Dear IALANA colleagues,

In the upcoming year 2010, immense events are imminent for the international IALANA such as the NPT Review conference, which will be held in New York from May 3rd till May 28th. One thing can be taken for granted: important decisions will be made about the future of nuclear disarmament but as well as about the existence of the NPT regime.

IALANA is a fundamental component of a massive international coalition which will accompany the NPT conference with various actions. However we would like to highlight the huge NGO conference on April 30th and May 1st as well as the huge demonstration on May 2nd. Many other actions and events will be held during the NPT conference.

We would to ask you to check whether you can participate in New York as well – it is an important waypoint for the global question of our future – for the survival of humankind.

In various countries, national coalitions are preparing themselves for the NPT conference. In many cases IALANA serves as an impulse for further actions to develop - in your country as well. Do you think that your country needs additional initiations?

Unsurprisingly, the struggles for nuclear disarmament are running through this newsletter like golden threads. Therefore we would like to ask you to help us to find additional signatories of the attached NPT Call “Disarm Now”. Has your organization or peace coalition already signed the call?

And finally:
We warmly congratulate Alyn Ware on receiving the Alternative Nobel prize. His longstanding and relentless commitments have been entitled with this award which is also a small acknowledgement.

Have fun reading this newsletter, relaxing Christmas holidays and the very best to all of you for the year 2010.

Best regards,

Jenny and Peter Becker
Reiner Braun
Fatih Özcan
2. Disarm Now!

Mobilizing Call of the NPT Review 2010 International Planning Group for Nuclear Abolition, Peace and Justice

Today our world is facing crises on an unprecedented scale – global warming, poverty, war, hunger, and disease. They threaten the very future of life as we know it, and on a daily basis bring death, sorrow and suffering to the majority of people on our planet. Yet these problems are almost entirely the results of human action and they can be equally be resolved by human action. We have an unprecedented opportunity to create the political will to manage the riches and natural bounty of our world in such a way as to meet the needs of all peoples, and to enable us to live together in peace and justice.

Such is the desire of the overwhelming majority of peoples, yet we face a situation today where global military spending – money for killing – has now reached a total of $1.46 trillion in 2008. Furthermore, nine countries maintain arsenals of nuclear weapons – all together, over 23,000 warheads. These uniquely destructive weapons can not only destroy life on our planet many times over, but they are also used as political weapons of terror, reinforcing an unjustifiable global inequality. The eradication of these weapons will not only end the threat of global annihilation and this hierarchy of terror, but it will unlock enormous resources to address climate change and mass poverty, serve as the leading edge of the global trend towards demilitarisation, and make advances in other areas of human aspiration possible.

In spite of treaty obligations and international resolutions and rulings over the decades since the criminal atomic bombings of Japan by the United States in 1945, the nuclear weapons states have failed to eliminate their nuclear arms. Their continued possession of these weapons, together with modernisation of systems and increasingly aggressive nuclear use policies in recent years, have contributed to an increasing tendency towards their proliferation – and a greater likelihood of nuclear war.
The nuclear Non-Proliferation Treaty (NPT) requires both non-proliferation and disarmament, and must be supported and strengthened - yet it lacks a concrete process for achieving these essential goals. Furthermore, there are grave problems with its Article IV. This guarantees the right to peaceful nuclear energy but overlooks the inextricable link between nuclear power and weapons technologies and their health and environmental costs. The newly-launched International Renewable Energy Agency (IRENA) provides an opportunity to phase out nuclear power, superseding the Article IV guarantee. This said, the NPT continues to provide the framework for advancing towards an essential new initiative – a timetable for the elimination of nuclear weapons so urgently sought by the global majority.

The NPT Review Conference in May 2010 presents a precious opportunity to take that initiative. It is an opportunity that must on no account be missed. After the spiralling aggression of the Bush era, the Obama presidency provides a new context for our campaigning. President Obama’s commitment – alongside that of President Medvedev of Russia – to global abolition of nuclear weapons is greatly welcomed, and their first steps towards bilateral reductions and support for treaties restricting nuclear developments are positive. However, the goal of global abolition cannot be postponed into the indefinite future, for only a defined, achievable and timetabled process can halt the proliferation that threatens us all.

To this end, to secure a future for humanity and our planet, to help create the conditions for a world of peace, justice and genuine human security, we urge the 2010 NPT Review Conference to make an unambiguous commitment to begin negotiations on a convention for the time-bound elimination of all nuclear weapons – a Nuclear Weapons Convention.

Such a step will not happen without the active encouragement of civil society, giving voice to the yearning of the global majority for a world free from the fear of nuclear annihilation. We urge all those who share this vision to join us in mobilising for the international peace conference in New York on May 1st and the International Day of Action for a Nuclear Free World, in New York and globally, on May 2nd, as well as for the presentation of petition signatures to the United Nations.

Send endorsements to: npt@ialana.de

Initial Signatories

International Organizations
- Abolition 2000
- Global Network Against Weapons & Nuclear Power in Space
- Global Family
- International Association of Lawyers Against Nuclear Europe
- International Association of Peace Messenger Cities
- International Network of Engineers and Scientists for Global Responsibility
- International Peace Bureau
- Pax Christi International
- Women’s International League for Peace and Freedom

National Organizations
- American Friends Service Committee, USA
- Campaign for Nuclear Disarmament, UK
- Deutsche Friedensgesellschaft – Vereinigte KriegsdienstgegnerInnen, Germany
- Emile Touma Institute for Palestinian and Israeli Studies, Israel
- Gensuikyo, Japan
- International Lawyers Against Nuclear Arms, German Section
- International Physicians for the Prevention of Nuclear War, German Section
- Movement de la Paix, France
- Naturwissenschaftlerinitiative Verantwortung für Frieden und Zukunftsfähigkeit, Germany
- Nuclear Age Peace Foundation
- Peace Action, USA
- Peace Women Partners Asia-Pacific, Philippines
- STOP the War Coalition, Philippine Section
- Swedish Peace Committee
- Swedish Peace Council
- The Coalition for a Middle East Free of Nuclear Weapons, Israel
- United for Peace and Justice
- U.S. Peace Council
- Vredesactie – Bomspotting, Belgium
- Western States Legal Foundation

**Additional Endorsers as of October 20, 2009**
- Abolition of Nuclear Energy, Germany
- Action des Citoyens pour le Désarmement Nucléaire, France
- Afghanistan Socialist Association (ASA), Afghanistan
- Aktionsgemeinschaft Dienst für den Frieden, Germany
- Association of World Citizens, USA
- Bundesausschuss Friedensratschlag / Federal Committee Peace Counsel, Germany
- Cambridge United for Justice with Peace, USA
- Center for Encounters and Active Non-Violence, Austria
- Citizens' Nuclear Information Center, Japan
- Coalition for Peace Action & Peace Action Education Fund, USA
- CODEPINK Women for Peace, USA
- Committee for Communal Amity, India
- Disarmament & Security Centre, New Zealand
- DRUM- Desis Rising Up & Moving, USA
- European Feminist Initiative
- Fellowship of Reconciliation, USA
- Food Not Bombs
- Friends Committee on National Legislation, USA
- German Peace Council, Germany
- Global nuclear disarmament
- Global peace, progress and justice
- Grandmothers Against the War, USA
- Granny Peace Brigade, USA
- Grassroots Global Justice Alliance, USA
- Ground Zero Center for Nonviolent Action, USA
- Informationsstelle für Friedensarbeit - Information Bureau for Peace Work, Germany
- Initiativkreis gegen die Atomwaffen, Germany
- International Physicians for the Prevention of Nuclear War, USA
- Japan Confederation of A- and H-bombs Sufferers' Organizations (Nihon Hidankyo)
- Japan Council of Religionists for Peace
- Japan Federation of Democratic Medical Institutions (Min-iren)
- Jonah House, USA
- Komitee für Grundrechte und Demokratie, Germany
- Latin American Circle for International Studies (LACIS), Mexico
- LI Alliance for Peaceful Alternatives, USA
- Los Alamos Study Group, USA
- Malcolm X Center for Self-Determination, USA
- MIR - IRG / IFOR - WRI Belgium
- New Japan Women’s Association (Shin-fujin)
- New York Metro Progressives, USA
- Nuclear Information and Resource Service, USA
- Nuclear Resister, USA
- Ohne Rüstung leben, Germany
- Pax Christi Metro New York, USA
- Pax Christi USA
- Peace Garden Project, USA
- Peace Majority Report, USA
- Peaceworkers, USA
- People's Movement Against Nuclear Energy, India
- People's Solidarity for Participatory Democracy, Republic of Korea
- Progressive Democrats of America, USA
- Progressive Democrats of NY, CD14, USA
- Science for Peace, Canada
- Solidarity for Peace and Reunification of Korea
- Swedish Nurses Against Nuclear Weapons, Sweden
- Technology for Life, Finland
- The Buddhist monks of the Nipponzan Myohoji Dojo of Bainbridge Island, USA
- The Simons Foundation, Canada
- Trident Information Network
- War & Peace Foundation, USA
- West Midlands Campaign for Nuclear Disarmament, UK
- Würselener Initiative für den Frieden, Germany
3. Declaration

International Afghanistan Network
October 16, 2009

Facilitated by the dedicated organizing of our German hosts, fifty-five leading peace movement figures representing networks, coalitions and research institutes from seventeen European, North American, and Middle Eastern nations gathered in Berlin to discuss developments in the catastrophic war being waged in Afghanistan, the Obama Administration’s calculations and strategies as it wages the war, to share information about what their movements are doing to secure the withdrawal of U.S. and NATO forces, and to explore ways to collaborate in order to augment the abilities of our movements to transform majority opposition to the war into the political forces needed to end it.

Addressing international concerns, the delegate from the United States reported that within the United States the recent announcement that President Obama has been named to receive the Nobel Peace Prize is widely regarded as undeserved, especially at a time when Obama, his ministers and advisors are recalibrating and threatening to escalate their war in Afghanistan and Central Asia. Obama, he reported, is a restorationist figure whose mandate from the elite forces he represents is, through the use of military, diplomacy and “soft” power to reconsolidate as much global power and influence as possible in the wake of the “war president” George W. Bush. He stressed in popular and elite U.S. opinion the Central Asian war is increasingly compared to the disastrous War in Vietnam, waged in partnership with war lords, the corrupt and inept Karzai government, and in alliance with Pakistan’s military dominated government. General McChrystal has presented President Obama with three options for troop increases, the largest being for more than 60,000 troops. The Obama administration is seriously divided over how to proceed. Obama is loosing support among Congressional Democrats, and with popular education, peaceful civil disobedient demonstrations, and lobbying, U.S. peace movement is building political pressure for the withdrawal of U.S. warriors from Central Asia.

Many brief reports about government policies and peace movement responses were given: It was recognized that as European forces are withdrawn from the war, it will be difficult for the U.S. to replace them. In violation of the Irish constitution, civilian Shannon airport is being used as a major transport hub for the war, with U.S. troops stationed there. The Turkish government is using the Obama model of promising change while waging a war opposed by the majority of Turks. In Italy, as in all countries represented, the peace movement cannot now bring millions of people into the streets to oppose this war; it will be challenging Armed Forces Day on November 4 with mobilizations in the country’s major cities. There is also widespread opposition to the U.S. military bases in Italy.

We were encouraged to challenge humanitarian organizations working in Afghanistan who are being controlled by U.S. military regulations and co-opted into serving its counter-insurgency war. Germany is suffering from Obamania, even as popular opinion has been profoundly affected by bombing of innocent civilians on the order of German forces. Yet, as Dutch, Canadian Japanese, and possibly Italian forces are leaving Afghanistan, the new conservative government is considering increasing its forces there by more than 50%. Germany’s engagement in the war is not limited to sending troops. Many U.S. bases in the country are deeply involved in the war, as are important sectors of civil society from DHL and other contractors to people sent from unemployment lines to assist U.S. military training. President Sarkozy and Prime Minister Merkel are planning an International Afghanistan Conference on Afghanistan, which we should challenge with alternative actions. Within Germany the peace movement needs to press the Social Democrats and Greens to cease supporting the war. An important German peace movement initiative will be the holding of informal referenda at the
end of the month to help make visible the major-
ity’s opposition to the war.

There were serious exchanges about the immediate impacts of the war, as well as the increased militarization of Afghan society as the U.S. and NATO attempt to build a massive Afghan army and police forces, on Afghan women and the implications of military withdrawal for them. It was agreed that this needs to be addressed in greater depth, even as the prevailing view was that the peace movement must be clear that liberation, like democracy, cannot be delivered from the barrel of a gun, that we must demand troops out now, and provide support as we can to Afghan women struggling for their liberation.

In discussing joint initiatives and actions, we agreed to the following:

- To illuminate an important dimension of our nations’ involvement in the war and to provide a resource for popular opposition, movements in each country and others not represented at the conference will send information about how military bases in their countries are supporting the war to the International Network for the Abolition of Foreign Military Bases, which will develop maps and other resources on its web site.

- The need for an international peace movement web site focused on the Afghan/Central Asian war was recognized. It was agreed to explore collaboration with a Swedish peace organization that initiated such a web site for the Social Forum in Malmo, www.stopthewarinafghanistan.com, but which is now dormant. In addition to providing analysis and information about peace movement actions, it was agreed to engage Afghan organizations so that their proposals for peaceful solutions to the war can be shared widely via the web site.

- It was agreed to hold an alternative conference, opposing the U.S.-NATO war at the time of the Sarkozy/Merkel Afghanistan conference. A preparatory committee to organize the conference was created. The conference will involve war opponents from Afghanistan and will address difficult questions such as women and the war, as well as those which are self-evident.

We agreed on the importance of holding an international day of action against the war. Due to the demands of mobilizing this spring for the Nuclear Non-Proliferation Treaty Review Conference, it was agreed that the Actions will be on the war’s anniversary October 8-10. It was further agreed that in response to a particular emergency, an international day of action can be organized via e-mail, and that there will be anti-war actions at the next NATO summit in Portugal.

1. Judge C.G. Weeramantry – President, IALANA delivers the Key Note Address at the Article VI Forum of the Middle Powers Initiative – An international meeting of experts on nuclear disarmament held in Berlin, Germany January 28-29, 2009.

For the full address of Judge Weeramantry see Link1.

2. Judge C.G Weeramantry – President IALANA delivers Key Note Address at the Conference on Trident and International Law: Scotland’s Obligations on February 3, 2009, at the Dynamic Earth International Conference Hall, Edinburgh, Scotland and Neshan Gunasekera, Director, IALANA South Asia Office participated in the proceedings of this conference.

This conference was organized and facilitated by Dr Rebecca Johnson and other officials of the Acronym Institute for Disarmament Diplomacy with Edinburgh Peace and Justice Centre and Trident Ploughshares.


Taken from the site as at 01.12.2009 – (Link) - International law experts question legality of Trident renewal.

In the Sunday Herald, Rob Edwards3 previewed the conference on Trident and International Law: Scotland’s Obligations4, organized by the Acronym Institute for Disarmament Diplomacy, together with the Edinburgh Peace and Justice Centre and Trident Ploughshares on 3 February. Though heavy snowfalls prevented some speakers and guests from reaching Edinburgh, the Conference was opened by the SNP’s Westminster leader Angus Robertson MP5, who argued that the "time is right" for the removal of nuclear weapons from Scottish soil.

Acronym Institute director Rebecca Johnson6 welcomed a range of Scottish, UK and international lawyers, judges and civil society to Edinburgh to explore the legal situation regarding the deployment, use and renewal of Trident and look at what international law requires governments and citizens to do about nuclear weapons.

Former vice-president of the International Court of Justice (ICJ) Judge Christopher Weeramantry stated: "The self-appointed nuclear policemen of the world need to realise how their actions totally destroy their credibility there cannot be one law for some and another law for others." "These are all areas which must necessarily be concerns of the parliament of Scotland," he continues.

The Conference sparked debates in the Scottish press7. The following day Judge Weeramante and international lawyer Neshan Gunasekera met with members of the Working Group on Scotland without Nuclear Weapons8.

4. Judge C.G Weeramantry responds to speech by President Barack Obama in Prague, April 5th, 2009. As found on the site Lawyers Committee on Nuclear Policy9 - Another Link.10


6. Judge C.G. Weeramantry will be addressing the World Parliament of Religions’ Panel on nuclear disarmament "The Necessity of Nuclear Disarmament and Steps Toward its Achievement", on December 6th, 2009 in Melbourne, Australia.

6 http://www.acronym.org.uk/news/0902.htm#02
7 http://www.acronym.org.uk/news/0902.htm#scotsman2
8 http://www.scotland.gov.uk/Topics/People/swnw-working-group
10 http://reset.to/blog/world-free-nuclear-weapons-has-been-dream-all-humanity-ever-those-dreaded-weapons-first-made-th
5. IALANA Seminar on a nuclear weapon free world

In collaboration with the European Academy Berlin, 25-26 June 2009, Germany

Critical Issues for Model Nuclear Weapons Convention by Kenji Urata

1 Thank you for inviting me to make a presentation to this seminar. The theme that was given to me by the organizer of this seminar is, “Critical Issues for Model Nuclear Weapons Convention.” It was last summer that I published the Japanese-language edition of Securing our Survival, and wrote editor’s introduction for the Japanese readers. You can find a copy of my paper in the folder for this seminar. At this seminar, I will discuss only two of the issues selected from my paper. One focuses on the critical issue of understanding or evaluating the nuclear disarmament clause, which relates to a holistic approach on the nuclear disarmament. And the second issue concerns the relief measures for those victimized by the use of Nuclear Weapons and of the atomic testing victims at the nuclear age.

2 The first issue is especially related to an understanding of the McCloy-Zorin Accords, which was signed by the US and USSR on September 20, 1961 and adopted by the UN General Assembly on December 20 of that year. It states that the United Nation’s highest purpose must be the “general and complete disarmament” defined among the eight principles given in the accords.

It is crucial for me to note that around twenty-seven years ago, the International Peace Bureau (IPB) lobbied the SSOD-II preparatory committee, and in June 1982 it co-sponsored the “International Symposium on the Immorality and Illegality of Nuclear Weapons” in New York with the Lawyers’ Committee on Nuclear Policy (LCNP). Participants prepared a written opinion which was submitted to SSOD-II.

The opinion consists of two parts with an introduction. The introduction discusses the “Statement on Principles Agreed Upon for Disarmament Negotiations” (McCloy-Zorin Accords). Part I is titled “International Conventions on the Illegality of Using or Threatening to Use Nuclear Weapons.” Its explanation says that the first step toward general and complete disarmament is affirming that the use of weapons of mass destruction violates international positive law, and that the use or the threat of using nuclear weapons is illegal and a crime. The body text has only five articles.

Part II is “A Convention Banning the Use of Nuclear Weapons, to Make the Development, Manufacture, and Stockpiling of Nuclear Weapons Illegal.” This part mentions the inclusion of the ban on the manufacture, transport, sale, and stockpiling of nuclear weapons included by the US and USSR in their joint draft convention for general and complete disarmament in 1962, and then states that a draft convention with this title was prepared to comprehensively include a ban on using nuclear weapons, a ban on their manufacture, transport, sale, and stockpiling, and the effort to achieve general and complete disarmament. The text has 14 articles.

Another fact is this that, just before the SSOD-I started, the Japan Federation of Bar Associations announced a “Draft Convention Banning the Use of Nuclear Weapons (May 15, 1978). The preamble of this draft convention mentions the course of events leading to the resolution by the 1967 UN General Assembly calling for consideration of the Draft Treaty for Banning Nuclear Weapons, and the text has 13 articles with these provisions:

- The use of nuclear weapons violates international law in any situation, and will be punished as a crime against world peace and humanity.
- Nuclear weapons must be abolished.
- Additionally, the convention establishes the criminal liability of individuals for conspiracy and instigation for using nuclear weapons, and punishment also for such attempts.
- It even provides that people charged with crimes would be tried by the International Criminal Court.

Fifteen years later in August 1993, Japanese lawyer Yasuhiro Matsui, who was president of JALANA (the Japan Association of Lawyers Against Nuclear Arms), announced the “Draft Convention for a Total Ban on Nuclear Weap-
Let us briefly survey the characteristics of these draft conventions. As expressly stated in the draft submitted to SSOD-II by the IPB, one characteristic is the idea that the US and USSR simultaneously try to achieve nuclear disarmament and general and complete disarmament of conventional arms, as we can see from how the drafts invoke the McCloy-Zorin Accords. Further, couched in the terms of the modern West, this thinking brings us back to the argument for abolishing war as an institution.

If my understanding is not mistaken, Japanese draft conventions by contrast do not focus primarily on the argument for abolishing war, and the “general and complete disarmament” clause. But Japanese draft conventions rather seem to emphasize the evil nature of the threat to human survival by nuclear war, and the criminal nature of the use of nuclear weapons.

In relation to this issue, in my opinion, it seems to be very important to carefully examine the wording of the 1997 Model Nuclear Weapons Convention. The 1997 version can be characterized as follows. This does not expressly invoke the McCloy-Zorin Accords, and its thinking is that the reduction and abolition of nuclear arms take precedence over general and complete disarmament of conventional arms. It assumes the stance that UN General Assembly resolutions are the legal source of customary international law, it quotes the definition of a nuclear-free zone treaty, and it emphasizes the significance of social verification by citizens. The 2007 version is same as the 1997 version stands on this point.

My comment on this issue is this: The fact is that from the inception of IALANA and still even now there is an influential opinion saying that, for example, “it is the necessity of disarmament in "conventional" weaponry in order to reach zero nuclear weapons. I applaud the effort on eliminating nuclear weapons, but do not see it happening without balance in conventional weapons.“ Nevertheless, I would say that the McCloy-Zorin Accords is not necessary interconnected with the text and spirit of MNWC, and that the US and Russia at this stage should not simultaneously try to achieve nuclear disarmament and general and complete disarmament of conventional arms, in accordance with the principles of the McCloy-Zorin Accords.

3 The book SOS and the 2007 Model Nuclear Weapons Convention both have some important issues that need to be addressed. I would like to discuss only one of them.

The perspective of fostering a normative consciousness on the civil society level for abolishing nuclear weapons is an important characteristic of the book. From this perspective, it is impossible to avoid the issue of relief for the hibakusha (victims of the atomic bombings of Hiroshima and Nagasaki). For example, the Mine Ban Treaty has provisions on international cooperation for relief for landmine victims, and the Chemical Weapons Convention has provisions on protection from chemical weapons which call for certain responses in the event that chemical weapons are used. By contrast, the Model NWC entirely lacks provisions on responses for victims of nuclear weapons use. In the nuclear age, the consciousness of the citizens that nuclear weapons are inhumane is an important element which sustains the awareness of the illegality of nuclear weapons. For many years Japan’s hibakusha have continued activities to tell more people about the real impacts of the bombings. Nevertheless, the truth and essential nature of being bombed have yet to be elucidated. In view of this situational awareness, the Model Nuclear Weapons Convention must expressly provide a system of relief for hibakusha, and those provisions should be retroactive back to the hibakusha of Hiroshima and Nagasaki. It is hoped that doing so will create an awareness shared by all humanity of the inhumaness and criminality of using nuclear weapons.

In addition to this, I would say that the nuclear powers should be obligated to release information on nuclear-related damage. Doing so would open the way to making the nuclear threat into the common knowledge of humankind. Nuclear Weapons Convention should also have provisions requiring research and development for education on nuclear-related damage. Thank you for your attention.
6. Introduction to NGO Presentations to NPT Prepcom

May 5, 2009

Peter Weiss

Mr. Chair, Distinguished Delegates: My name is Peter Weiss. I am Vice President of IALANA, the International Association of Lawyers Against Nuclear Arms.

I am grateful for the opportunity which you have given to civil society to share with you some of its concerns about the subject of this meeting. Like all of you, we have great expectations for next year’s NPT Review Conference. It will take place in a new climate of internationalism which affords reason to hope that cooperation is replacing domination in world affairs and that international law is resuming its rightful place as the operative expression of the world’s yearning for peace and justice.

My message, by way of introduction, is simple: For the first time since those two fateful days in August of 1945, the voices demanding “never again!” are growing to a thunderous chorus which can no longer be ignored. It comes, as always, mostly from the vast majority of countries who have kept their Article II pledge to renounce these hellish weapons, but also now from all shades of the political spectrum in the minority of countries who possess them, but have done little to fulfil their part of the Article VI bargain. It is welcome news when the new President of the United States declares that he will make a nuclear weapons free world a central element of American foreign policy and when leaders of other nuclear weapons countries voice that sentiment as well. It is welcome news when the Secretary General of the United Nations states that one way to achieve this objective is to begin discussion of the Draft Nuclear Weapons Convention which Costa Rica and Malaysia have made into an official UN document and it is welcome news when the European Parliament endorse the nuclear weapons convention.

At the same time, the danger of nuclear proliferation is arguably greater than ever. NPT is fraying at the seams; the noxious myth of deterrence remains firmly embedded in the strategies of the nuclear weapons states; the mantra of “going down to 1000” has emerged as a false substitute for real disarmament; the CD slumbers on in its perennial deadlock; and the dark cloud of nuclear terrorism continues to hang over all our heads.

This combination of negative and positive factors, of hope and despair, makes it absolutely essential to press on the door opening toward a nuclear weapons free world and to do so in a committed and robust manner, not merely step by halting step. Going down to three zeros, as in 1000, is not enough; going down to zero is imperative. If we embark on this path, our children and grandchildren will thank us. If we do not, history will not absolve us.

I thank you for your attention.
7. Groups Seek World Court Opinion on Nukes
Thalif Deen

UNITED NATIONS, May 11 (IPS) - A coalition of international non-governmental organisations (NGOs) is seeking an advisory opinion from the International Court of Justice (ICJ) - the second in 13 years - on the legality and use of nuclear weapons.

Christopher Weeramantry, a former ICJ judge and president of the International Association of Lawyers Against Nuclear Arms (ILANA), says more than a decade has passed since the Court unanimously declared that nuclear weapons have the "potential to destroy all civilisation and the entire ecosystem of the planet."

Based in The Hague, Netherlands, the Court is the principal judicial organ of the United Nations. Its 15 judges are elected for nine-year terms by the General Assembly and the Security Council.

Although the ICJ pronounced against nuclear weapons, there has been a continued readiness not only to develop them but also to maintain existing arsenals.

The five declared nuclear powers are the United States, Britain, France, China and Russia, while the three undeclared powers are India, Pakistan and Israel. Both Iran and North Korea are on the sidelines.

The July 1996 opinion said that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

The organisations seeking a new ICJ advisory opinion include ILANA and the International Rights Clinic at Harvard Law School.

The move is being backed by the Lawyers Committee on Nuclear Policy (LCNP) and International Physicians for the Prevention of Nuclear War.

"Given the failure to act and ongoing debates about what conduct is legally required for states to meet the good faith negotiation obligation, it is time to return to the Court to obtain guidance for the disarmament enterprise and to ensure that the legal obligation is effectively implemented," says a legal memorandum submitted by the groups.

The 192-member U.N. General Assembly, however, would have to adopt a resolution asking the ICJ to provide an opinion. This is what was done for the first opinion on nuclear weapons back in 1996.

John Burroughs, executive director of LCNP, told IPS the first opinion has been far more influential than is commonly realised.

There is very wide acceptance of the ICJ's unanimous conclusion that Article VI of the Nuclear Non-Proliferation Treaty (NPT) requires states to pursue and to conclude negotiations on complete nuclear disarmament.

"That is, there is not only a duty to make best efforts through negotiation, there is a duty to succeed through negotiations in eliminating nuclear arsenals," he added.

In votes on the annual General Assembly resolution following up on the ICJ resolution, there have also been votes on separate paragraphs welcoming the ICJ conclusion regarding the nuclear disarmament obligation.

Burroughs said almost all countries, including India and Pakistan, have voted for that paragraph. Only three countries have voted against it: the United States, Russia and Israel.

In the legal memorandum making a case for a second ICJ opinion, the two groups say that because of conflicting views and failures of implementation, the world is in need of clear guidelines as to what state behaviour is required to meet the nuclear disarmament obligation.

The long-promised complete nuclear disarmament, which the ICJ referred to in its 1996 advi-
sory opinion, is not only a political commitment but also a binding legal undertaking.

"Therefore, the ICJ, as the principal organ of the United Nations, should be called upon to articulate much-needed legal guidance resolving current controversies over how to implement the obligation," says the memorandum. "It should provide the world community with the insights needed to turn the promise into reality."

Weeramantry points out that recent statements at the highest international and national levels have raised hopes that the goal of total elimination of nuclear weapons "is not illusory but within reach".

Among these are Secretary-General Ban Ki-moon's five-point proposal for progress on disarmament announced in October 2008 and U.S. President Barack Obama's categorical statement in Prague in April pledging "America's commitment to seek the peace and security of a world without nuclear weapons."

"The fact that the goal of a nuclear-free world is altogether attainable renders it all the more imperative that the route prescribed by the Court should be meticulously followed," he added.

And the 2010 NPT Review Conference, whose two-week long preparatory meetings conclude Friday, "offers an outstanding opportunity to pursue this objective," Weeramantry added.

Burroughs told IPS that the 1996 ICJ opinion has filtered into public and professional discourse.

He said it is taught as part of a course on law of armed conflict in West Point, the U.S. military academy.

What IALANA and the International Human Rights Clinic at Harvard Law School are recommending is that the General Assembly seek clarification from the Court on the legal implications of the disarmament obligation.

Burroughs said among the questions proposed were whether compliance in good faith with the disarmament obligation requires immediate commencement of multilateral negotiations leading to the total elimination of nuclear weapons within a time-bound framework.

This is a position held by a large majority of governments, but refused by some nuclear weapons states.

Another question: Would a lack of compliance in good faith with the obligation be demonstrated by planning and implementing long-term retention, maintenance, and modernisation of nuclear arsenals, delivery systems, and supportive technical complexes?

"Today the nuclear weapon states are investing large sums in, and planning for, maintaining nuclear forces for decades to come," he said.

This hardly seems compatible with an intent to achieve disarmament, he added. But the Court can comment on the legal aspects of this problem.

Another question: Does the obligation apply to all states - thus including states outside the NPT, notably India and Pakistan?

The Court's 1996 opinion leaves this question open. Some of the judges, including President Mohammed Bedjaoui, in their separate opinions said, yes the obligation does apply to all states.

The Court could clarify this important matter, Burroughs said.
October 9, 2009

STATEMENT OF PETER WEISS
PRESIDENT, LAWYERS COMMITTEE ON NUCLEAR POLICY

The Lawyers Committee on Nuclear Policy congratulates the Nobel Committee on awarding this year’s Peace Prize to President Obama and congratulates the President on receiving it. While Barack Obama’s achievements for peace will have to await the judgment of history, it is not too early to recognize that his words have brought about a welcome change in the atmosphere of international relations. They lead one to hope that the resort to threat and force will be replaced by law and reason and that the leaders of this world will heed the call of Joseph Rotblat, a previous recipient of this prestigious prize, to remember their humanity.

In particular, LCNP welcomes the endorsement which this award lends to President Obama’s promise to work for a nuclear weapons free world. But LCNP urges that this goal be achieved, not after the President’s lifetime, as suggested in his Prague speech, but before he leaves the office which, more than any other, has the ability to bring it about.
The Moral Responsibility of the United States: Reading Barack Obama’s Prague Speech

Kenji Urata

Hradcany Square

Shortly after taking office, President Barack Obama visited Prague, the capital of the Czech Republic, and delivered a 28-minute speech to a crowd of over 20,000 in Hradcany Square, starting at sometime past 10:00 a.m. on April 5, 2009. According to the White House Press Office, the speech was part of "a strategy to address the international nuclear threat."[1] In his remarks, the president said that for its atomic bombings of Hiroshima and Nagasaki the US has a “moral responsibility to act” to bring about a world without nuclear weapons. This is an historic landmark in American politics. Not only did the president set forth a strategy to address the nuclear threat to nuclear powers and allies, but he also pledged to the world’s people that the US bears a “moral responsibility to act.”

For two days, beginning on April 6th, the Carnegie Endowment for International Peace hosted the 2009 Carnegie International Nonproliferation Conference, “The Nuclear Order—Build or Break,” in Washington, D.C., with the attendance of over 840 people from 48 countries, including high-ranking government officials, policy and technology experts, academics, and journalists.[2] But at least from listening to and reading through the record released on the website, there was not a single panelist who delved deeply into what “moral responsibility” the US has for having used atomic bombs, or into the nature of that responsibility and how it should be assumed. Was this because it was a “nonproliferation conference”? Or was it because Obama’s new thinking was absent from the Carnegie Endowment for International Peace’s plan from the outset?

President Obama’s Prague speech forces the world’s people to consider the moral responsibility for using nuclear weapons that the US has admitted to and accepts, so that humankind may survive the current nuclear age and into the future. When it is perceived in this way, the Prague remarks have a significance for the history of humankind. I can say this: The responsibility spoken of here is a new responsibility for the nuclear age, and is also the biggest responsibility. Well, then, what are the moral, political, and legal meanings of this new responsibility for the nuclear age? That is what I want to explore. If the verb "read" in my subtitle, "Reading Barack Obama’s Prague Speech,” is taken to mean decipher, then that would mean “read while interpreting.” And interpretation is also the task of pinning down the meaning of words within a certain context. Following a correct interpretation is a necessary condition for correct practice. I shall now proceed to the subject at hand with that awareness.

Getting to the Heart of Obama’s Remarks

Obama’s speech contains the following two paragraphs:

Just as we stood for freedom in the 20th century, we must stand together for the right of people everywhere to live free from fear in the 21st century. (Applause.) And as nuclear power — as a nuclear power, as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act. We cannot succeed in this endeavor alone, but we can lead it, we can start it.

So today, I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons. (Applause.) I’m not naive. This goal will not be
reached quickly -- perhaps not in my lifetime. It will take patience and persistence. But now we, too, must ignore the voices who tell us that the world cannot change. We have to insist, “Yes, we can.” (Applause.) [3]

There have been only two other times when the president of the United States proposed the abolition of nuclear weapons. Harry Truman, in his proposal to the United Nations General Assembly in 1946, just after the Second World War, argued for putting all nuclear energy under international control, and using it solely for peaceful purposes, but it did not come to pass. The Soviet Union under Stalin had decided to develop the atomic bomb and had no interest in accepting that proposal. The second such proposal was made at the Reykjavik Summit in Iceland in 1986. U.S. president Ronald Reagan and Soviet Premier Mikhail Gorbachev came within an ace of agreeing to full nuclear disarmament, but it fell through because of Reagan’s Strategic Defense Initiative. Reagan wanted to persist with the SDI, which was unacceptable to Gorbachev. Since that time it has been generally agreed that the nuclear deterrence strategy is unavoidable for the greatest civilizations.

On this recent occasion, Obama stated unequivocally to the world that the US has a moral responsibility to act to bring about a world without nuclear weapons. He admitted the “responsibility of the US” at a time when the survival of humanity is an urgent imperative. This is the third such proposal by a US president, and a landmark in US political history. But that is not all — it is a landmark event in the history of the world and the history of humankind. What does this mean? Some people express views which earnestly praise the proposal, [4] but there are doubts about whether that alone is all right. I would like to read the implications of these words in the context of the nuclear age.[5]

The Nuclear Age at Present

More than a year before the nuclear age began, the Danish nuclear physicist Niels Bohr foresaw the terrifying destructive power of the nuclear bombs under development, and discerned that it would create a world where humankind faced a crisis of extinction.

So, what is the nuclear age? As this is related to views of history, it is a matter of whether historians recognize the concept of a nuclear age. Those who started working with this concept early were natural scientists (such as Albert Einstein, Hideki Yukawa, Mitsuo Taketani, and Toshiyuki Toyoda), the literati (Kenzaburo Oe), and international political scientists (Yoshikazu Sakamoto). A historical scientist dealing with this was Seiji Imahori, but in historical science it appears that this concept has yet to gain acceptance. However, the concept of the nuclear age should be clearly specified in the history of philosophy, as argued by the philosopher and sociologist Shingo Shibata in the January 1984 issue of the Journal of Historical Studies.

The concept of the nuclear age can be described as follows along the lines of Shibata’s summary.

- The emergence of the milestone scientific revolution called nuclear physics
- The emergence of nuclear energy as a technological revolution by applying nuclear physics
- Existing production relationships — including that of existing socialism — cannot mesh
- Therefore, the political superstructure —including that of existing socialism — cannot mesh
- Further, ideologies cannot mesh, and people are bound by old-fashioned ways of thinking
- As a result, the rulers and power-holders of the nuclear powers are capable of using nuclear energy only as the absolute violence of nuclear weapons, or more accurately, a “world system for exterminating humanity.”
- Such an age may perhaps be specified as a time when all life and cultures go extinct, and history ends.
This is how Shingo Shibata explained how the “nuclear age” concept comes into existence based on the “formula of the materialistic view of history,” but he said he wanted people to understand that the formula itself requires a number of reservations. [6] He made the following statement on “the possibilities of world history” in 1980:

Since August 6, 1945 the history of the world has been that of unlimited struggle between “the first crime of humankind’s extinction” and “acts to stop humankind’s extinction.” […] We must re-conceive world history as a struggle between the two possibilities of “extinction” and “survival,” reform the image of world history, mobilize all of humankind in a “mobilization for survival,” and by that means abolish the “world system for exterminating humanity.” [7]

There is something here which appeals to people who are living the present as historical entities: We are shown the importance of choosing the theme of social struggle in the real world by knowing the world-history possibilities of the nuclear age.

Here is how I see it. At this time, 64 years after the atomic bombings, the Soviet Union nuclear superpower has already been dismantled. Nuclear weapons, that is, the “world system for exterminating humanity,” have brought forth a new view of the “nuclear threat” among the rulers and power-holders of the US nuclear superpower. The US and Russia together have 95% of the world’s nuclear weapons, but the current situation no longer allows their maintenance. At the same time, it has also become evident that the existence and reinforcement of nuclear weapon systems can no longer avoid the intensification of contradictions in domains such as imperial economy, politics, society, and culture. The US dollar, which has been the key currency of the post-Second World War world, is no longer subject to the management and control of the US government amid economic globalization, and that created an unprecedented financial crisis. This indicates that the conditions for the continuation of the US-style capitalist system no longer exist. Can the mode of control by the capitalist system stop the advance of a global panic by transitioning from the G8 to the G20? In this nuclear age it appears that the prospect for sustainable development has vanished, and nuclear weapons could suddenly bring the end of human society. In this context, the sense of crisis about humankind’s survival, including the “nuclear threat” [8] as a catalyst to help realization, was partially reflected in Obama’s Prague speech.

A New Issue in the Debate on Responsibility

Various religious, political, scientific, and legal institutions have contributed to the debate surrounding the issue of nuclear arms and responsibility to date. The Vatican, for example, clearly interested in questions of morality, lamented the atomic bombing of Hiroshima immediately after it happened – much earlier than other European or North American institutions; however, the Catholic Church’s stance on the responsibility for the bombing is still somewhat unclear. For their part, the Japanese government (the government of the Japanese Empire) issued a statement saying that the “new type of bomb” violated present international law on war.

In time, scientists advocated a new theory of responsibility in various forms. A scientific view of social responsibility emerged, with a strong moral character [9] Beyond a general code of ethics for professional associations and the cultural influence of key scientific personalities such as Albert Einstein, however, scientific concepts of morality and responsibility regarding the creation and use of nuclear weapons have remained marginal to the legal and political debate.

Over 30 years after the 1963 Shimoda Case Decision in Japan, the International Court of Justice (ICJ), a specialized body of the UN, issued an advisory opinion in July 1996. [10] But legal scholars used a method of indentifying legal infringements associated with the bombings, and published research that affirmed the tort liability of the atomic bombings. [11] Further, an international people’s tribunal found that those who dropped the bombs had committed war crimes, and crimes against humanity. [12] A very small number of scholars of international law have long pointed out the criminality of using nuclear weapons. [13] But in the area of international law dealing with state responsibility, it appears that international law
studies has yet to delve deeply into the matter of responsibility for nuclear weapons use.

On the usual thinking about responsibility, I would like to focus on the following point because I think it is important for an in-depth discussion on moral responsibility at this time:

Since early modern times human autonomy has been emphasized, and finally in the modern period, when the "death of God" was pronounced, the essence of the concept of responsibility of course had to change. In considering responsibility as response, the question is who, to what, and before what... Further, as basic conditions for constituting responsibility, [the objectivity] of values and the identity of personal character are requirements.[14]

However, if one assumes that these two conditions cannot be advocated in a forceful manner, "it would be necessary to fundamentally transform thinking on values, personal character, and responsibility." An example of that would be considering the responsibility for a war that happened before one was born.[15]

Incidentally, the 2009 Carnegie International Nonproliferation Conference, which I brought up at the beginning, had a panel discussion on its first day, April 6, called "International Expectations of the Obama Administration." This lasted nearly an hour and 20 minutes, and one of the speakers (the second-from-last man) made the following statement:

I don't represent any government, but since we are talking about challenges and international expectations before Obama administration, there are two discrete steps Obama administration can take. This first one does not require going to Senate. It just requires some executive order by the president of the United States. And that is extending of formal, sincere, unconditional apology to the people of Japan about use of nuclear weapons in their country. That would be one model confidence booster that will generate confidence in the rest of the world. And that action has not been taken after five decades of the first use. And actually it's time for change and hope is now. It's on President Obama to meet that kind of sincere, formal apology which U.S. government has not given so far. It's symbolic, but it is important.[16]

The person spoke English with an Indian accent, and his name was inaudible, but I felt that he articulated one important way in which state responsibility for nuclear weapons might be assumed. There are two possible levels in the debate on responsibility for using nuclear weapons: that of moral responsibility, and that of state responsibility under international law. I hope that on both levels discussion will proceed further while taking a hint from the above statement.

Below I shall explore "the viewpoint of international law studies" and "political demands" for the purpose of gaining an awareness of the objectivity of new values, while learning from the achievements of axiology.

The Viewpoint of International Law Studies

International law studies divide the obligation for disarmament into two categories. One is related to substance, and is the "obligation for conclusion," meaning the achievement of abolishing nuclear weapons. The other is procedural, and is the obligation for an "implementation method" that will bring about this result, in other words, the obligation to negotiate in good faith.[17]

The obligation to bring about the result of nuclear disarmament was set forth in the 1996 International Court of Justice advisory opinion. This is shown with the term "unequivocal undertaking" in the 13 steps set forth by the 2000 NPT RevCon. Obama's April 5th speech has the possibility of linking with this "unequivocal undertaking," specifically his statement that the US has a "moral responsibility to act" for nuclear disarmament.

Next, it is important to note that the duty to negotiate in good faith also appears in the ICJ.
advisory opinion, and is expressed in the 13 steps with the words “systematic and progressive efforts” to reduce nuclear weapons. Another job with regard to Obama’s speech will perhaps be to understand his words “responsibility to act” in connection with this obligation, or interpret them in relation to it.

But because Obama’s speech goes no further than identifying a “moral responsibility,” much caution is required on this point. The task we are presented with is to once again undo the connections of the concept “responsibility” with the distinctions of morality, politics, and law, examine it logically, and build it anew. At the same time, another urgent and crucial task with regard to the nuclear weapons system, that is, the “world system for exterminating humanity,” is to conduct an historical inquiry from a history-of-humankind perspective aimed at abolishing nuclear weapons.

Political Demands

There is the question of what, for the time being, discharging the “responsibility to act” would entail. For example, after Obama, in his speech, calls for further nuclear arms reductions by the US and Russia, he says that “we will seek to include all nuclear weapons states in this endeavor.” But Obama mentions nothing about his thoughts on when he would propose convening all nuclear weapons states for nuclear disarmament negotiations. He has indeed said that he will hold an international summit meeting next year to address the nuclear threat. But what is the substance of this pledge? We need an answer to the question of whether that summit will concentrate on the nonproliferation or nuclear weapons, or recognize that nonproliferation and complete nuclear disarmament are closely linked, and indivisible. [18]

David Krieger, president of the Nuclear Age Peace Foundation, makes a proposal for this conference to be held by Obama: “Organize to convene a meeting of all nuclear weapons states prior to the 2010 Nuclear Non-Proliferation Treaty Review Conference to negotiate a new treaty for the phased, verifiable, irreversible and transparent elimination of nuclear weapons.” As a statement that in a political sense makes good use of the core of Obama’s remarks, I think this is an appropriate proposal.

After Obama had been elected but before his inauguration, the Nuclear Age Peace Foundation proposed a 100-Day Nuclear Disarmament Agenda for the first 100 days of the Obama Administration. This agenda had three areas: First, “secure loose nuclear materials from terrorists”; second, “strengthen the Nuclear Non-Proliferation Treaty”; and third, “move toward a nuclear free world.”

As soon as Obama took office, his administration published an agenda on the third area. The agenda established the goal of a nuclear weapons-free world, and said that the administration would pursue it. On April 1, in London, President Obama had his first talk with Russia’s President Medvedev, and discussed nuclear disarmament and reductions. They agreed to perform their duties under Article 6 of the NPT. That was followed on April 5 by the landmark speech in Prague.

However, the Nuclear Age Peace Foundation expressed concerns about these two commitments: (1) “These include [Obama’s] indication that the timeframe for achieving a world without nuclear weapons may be a long one, perhaps not in his own lifetime”; (2) “his emphasis on nuclear deterrence in the interim, although without indicating who is being deterred”; and (3) his full support for nuclear energy for the development of renewable energy sources [19].

These three are serious concerns about the Obama Administration until early April. Much wisdom and concrete action will be needed to put those concerns to rest. Such a struggle is being steadily advanced at the currently in-session Preparatory Committee meeting for the 2010 NPT Review Conference. [20]

Conclusion

The core of Obama’s Prague speech is revealed in the following words: “The United States has a moral responsibility to act [to bring about a nuclear weapons-free world].” The doctrine of responsibility appearing in these words is the first such commitment that has been public acknowledged by the US in the nuclear age. In the sense that it will be of use in spreading the objectivity of a new value — assuring the
survival of humankind — it could define a new era in world history.

Unfortunately, the doctrine of responsibility itself is merely words, and is further limited to morality. Furthermore, throughout this speech as a whole, the overall message is that maintaining the status quo will be the Obama administration’s way of dealing with the “nuclear threat” for the time being in the areas of military affairs and diplomacy, or politics, law, and culture. The Prague speech demonstrates hardly any proper awareness regarding the essential nature of the nuclear age.

As such, what is the question being put to us? It is the job of accurately determining, in a certain context, the meanings that can be implied by this doctrine of moral responsibility. Moreover, a policy-formation awareness is also needed. That would, for example, extend from the US budget.[21] Quadrennial Defense Review, Nuclear Posture Review, and the like to dismantling the very “world system for exterminating humanity.” Only when we actively link this doctrine of moral responsibility to the doctrine of political and legal responsibility will it have the enormous significance it should. [22]

References


Footnotes


[8] It is notable that according to the White House, Obama’s Prague speech “announced a strategy to address the international nuclear threat.”


Nagasaki on July 15–16, 2005, it found that the atomic bombings of Hiroshima and Nagasaki were serious 'war crimes' and also "crimes against humanity." The entire text of the judgment was handed down on July 15, 2007. See:


[15] For example, if one looks for the characteristics of Obama's doctrine of moral responsibility, one characteristic would specifically be the link with the doctrine of responsibility in Christianity. This approach should be used in a careful examination of whether the "World Crisis and American Responsibility" (1974, first edition 1956), by Reinhold Niebuhr, a Protestant theologian who served as President Truman's unofficial advisor, upholds the preexisting thinking on this kind of responsibility, or changes it fundamentally.


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More than 250 persons from 30 countries participated in the conference who in panel discussions and seminars covered a broad range of issues related to disarmament of nuclear weapons. Each of the three conference days have had a main theme:

Reaching Nuclear Disarmament;
Framing the Picture - Legal, Normative and Human Aspects of Nuclear Disarmament;
The Role of Civil Society in Strengthening the Non-Proliferation Treaty (NPT).

Several topical experts have addressed the conference, including the United Nations High Representative for Disarmament Affairs Ambassador Sergio Duarte, the former Ministers for Foreign Affairs of Sweden Dr. Hans Blix and Ms. Lena Hjelm-Wallen, the former Legal Counsel of the United Nations Mr. Hans Corell, Mr Jan Lodal, former senior US Defense Department and White House official, Academician Sergej Kolesnikov and Ambassador Igor S. Neverov, Russia, and many other diplomats, politicians, experts and representatives of the international peace movement.

The vital purpose of the conference has been, with profound involvement of civil society, to discuss and consider the forthcoming Review Conference of the Non-Proliferation Treaty, which will take place in New York in May 2010, and to contribute to the opinion-molding in pursuit of it.

An international youth dialogue meeting on nuclear disarmament organized within the framework of the conference contributed essentially to the substantial outcome.

A number of key topics have been considered during the three day conference:
The total elimination of all nuclear weapons as an achievable goal of disarmament efforts. We note with interest all new statements and initiatives on zero options which have been put forward in the international discussion in recent years. We welcome President Barack Obama's initiatives to reinvigorate the vision of a world free from nuclear weapons and support all efforts to turn that vision into reality.

The NPT Review Conference 2000 resulted in adoption of a agreement on 13 disarmament paragraphs that were not followed up at the failed Review Conference in 2005. The NGO community expects the Review Conference 2010 to reinvigorate nuclear disarmament negotiations, including the relevant 13 steps, and, in addition, to carefully consider the 30 concrete proposals on nuclear weapons presented by the Weapons of Mass Destruction Commission, (WMDC) headed by Dr. Hans Blix.

As a first step, the world could considerably reduce the risks of nuclear weapons being used by implementing the proposals of de-alerting of weapons presently deployed and to separate nuclear warheads from missile carriers, proposals put forward by the Canberra Commission in 1996. We also ask the nuclear weapon states to retire the nuclear component of their security thinking and doctrines which in several cases have even recently been upgraded.

The obligation of the five original nuclear weapon states to disarm their nuclear arsenals in accordance with article VI of the NPT should be a topic of first priority for the forthcoming Review Conference. The non-nuclear weapon states parties to the NPT should be asked to reconfirm their commitments to the treaty.

We suggest that Iran and the DPRK/North Korea should settle their international disputes concerning their nuclear programs through acceptance of inspections by the IAEA and in peaceful dialogue and negotiations with major powers and the international community as a whole.

It is now high time to move forward towards new nuclear weapons free zone regimes (NWFZ) in the Middle East, Europe and the circumpolar Arctic Region.
We strongly support initiatives with the purpose of raising public opinion against nuclear weapons, including education and grass-root activities.

**In particular, we emphasize the following four demands:**

We call upon the United States to ratify the Comprehensive Test Ban Treaty (CTBT) at the earliest possible stage, and other states that have not signed the CTBT to join the treaty at an early stage.

We support an internationalization of the nuclear fuel cycle in line with recommendations by the International Atomic Energy Agency (IAEA). We call for a new treaty dealing with fissile materials of uranium and plutonium, a Fissile Material Cut-off Treaty (FMCT) to be negotiated with urgency.

We urge governments now to lay the groundwork to negotiate a nuclear weapon convention (NWC) that would prohibit and eliminate all nuclear weapons and strengthen the existing conventions banning biological and chemical weapons, and we support initiatives to build public support to ensure that these weapons of terror can never be used.

We support the WMD Commission's proposal on the need to set up an international NPT secretariat in order to work with continuity on issues related to the NPT. We also support proposals that the Swedish government should initiate and host such a secretariat.

The final conclusions from the conference, including the practical proposals for cooperation, will be presented by the organizers in a comprehensive report on www.nucleardisarmament.se. Stockholm, November 8, 2009

*The Swedish Coordinating Committee of the International Conference on Nuclear Disarmament “Reaching Nuclear Disarmament”, held in Stockholm on November 6-8, 2009*
11. Japan Association of Lawyers Against Nuclear Weapons (JALANA)

This document was adopted at the general assembly of JALANA on November 7, 2009. The paper explains JALANA's view on the current situation of nuclear issues.

1. Introduction
Future historians will call the year 2009 “a great turning point”.

Looking at world affairs, the US President Obama declared to seek a world free of nuclear weapons as the moral responsibility of the only State that has ever used nuclear weapons. In Japan a change of regime happened for the first time in fifty years.

It was undoubtedly a great historical event that the political leader of the US, a nuclear superpower, promised to seek a nuclear weapon-free world.

Until last year the bill papers of the general assembly of JALANA have given warnings on the risk of the US nuclear policy. JALANA also has suggested a “New A-Bomb Trial” as a measure to change the US nuclear policy. The US President, who was the very target of the trial, started to seek a nuclear-weapon-free world. Apart from its incentive and specific measures, it means that he declared to go towards the same direction as us. Regarding nuclear issues, the US President is no longer our enemy because we are now able to cooperate with him.

In addition, we would like to pay attention to Prime Minister Hatoyama, who also promised to seek a nuclear-weapon-free world in cooperation with President Obama and suggested to establish a Nuclear Weapon Free Zone in North East Asia. From the beginning, the newly ruling Democratic Party in its manifesto of the general election committed itself to support denuclearization of North East Asia and play a leading role in the 2010 Review Conference of the Nuclear Non-Proliferation Treaty (NPT). The agreement among three ruling parties says that they will lead nuclear disarmament and abolition. Reading these documents literally, it can be said possible to cooperate with the new administration. However, specific measures of the new government remain to be seen. How will the government approach nuclear-weapon-related matters such as the secret agreement between the US and Japan, Three Non-Nuclear Principles, rearrangement of US forces, support for A-Bomb sufferers. How will they address nuclear deterrence and Nuclear Weapons Free Zone in North East Asia? How much will they accept our request? Our constructive advocacy and campaign will be needed.


Here this paper analyzes the motivation and specific approaches of President Obama. He seems to have determined to free the world of nuclear weapons rather than prevent a nuclear attack against the United States by non-state actors, judging the former more feasible. His idea is to eliminate nuclear weapons in order to escape from the threat of nuclear weapons. If a non-state actor obtained a nuclear weapon, diplomatic negotiation based on nuclear deterrence would have no effect. Use of force in territory of another State (or its own) would also be difficult, seeing the example of Afghanistan. Consequently there is no way to be free from the threat of nuclear terrorism. The United States still takes as many measures as they can to prevent non-state actors from possessing nuclear weapons, but President Obama must have judged that it was impossible to avoid it completely and that nuclear weapons would increase the risk rather than assure the US of its security. Therefore, there is no option but to get rid of the risk radically. His motivation by no means came from his reflection on the atomic bombing. It did come from a pragmatic idea of seeking the most profitable policy for the US security. Of course this incentive and idea are not incorrect because the more important thing is to go toward a “world free of nuclear weapons” apart from each approach, but we need to bear it in mind.

Additionally, we must pay attention to Pres. Obama’s policy on North Korea. Although he promotes a “nuclear-weapon-free world”, he is not a pacifist. The United States still continues
the use of force in Afghanistan, possesses the overwhelming military power, and has not renounced nuclear deterrence. He does not promote the end of the Korean War or the normalization of relations between the United States and North Korea. On the other hand, North Korea also does not believe that the hostile policy adopted by the former US presidents has been changed. The Joint Statement of the Six-Party Talk on September 19, 2005, which is the fruit of the negotiation, has not been put into practice. The Korean Peninsula is still the most dangerous area for the current international community. The most dangerous idea to which we must pay attention is that the US may not care about nuclear wars in other regions as long as there is no risk of nuclear attacks against the US. This would be a possible idea if the US security is the top priority. The effect and limit of the US pragmatism should not be forgotten.

3. Steps toward a “nuclear-weapon-free world”

In order to achieve a world without nuclear weapons, President Obama has suggested reduction of strategic nuclear arms in the United States and Russia; reinforcement of Nuclear Non-Proliferation Treaty (NPT); early entry-into-force of the Comprehensive Test Ban Treaty (CTBT); early conclusion of the Fissile Material Cutoff Treaty (FMCT). Those are rational initiatives and there is no reason to oppose. However, it is the United States that has ignored and disturbed those steps. We need to bear in mind that there is still strong resistance in the United States. Those who rely on nuclear weapons believe that military power is indispensable for their own security and values: freedom, democracy, and capitalism. Military power is murderous and destructive power. Nuclear weapons offer the most murderous and destructive power. This is why they cannot throw away nuclear weapons for their security and freedom. They have no fear that nuclear weapons may bring about a catastrophe of human beings. Their idea seems like “Not In My Back Yard (NIMBY).” The pro-nuclear-weapon power mainly consists of those who promote military solutions and who find the greatest value in profiting at free market. They would choose catastrophe of the world rather than give up their status as rulers.

Those who rely on nuclear weapons also exist among Japanese government. Even after President Obama changed the US nuclear policy, Japanese government did not renounce nuclear deterrence and asked the US not to remove the “nuclear umbrella.” Under the new administration of Democratic Party, this posture has not been improved clearly though its sign can be seen.

Steps toward a “world free of nuclear weapons” will go forward throughout a fierce battle against the opposing power. This is a challenging goal that we might not reach during Pres. Obama’s lifetime. However the current significant change was that the UN Security Council Resolution for a nuclear-weapon-free world was adopted unanimously including nuclear weapon states. It is worth recognizing that the goal of “nuclear-weapon-free world” was set and the United States abandoned its unilateral actions and started to cooperate with other States. The United States may have acknowledged that step-by-step nuclear disarmament without a goal of abolition has caused nuclear proliferation and its unilateral rule, on which the very destiny of the whole world relies, has made the world unstable.

In order to establish a world without nuclear weapons, we must make more efforts at the battles against pro-nuclear-weapon power, holding our belief that “human beings cannot coexist with nuclear weapons.”
NGO Declaration: Disarming for Peace and Development
62nd Annual United Nations DPI/NGO Conference

We, the 1,300 participants representing over 340 Non-Governmental Organizations from more than 55 countries,

INTRODUCTION

Determined, as eloquently expressed in the United Nations Charter, to save succeeding generations from the scourge of war and to promote social progress and better standards of life;

Alarmed that 1000 people per day are killed by small arms and 3000 more are seriously injured;

Inspired by the Hague Agenda for Peace and Justice for the 21st Century (A/54/98), a 50-point proposal for getting from a culture of violence to a culture of peace, and committed to the abolition of war;

Guided by the UN Secretary-General's 24 October 2008 five-point proposal for nuclear disarmament;

Committed to promoting respect for cultural, religious, and ethnic diversity as key to reaching peace and security;

Recognizing that security, peace, disarmament, human rights, gender equality and development are closely interconnected at the local, national, regional and global levels;

Recognizing that progress in all these fields is essential for attaining the Millennium Development Goals (MDGs), which also links this year’s meeting to recent DPI/NGO meetings on climate change and human rights;

Having met at the 62nd Annual United Nations DPI/NGO Conference in Mexico City from 9-11 September 2009;

Urge the following actions:

TO GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS:

Nuclear Disarmament

1. At the 2010 Nuclear Non Proliferation Treaty (NPT) Review Conference, reaffirm and strengthen commitments to achieve a world free of nuclear weapons and concurrently to prevent their spread.

2. Promptly commence negotiations on a convention prohibiting and eliminating nuclear weapons globally within an agreed time-bound framework.

3. Obtain the necessary signatures and ratifications to bring the Comprehensive Nuclear-Test-Ban Treaty into force without further delay and without conditions.

4. Complete negotiations on a treaty that bans production of fissile materials for nuclear weapons, brings all weapons-usable materials under safeguards, and fosters reduction of existing stocks.

5. Consolidate existing nuclear-weapon-free zones, promote cooperation between members of such zones, and create new zones, with the goal of achieving, in the near future, a global nuclear-weapon-free zone.

6. At the 24 September 2009 UN Security Council Summit, decide to propose plans for disarmament as provided by the UN Charter, and to reform the Council to make it more representative and accountable and therefore more capable of responding to violations of disarmament and non-proliferation obligations.

7. Declare October 27 as the annual International Day for a World Free of Nuclear Weapons.

8. Request the International Court of Justice to issue a new Advisory Opinion on the requirements for action following from the NPT Article VI obligation of “good faith” negotiation of nuclear disarmament.

9. Join and support the new International Renewable Energy Agency and make energy investment choices that phase out nuclear power and fossil fuels in favor of environmentally sustainable energy sources.

Small Arms and Other Conventional Disarmament

10. Regulate and restrict the military and law enforcement use and trade in arms, especially small arms.

11. Prevent the proliferation of small arms in the civilian population through strict government licensing, registration and regulation of the sale, possession and use of such arms.

12. Support a strong and effective Arms Trade Treaty (ATT) to regulate the global international trade in conventional arms. This Treaty must apply to all types of conventional arms and all types of international transfers. An effective Treaty must also prohibit international arms transfers where there is a significant risk that the transfer would violate international law, including international human rights law and international humanitarian law.

13. Implement the UN Firearms Protocol and the UN Programme of Action on Small Arms and strengthen the UN Register of Conventional Arms.
15. Achieve universal adherence to and implementation of the Mine Ban Treaty and the Convention on Cluster Munitions.
16. Establish a ban on the use of explosive force in populated areas.
17. Undertake disarmament of major conventional arms (tanks, artillery, aircraft, etc.) in accordance with the longstanding UN objective of general and complete disarmament.

General
18. Redirect arms expenditure towards more productive and socially responsible alternatives that could help to diminish the world’s rich-poor divide and in turn increase security.
19. Convene a fourth Special Session on Disarmament.
21. Commence negotiations on a treaty to prevent the deployment or use of any weapon in space.
22. Establish a World Space Launch Organization, which makes launch capabilities available to all states.
23. Commence negotiations on a global treaty on missiles and anti-missile systems.
24. Establish a verification regime for the Biological Weapons Convention (BWC), and achieve universal adherence to and implementation of the BWC and the Chemical Weapons Convention.
25. Establish a World Agency for Technology Assessment relating to disarmament and development.
26. Responding to the global economic crisis, give special consideration to increasing employment, and to vulnerable groups such as youth, women, children, and indigenous people.
27. Promote the development of a high-level goal on preventing and reducing armed violence towards 2015, which will offer the opportunity to integrate security-related themes into the possible follow-up of the MDGs.
28. Fully implement Security Council resolution 1325, and in particular ensure representation of women at all levels of decision-making on conflict prevention, management, and resolution.

TO THE UN SYSTEM, VIA THE UN SECRETARY-GENERAL:
1. Transform the UN Register on Conventional Arms into a true global observatory linking civil society organizations and UN agencies, to monitor and report all trade and use of weapons.
2. Encourage greater participation of civil society from developing and least developed countries in UN peace and disarmament forums, so that their local and regional perspectives are included within the discussions.
3. Involve new partners from strategic global networks as key elements to promote peace education, violence prevention, conflict resolution and development.

TO NGOs AND CIVIL SOCIETY:
1. Join and develop international NGO networks to promote peace, security, disarmament, and development, and support cross-sectoral forums building on this conference.
2. Strengthen the capacity of civil society organizations in the Global South, through partnerships, information exchange and fundraising.
3. Focus research on the development impacts of armed insecurity, and develop best practices in disarmament.
4. Promote education for peace, conflict resolution, human rights (civil, political, economic, social, cultural and environmental) and gender equality as essential to a just peace and improved human security.

FINALLY:
The purpose of this declaration is simple. Its aim is to save lives and to reduce injuries, and in the case of nuclear weapons, to prevent the destruction of civilization. The benefits of peace and security far outweigh whatever short-term economic benefits the trade in arms may promise.

We request all peoples, organizations and governments to recognize and promote the efforts of many thousands of NGOs and civil society organizations around the world which promote peace and disarmament at the community level and are the roots of our international movements.

We thank the people and government of Mexico for their warm and friendly welcome at this, our first such meeting in Latin America.
For Immediate Release: May 14, 2009
Contact: Bonnie Docherty; bdocherty (at) law.harvard.edu
John Burroughs (212) 818-1861; johnburroughs (at) lcnp.org

WORLD COURT OPINION ON NUCLEAR DISARMAMENT NEEDED
UN General Assembly Should Seek Clarity on the Duty to Eliminate Nuclear Weapons

The UN General Assembly should ask the International Court of Justice (ICJ) to clarify the legal obligation to achieve nuclear disarmament, said the International Human Rights Clinic (IHRC) at Harvard Law School and the International Association of Lawyers Against Nuclear Arms (IALANA) today.

IHRC and IALANA call for a new ICJ advisory opinion in a report they have released at a major UN conference taking place in New York this week. *Good Faith Negotiations Leading to the Total Elimination of Nuclear Weapons: Request for an Advisory Opinion from the International Court of Justice* has been presented to governments meeting to prepare for the next five-year review of the Nuclear Non-Proliferation Treaty in 2010.

Article VI of the Nuclear Non-Proliferation Treaty obligates states parties, including the United States, “to pursue negotiations in good faith on effective measures . . . relating to nuclear disarmament.” In a 1996 advisory opinion, the ICJ unanimously declared that this provision requires states to “bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

IHRC and IALANA argue that the ICJ should be asked to explain what steps states must take to meet the obligation articulated in Article VI and the 1996 opinion.

“More than a decade has passed since the Court so categorically formulated this obligation, and yet we see a continued readiness to develop nuclear weapons and maintain nuclear arsenals,” Judge Christopher Weeramantry, president of IALANA and former vice-president of the ICJ, wrote in a foreword to the report. “It is vitally important that no uncertainty should exist in regard to the interpretation or application of this pronouncement.”

*Good Faith Negotiations Leading to the Total Elimination of Nuclear Weapons* examines the Article VI disarmament obligation, the failure to fulfill it to date, and the principle of good faith under international law. It also recommends a set of questions to be asked of the ICJ. They include:

- Does compliance with the disarmament obligation require an immediate start to multilateral negotiations leading to the elimination of nuclear weapons within a set time period?
Would states show a failure to comply with the obligation through long-term retention, maintenance, and modernization of nuclear warheads, delivery systems, and research and production facilities?

"An ICJ advisory opinion would resolve legal disagreements and promote governments’ compliance with the obligation to disarm," said editor and author Bonnie Docherty, lecturer on law and clinical instructor at IHRC. "It would also help revitalize the movement for a world free of nuclear weapons."

Because the ICJ is the highest court of international law in the world, its advisory opinions provide important and influential interpretations of the law. The UN General Assembly can request such an opinion by a simple majority.

The request for an opinion would be timely given recent international discussion about nuclear disarmament.

Editor and author Phon van den Biesen, an Amsterdam-based attorney and a vice-president of IALANA who has handled several cases before the ICJ, said that increased efforts need to be made, beyond U.S.-Russian talks on bilateral reductions, to eliminate nuclear weapons.

"Bringing to a conclusion negotiations leading to the total elimination of nuclear weapons needs to be the explicit focal point of renewed negotiations," said van den Biesen. "We are convinced that this is not going to happen without further guidance from the Court on the legal requirements of good faith negotiations."

Another editor and author, John Burroughs, executive director of the New York-based Lawyers Committee on Nuclear Policy, the UN Office of IALANA, praised President Barack Obama’s commitment "to seek the peace and security of a world without nuclear weapons."

"But we need the Court's assistance regarding the disarmament enterprise," Burroughs said. "For example, the United States and other nuclear weapon states are now spending many billions of dollars to implement plans to retain nuclear forces for decades to come. The ICJ should declare whether that is consistent with their legal obligation to eliminate nuclear arsenals through good faith negotiations."

The report is available online at www.lcnp.org and http://www.law.harvard.edu/programs/hrp.

The International Human Rights Clinic at Harvard Law School (IHRC) is a center for critical thought and active engagement in human rights, working in partnership with dozens of human rights organizations around the globe. For more information on the IHRC, visit http://www.law.harvard.edu/programs/hrp.

The International Association of Lawyers Against Nuclear Arms (IALANA) works to prevent nuclear war, abolish nuclear weapons, strengthen international law and encourage the peaceful resolution of international conflicts. For more information, visit http://www.ialana.net/.
Dear Sirs or Mesdames,

"Confirmed" was the answer of Colonel Klein to the questions of the F-15 pilots asking whether his troops had contact with the enemy and whether the stolen fuel trucks in Kunduz were an acute threat. We now know for sure from the ISAF report that his troops did not move out and that the insurgents cleared the fuel trucks for cannibalization and distributed the fuel amongst the civilians. Thus the German officer informed the American bombers improperly giving them no possibility to validate the information. Instead, the pilots just executed the firing command.

You as MPs of the German Bundestag have the chance and the duty to carefully and conscientiously verify both propositions of the Federal government for the extension of the Bundeswehr participation in the OEF and ISAF missions. However, your decisions have more far-reaching consequences than those of the soldiers and the Commanders.

We would like to give you three short comments which should be taken into consideration.

1. The German participation in the "Operation Enduring Freedom" missions is incompatible with the German constitutional and the international law. Especially both resolutions of the UN Security Council in September 2001 did not authorize the USA, NATO and its allies to conduct war in Afghanistan – this statement can be found in resolution advice of the Ministry of Foreign Affairs due to the request by Federal Government – printed matter 17/38. Although article 115a of the Basic Law (GG) states that a state of defence is normalized with an attack by force of arms or with an immediate threat of such an attack on federal territory, article 87a of the Basic Law (GG) defines "defence" also as an armed and collective self-defence according to article 5 of the NATO Charter as well as article 51 of the UN Charter. However, the right of armed self-defence and emergency relief needs an acute armed attack and ends when the UN Security Council initiated "measures for conserving global peace and international security". Due to the jurisdiction of the International Court of Justice (ICJ) – Nicaragua vs. USA – an armed attack by francetiers and gangs can only be adjudicated to a state, if it has a crucial influence on and controls of the actions of such francetiers and gangs - tangible support and granting "safe heavens" are insufficient. The attack then cannot be defined as acute. The assassins of London and Madrid as
well as the “Sauerland group” were not Afghans and did not come from there as well. Nevertheless, the UN Security Council decided - in the aforementioned resolutions – to initiate measures to fight terrorism with intelligence and police services; not with weapons of war. Due to the resolutions such a situation of self-defence and emergency relief ends immediately according to the article 51 of the UN Charter. Arrests and conviction of the London, Madrid and Sauerland terrorists show that police and justice methods have proven to be effective measures in the fight against terrorism. The use of weapons of war, the dropping of bombs and the “targeted killing” are not only illegal but they also permanently fuel hate and resistance.

2. In fact, the military operation in Afghanistan - within the scope of ISAF - is formally legal with the resolutions of the UN security council. However, it is doubtful that these resolutions would be effective as materially legal and bear a judicial review by the ICJ. These doubts also occur by the Petersberg accords, which is the basis for the resolutions as well as the appointment of Karzai’s first government. The accords also define the composition of the constituent parliament which lacks of democratic legitimacy and implies severe violations of the sovereignty rights of the Afghan people to such an extend that a legitimate realization is highly doubtful. The political scientist Matin Baraki describes it as follows: “Not in Afghanistan with Afghans, but in Petersberg, the course was set and with it a government was crafted with massive pressure by 20 US representatives, three Islamic and one monarchic group. Hamid Karzai, who used to have ties to the CIA since the beginning of the Afghan Civil War and who stayed on a US-warship in the Indian Ocean, was nominated as the interim president.” We know by the recent Afghan elections that democracy is only used as a farce by the Karzai government which was installed in Petersberg. The ISAF troops back a regime that lacks of democratic legitimacy.

3. Foreign troops are not the solutions for the security problems in Afghanistan but rather its cause. Although the German troops were tolerated in the Northern regions – far away from the Pashtun areas of settlement – in the first years, the is obviously over now. The continuous interruptions of the supply routes of NATO through Pakistan cause that the supply routes through Tajikistan in the Northern regions, in which the German troops are stationed, are also attacked. The Bundeswehr cannot deal with civilian aid projects – It is dealing with its own security. Only max. 500 of 4.500 German ISAF troops are patrolling outside their camps. They are responsible for an area 40% of the size of Germany. It is understandable that the governor of Kunduz repeatedly commented in various interviews that whether the German troops are there or not, it would not make any difference. Former Captain of the Marines Matthew Hoh, who resigned in 10th September 2009 as a leading official of the USA in the Pashtun province Zabul, made the most fitting statement about the causes and the character of the war. “Hundreds, or even thousands of resistance groups in Afghanistan do not really have any ideological connections to the Taliban and rather take their monies to fight against the foreign occupiers to stay in control of their own regions.” Additionally in 17.000 Qu’ranic schools repeatedly over hundred thousands of young men are educated to be willing to fight against the foreign occupiers. Thus a peaceful future and for Afghanistan and Pakistan requires a pull-out of all foreign strike forces. Afghan insurgents cannot be overpowered: It is possible to come together at the negotiating table and to find an equalization of interests.

That’s why the call to you: Withhold your approval for the continuing deployment of troops!

Sincerely Yours,

On behalf of the board of directors,

Otto Jäckel
The Right Livelihood Award
for outstanding vision and work on behalf of our planet and its people

Alyn Ware (New Zealand - Aotearoa)

(2009)

"...for his effective and creative advocacy and initiatives over two decades in further peace education and to rid the world of nuclear weapons."

Alyn Ware

Alyn Ware is one of the world’s most effective peace workers, who has led key initiatives for peace education and nuclear abolition in New Zealand and internationally over the past 25 years. He helped draft the Peace Studies Guidelines that became part of the New Zealand school curriculum, initiated successful programmes in schools and thousands of classrooms throughout the country, and has served as an adviser to the NZ government and the UN on disarmament education. He was active in the campaign that prohibited nuclear weapons in New Zealand, before serving as the World Court Project UN Coordinator which achieved a historic ruling from the World Court on the illegality of nuclear weapons. Alyn Ware has led the efforts to implement the World Court’s decision, including drafting resolutions adopted by the UN, bringing together a group of experts to prepare a draft treaty on nuclear abolition which is now being promoted by the UN Secretary General, and engaging parliamentarians around the world through Parliamentarians for Nuclear Non-proliferation and Disarmament.

From kindergarten teacher to the United Nations

Alyn Ware was born in New Zealand in March 1962. He acquired a Bachelor of Education and a Diploma of Kindergarten Teaching from Waikato University in 1983. After a year of kindergarten teaching, Alyn established the Mobile Peace Van Society and for five years taught and co-ordinated all aspects of its peace education programme in pre-schools, primary schools and secondary schools. This included teaching in hundreds of classrooms; training teachers; co-founding the Cool Schools Peer Mediation Programme, initiating War Toy Amnesty events, launching Our Planet in Every Classroom; distributing teaching resources to every school through the School Journal; and working with the Department of Education to develop the Peace Studies Guidelines.

During that time Alyn was also active in the campaign to make New Zealand nuclear-weapon free.
This included chairing the Hamilton nuclear-weapon-free zone committee, co-founding Peace Movement Aotearoa and leading the 1987 Peace Walk for a Nuclear Free New Zealand. In 1998 he travelled to the USA and USSR to share New Zealand’s successful anti-nuclear campaigns with nuclear disarmament initiatives and organisations in those countries.

In 1990 he established the Gulf Peace Team office in New York and lobbied the UN Security Council on peaceful solutions to the Gulf Crisis. In 1991 he worked for the World Federalist Movement monitoring developments at the UN on the proposed International Criminal Court in preparation for the launch of the Coalition for an International Criminal Court (CICC) - which was successful in establishing the ICC. Alyn led the CICC Working Group on Weapons Systems during the ICC negotiations.

From 1992-99 he was the Executive Director of the Lawyers’ Committee on Nuclear Policy (LCNP), in which capacity he was also the World Court Project UN Co-ordinator. Under his leadership, the project was successful in getting the General Assembly to adopt a resolution requesting an opinion from the International Court of Justice on the legality of nuclear weapons. He also assisted a number of countries in their cases to the International Court of Justice in order to ensure a successful outcome. In its opinion, the Court declared the threat or use of nuclear weapons to be generally illegal and laid down a general obligation of states to achieve complete nuclear disarmament under international control.

Current positions and peace initiatives

In 1999, after helping establish a human rights presence in East Timor and Indonesia under Peace Brigades International, Alyn returned to New Zealand to take advantage of the peace and disarmament opportunities arising with the new Labour government under Prime Minister Helen Clark. Although based in New Zealand, this work required extensive travel, particularly to North America, Europe and Asia. This included ongoing work at the United Nations including the drafting and presentation to the UN Security Council of a Judges and Lawyers’ Appeal on the illegality of the Preventive Use of Force - one of the initiatives which helped ensure that the UN Security Council did not authorise the US-led invasion of Iraq in 2003.

Alyn currently holds the positions of:

- Director of the Wellington office of the Peace Foundation, a peace education activity in New Zealand schools and communities;
- Vice-President of the International Peace Bureau, in which he is most active on their Disarmament for Development Program;
- Consultant to the Lawyers’ Committee on Nuclear Policy and the International Association of Lawyers Against Nuclear Arms (IALANA) for which he is responsible for the programmes promoting Nuclear Weapon Free Zones and a Nuclear Weapons Convention;
- New Zealand Coordinator of the World March for Peace and Nonviolence which started in New Zealand on 2 October 2009 and is travelling around the world promoting nuclear abolition, an end to war and the prevention of violence at all levels of society;
- Co-Founder and International Coordinator of Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND), which engages legislators from across the political spectrum in nuclear disarmament issues and initiatives; and
- Board member or advisor of a number of other international organisations including Abolition 2000, Middle Powers Initiative, Peace Boat, Mayors for Peace and the Global Campaign for Peace Education.

Parliamentarians for Nuclear Non-proliferation and Disarmament

In 2002, Alyn established Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND), a project of the Global Security Institute and the Middle Powers Initiative. PNND educates and engages parliamentarians in initiatives at the national, regional and international levels.

At the national level, Alyn helps legislators to draft parliamentary resolutions, engage in
parliamentary debates, provide input into national policy decisions, adopt legislation, and participate in civil society actions and initiatives relating to nuclear non-proliferation and disarmament.

At the regional level, Alyn ensures that PNND is active in the development of nuclear-weapon-free zones, and in reducing the role of nuclear weapons in alliances such as NATO, ANZUS (Australia and the US) and the Japan-US and South Korea-US alliances.

At the international level, Alyn leads PNND activities to engage parliamentarians in key bodies such as the UN General Assembly, Conference on Disarmament, UN Security Council and NPT Review Conferences. PNND also assists parliamentarians to be active on specific issues and initiatives including nuclear testing, fissile materials, prevention of an arms race in outer space, and achievement of a nuclear weapons convention.

Advancing a Nuclear Weapons Convention

In 1995 Alyn co-founded Abolition 2000, an international network now numbering over 2000 endorsing organisations that calls for negotiations to achieve a Nuclear Weapons Convention - a treaty to prohibit and eliminate nuclear weapons under effective international control. Following the 1996 International Court of Justice Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, Alyn drafted a UN resolution on implementation of the ICJ opinion through negotiations for a Nuclear Weapons Convention. Since then, this resolution has attracted every year the votes of some 125 countries in the UN General Assembly - including from the New Agenda Countries (Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden), the Non-Aligned Movement, and some of the nuclear-weapons possessing countries - China, India, Pakistan and North Korea.

Alyn then brought together a group of experts to draft a Model Nuclear Weapons Convention - a 70-page document outlining the legal, technical and political measures required to achieve and sustain a nuclear-weapons-free world. This Model Nuclear Weapon Convention has been circulated and promoted by the UN Secretary-General.

Ware is also one of two principal authors of the book Securing our Survival: the Case for a Nuclear Weapons Convention, published by IPPNW and distributed to diplomats, academics, scientists, parliamentarians, mayors, non-governmental organisations and media around the world.

The links between peace education in schools and international peace

Alyn Ware believes that his peace education work in schools and his international peace and disarmament work are intricately linked. He says:

Quotation

"The principles of peace are the same whether it be in school, at home, in the community or internationally. These are primarily about how to solve our conflicts in win/win ways, i.e. in ways that meet all peoples' needs. My kindergarten teaching was thus good training for my international peace and disarmament work. And when I am back in the classroom, I can help students see that the ideas and approaches they are using to solve their conflicts are similar to the ideas and approaches we use at the United Nations to solve international conflicts."

Alyn Ware