To: The Vienna Conference on the Humanitarian Impact of Nuclear Weapons  
December 9, 2014, Vienna, Austria

The Global Security Institute wishes to express its gratitude to the Foreign Ministry of Austria for its exceptionally gracious hosting of this conference on the Humanitarian Impact of Nuclear Weapons.

We have listened carefully these past days to the testimony of nuclear test victims, atomic bomb survivors, experts in science, law, and policy, diplomats, and advocates. Much substantive evidence has been presented that would persuade any reasonable person that the use of a nuclear weapon would be catastrophic beyond acceptable humanitarian limits. Specific evidence was presented describing the impact of a nuclear weapon on a populated area. Expert presentations were made describing the prohibitions under International Humanitarian Law (IHL) regarding nuclear weapons to the effect that they cannot be used such that discrimination between combatants and civilians cannot be obtained or that do not cause unnecessary suffering.

It is clear that finding any use of a nuclear weapon that would comply with IHL would be difficult if not impossible. It is inarguable that the use of a nuclear weapon on a populated area would violate IHL. Many other uses would also clearly violate IHL but we are focusing on specifically addressing one particularly egregious violation. Therefore, pending the elimination of nuclear weapons, the use or threat of use of a nuclear weapon on a populated area should henceforth be formally declared to be illegal and prohibited. This should be done promptly as arguments for the legality of destroying cities are hollow.

This does not imply that other uses of nuclear weapons are legal, reasonable, good, legitimate, or moral. In fact, it is our considered opinion that they are the pinnacle of human endeavors for destruction and therefore are immoral.

It is also clear that there exists a legal duty under both the decision of the International Court of Justice and the Nuclear Nonproliferation Treaty to negotiate the legally binding elimination of nuclear weapons. The ICAN campaign advocating a legal ban on the weapons, the Nuclear Weapons Convention circulated by the Secretary General of the United Nations, and proposals to obtain a framework of instruments that will eliminate nuclear weapons all demonstrate viable paths forward. We support all such efforts and look forward to a state which will soon convene a preliminary process leading to formal negotiations.

Respectfully submitted,
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