

Elimination Protocol was adopted as World Legislative Act #34 by 9th session of provisional World Parliament convened in Tripoli, Libya, on 12 April 2006, under Article 19 of the *Constitution for the Federation of Earth*.

Summary

World Legislative Act #34

The Provisional World Parliament originally derived the base text for the Elimination Protocol from the *Model Nuclear Weapons Convention* of United Nations General Assembly Official Document A/C.1/52/7, produced by the International Association of Lawyers Against Nuclear Arms in association with Costa Rica. <http://www.ialana.net>

Protocol for Nuclear Weapons Elimination

Protocol for the Elimination Nuclear Weapons together with all Weapons of Mass Destruction and Conveyances

Short Title: **Elimination Protocol**

Enacts protocol for nuclear weapons elimination together with elimination of all weapons of mass destruction and conveyances:

- 1.** Defines General Obligations. Recognizes prior prohibition of development, testing, production, stockpiling, transfer, other use and threat of use of nuclear weapons. Requires states possessing nuclear weapons to dismantle and eliminate their respective arsenals according to a series of phases. Integrates with weapons usable fissile materials production ban. Requires dismantlement or conversion of delivery vehicles to be destroyed or converted. Defines Terms.
- 2.** Assigns to World Disarmament Agency responsibility for verification, ensuring compliance, and decision making. Further defines structure of Agency including Board of Trustees (Conference of Peoples and States Parties), Executive Council and Technical Secretariat.
- 3.** Requires states to declare all nuclear weapons, nuclear material, nuclear facilities and nuclear weapons delivery vehicles they possess or control, and the respective locations. Declares universal applicability and jurisdiction of World law to all citizens

of Earth, not only citizens of nations giving preliminary or final ratification to *Earth Constitution*.

4. Outlines a series of five phases for the elimination of nuclear weapons beginning with taking nuclear weapons off alert, removing weapons from deployment, removing nuclear warheads from their delivery vehicles, disabling the warheads, removing and disfiguring the "pits" and placing the fissile material under Earth Federation control. Prohibits nuclear weapons unconditionally.

5. Defines verification to include declarations and reports from States, routine inspections, challenge inspections, fixed on-site sensors, satellite photography, radionuclide sampling and other remote sensors, information sharing with other organizations, and citizen reporting. Protects citizens reporting suspected violations of the law.

6. Requires national implementation measures to provide subjurisdictional law enforcement cooperation for prosecution of persons committing crimes, and for protection for persons reporting violations. Requires states to establish a national authority to be responsible for national tasks in implementation.

7. Reaffirms individual responsibility. Applies obligations to individuals as well as States. Refers to applicable world legislation.

8. Defines further structure of World Disarmament Agency.

9. Defines nuclear materials prohibitions and protocol. Requires compliance to protocol regarding nuclear materials.

10. Defines nuclear weapons dismantlement protocol. Requires compliance to nuclear weapons dismantlement protocol.

11. Defines nuclear weapons delivery vehicle dismantlement and conversion protocol. Requires compliance to nuclear weapons delivery vehicle dismantlement and conversion protocol.

12. Defines nuclear facilities dismantlement protocol. Requires compliance to nuclear facilities dismantlement protocol.

13. Allows use of appropriate nuclear materials and appropriate nuclear research, such as for nuclear medicine, nuclear forensics, calibration of nuclear verification tools, etc.

14. Permits consultation, cooperation and fact-finding to clarify and resolve questions of interpretation with respect to compliance and other matters. Permits Agency to refer legal dispute to the International Court of Justice by mutual consent of States Parties. The International Court of Justice shall respond to any request for advisory opinion from the Agency on a legal dispute. Requires conditional submission of warrant service application forms to World Attorneys General.

15. Permits conditional graduated responses for suspected non-compliance beginning with consultation and clarification, negotiation within legal limits, and, if required, sanctions civil penalties, recourse to the U.N. General Assembly and Security Council for action or issuance of warrants for search and arrest by the Enforcement System. Defines timing of entry into force.

16. Obliges nuclear weapons states to pay costs. Assists insolvent nuclear weapons states with financing payment of costs. Defines assistance conditions and requirements. Assigns world federal decommissioning fund to Earth Financial Credit Corporation to provide finance assistance.

17. Reserves Amendments by World Parliament. Permits States Parties to *Earth Constitution* to introduce amendments through respective delegate Members to Parliament, through world parliamentary procedure.

18. Relates Protocol to prior existing international and world law. Defines Scope and application of Protocol to have no permission of withdrawal and no reservations by national governments or international bodies.

Refers to Fissile Materials Production Ban.

Defines optional program of energy assistance for States Parties not developing nuclear energy or planning to phase out existing nuclear energy programs.

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Universal amendments in memorandum by provisional World Parliament:

Replaces word "Convention" and word "treaty" universally with word "Protocol".

Replaces word "use" universally with word "detonation", if reference is to the causing or allowing fissile materials to reach a radiologically critical mass.

Replaces the term "Conference of States Parties" universally with "World Disarmament Agency Board of Trustees", except in article 2, where "Conference of Peoples and States Parties" is listed as an alternate designation.

Replaces word "destroy" universally with word "dismantle".

Replaces word "destruction" universally with word "dismantlement".

Places the Protocol into full numeric codification.

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Following annexes are under development or in process of completion and dissemination:

Annex on the Verification and Implementation

Annex on Nuclear Activities, Components and Equipment

Annex on Delivery Vehicles.

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Attested : Eugenia Almand, JD, Secretary
Provisional World Parliament