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# PEACE DECLARATION

- Homepage - News - External sources -

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**August 6, 2006**

Radiation, heat, blast and their synergetic effects created a hell on Earth. Sixty-one years later, the number of nations enamored of evil and enslaved by nuclear weapons is increasing. The human family stands at a crossroads. Will all nations be enslaved? Or will all nations be liberated? This choice poses another question. Is it acceptable for cities, and especially the innocent children who live in them, to be targeted by nuclear weapons?

The answer is crystal clear, and the past sixty-one years have shown us the path to liberation.

From a hell in which no one could have blamed them for choosing death, the hibakusha set forth toward life and the future. Living with injuries and illnesses eating away at body and mind, they have spoken persistently about their experiences. Refusing to bow before discrimination, slander, and scorn, they have warned continuously that "no one else should ever suffer as we did." Their voices, picked up by people of conscience the world over, are becoming a powerful mass chorus.

The keynote is, "The only role for nuclear weapons is to be abolished." And yet, the world's political leaders continue to ignore these voices. The International Court of Justice advisory opinion handed down ten years ago, born of the creative action of global civil society, should have been a highly effective tool for enlightening and guiding them toward the truth.

The Court found that "the threat or use of nuclear weapons would generally be contrary to the rules of international law," and went on to declare, "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."

If the nuclear-weapon states had taken the lead and sought in good faith to fulfill this obligation, nuclear weapons would have been abolished already. Unfortunately, during the past ten years, most nations and most people have failed to confront this obligation head-on. Regretting that we have not done more, the City of Hiroshima, along with Mayors for Peace, whose member cities have increased to 1,403, is launching Phase II of our 2020 Vision Campaign. This phase includes the Good Faith Challenge, a campaign to promote the good-faith negotiations for nuclear disarmament called for in the ICJ advisory opinion, and a Cities Are Not Targets project demanding that nuclear-weapon states stop targeting cities for nuclear attack.

Nuclear weapons are illegal, immoral weapons designed to obliterate cities. Our goals are to reveal the delusions behind "nuclear deterrence theory" and the "nuclear umbrella," which hold cities hostage, and to protect, from a legal and moral standpoint, our citizens' right to life.

Taking the lead in this effort is the US Conference of Mayors, representing 1,139 American cities. At its national meeting this past June, the USCM adopted a resolution demanding that all nuclear-weapon states, including the United States, immediately cease all targeting of cities with nuclear weapons.

Cities and citizens of the world have a duty to release the lost sheep from the spell and liberate the world from nuclear weapons. The time has come for all of us to awaken and arise with a will that can penetrate rock and a passion that burns like fire.

I call on the Japanese government to advocate for the hibakusha and all citizens by conducting a global campaign that will forcefully insist that the nuclear-weapon states "negotiate in good faith for nuclear disarmament." To that

## PEACE DECLARATION

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end, I demand that the government respect the Peace Constitution of which we should be proud. I further request more generous, people-oriented assistance appropriate to the actual situations of the ageing hibakusha, including those living overseas and those exposed in "black rain areas."

To console the many victims whose names remain unknown, this year for the first time we added the words, "Many Unknown" to the ledger of victims' names placed in the cenotaph. We humbly pray for the peaceful repose of the souls of all atomic bomb victims and a future of peace and harmony for the human family.

**Tadatoshi Akiba**  
**Mayor**

**The City of Hiroshima**

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### **Cities seek 'Negative Security Assurances'**

In the Council Chamber of the City of The Hague on July 5, 2006, Mayor Tadatoshi Akiba, President of Mayors for Peace, announced a new, special project of the 2020 Vision Campaign: the Cities Are Not Targets project. The objective of this project is to elicit from the nuclear-armed states assurances that they have explicitly ruled out the use of nuclear weapons in lethal proximity of cities. It thus has much in common with the assurances that states in nuclear-weapon-free zones expect from the nuclear-weapon states.

The 1996 International Court of Justice ruling found that the use or threat of use of nuclear weapons to be generally illegal. The Court did not directly address the question of inflicting mass destruction of population centers, but if the finding of general illegality is to mean anything, it must apply to nuclear attacks on cities. Thus cities are not requesting a special dispensation from the nuclear-armed states; they are asserting a legal claim not to be threatened with criminality of genocidal proportions. Indeed, in the abovementioned speech, Mayor Akiba coined the word 'civicide' to underscore the legal basis of this essential claim.

Some nuclear-armed states might be willing to say that they have no intention of targeting cities. Given the historical record of nuclear weapon use and use-policy over the decades, such general assurances will not suffice. Mayors for Peace would like clear evidence that military personnel who deal with the nuclear arsenal have standing orders to treat as illegal any order to use, or even to plan or train to use, nuclear weapons in lethal proximity to cities, and thus to disobey those 'orders.'

Other nuclear-armed states may be unwilling to discuss their targeting policies at all. This is totally unacceptable. We have no interest in what they do target (indeed we would prefer that they renounce all use and targeting), what we want is assurance that they acknowledge that there are absolutely clear strictures on what they may NOT target - and that they respect those limits. If they do, they should have no trouble offering the assurances we seek. If they are unwilling to offer such assurances, we have every right to challenge their policies by every possible legal means.

Mayors of nuclear-armed states are not only seeking such assurances for their own citizens, they are also seeking, on behalf of foreign cities, assurances from their own government that it does not threaten other cities. The 2006 U.S. Conference of Mayors resolution (reverse side) follows this pattern and upholds the general principle that Cities Are Not Targets. It goes on to demand a no-first-use policy. This is important, since any violation of the taboo against the use of nuclear weapons which has prevailed since 1945 would increase the danger of cities becoming targets again.

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## PEACE DECLARATION

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Mayor for Peace has also spoken out recently against the wanton bombardment of cities in Israel, Lebanon, and Palestine. When the use of military force so directly impacts civilians, especially children, the immediate objective must be to stop it unconditionally. Should the wholesale destruction of cities ever become as commonplace as it was in World War II, the most efficient means to that end - nuclear attack - will not be far off.

Mayors for Peace hopes all states that have traditionally favored the creation of nuclear-weapon-free zones will support immediate recognition of no-use zones around population centers worldwide. Official statements to that effect would be most welcomed.

*PS:*

### **"Political Will", "Good Faith", and a nuclear framework convention**

It has become common place to hear that the deadlock in the multilateral nuclear disarmament arena could be solved if countries only would muster the 'political will' to do so. While this is not false, it is only partially true.

'Political will' carries the connotation of 'free will' and thus the notion that action and inaction are options of potentially equal weight on the scales of judgment. In some settings that image is applicable and accurate. In the nuclear disarmament arena it is misleading and, in the hands of the nuclear-armed states disingenuous.

Since, as the International Court of Justice unanimously found ten years ago, there is a legal obligation "to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects," inaction and action are not in any sense equal; the scales of justice have come down decisively on the side of action. Inaction is illegal.

In essence, what the Court's decision underscored was that the issue of nuclear disarmament is long past being a question of political will: political will was exercised in signing the NPT, including of course its Article VI, which is the original source of the Court's citation of 'good faith.' As the NPT had achieved near universality by 1996, the Court felt fully justified in extending the legal arm of Article VI to non-signatories as well. The question of political will has, in effect, been settle for the non-signatories by the political will of the larger world community.

Prior to the ICJ finding, the only way that a state could have retrieved its capability to exercise political will negatively regarding Article VI of the NPT would have been by withdrawing from the Treaty. Since the ICJ ruling that avenue is closed off as well.

Thus, to speak of 'lack of political will' on nuclear disarmament is a misnomer. The proper way to express the issue is a 'lack of good faith' or more bluntly 'bad faith.' Some diplomats will, no doubt, cringe at the unpleasantness of this terminology. But the unpleasantness is already there in a far more offensive form. Since the end of the Cold War (if not before then), the nuclear-armed states have willfully prolonged their possession of nuclear weapons despite the absolutely clear obligation not to do so. All of them continue to make plans far into the future that rely not only on existing nuclear weapons and use doctrines, but in most cases on new weapons and use doctrines as well. NATO cannot "foresee" the day when it will not rely upon nuclear weapons.

It is simply not possible to negotiate in good faith on nuclear disarmament in all its aspects while refusing to plan for ending ones reliance on nuclear weapons. The 'counter-argument' that ending reliance cannot be planned for unilaterally (as perpetuating reliance can) simply begs the question. It is precisely because "achieving and maintaining a nuclear-weapon-free world" requires a multilateral framework that Article VI and the Court call for negotiations to that end.

Those that advocate backing into nuclear disarmament 'step by step' need to think very carefully about whether they are actually assisting the nuclear-armed states to perpetuate their dependence on nuclear weapons. The step-by-step approach does not require the nuclear-armed states to understand, acknowledge, and accept that they must put their entire nuclear arsenals and doctrines on the table with the intent of negotiating them away. Instead it encourages them think of each weapon and each doctrinal point as a bargaining chip for gaining some advantage in the nuclear context.

Mayors for Peace has proposed, as an antidote to this bad-faith malaise, concentrating on a framework convention on nuclear disarmament. The

## PEACE DECLARATION

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framework would 'choreograph' a multiple set of steps which need to be considered to realize a nuclear-weapon-free world. The world would know in advance its full nuclear disarmament negotiating agenda and could get to work on reaching agreements and implementing them multiple-step-by-multiple-step.

If it is proving impossible to agree to even the first step, why, one might ask, should this far more ambitious approach fair any better? The answer is simple: the one-step-at-a time approach simply rewards the overarching bad faith and reinforces the tendencies to remain reliant upon nuclear weapons. The comprehensive-choreographed-steps approach confronts bad-faith inaction with a good-faith course of action and makes the issue of no longer relying upon nuclear weapons immediately tangible.

Take the FMCT as an example. In isolation, one might just as well have no verification mechanisms for a FMCT. But, if the FMCT is seen as part of a larger process of achieving a nuclear-weapon-free world, the absence of verification would be a glaring omission. The reluctance of some of the nuclear-armed states to consider verification has nothing to do with alleged 'false complacency' and everything to do with being free to use existing stocks without any accountability to the international community. It is no coincident that the country with the largest fissile material stocks sees an advantage in scuttling verification.

Despite the good guidance of the World Court, the last ten years have been largely squandered. Mayors for Peace believes that it is still possible to achieve a nuclear-weapon-free world by the year 2020. There is no contradiction between advocating the next steps and advocating full choreography; indeed promoting the two together is undoubtedly the most effective approach. Since the fundamental challenge is to insist that it is a matter of good faith - not political will - of the nuclear-armed states (and their nuclear-dependent allies), a framework convention is the best means of clarifying this matter for the leaders and citizens of those states.

**Aaron Tovish, Manager, 2020 Vision Campaign,**

**Mayors for Peace, 3 August 2006**