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Dear Sir,

Thank you for your letter of 27 June and email of 16 July 2016 to the Defence Secretary in which you raise repeated questions regarding the UK's nuclear deterrent. As the official responsible for these matters I have been asked to reply.

Since the MOD does not agree that the Declaration included in your previous correspondence represents a true and accurate statement of international law as it applies to nuclear weapons I do not accept the Defence Secretary's refusal to sign the declaration gives 'credence' to your argument. The Government's position is clear, the International Court of Justice Advisory Opinion 1996, confirmed that the use or threat of use, of nuclear weapons is subject to the law of armed conflict, but did not conclude that such use would necessarily be unlawful. It said that the legality could only be determined in light of the circumstances applying when such use is being contemplated. As the Defence Secretary stated in his letter of 8 June 2016 'we are going to have to agree to disagree'.

Turning now to your request for the Defence Secretary to speak with the Attorney-General regarding your proposed court action. That is a matter for the Attorney General and his Office, it is not the role of the Defence Secretary to pursue these matters on behalf of your group.

I hope this explains the position.

Yours sincerely,

Chris Clapham  
CBRN Deterrence and Disarmament 1