon the vision and political will to move away from the nuclear precipice and ensure humanity's future

**The Handbook of International Humanitarian Law** Michael Bothe, 2013-08-29 The third edition of this work sets out a comprehensive and analytical manual of international humanitarian law accompanied by case analysis and extensive explanatory commentary by a team of

distinguished and internationally renowned experts      Human Rights in the 21st Century Kathleen E. Mahoney, Paul Mahoney, 2023-07-24 This unique and challenging volume is the result of a major international rights conference entitled Human Rights in the Twenty First Century A Global Challenge convened in Banff Alberta Canada in November 1990 The conference was supported and organized under the auspices of the Secretary General of the Council of Europe The European Court of Human Rights the European Human Rights Commission the Strasbourg Institute of Comparative Human Rights Law the Alberta Law Foundation and the International Centre at the University of Calgary Its main objectives were legal education and legal research which were met by a total of 92 speakers representing 24 different nationalities presenting their views on 24 human rights topics Women and participants from developing countries in particular brought a new vision of human rights to topics as varied as reproductive technology state violence and biotechnology The theme of this book is thus the interdependence of legal social economic and environmental problems which transcend national and international boundaries and the spirit of solidarity which is required to resolve them Written by a team of international and renowned human experts it will provide a substantial contribution to the legal literature on international human rights      *Legal Order in a Violent World* Richard A. Falk, 2019-03-12 Professor Myres S McDougal of the Yale Law School calls this examination of the relation of law and violence in contemporary international society a profound perceptive and eloquent contribution to the most important problem of our time Professor Falk places great emphasis on two distinctive challenges to world order nuclear weapons and civil strife While developing the implication that even the most powerful states are vulnerable to destruction through nuclear attack he also points out that there is no very firm hope that military power can be managed so as to reduce the predominance of the sovereign state in world politics Richard A Falk is Milbank Professor of International Law and Practice Princeton University Published for the Center of International Studies Princeton University Originally published in 1968 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905      *International Organizations and the Law of the Sea 2002* Barbara Kwiatkowska, Harm Dotinga, Erik J. Molenaar, Alex G. Oude Elferink, Alfred H.A. Soons, 2005-04-01 This is the last volume in the Series Now in its 18th year the NILOS Documentary Yearbook provides the reader with an excellent collection of documents related to ocean affairs and the law of the sea issued each year by organizations organs and bodies of the United Nations system Documents of the UN General Assembly and Security Council Meeting of States Parties to the UN Law of the Sea Convention CLCS ISBA ITLOS Follow ups to the UN Fish Stocks and Small Island States Conferences WSSD ECOSOC UNEP and UNCTAD are reproduced first followed by the documents of FAO IAEA IMO and UNESCO IOC As in the



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