

Nuclear Non-Proliferation in International
Law - Volume IV

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Editors

Nuclear Non-Proliferation in International Law - Volume IV

Human Perspectives on the Development
and Use of Nuclear Energy



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Preface

This volume comes at an important time in the development of nuclear law: security concerns related to the effectiveness of nuclear non-proliferation, environmental and health challenges in the use of nuclear energy for peaceful purposes, and new efforts to prohibit nuclear weaponry highlight gaps in legal regulation, deficiencies in implementation, and a general lack of consensus on taking steps towards nuclear disarmament.

Volume I of this book series started with an exposé of relevant legal issues and international concerns, addressing a variety of critical questions that require strict and full application of rules emanating from various fields of international law.¹ Volume II provided an in-depth review of critical aspects of verification and compliance, assisting to develop international consensus on disputed issues of legal application that remains essential, both from a theoretical perspective and from the practices of States and international organizations.² Volume III focused on legal aspects of the use of nuclear energy for peaceful purposes, considering the role of nation states and international organizations and presenting a number of suggestions for international cooperation.³ Taken together, these contributions provide a comprehensive assessment of the three pillars of the Nuclear Non-Proliferation Treaty⁴ within a modern-day context. The positive reception of these three volumes underlines the need for continued analysis in this field, in order to explore such issues further with the view to moving nuclear non-proliferation forward through constructive dialogue, consensus-building on controversial matters, as well as presenting plausible approaches to addressing pertinent issues in this important field of law.

¹ Black-Branch J, Fleck D (eds) (2014) *Nuclear Non-Proliferation in International Law*, Vol I with Foreword by Mohamed ElBaradei. T.M.C. Asser Press.

² Black-Branch J, Fleck D (eds) (2015) *Nuclear Non-Proliferation in International Law*, Vol II *Verification and Compliance*. T.M.C. Asser Press.

³ Black-Branch J, Fleck D (eds) (2016) *Nuclear Non-Proliferation in International Law*, Vol III *Legal Aspects of the Use of Nuclear Energy for Peaceful Purposes*. T.M.C. Asser Press.

⁴ Treaty on the Non-Proliferation of Nuclear Weapons (1 July 1968), 729 UNTS 161.

This present volume emphasizes different human perspectives on the use of nuclear energy; the need for regional solutions; and the revived interest on a global scale in prohibiting and fully abolishing nuclear weapons.

The main body of contributions presented here are the results of a research conference held at the Canadian Museum for Human Rights in Winnipeg from 12 to 13 October 2017, intended to deepen engagement and exchange on a wide range of human perspectives following the adoption of the Treaty on the Prohibition of Nuclear Weapons on 8 July 2017.⁵ The Winnipeg conference followed in the tradition of gathering experts to discuss pertinent issues, which have already been explored in four comprehensive reports of the International Law Association's Committee on Nuclear Weapons, Non-Proliferation and Contemporary International law, presented at the biennial ILA Conferences in Sofia (2012),⁶ Washington (2014),⁷ Johannesburg (2016),⁸ and Sydney (2018).⁹

We would like to express our sincere gratitude to David G. Newman Q. C., who sponsored the conference in honour of his late father, Walter C. Newman, Q. C., a prominent Winnipeg lawyer and community leader. David G. Newman is a visionary who dedicates his time and resources to peace advocacy. He and his wife Brenda are to be applauded for their commitment and untiring efforts in this important area of global concern. They are not alone. They have chosen the Rotary International movement and its allies to inspire and facilitate the mainstreaming of peace movements across borders.

A special thanks is again extended to Marcia Kort, Executive Assistant to the Dean; Christine Mazur, Marketing and Communications Officer; and Jason Poettcker, the Dean's Research Assistant, for their work in assisting to organize the Winnipeg conference. Special acknowledgement is also extended to our peer reviewers who have offered their critical advice, encouragement, and invaluable suggestions. As all co-authors appreciated the double anonymous review process, we may express our sincere gratitude on behalf of all of them.

T.M.C. Asser Press/Springer has helped to secure the publication of this book series in a very professional and effective manner. We would like to thank Frank Bakker and his team for their outstanding interest, professional diligence and encouragement on this important work that transcends conventional scholarship regarding nuclear non-proliferation and disarmament.

Winnipeg, Canada
Cologne, Germany
September 2018

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⁵Treaty on the Prohibition of Nuclear Weapons, UN Doc A/CONF.229/2017/8 (7 July 2017).

⁶Preliminary Report, *Practice Regarding Nuclear Energy, Non-Proliferation and Regulation of Nuclear Weapons*, <http://www.ila-hq.org/en/committees/index.cfm/cid/1025>.

⁷Second Report, *Legal Aspects of Nuclear Disarmament*, id.

⁸Third Report, *Legal Issues of Verification of Nuclear Non-Proliferation Obligations*, id.

⁹Fourth Report, *Legal Aspects of the Use of Nuclear Energy for Peaceful Purposes*, id.

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