

REPORT OF THE AD HOC WORKING GROUP ON RADIOLOGICAL WEAPONS

## I. INTRODUCTION

1. At its 156th plenary meeting on 18 February 1982, the Committee on Disarmament decided to re-establish the Ad Hoc Working Group on Radiological Weapons on the basis of its former mandate, with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. The Committee further decided that the Ad Hoc Working Group would report to the Committee on the progress of its work before the conclusion of the first part of its 1982 session, in view of the convening of the second special session of the General Assembly devoted to disarmament, and that the Ad Hoc Working Group would also report to the Committee before the conclusion of the second part of its 1982 session.

## II. ORGANIZATION OF WORK AND DOCUMENTATION

2. At its 157th plenary meeting on 23 February 1982, the Committee on Disarmament appointed Ambassador Dr. Henning Wegener, representative of the Federal Republic of Germany, as Chairman of the Ad Hoc Working Group. Mr. Guennady Efimov and Dr. Lin Kuo-Chung of the United Nations Centre for Disarmament served as Secretary of the Working Group during the first and second parts of the 1982 session respectively.

3. The Ad Hoc Working Group held 14 meetings between 20 February and 21 April and between 2 and 8 September 1982.

4. At their request, representatives of the following States, not members of the Committee on Disarmament, were invited to participate in the meetings of the Ad Hoc Working Group during the 1982 session: Austria, Denmark, Finland, Greece, Ireland, Norway, Senegal and Spain.

5. In carrying out its mandate, the Ad Hoc Working Group took into account paragraph 76 of the Final Document of the first special session of the General Assembly devoted to disarmament. It also took into consideration the relevant recommendations of the United Nations Disarmament Commission, in particular those adopted in connection with the Second Disarmament Decade in 1980. In addition to various resolutions adopted by the General Assembly on the subject at its previous sessions, the Working Group further took into account resolution 36/9 B of the General Assembly, by which the Committee on Disarmament was called upon "to continue negotiations with a view to an early conclusion of the elaboration of a treaty prohibiting the development, production, stockpiling and use of radiological weapons, in order that it may be submitted if possible to the General Assembly at its second special session devoted to disarmament, to be held in 1982".

6. During the 1982 session, the Ad Hoc Working Group had before it the following additional documents for consideration:

- (1) CD/RW/WP.25 - Chairman's Statement (9 March 1982)
- (2) CD/RW/WP.25/Add.1  
and Add.1/Rev.1 - Chairman's Amended Proposal for the organization of work during the opening session (adopted by the Working Group on 15 March 1982)
- (3) CD/RW/WP.26 - Chairman's Working Paper: Positive formulations of an RW Definition (Synopsis) (10 March 1982)
- (4) CD/RW/WP.27 - Tentative Programme of Work (Suggested by the Chairman) (15 March 1982)
- (5) CD/RW/WP.28 - Chairman's Working Paper: Suggested formulation of the provision on scope of the Radiological Weapons Treaty (15 March 1982)
- (6) CD/RW/WP.29 - Chairman's Working Paper: Suggested formulations of the provisions on peaceful uses (22 March 1982)
- (7) CD/RW/WP.30 - Yugoslavia: Definition of Radiological Weapons - Article II (18 March 1982)
- (8) CD/RW/WP.31 and Add.1 - Australia: Proposal on Definition and Scope of Prohibition (giving two alternative texts) (19 March and 2 April 1982)
- (9) CD/RW/WP.32 - Chairman's Working Paper: Suggested mechanism of compliance and verification (following on Document CD/RW/WP.20) (22 March 1982)
- (10) CD/RW/WP.33 - Chairman's Summary of suggested issues of initial relevance relating to protection of nuclear facilities for discussion during Working Group meetings on 26 March and 2 April 1982 (30 March 1982)
- (11) CD/RW/WP.34 - Sweden: Memorandum on certain aspects of a convention prohibiting radiological warfare (5 April 1982)
- (12) CD/RW/WP.35 - Draft Report to the Committee on Disarmament in view of the Second Special Session devoted to Disarmament: submitted by the Chairman (Introduction) (Parts A and C) (13 April 1982)
- (13) CD/RW/WP.35/Add.1 - Discussions on the provisions of the Draft Treaty on Radiological Weapons ("traditional" RW subject-matter): submitted by the Chairman (Part B) (16 April 1982)
- (14) CD/RW/WP.36 - Group of 21: Text proposed for an Article in the Draft Treaty on Radiological Weapons (14 April 1982)

- (15) CD/RW/WP.37 and Corr.1 - Japan: Proposal on Prohibition of Attacks Against Nuclear Facilities (1 September 1982)
- (16) CD/RW/WP.38 - Chairman's Statement (6 September 1982)
- (17) CD/RW/WP.39 - Chairman's Working Paper: Compilation of Radiological Weapons Treaty Provisions
- (18) CD/RW/WP.40 - Federal Republic of Germany: Issues Relating to a Prohibition of Attacks Against Nuclear Facilities in the framework of a Radiological Weapons Treaty

### III. SUBSTANTIVE NEGOTIATIONS

#### A. First Part of 1982 Session

7. Pursuant to the appeal contained in the General Assembly resolution 36/97 B, the Ad Hoc Working Group, in addition to informal consultations and informal meetings of a drafting group, held 12 meetings during the first part of the 1982 session with a view to submitting a treaty prohibiting the development, production, stockpiling and use of radiological weapons to the second special session of the General Assembly devoted to disarmament.

8. The Ad Hoc Working Group submitted a special report to the Committee on Disarmament, as contained in Document CD/284/Rev.1, which contains a summary account of the negotiations during the 1980 and 1981 sessions as well as the first part of the 1982 session. At its 173rd plenary meeting on 21 April 1982 the Committee adopted the special report of the Ad Hoc Working Group, which is an integral part of the Special Report of the Committee on Disarmament to the second special session of the General Assembly devoted to disarmament: (Document CD/292 and Corr. 1-3). \*/

#### B. Second Part of 1982 Session

9. In view of the difficulties encountered in the first part of the 1982 session and taking into account the fact that the second special session of the General Assembly devoted to disarmament had not taken action in this field, the Chairman of the Working Group took the initiative to exchange views with delegations through a letter and attached questionnaire with a view to facilitating the future work of the Working Group. The questionnaire concentrated on the relationship between the "traditional" radiological weapons subject-matter and the problems inherent in the prohibition of attacks against nuclear facilities, which, inter alia, had threatened to bring the negotiations in the Working Group to a deadlock at an earlier point.

10. At the 1st meeting of the Working Group during the second part of the 1982 session, held on 2 September 1982, the Chairman reported on the replies to his letter and questionnaire as well as various views expressed by delegations during his informal consultations. A summary account of those replies and views is contained

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\*/ It was also issued as Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2).

in the Chairman's statement (Document CD/RW/WP.38). In the presentation of his Statement the Chairman emphasized that his reading of the replies received was necessarily of a personal and synthetic nature, and was designed to bring out the common ground he could discern among the various views offered by delegations.

11. At the same meeting, confirming developments to which the Chairman had drawn attention in his statement, a certain flexibility of positions of some delegations was revealed in connection with the organization of the future work of the Ad Hoc Working Group and the subjects addressed in the Chairman's questionnaire. However, it appeared from the discussions that the consultations initiated by the Chairman, especially those to which reference is made in paragraph 10 above, and the new positions of certain delegations had not yet succeeded in eliminating the difficulties encountered in the Working Group regarding the issue. Also, several delegations felt it necessary to restate the views of their governments as to a certain number of other issues of a substantive nature under negotiation in the Working Group, which had not been considered in detail in the second part of the 1982 session.

12. During the same meeting the representatives of Japan and the Federal Republic of Germany introduced working papers as contained in CD/RW/WP.37 and Corr.1 and CD/RW/WP.40, respectively.

13. In spite of differences of opinion, there was a general recognition that negotiations on an international convention prohibiting the development, production, stockpiling and use of radiological weapons within the framework of the Committee on Disarmament should be continued with a view to attaining rapid progress, taking also into account the consultations and discussions held during the second part of the 1982 session. Several delegations expressed the view that progress on the "traditional" radiological weapons subject-matter might be facilitated by basing future negotiations in this respect on the Compilation of Radiological Weapons Treaty Provisions submitted by the Chairman as contained in document CD/RW/WP.39. Certain delegations expressed the view that this issue should be negotiated simultaneously with the question of prohibition of attacks against nuclear facilities. Other delegations had reserved their position on this subject.

14. The Ad Hoc Working Group agreed to recommend to the Committee on Disarmament that an ad hoc working group should be established at the beginning of its 1983 session to continue negotiations on the prohibition of radiological weapons.