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## Marshall Islands to open nuclear arms battle against India, Pak and UK

AFP, The Hague | Updated: Mar 05, 2016 17:30 IST



A Pakistani missile capable of carrying nuclear arms on display during a parade.. (AFP File Photo)

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The tiny Marshall Islands will on Monday seek to convince the UN's highest court to take up a lawsuit against India, Pakistan and Britain which they accuse of failing to halt the nuclear arms race.

Lawyers representing the small Pacific island nation will launch the opening salvos in a David-versus-Goliath battle in which the International Court of Justice is to examine whether it is competent to hear lawsuits against India and Pakistan.

A third hearing against Britain, scheduled for Wednesday, will be devoted to "preliminary objections" raised by London.

In 2014, the Marshall Islands -- a Pacific Ocean territory with 72,000 people -- accused nine countries of "not fulfilling their obligations with respect to the cessation of the nuclear arms race at an early date and to nuclear disarmament."

They included China, Britain, France, India, Israel, North Korea, Pakistan, Russia, and the United States.

The Marshall Islands maintained that by not stopping the nuclear arms race, the nine countries continued to breach their obligations under the Nuclear Non-Proliferation Treaty (NPT) -- even if the treaty has not been by signed by countries such as India and Pakistan.

But the court only admitted three cases brought against Britain, India and Pakistan because they already recognised the ICJ's authority.

### Dire consequences

The Marshall Islands decided to sue the world's nuclear heavyweights as "it has a particular awareness of the dire consequences of nuclear weapons," it said.

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Between 1946 and 1958 the United States conducted 67 nuclear tests in the Marshall Islands, Majuro's representatives said in papers filed in court.

While also focusing on the threat of global warming causing the world's oceans to rise, the Marshall Islands "have come to realise that it cannot ignore the other major threat to its survival: the ongoing threat posed by the existence of large arsenals of nuclear weapons."

In March 2014, the Marshall Islands marked 60 years since the devastating hydrogen bomb test at Bikini Atoll, that vapourised an island and exposed thousands in the surrounding area to radioactive fallout.

"The Marshall Islands wants a moral and judicial pronouncement that can strengthen their political campaign against nuclear weapons," said Lyal S Sunga, who heads The Hague Institute for Global Justice think-tank's Rule of Law program.

"It's very interesting because international law, as part of a range of diplomatic and political tools, can be used to lend weight to the argument that nuclear testing is very dangerous and harmful not only for the Marshall Islands, but for the whole world," he told AFP.

The 15-megaton test on March 1, 1954, was part of the intense Cold War nuclear arms race and 1,000 times more powerful than the atomic bomb dropped on Hiroshima.

Bikini Islanders have lived in exile since they were moved for the first weapons tests in 1946.

When US government scientists declared Bikini safe for resettlement, some residents were allowed to return in the early 1970s. But they were removed again in 1978 after ingesting high levels of radiation from eating local foods grown on the former test site.

### Proliferation fears

Now the Marshall Islands aims to put a new spotlight on the nuclear threat.

The court case will start days after North Korean leader Kim Jong-Un's order Friday for the country's nuclear arsenal to be readied for pre-emptive use at any time.

"The case is in a very preliminary stage at this point," Olivier Ribbelink, senior researcher at the TMC Asser Institute in The Hague told AFP.

"Either way the outcome, the case has certainly sharply refocused attention on the dangers of nuclear proliferation," Ribbelink said.

Eight of the nine countries originally targeted in the lawsuits have officially admitted to possessing a nuclear weapon.

Israel has never acknowledged having one, but observers believe it is the sole nuclear-armed nation in the Middle East.

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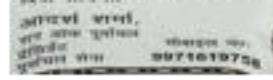
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