



Japan Association of Lawyers Against Nuclear Arms

日本反核法律家協会

20-4-906 Araki-cho, Shinjuku-ku, Tokyo, 160-0007, Japan

TEL: (+81) 4-2998-2866 FAX: (+81) 4-2998-2868

URL: <http://www.hankaku-j.org/> E-mail: ohkubo.law.office@ia4.itkeeper.ne.jp

Requests for President Barack Obama
Japan Association of Lawyers Against Nuclear Arms
Takeya Sasaki, President
May 23, 2016

The Japan Association of Lawyers Against Nuclear Arms (JALANA) makes the following requests to President Barack Obama on the occasion of his visit to Hiroshima.

Mr. President, on your visit to Hiroshima, please:

1. Visit the Hiroshima Peace Memorial Museum.
2. Meet and talk with Hibakusha.
3. Commit anew to bring about a “world without nuclear weapons.”
4. Initiate negotiations for a legal framework to bring about a “world without nuclear weapons.”

Reasons for Our Requests

1. JALANA is an NGO whose membership comprises Japanese lawyers and citizens and whose purposes are abolishing nuclear weapons and supporting atomic bombing victims. JALANA is also a member of the International Association of Lawyers Against Nuclear Arms.
2. On April 30 the International Association of Lawyers Against Nuclear Arms sent you an open letter requesting that, “When you, Mr. President, visit Hiroshima next month, you can seize this opportunity to be the first head of state to make such a declaration ‘that each State undertakes never under any circumstances to use or threaten to use nuclear weapons’” and “to use your Hiroshima visit to lead humanity into a new era free from nuclear arms.”
3. In April 2009 you made a speech in Prague, stating, “...as a nuclear power, as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act,” and “I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons.” With those words in mind, Mr. President, we welcome your visit to Hiroshima, and we hope that it will be the important first step toward bringing about a “world without nuclear weapons.”
4. As it happens, momentum is now building in the international community in the belief that we must abolish nuclear weapons in order to avoid the catastrophic humanitarian consequences of using nuclear weapons. To that end, the UN General Assembly has established an Open-ended Working Group which is to substantively address concrete effective legal measures, legal provisions and norms that would need to be concluded to attain and maintain a world without nuclear weapons. However, the United States is not participating in these meetings. It turns out that the US is boycotting discussions aimed at abolishing nuclear weapons. The reason cited for not participating is that the US government has adopted the policy of nuclear deterrence and extended deterrence, claiming that nuclear weapons are essential for the security of itself and its allies.



Japan Association of Lawyers Against Nuclear Arms

日本反核法律家協会

20-4-906 Araki-cho, Shinjuku-ku, Tokyo, 160-0007, Japan

TEL: (+81) 4-2998-2866 FAX: (+81) 4-2998-2868

URL: <http://www.hankaku-j.org/> E-mail: ohkubo.law.office@ia4.itkeeper.ne.jp

5. As long as one seeks a “world without nuclear weapons” while at the same time considering nuclear weapons to be one’s ace in the hole for national security, the day when nuclear weapons are abolished will keep receding into the future. As such, the promise to bring about a “world without nuclear weapons” ends up being mere lip service. Indeed, the US has 4,760 nuclear warheads, and has decided to spend \$348 billion and 10 years modernizing them. There is a clear contradiction between your Prague speech and the actions of the US government. It seems that in order to eliminate this contradiction and truly bring about a “world without nuclear weapons,” it is necessary to reconfirm what nuclear weapons have visited upon humankind.
6. Therefore, Mr. President, JALANA asks that on your visit to Hiroshima you look squarely at what the atomic bombing 71 years ago on August 6 visited upon humankind, and that you find an opportunity to listen to the testimony of the Hibakusha, who even now suffer from the bombing’s effects. Specifically, this would entail a visit to the Hiroshima Peace Memorial Museum, and a meeting with some Hibakusha. Learning about the true aftermath of the bombings would afford an opportunity to see that the use of nuclear weapons is not just a moral or humanitarian matter, but also violates the law of war (international humanitarian law), whose prohibitions include indiscriminate attacks and the use of cruel weapons.
7. In 1963 Tokyo District Court issued a judgment that the atomic bombings were illegal in light of the Convention respecting the Laws and Customs of War on Land, and other international laws of the day. It is a major principle of international humanitarian law that even if a war is just and legal, some methods and means of warfare are prohibited. Because you, too, Mr. President, are an attorney, you are no doubt fully aware of this already. A “world without nuclear weapons” has to come before a “world without war.” JALANA hopes that you will show this resolve in Hiroshima.
8. It is obvious that bringing about a “world without nuclear weapons” will require some kind of legal framework. Further, Article 6 of the Nuclear Nonproliferation Treaty, and the 1996 Advisory Opinion of the International Court of Justice, indicate that we cannot stop at just nuclear nonproliferation, but must also initiate and conclude negotiations in good faith on nuclear disarmament. Mr. President, we ask that you begin negotiations to build a legal framework for a “world without nuclear weapons.”