

The Citizen Challenge to UK's Nuclear Weapons. Campaigners Aim to Prosecute British State

By [Action AWE](#)

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NEW CITIZEN CHALLENGE TO UK'S NUCLEAR WEAPONS

Campaigners aim to prosecute British state

On 1st October campaigners will begin a new and ambitious project to institute a citizen's prosecution of the Government and specifically the Secretary of State for Defence for breaching international law by its active deployment of the Trident nuclear weapon system.

PICAT is co-ordinated by Trident Ploughshares and will involve groups across England and Wales in a series of steps which will hopefully lead to the Attorney General's consent for the case to go before the courts.

Groups will begin by seeking an assurance from the Secretary of State for Defence that the UK's nuclear weapons will not be used, or their use threatened, in such a way as to cause wholesale loss of civilian life and damage to the environment.

In the case of no response or an unsatisfactory one groups will then approach their local magistrates to lay a Criminal Information (1). If consent for the case is not forthcoming from the Attorney General the campaign will then consider approaching the International Criminal Court.

Veteran peace campaigner Angie Zelter (2), who has developed the project along with international lawyer Robbie Manson (3), said:

The government has consistently refused to give evidence to prove how Trident or any replacement could ever be used lawfully. This campaign is an attempt to find a court willing to examine objectively if the threat to use Trident is in fact criminal as so many of us think it is. It is a matter of vital public interest.

The UK, along with the other nuclear weapon states, is becoming increasingly isolated from the growing global momentum to outlaw nuclear weapons, as expressed in the Humanitarian Pledge, which has already attracted the signatures of 117 nations.(4)

Robbie Manson said:

I remain very firmly of the view that it is both an immensely worthy and worthwhile cause to pursue these matters, even in court, and with vigour given the enormity of the humanitarian need, political significance and the scale of the diplomatic hypocrisy upon which our political masters rely for the achievement of their designs.

The project is supported by an impressive list of expert witnesses (5), including Phil Webber, Chair of Scientists for Global Responsibility, Professor Paul Rogers, Department of Peace Studies at the University of Bradford, and John Ainslie of Scottish CND.

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Campaign web pages:
<http://tridentploughshares.org/picat-a-public-interest-case-against-trident-co-ordinated-by-trident-ploughshares/>

Notes

The campaigners highlight the provisions of Articles 51 of the First Additional Protocol 1977 to the four original Geneva Conventions of 1949 – Protection of the civilian population and Article 55 – Protection of the natural environment, and Article 8(2)(b)(iv) of the Rome Statute for an International Criminal Court 1998, which together set out clear and essential limitations on the rights of belligerents and others to launch attacks which may be foreseen to cause disproportionate, unnecessary or excessive harm to civilian lives and property, or the natural environment, not justified by the anticipated military advantage alone.

Angie Zelter is a peace and environmental activist. In 1996 she was part of a group that was acquitted after disarming a BAE Hawk Jet bound for Indonesia where it would have been used to attack East Timor. More recently she founded Trident Ploughshares, encouraging people's disarmament based on international humanitarian law and was famously acquitted as one of three women who disarmed a Trident-related barge in Loch Goil in 1999.. She is the author of several books including 'Trident on Trial - the case for People's Disarmament'. (Luath -2001)

Robbie Manson was instrumental in setting up the UK branch of the World Court Project, contributing to obtaining the 1996 ICJ Advisory Opinion on the Threat & Use of Nuclear Weapons and established the Institute for Law, Accountability & Peace (INLAP) in the early 1990s. In 2003 he became involved as adviser and then as solicitor to a group of 5 peace activists who at different times had entered RAF Fairford before the start of the last Iraq War, in efforts to sabotage US bombers waiting there to attack Baghdad. He argued that their actions were justified in a reasonable attempt to prevent a greater crime, namely that of international aggression. The case was appealed as a preliminary point all the way to the House of Lords as R v Jones in 2006.

See <http://www.icanw.org/pledge/>

See <http://tridentploughshares.org/picat-documents-index-2/>

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