

CONTENTS

<i>List of contributors</i>	page viii
<i>Foreword by Charles Garraway</i>	xiv
<i>Editors' preface</i>	xvi
<i>Disclaimer</i>	xviii

Introduction 1

GRO NYSTUEN AND STUART CASEY-MASLEN

PART I Nuclear weapons and *jus ad bellum* 13

- 1 Using force by means of nuclear weapons and requirements of necessity and proportionality *ad bellum* 15

NOBUO HAYASHI

- 2 Legality under *jus ad bellum* of the threat of use of nuclear weapons 31

NOBUO HAYASHI

- 3 Nuclear weapons and the separation of *jus ad bellum* and *jus in bello* 59

JASMINE MOUSSA

PART II Nuclear weapons and international humanitarian law 89

- 4 The use of nuclear weapons under rules governing the conduct of hostilities 91

STUART CASEY-MASLEN

- 5 Nuclear weapons and the unnecessary suffering rule 128

SIMON O'CONNOR

- 6 Threats of use of nuclear weapons and international humanitarian law 148

GRO NYSTUEN

- 7 The use of nuclear weapons as a reprisal under international humanitarian law 171
STUART CASEY-MASLEN
- PART III International criminal law 191
- 8 Use of nuclear weapons as genocide, a crime against humanity or a war crime 193
STUART CASEY-MASLEN
- 9 Use of nuclear weapons as an international crime and the Rome Statute of the International Criminal Court 221
ANNIE GOLDEN BERSAGEL
- PART IV International environmental law 245
- 10 Use of nuclear weapons and protection of the environment during international armed conflict 247
ERIK V. KOPPE
- 11 Environmental approaches to nuclear weapons 269
MARTINA KUNZ AND JORGE E. VIÑUALES
- 12 The testing of nuclear weapons under international law 292
DON MACKAY
- PART V International disarmament law 319
- 13 International law, nuclear weapon-free zones and the proposed zone free of weapons of mass destruction in the Middle East 321
MARCO ROSCINI
- 14 Nuclear weapon-free zones: the political context 347
CECILIE HELLESTVEIT AND DANIEL MEKONNEN
- 15 The Nuclear Non-Proliferation Treaty 374
GRO NYSTUEN AND TORBJØRN GRAFF HUGO
- 16 The legal meaning and implications of Article VI of the Non-Proliferation Treaty 397
DANIEL H. JOYNER
- 17 Armed non-state actors and ‘nuclear terrorism’ 418
STUART CASEY-MASLEN

PART VI International human rights law 433**18 Human rights law and nuclear weapons 435**

LOUISE DOSWALD-BECK

19 The right to a remedy and reparation for the use of nuclear weapons 461

STUART CASEY-MASLEN

PART VII The legality of nuclear weapons under international law 481**20 Conclusions on the status of nuclear weapons under international law 483**

GRO NYSTUEN

*Subject index 487**Author index 499*