



Japan Association of Lawyers Against Nuclear Arms

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Statement to welcome the entry into force of the Treaty on the Prohibition of Nuclear Weapons and pursue a “world without nuclear weapons and war”

The Treaty on the Prohibition of Nuclear Weapons (“the Treaty” hereinafter) has come into effect today.

The Treaty has been a long-time wish of the Hibakusha (A-Bomb survivors). People around the world including the Hibakusha, who seek peace and nuclear disarmament, have continued to stress that “human beings cannot coexist with nuclear weapons,” and their call finally has led the Treaty to take effect.

The entry into force of the Treaty prohibits its States Parties from developing, testing, possessing, transferring, using or threatening to use nuclear weapons, and it legally obligates them to abolish such weapons. And even in relation with non-State Parties, this entry into force advances illegalization of nuclear weapons under international customary law and their delegitimization.

The entry into force of the Treaty is a historical step toward a “world without nuclear weapons” while the world is going to arms buildup despite the global crisis of the COVID-19 pandemic. We welcome the entry into force of the Treaty from the bottom of our hearts.

This Treaty recognizes that: the only way to guarantee that nuclear weapons are never used again is their complete elimination; a legally binding prohibition of nuclear weapons constitutes an important contribution towards the achievement and maintenance of a world free of nuclear weapons; and it is a global public good of the highest order, serving both national and collective security interests. In addition, the Treaty considers that any use of nuclear weapons would be contrary to the principles and rules of international humanitarian law.

Although the Treaty does not directly or legally bind the nuclear weapons states which are not parties to it, it has a great influence on interpretation of the international humanitarian law concerning nuclear weapons use. Nuclear weapons states know this, and therefore they are hostile to the Treaty. The legal significance of the entry into force of the Treaty is never small in a way to realize a “world without nuclear weapons.”

In addition, Article 4 of the Treaty (Towards the total elimination of nuclear weapons) opens a way for nuclear weapons states to join the Treaty. Article 12 provides that “(e)ach State Party shall encourage States not party to this Treaty to sign, ratify, ...the Treaty, with the goal of universal adherence of all States to the Treaty.” It seeks universalization of the Treaty.

However, the government of Japan, the only country to have suffered nuclear attacks in wartime, is not willing to sign or ratify the Treaty. The reason is that Japan bases its security on the extended nuclear deterrence relying on the US nuclear umbrella. Such an attitude of the Japanese government shows that they do not look straightly at the catastrophic humanitarian consequences resulting from nuclear

weapons use, which is by no means acceptable for the only country to have suffered atomic bombings in wartime. Nuclear deterrence cannot be a base for security, and the security of Japan should be pursued by joining the Treaty.

Japanese government should take the lead in signing and ratifying the Treaty.

We must not forget that the prohibition of nuclear weapons is not enough to abolish use of force using conventional weapons or realize a “world without nuclear weapons and war.” We need to universalize worldwide a thorough norm of non-military pacifism, in other words, renunciation of war, non-possession of armed forces, and denial of the right of belligerency provided in Article 9 of the Japanese constitution.

We strongly demand that states possessing or depending on nuclear weapons including Japan sign and ratify the Treaty at an early date.

Finally, we pledge to continue our efforts to realize a “world without nuclear weapons and war” at the earliest possible date through universalizing worldwide the norm of non-military pacifism of Article 9 of the Japanese constitution, trusting in the justice and faith of the peace-loving peoples of the world including the Hibakusha.

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