

# <Column 1> Abolition of Nuclear Weapons and the UN Declaration on the Right to Peace

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The UN Declaration on the Right to Peace has been under deliberation by the UN Human Rights Council since 2008. The right to peace is a right by which people see the matter of peace as an individual right, make governments and international agencies stop violations of peace, and make them adopt peaceful policies.

In 2012 the HRC Advisory Committee, which is the Human Rights Council (HRC) think tank, produced a draft whose Article 3, Paragraph 3 (“Right to Disarmament”) reads, “All peoples and individuals have a right to live in a world free of weapons of mass destruction. States shall urgently eliminate all weapons of mass destruction or of indiscriminate effect, including nuclear, chemical and biological weapons.”

While the Nuclear Weapons Convention is an intergovernmental convention under which the governments of signatory nations would have obligations toward other governments, the right of the individual for abolishing nuclear weapons means that individuals have the right to demand that governments abolish nuclear weapons, and as such governments have obligations toward individuals. Thus, the abolition of nuclear weapons as a human right will help further intensify the groundswell toward abolition even under circumstances in which the Nuclear Weapons Convention has yet to be enacted.

In the HRC deliberations, consistent opposition to establishing the right to peace has been shown from the outset by the United States, Western European countries including EU member states, Japan, and the Republic of Korea.

In the 1st session of the Intergovernmental Working Group (February 2013), the US made the following statement about disarmament.

“The Human Rights Council is not a proper venue for disarmament discussion... There are no fewer than six UN or UN-affiliated bodies and offices dealing with disarmament. In Geneva, we have a conference of disarmament and in Vienna, the IAEA. In New York, we have the GA’s First Committee, the UN Disarmament Committee, the UN Office of Disarmament Affairs, and of course the Security Council.

All of these organizations and offices have their mandate to one extent or the other to control the manufacture, proliferation and use of these weapons. For example, the Conference on the Disarmament is the sole multilateral body for negotiating disarmament treaties. Moreover, this draft [of the Declaration on the Right to Peace] does not appear to stop at seeking to their work...”

To summarize the US statement in an easy-to-understand form, “Disarmament is the exclusive province of governments; individuals and citizens should mind their own business.” A possible interpretation of the US statement, which sees the right to peace as an impediment to disarmament, is that it reveals that nuclear disarmament makes little progress because negotiations are left to governments.

Establishing the right to peace is important also for transcending the framework of intergovernmental negotiations and making more progress in nuclear disarmament and abolition.