Peter Weiss
President Emeritus
International Association of Lawyers Against Nuclear Arms
Cluster Two: Obligations
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Madam Chair, distinguished delegates,

I am Peter Weiss, President Emeritus, International Association of Lawyers Against Nuclear Arms.

There are many good things in the draft treaty, but there is an essential one that is missing: The prohibition of the threat to use nuclear weapons.

Threat is the twin sister of deterrence. For what is deterrence, but the threat to use?

Without that threat, deterrence would not be credible and deterrence is the last thing that the nuclear armed states are prepared to give up.

It has been said that threat should not be included in the treaty because the threat to use force is already prohibited under Article 2(4) of the UN Charter, and affirming it in this treaty would undermine the Charter. But the same specious argument could be made against the entire new treaty, which states the illegality of use under international humanitarian and customary law.

It cannot hurt to reaffirm a prohibition that would ensure the survival of the human race. I refer you to IALANA NGO Working Paper No. 37 on the UN website for more analysis.

Thank you for your attention.