

REPORT OF THE COMMITTEE ON DISARMAMENT

APPENDIX II

VOLUME III

List and text of documents issued by the Committee on Disarmament

JAPAN

Working paper on a contribution to an international
monitoring system using a newly installed small
seismic array of Japan

The efficiency of an international seismological monitoring system depends on the detection capability of each seismological station distributed in the world. This means that the improvement of detection capability of each member station is very important for the system.

Recently, Japan installed a small seismic array around the Seismological Observatory at Matsushiro (MAT) located at central Japan. From April 1983 this array began to operate on a semi-routine basis. MAT has been serving in the world-wide seismological network as one of the fewer stations of eastern Asia with several kinds of high quality seismometers and experienced seismological experts. The above-mentioned array has several primary aims. One of them is an improvement of its detection capability. With this array, MAT may be able to contribute to an international seismological monitoring system more effectively than before.

The size of this array is about 10 km in diameter, and it consists of six seismometers placed hexagon also one at centre. It transmits the digitized records of waveforms to the centre station, where the records are processed and analysed with a computer system (GSE/Japan/16). This paper, on the basis of the observed results since this April, reports the improvement of detection capability and other details on this array.

(Configuration of the array system and the outline of process and analysis of the system)

This array has the configuration shown in fig. 1. Transmitting-part is pre-processing the data automatically and continuously, as in the following:

- (1) Discrimination between seismic events and noises by the method shown in table 1;
- (2) Discrimination between teleseismic events and near ones by frequency-analysis of P waves (e.g. zero-cross count analysis);
- (3) Estimation of epicentre azimuth by the method shown in table 2.

Processing-analysing-part is executing the following jobs:

(Processing-part)

- (1) Automatic reading of the arrival times and maximum amplitudes of various waves.
- (2) Automatic calibration of each seismometer.

(Analysing-part)

- (3) Calculation of the epicentres and magnitudes.

Japan is well known as a region of high-seismicity, so that seismic data become abundant. Therefore, in case where rapid report is required for the duty of a member station in an international seismological monitoring system, it may be very effective to incorporate the above-mentioned trigger-system, the automatic system of discrimination between the teleseismic events and near ones and the automatic system for processing-analysing-part.

From obtained data, we can tell that the trigger-system is sufficiently reliable and effective. Because most of teleseismic events which are detected by MAT's staff members from analogue data are detected by the trigger system (see fig. 2-1), and only 13 per cent of all detected events are noises (see fig. 2-1).

As for the discrimination between the teleseismic events and near ones, fig. 3 shows that zero-cross count analysis is sufficiently reliable. Moreover, fig. 4 tells that trigger time obtained at transmitting-part can be used for the initial value for automatical reading by AR model (Yokota et al, 1981) of processing-analysing-part. These facts show us that this array improves the processing ability of MAT, and contributes to the improvement on rapidity and accuracy of an international seismological monitoring system.

(Improvement of the detection capability)

Hitherto, MAT had the detection capability as shown in fig. 5. It detected about 80 per cent of all earthquakes, whose magnitude (mb) is larger than 5.0, within about 30° epicentral distance.

With the installation of this array, we can expect that S/N ratio should be improved about by 9dB, and it can be deduced that this array's detection capability should be improved by 0.4 for mb.

However, the data we have obtained from this array until now, tell us that improvement is only 0.2 for mb. This can be deduced from the fact that the number of obtained events is 144 per cent of the number obtained by manual reading of other seismometers at MAT, shown in fig. 2-2, and from Gutenberg-Richter's relation between mb and events number.

Then, it can be deduced that the detection capability is 80 per cent for events of mb 5.0 within 60° epicentral distance, and it can be expected that the detection capability should approach to 80 per cent for events of mb 5.0 within 60°.

(Conclusion)

As mentioned above, this array system improved MAT ability for data processing and detection capability. Therefore, MAT's contribution to an international seismological monitoring system should become higher. Moreover, MAT now has the ability of epicentre determination by itself. This fact is also very important for the international system. These ability can be elaborated through observation and research at MAT. Then, MAT can contribute to the international system more efficiently than before.

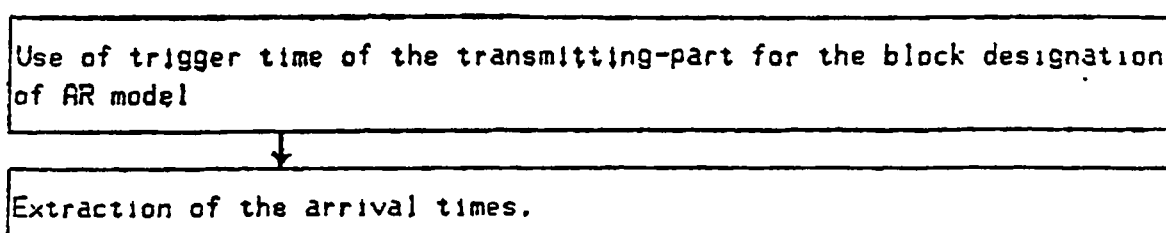
Table1. Method for discrimination between seismic events and noises

method	
4-points	Comparison of short term average(STA about 1 second) and long term average(LTA about 20 seconds) of designated 4 stations.
Beamforming	Comparison of LTA and STA of beamformed waveforms.
FFT	Comparison of spectral amplitudes of about 13 seconds.

Table2. Method for estimation of the azimuth of epicenters

method	
Beamforming	Selection of the azimuth from those which has the earliest trigger-time by the use of the beam-formed waveforms for each 8 azimuths.
Initial motion	Estimation of the azimuth of incidence from the amplitudes of initial motion for each designated station.
Mutual correlation	Estimation of the azimuth of incidence by the use of the coefficients of the mutual correlation of 2 seconds waveforms of the designated station and other 6 stations.

Table3. Automatic reading



(AR model: estimation by comparison between the real value and the predicted value from past data.)

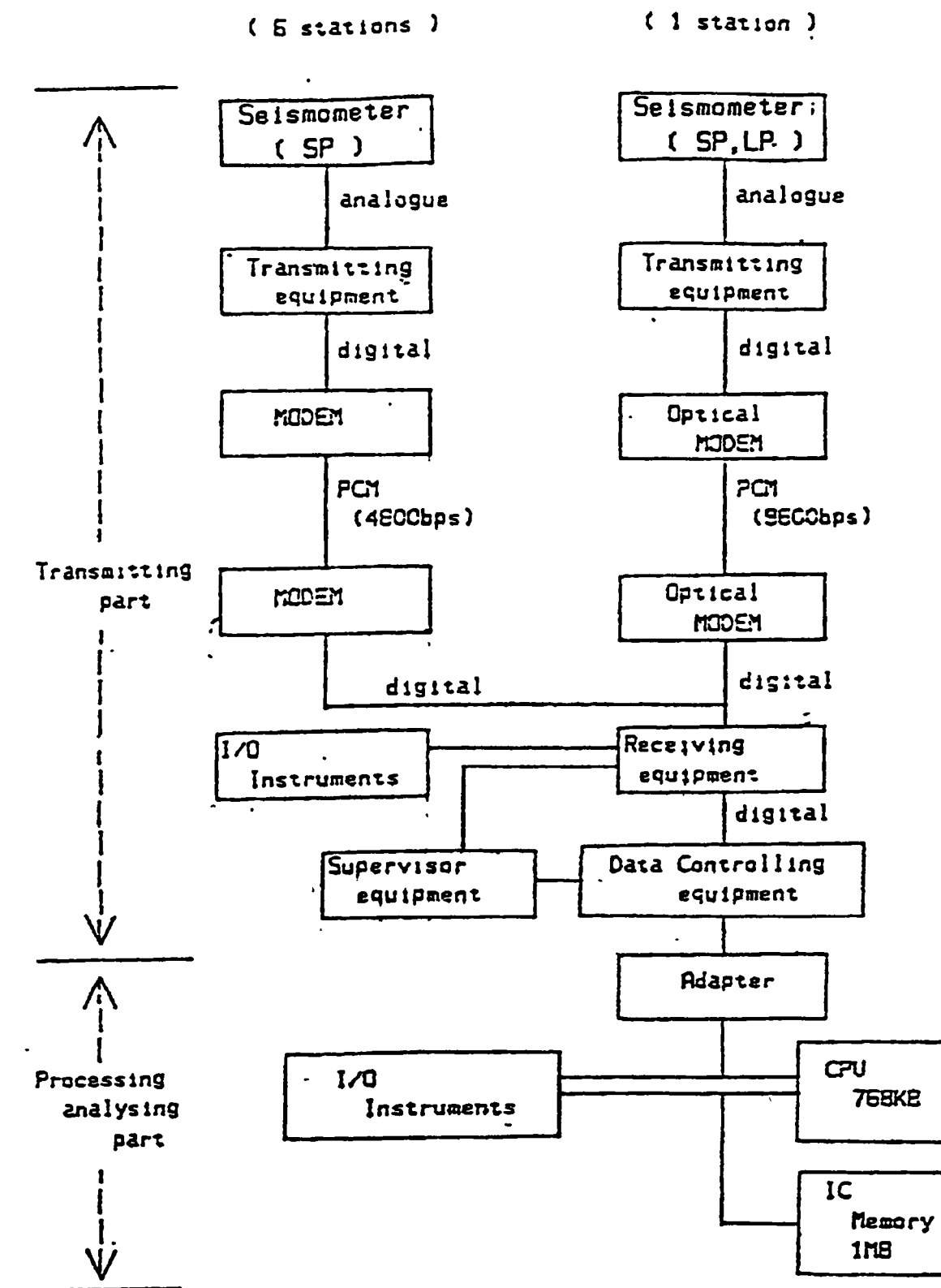


fig.1 Configuration

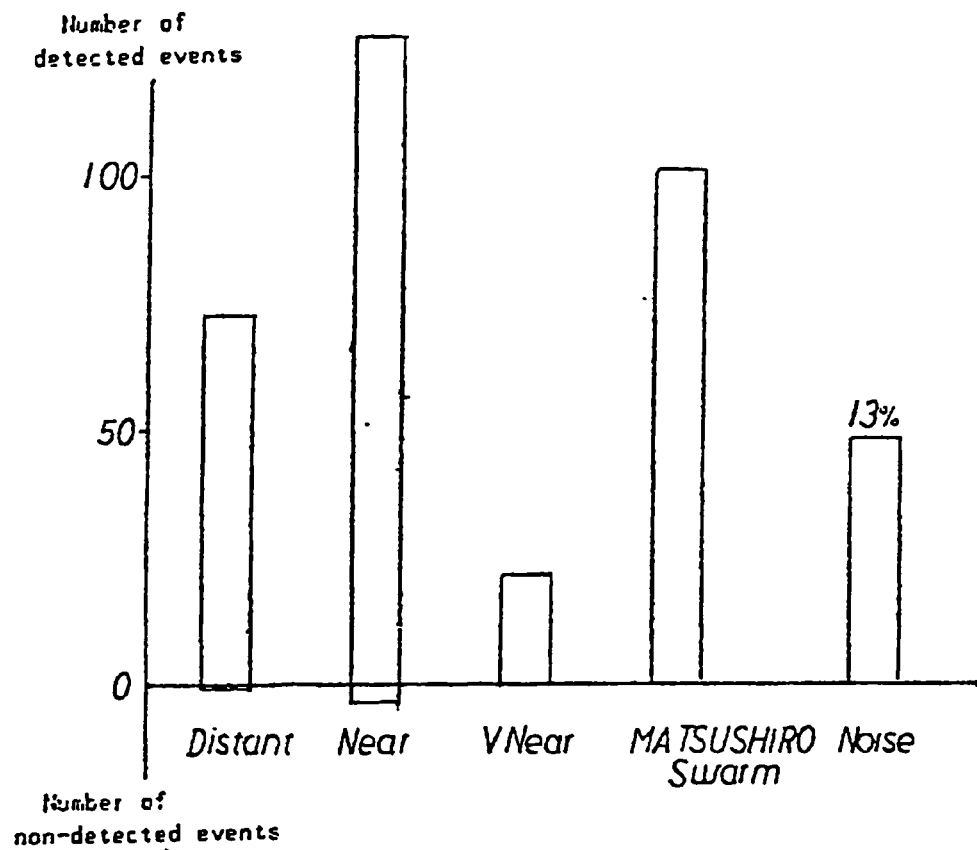


fig.2-1 Detection capability of the trigger system (for 1 month)

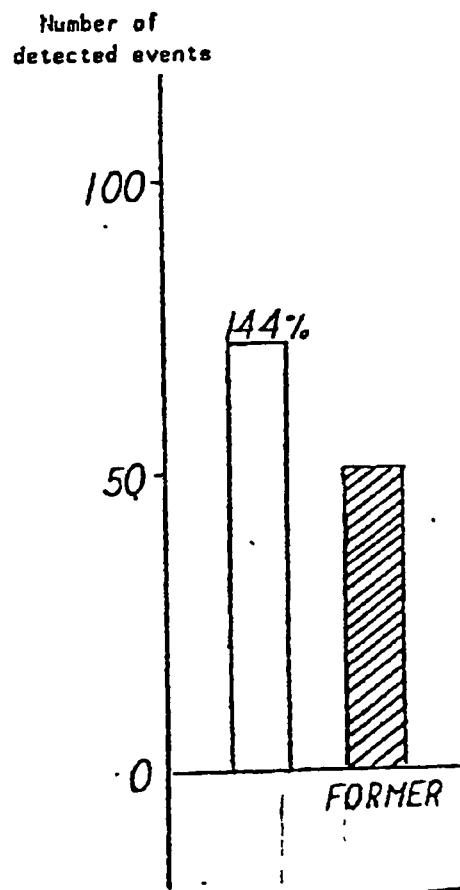


fig.2-2 Comparison of the detected numbers of events (for 1 month) between the array system and the former seismometers

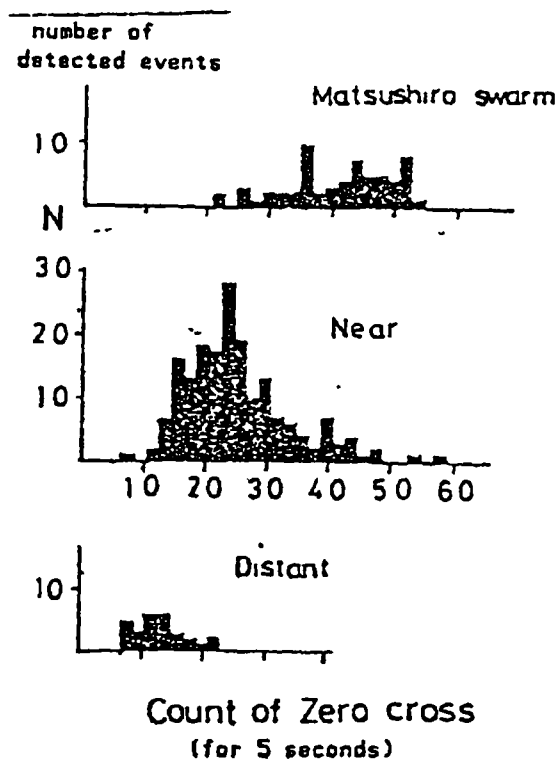


fig.3 Discrimination between distant and near events

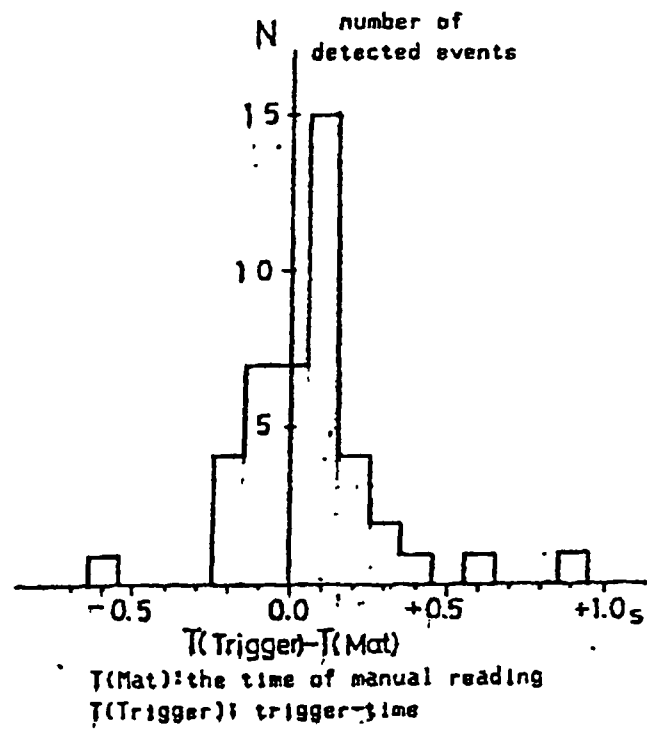


fig. 4 Reliability of trigger system

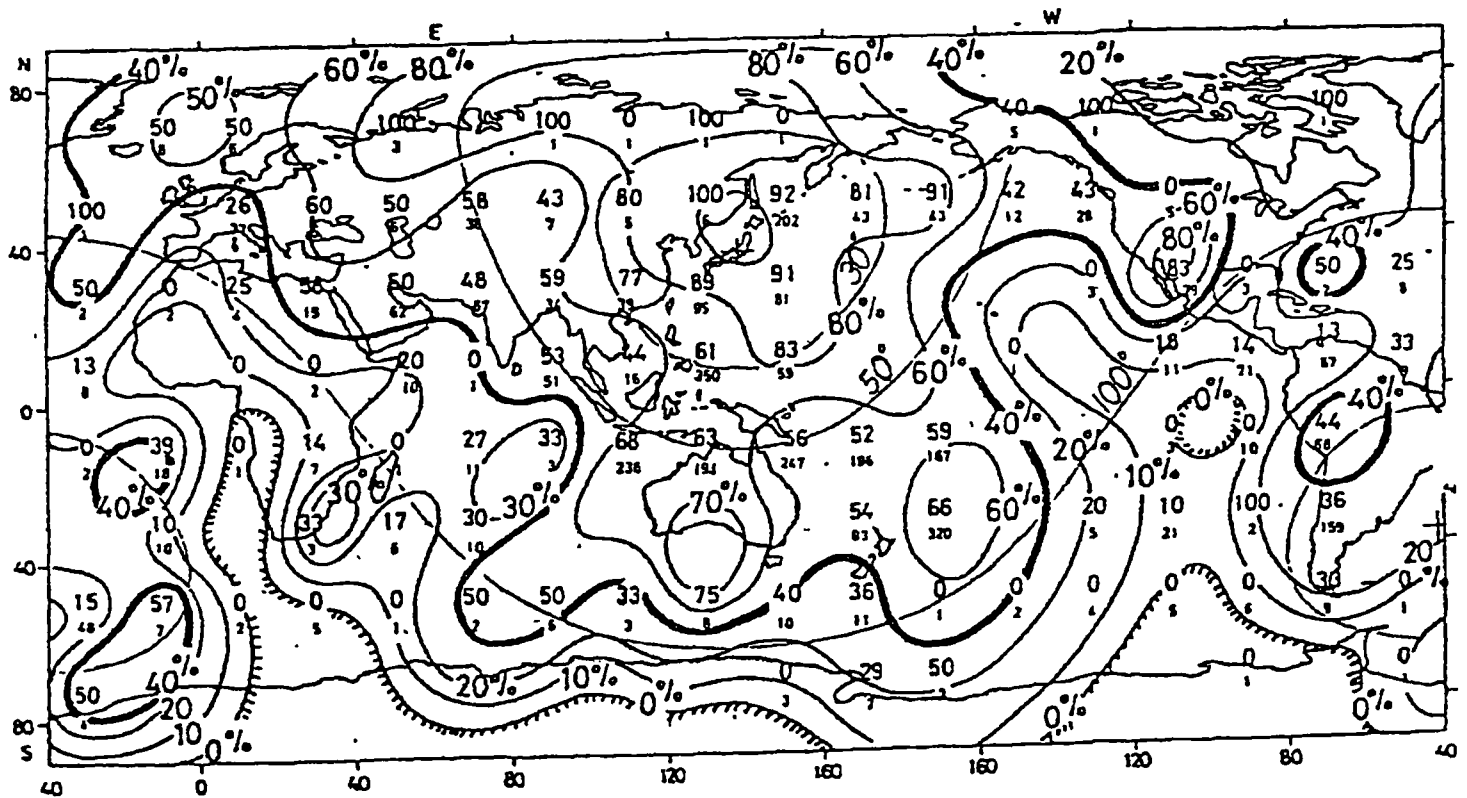


fig. 5 Iso-detection capability map of P and PKP waves for mb 5.0 (1976-1977)
Upper and lower numbers show detective rate in a mesh of 20° x 20° and registered earthquakes in each mesh respectively (Yamagishi, 1983).

COMMITTEE ON DISARMAMENT

CD/391

13 July 1983

ENGLISH

Original: RUSSIAN

LETTER DATED 11 JULY 1983 ADDRESSED TO THE CHAIRMAN OF THE
COMMITTEE ON DISARMAMENT TRANSMITTING THE TEXT OF THE
STATEMENT OF THE GOVERNMENT OF THE MONGOLIAN PEOPLE'S
REPUBLIC ON THE RESULTS OF THE MOSCOW MEETING OF PARTY AND
STATE LEADERS OF THE COUNTRIES-PARTIES TO THE WARSAW TREATY

I have the honour to transmit to you the statement of the
Government of the Mongolian People's Republic on the results of the
Moscow meeting of party and State leaders of the countries-parties to the
Warsaw Treaty, which was held in Moscow on 28 June 1983.

I would ask you to arrange for the distribution of this statement as an
official document of the Committee on Disarmament.

(Signed) D. Erdembileg
Ambassador
Permanent Representative

STATEMENT OF THE GOVERNMENT OF THE MONGOLIAN PEOPLE'S REPUBLIC

The people and Government of the Mongolian People's Republic warmly welcome the results of the Moscow meeting of party and State leaders of the States parties to the Warsaw Treaty, which was held in Moscow on 28 June 1983.

We regard the joint statement adopted at that meeting as a most timely and constructive action on the part of the socialist countries. It once again draws the attention of the world community to the extremely dangerous development of events and the growth of the threat of nuclear war, and appeals to the countries members of NATO soberly and objectively to reflect on the situation that has arisen, bearing in mind the vital interests of mankind.

The brotherly socialist countries, in a peaceful and constructive spirit, again affirmed the realism of a return to a policy of peace, détente and co-operation. They appealed to the West to respond constructively to the broad programme of measures for the relaxation of international tension and the removal of the threat of war put forward in the Prague Political Declaration of the States parties to the Warsaw Treaty of 5 January 1983 and in the recent proposals of the Soviet Government.

The participants in the Moscow meeting particularly emphasized the urgent need for the speediest possible achievement of an agreement which would exclude the deployment in Western Europe of new American medium-range nuclear missiles and provide for the reduction in the number of such weapons already stationed there, in order to ensure a balance at the lowest possible level with strict observance of the principle of equality and equal security.

This has been supplemented by a practical proposal for the introduction of a freeze on the nuclear arsenals of all the nuclear-weapon powers and in the first instance those of the USSR and the United States. Closely connected with this proposal is the question of the assumption by all the nuclear-weapon powers of an undertaking not to be the first to use nuclear weapons. The implementation of these measures would be of exceptional importance in helping to prevent a nuclear catastrophe and resolving the key issue of our time - the halting of the arms race, and in particular the nuclear arms race, and a transition to disarmament.

The States parties to the Warsaw Treaty reaffirmed their constructive proposal for the conclusion of a treaty on the mutual renunciation of the use of military force and the maintenance of peaceful relations between the States parties to the Warsaw Treaty and the NATO countries, which would be open to all States, and proposed that practical consideration thereof should be begun.

They also put before the States members of NATO a practical proposal for the starting without delay of talks aimed at achieving an agreement on not increasing military expenditures as from 1 January 1984 and on concrete measures for their reduction thereafter.

The implementation of the constructive proposals of the socialist countries will depend entirely on whether the States members of NATO adopt a realistic approach and show a readiness for dialogue and co-operation. The States represented at the Moscow summit meeting, faithful to the spirit and the letter of the lofty obligations they assumed at Helsinki, appealed to the European countries to do everything necessary to remove the nuclear threat from Europe and the whole world and to turn Europe into a continent of peace free from nuclear weapons, both medium-range and tactical.

The peace-loving community warmly approved the declaration by the countries members of the Warsaw Treaty Organization of their resolve in no event to tolerate military superiority over themselves. The Government of the Mongolian People's Republic declares that the maintenance of military parity at the lowest possible level is in the best interests of peace and security for all mankind.

The Government of the Mongolian People's Republic fully supports the joint declaration of the brotherly socialist countries as a clear expression of their collective political will to defend the peaceful future of mankind and fulfil the great mission of peace which history has laid upon genuine socialism.

The Mongolian People's Republic, as an integral part of the socialist community, will do everything to help implement the constructive proposals of the brotherly socialist countries aimed at the prevention of nuclear war, the cessation of the arms race and the achievement of disarmament, at the defence of security and the maintenance of peace, national independence and social progress.

COMMITTEE ON DISARMAMENT

CD/392 1/
13 July 1983

Original: ENGLISH

LETTER DATED 11 JULY 1983 FROM THE PERMANENT REPRESENTATIVE OF FINLAND
ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE ON DISARMAMENT, TRANSMITTING
A DOCUMENT ENTITLED "SYSTEMATIC IDENTIFICATION OF CHEMICAL WARFARE
AGENTS: IDENTIFICATION OF PRECURSORS OF WARFARE AGENTS, DEGRADATION
PRODUCTS OF NON-PHOSPHORUS AGENTS, AND SOME POTENTIAL AGENTS"

I have the honour to transmit to you a document entitled "Systematic
Identification of Chemical Warfare Agents: Identification of Precursors of Warfare
Agents, Degradation Products of Non-Phosphorus Agents, and some Potential Agents".
This study represents a further contribution of the Government of Finland to the
Work of the Committee on Disarmament on chemical weapons.

I would appreciate if the study would be circulated as an official CD document.

(Signed) Paavo Rantanen
Ambassador
Permanent Representative
of Finland

1/ A limited distribution of this document in English only has been made to
the members of the Committee on Disarmament. Additional copies are available from
the Ministry for Foreign Affairs in Helsinki.

YUGOSLAVIA
WORKING PAPERSome technical aspects of the verification process in a
chemical weapons conventionIntroduction

In its Working Paper CD/293 of 26 July 1982 the Yugoslav delegation presented its general views on certain aspects of verification in a chemical weapons convention. Specifically, it presented its broad views on three fundamental categories of international verification as a working hypothesis for the consideration of different levels of international verification.

This paper will deal to a certain extent with some technical aspects of the process of verification having to do with the declaration of stockpiles of chemical weapons, including facilities for the production of chemical weapons agents and filling facilities for chemical weapons, the destruction of stockpiles of chemical weapons as well as the monitoring of production facilities of super-toxic chemical agents for permitted purposes.

General Comments

Each stage of the cited operations represents in itself a very complex process with many technological operations. It is important to note that these processes and operations are quite different, as the technological procedures taking place in every facility vary. Thus, for instance, production facilities for CWA can be diverted to the production of chemicals needed by the chemical industry for permitted purposes, in which case only some of the key elements can be destroyed completely while all other devices, apparatuses, measuring instruments can be utilized in a very useful manner. At the same time, the facilities for the destruction of CW are only used for the destruction of CW stockpiles and after that, they, too, should be destroyed.

The process of verification also becomes complex when CWAs are considered. The already existing division of CWA into three categories according to their toxicity makes it incumbent to consider and implement various categories or degrees of verification. Given the considerations so far, many States are of the opinion that control should be comprehensive when verifying the destruction of super-toxic

chemicals, while less rigorous measures may be implemented when destroying the stockpiles of toxic or other harmful agents. This means that on-site inspection should be applied in the former case, which can be systematic or random, while in the case of the destruction of lethal or other harmful agents national measures might be accepted with periodic on-site international verification.

In the considerations so far of the organization and forms of international and national verification measures, the relationship of the former toward the latter and vice versa has been insufficiently clarified. This is also the case with the obligations and competences of the States Parties to the future convention with respect to the implementation of national verification measures. While it is generally agreed that international verification must be implemented on the basis of an agreed procedure, there is still a lot of ambiguity concerning national verification procedure.

It is not completely clear, for example, whether the national inspection team is accountable only to its own Government or whether it should also have some direct obligations toward the Consultative Committee. In the event that this body is accorded the major responsibility for the comprehensive implementation of the convention, how would the co-operation between the national team and the Consultative Committee be carried out? Systematic on-site inspection, on the other hand, is not and should not always be the only solution, especially having in mind that this type of control is not always considered to be necessary by some States. However, regardless of the type of verification, it is essential that it be based on confidence and an agreement on verification measures.

It is understood and by now generally accepted that measures of international control should be applied particularly in the case of violation of the convention. If control is to be efficient, in such an event on-site inspection should be implemented as soon as possible. It is only then that it can be credible and provide all the necessary information for establishing the facts.

There is an underlying basic question in all the considered cases, namely: which organ has the principal role in the initiation of the verification process and in determining the means of verification? In our view, this should be the Consultative Committee, in co-operation with its group of experts. The Consultative Committee should be obliged to inform the State Party on whose territory the control is to take place of the verification measures. Once an agreement has been reached on all aspects of verification, preparatory operations should commence.

In this process it is also necessary to compile a list of laboratories and to standardize technical methods of verification. The above is the only way to obtain the necessary expertise and objective results. In the process of verification, the most up to date methods of control should be used. It is also necessary to carry out, as we have already pointed out on several occasions, co-operation among States Parties on the basis of standardized chemical, biological and toxicological methods. This would secure the timely control of results and the possibility of controlling the analysis of samples even when there is no on-site inspection. We think that this co-operation is possible in view of the existing consensus among many States concerning scientific and technical co-operation in the field of chemistry and toxicology. Possibilities for remote control today facilitate comprehensive and varied monitoring of the process of destruction of CW stockpiles. These are all necessary elements which will enable the implementation of the convention. However, the results of the implementation of all these measures would be far more successful if there is confidence among the States Parties. By this we mean that it is necessary since the very beginning to openly declare chemical weapon stockpiles by the country which possesses them as well as all chemical weapons production facilities and key precursors production facilities. In this entire process it is very important that the Consultative Committee be given precise data on CW in order that it could determine and propose, in co-operation with the expert suborgan, the corresponding verification measures.

Declaration of CW Stocks

As has been stressed on numerous occasions, the declaration of existing stocks of CWA and CW should be done immediately or as soon as possible after the entry into force of the convention. It is specified that this should be done within 30 days, which we consider as realistic and indispensable for the declaration of:

- existence of stocks of CW or of CWA in containers
- location of these stocks
- location of stocks if they are on foreign territory and under whose jurisdiction
- type of CWA and type of CW (CWA, and, respectively, chemicals, should be declared by their chemical and common name, toxicity and quality)
- quantity of CWA (in tons) and quantity of CW (number of units of munition, mines, rockets and missile warheads, bombs and other); the weight of CWA in a single projectile should be given

- proposal regarding the manner in which these stocks should be destroyed
- proposal as to when the destruction of stocks is tentatively to begin
- proposal of manner of verification (international, national, method of monitoring the process of destruction)

At this stage, the States Parties must also declare stocks of precursors (key precursors and other chemicals) which can be used for production of both CWA and the filling and production of binary weapons. We understand this to mean that the State Party is obliged to declare all key precursor stocks of organic compounds of phosphorus with $P-CH_3$ and $P-C_2H_5$ bonds as well as all stocks of N,N-disubstituted-aminoethanols, N,N-disubstituted-amino ethane thiols, N,N-disubstituted-aminoethyl halides, as well as precursors for other harmful chemicals (See: CD/CW/CTC/40 of 3 February 1983; CD/CW/WP/46 of 12 April 1983; CD/353 of 8 March 1983).

This declaration should indicate:

- type of precursor (chemical name) and quantity in tons as well as quality
- location of stocks, and if they are not on national territory, where they are located and in which quantities
- proposal for the destruction of these precursors or the possibility of their diversion for permitted purposes.

If the State Party is unable to furnish immediately for technical reasons the required information on the quality of CWA or their precursors, it must provide this information as soon as possible after 30 days.

If the declaration contains precise information, the proposed verification measures will then be more objective and the Consultative Committee and the States Parties will accordingly be able to assess more realistically the importance of this control. In the process of declaring CW, it would be useful to indicate the methods of control, either chemical or toxicological, that should be applied in the process of verification and in which manner will sampling be carried out, how the processing of results will be done as well as where the results will be gathered.

Production Facilities for CWA and Filling Facilities for CW

When declaration takes place, all facilities for CWA production, for key precursors, for CW and other chemicals which are used directly for the production of CW should be declared and simultaneously closed. The declaration should specify:

- location of the facility and its owner
- complete documentation on technological procedures, the facility's capacity, raw material
- technical literature (apparatus, measuring instruments, devices, ventilation system and other). It is particularly necessary to emphasize the floor plan's key elements.
- proposal for the destruction of part of the facility (of key elements) or for the complete destruction of the facility.

The declaration of production facilities for key precursor and chemicals (precursors) should also contain:

- the technological procedure, capacity and technical documentation for these production facilities as well as the proposal on how to proceed further
- whether such a facility should be destroyed or dismantled.

Filling facilities for CW should also be declared and simultaneously closed within 30 days of the entry into force of the convention. In view of the fact that these facilities differ from CWA production facilities, it is necessary to specify in this connection:

- location of such a facility
- which CWA are used for filling, type and kind of CW
- devices and measuring instruments
- capacity of the filling facility
- proposal and plans for destruction.

Destruction of CW Stocks

As CWA can be found either in weapons (artillery munition, mines, rockets, missile warheads or bombs and other) or in containers, differences should also be made in the process of destruction of CW stocks and the destruction of CWA in containers.

Both of these processes are very important in the implementation of the convention and should thus be accorded considerable attention. It is, therefore, necessary to furnish precise information during the declaration of CWA according to their toxicity: super-toxic lethal chemicals, lethal chemicals, and harmful chemicals; furthermore, type of chemical weapons with or without explosives and the size and number of containers of CWA. The method of destruction is proposed on the basis of this information. In the consideration of this problem so far, it was concluded that the choice of

method of destruction will depend on the type of CWA. Thus, for CWA of the type iperite incineration is proposed, for organophosphorous compounds (sarin, soman, VX and others) incineration and neutralization, while in some cases combinations of these two procedures are suggested. It is fundamental that the applied procedure assure the complete decomposition of the structure of the organic molecule, so that the subsequent processing of chemical wastes aimed at separating raw materials for the production of CWA is not possible. For example, in the process of destroying sarin and other compounds with the P-C bond, it is necessary to conduct the process of destruction so that this bond is completely destroyed as well.

The principal question which poses itself in connection with the process of destruction is the manner in which to ensure full control of the process and thus be sure that all the declared quantities have been destroyed. The safest control is certainly the constant physical presence of an international team of experts. However, there is another question which imposes itself right away -- whether it is necessary for this team to be in the facility and exercise control all the time, when it is known that the process of destruction of stocks can take several years. This is why we think that the most acceptable solution in the case of destruction of super-toxic chemicals is random inspection and systematic international on-site inspection. It is understood that the technological destruction process is automatic while the control of the technical process and the recording of parameters (pressure, temperature and other) is analysed by computer. Moreover, samples of CWA and decomposition products are taken periodically and sent for analysis to certain laboratories. During the process of destruction there is automatic monitoring of the surrounding air (through automatic detectors) and water wastes (by taking samples). This entire monitoring system is set up and established by the international team of experts before the destruction facility is put in operation.

The destruction of stocks of toxic lethal chemicals and other harmful chemicals can, in our opinion, be carried out under the control of a national inspection team which is obliged to periodically send the results of control to the Consultative Committee and periodically send samples to be analysed to specific laboratories. In such cases, international on-site inspection is done at random.

Control of Production Facilities for Super-Toxic Lethal Agents for
Permitted Purposes

The control of these facilities should be done automatically and the obtained data should be stored at a data storage centre. This information is then periodically processed and sent to the international team for control. All inconsistency in the data imposes the need for on-site international inspection of facilities.

* * *

During the preparatory work it is necessary to elaborate in detail the technical methods of control, both the automatic monitoring of the process of stock destruction and the analysis of samples taken at the key points of the process. The analysis of these samples should be made in specific laboratories with the use of standard methods (chemical and biological). All results are automatically processed and sent to the centre where the team of experts of the Consultative Committee verifies the correctness of the data in the CW stocks destruction process, the destruction of facilities or their dismantling and the destruction of CW filling facilities as well as the diversion of facilities for the production of precursors, etc.

On the basis of this information the Consultative Committee should decide on further measures to be implemented in the process of verification.

FRANCE

Freeze on nuclear weapons

Comment published by the Ministry of Foreign Affairs following the proposal made by the USSR on 21 June for a "freeze" on nuclear weapons.

In response to the proposal for a freeze on nuclear weapons made by the USSR on 21 June, France reminded Moscow that it had already reacted negatively to a similar proposal discussed at the last session of the United Nations General Assembly.

The note transmitted to the Soviet authorities in particular stressed the reasons why such a freeze would not constitute an effective contribution to the effort to secure a reduction in nuclear arsenals, beginning with those of the USSR and the United States.

First, such a freeze would have the effect of maintaining, for a period not necessarily determined in advance, the present imbalances.

This would mean conferring upon any State which had carried out a large-scale arms build-up a lasting advantage at the expense of States which had shown moderation.

The States whose security was thereby affected would find themselves prevented from proceeding to the necessary restoration of a balance.

The resulting situation could hardly be considered an encouragement to negotiations towards verifiable and substantial arms reductions between the two most heavily armed nuclear-weapon powers.

Secondly, an undifferentiated and global freeze, as proposed in the above-mentioned memorandum, would be largely unverifiable.

In the view of France, many aspects of such a freeze would not be susceptible of verification by national technical means alone, while others would require very complicated and therefore necessarily lengthy preliminary negotiations with a view to determining what methods, including on-site inspection and international observation, would be the most appropriate. One important aspect of the problem would be that of equality of access to the means of verification.

These necessary discussions on verification would be no less lengthy and complicated than the negotiations concerning the same aspect within the framework of efforts to secure an arms reduction.

Thirdly, in making the participation of the other nuclear-weapon powers the condition for the observance by itself of the freeze it proposes, the USSR appears to be trying to exonerate itself from the special responsibilities which, for it as for the United States, arise from the fact of the present level of its nuclear weapons.

France, which hopes that the negotiations now under way will reach a successful conclusion, does not see how the freeze proposed to the other nuclear-weapon powers, the size of whose forces bears no relation to the size of the forces of the two powers at present engaged in the START negotiations, could contribute to the progress of those negotiations.

Furthermore, the various moratoria which have been proposed in the past have never resulted in significant and verifiable arms reductions (in one specific case, it was the USSR itself which took the initiative of ending the moratorium in question).

France is sincerely anxious for dialogue and peace.

It believes that the latter, as history has amply demonstrated, necessitates a balance of forces in Europe as in the rest of the world, and that that balance should be ensured at the lowest possible level.

It is for this reason that the French Government supports the efforts undertaken, beginning with those of the two most heavily armed States, towards the attainment, through negotiations, of such a balance both in conventional weapons and in nuclear weapons. It earnestly hopes that they will succeed.

NORWAY

Working Paper

THE ROLE OF INTERNATIONAL SEISMIC DATA EXCHANGE
UNDER A COMPREHENSIVE NUCLEAR TEST BAN1. The Global Seismological Network

A global seismological network would have to play a crucial role in an international verification system to monitor compliance with a comprehensive nuclear test ban. Since its establishment in 1976 the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events has progressed significantly in specifying how such a network should be deployed, technically equipped and how the data output should be analysed and processed at International Data Centres. Of particular importance is the recent decision taken by the Executive Council of the World Meteorological Organization (WMO) at its thirty-fifth session that the Global Telecommunication System (GTS) of the WMO can be utilized for the exchange of seismic Level I data on a regular basis as of 1 December 1983. This decision offers a means of obtaining further information regarding the efficiency of the GTS for the purpose of international seismic data exchange.

The envisaged global seismological network should be equipped with instrumentation of high standards in order to ensure an international exchange of high-quality seismic data as reliable as possible. It is therefore imperative to take advantage of recent technological advances in digital seismometry, seismic processing techniques, computer technology and telecommunications. The rationale behind upgrading technically the global network is that the ability to describe physically and identify correctly a seismic event (earthquake or underground explosion) is intimately related to the number and quality of observations available. A significant advantage with such an upgrading is that the number of unidentified seismic events - where recorded signals could equally well come from an earthquake as from an underground nuclear explosion - would be much reduced. This, of course, is important for the effectiveness of the verification system and thus for building confidence that a treaty is adhered to.

The seismological observatories in the global network should have a capability to transmit Level II data (waveform data) immediately upon request. The International Data Centres within the network would need high quality equipment and software in order to satisfactorily collect, process and distribute seismic data for the use of participating States. This would require further research and international experiments with regard to automatic processing at the data centres. In particular, effective data management techniques and methods for the rapid exchange of Level II data need to be further developed and practical experience would be essential.

2. Recent seismological research by the Norwegian Seismic Array (NORSAR) of relevance for verification of a comprehensive nuclear test ban

Scientists at the Norwegian Seismic Array (NORSAR) have during the past 10 years conducted extensive studies and completed large-scale research projects relevant to the problem of detection, location and identification of underground nuclear explosions. Much of this research has been carried out as international co-operative projects. In particular, there has been extensive co-operation with scientists from the United States. Significant contributions have also been made from scientists in the United Kingdom, USSR and the Nordic countries among others. The outcome of this work is documented in scientific journals and inter alia reflected in data processing algorithms routinely used at the NORSAR data centre.

The Norwegian Government is prepared to make NORSAR available as a contributing observatory within the envisaged global seismological network.

In August 1982 the Norwegian delegation demonstrated for members of the Committee on Disarmament a prototype system developed for the purpose of rapid, flexible and inexpensive international exchange of Level II data, by making use of modern telecommunications technology, ref. CD/310 and paragraph 7 of the 1982 Report of the Ad Hoc Working Group on a Nuclear Test Ban. Since then, further improvements have been made in the development of this prototype, named the Remote Seismic Terminal Enhanced (RSTE). Eventually, the RSTE will feature a very powerful multibus microprocessor, including an array processor, option for handling eight seismometers, real-time weighted beamforming and off-line processing of detected events. Intermediate data storage would be ensured by a 20 megabyte Winchester disk.

In September 1982 NORSAR invited other seismological observatories to take part in experiments to exchange Level II data through international telecommunications services. This has so far been successfully achieved with seven external centres. Based on the experience gathered so far, however, it is essential that national seismological centres are equipped with sufficient computer resources. The need for adequate computer facilities at each station of the envisaged global network must therefore be underlined.

The maritime INMARSAT satellite communication system is a relatively low-cost system, which would be convenient to use for seismic data exchange in case land-based communications are lacking. NORSAR is in the process of evaluating how Level II data could be exchanged via INMARSAT. Scientific data from stations and observatories in Antarctica are now routinely transmitted via INMARSAT to centrally located facilities. Nevertheless, use of INMARSAT for the purpose of seismic data exchange would require permission from its international governing council.

Theoretical and practical experiments have been conducted at NORSAR to study the potential benefits of making use of small-aperture arrays for comprehensive analysis of seismic events at non-teleseismic distances. Such a miniarray may comprise some 20 seismometers over an aperture of around 3 km and would be particularly valuable to detect and locate small seismic events at regional distances (up to 2500 km). Field installation in Norway of a temporary miniarray has demonstrated the viability of this concept, and further work is under way, in particular to optimize array configuration and to refine real time processing techniques for the recorded data.

COMMITTEE ON DISARMAMENT

CD/396

19 July 1983

Original: ENGLISH

NORWAY

Working Paper

Verification of a Chemical Weapons Convention

Sampling and Analysis of Chemical Warfare

Agents under Winter Conditions

Introduction

In connection with Norway's participation in the Ad Hoc Working Group on Chemical Weapons and as a Norwegian contribution to the work of the Committee on Disarmament, the Norwegian Ministry of Foreign Affairs initiated in 1981 a research programme on the sampling and identification of chemical warfare agents under winter conditions.

A primary objective of the research programme was to focus on the verification problems which would have to be dealt with within the framework of a Chemical Weapons Convention. More specifically, the aim was to establish the possibility of using snow samples for verification of alleged use of chemical warfare agents under winter conditions. In particular, the possibility of positive verification some weeks after alleged use, with the purpose of finding a realistic timeframe for undertaking on-site inspection under winter conditions, have been investigated.

The first part of the research programme was carried out in 1981/1982. The results were presented in a report, which in August 1982 was submitted to the Ad Hoc Working Group on Chemical Weapons. A summary of the report was contained in a Norwegian Working Paper on Verification of a Chemical Weapons Convention (CD/311). The English version of the report was annexed to CD/311.

The second part of this research programme was carried out during the winter 1982/1983. The present Working Paper summarizes the results of the second part and the recommendations in regard to verification of alleged use of chemical weapons, which can be drawn on the basis of the results of the research programme.

Description and Results of the Norwegian research programme

The investigations, carried out during the winter 1981/1982 and the winter 1982/1983 were based on a scenario in which the chemical agents have been used at a low concentration (0.25g/m^2) against unprotected troops or civilians.

Particular attention has been paid to carry out the experiments under field conditions, thus leaving the samples out-door to deteriorate by exposure to the prevailing weather condition such as wind, changing temperature and snowfall.

The first part of the Norwegian research programme covered an investigation of representatives of nerve agents and mustard gas.

In the second part of the Norwegian research programme a similar investigation was carried out, including incapacitating agents and precursors. The analytical methods and details of the results of the second part are explained in the research report which is annexed to the English version of this Working Paper.

To make the approach as realistic as possible the second part of the research programme included an investigation of the possibility of detecting CS in the snow samples after the release of a grenade containing the riot control agent CS. Even though CS is a riot control agent it may serve as an example of a thermally released solid chemical agent.

To ensure the maximum reliability of the results and to exclude the possibility of false positive results from other compounds either of natural or man made origin, control samples not containing agents, were taken in different environments including forest and urban areas. To simulate a battlefield, a large amount of TNT was exploded, and snow samples containing large amounts of decomposition products from the explosive were taken nearby.

The experiments carried out during the Norwegian research programme have shown that under winter conditions the stability of different chemical agents vary. This will markedly influence the possibility of verification of use of chemical agents by means of chemical analysis of snow samples taken some time after the alleged attacks. Of the agents investigated the following are relatively stable:

- The agents 2-chlorobenzalmalononitrile (CS), ~~2~~-chloroacetophenon (CN), 10-chloro-5, 10-dihydrophenarsazine (DM or adamsite)
- The immediate decomposition product of a precursor mixture (mixture (1:1) of methylphosphonyl dichloride and methylphosphonyl difluoride)
- The nerve agent ethyl S-2-diisopropylaminoethyl methylphosphonothiolate (VX)

For these compounds except for VX, it is expected that at least 25 per cent of the original agents are still available for analysis in samples taken as long as one month after the attack. VX is slightly less stable, the values are here between 1 and 10 per cent. Very selective and sensitive analytical methods are available for all compounds and there would be no difficulties in verifying the presence of these agents several weeks after a chemical attack during winter conditions.

The nerve agents tabun, sarin and soman as well as the blister agent mustard gas were found to be markedly more unstable. After two weeks, generally less than 0.1 per cent of the original agents were still present in the samples. The analytical methods used are, however, very selective and sensitive, and verification of use by chemical analysis of snow samples would be highly possible. After one month, it was still possible to analyse these nerve agents but the content of mustard gas was below the sensitivity limit of the method. The amount of nerve agents still left in the samples were in the order of 1/100000 of the original amount. The verification of use of sarin and to an even larger extent mustard gas is uncertain and highly dependent upon the weather condition. This was demonstrated by the experiments in the first part of the research programme, where sarin was not detected after four weeks.

High temperature and strong wind is unfavourable to positive verification. As expected, a snowfall covering the samples reduce evaporation, and increase the possibility for verification. This was confirmed by the experiments and was specially important for the agents sarin, soman and mustard gas. Under this condition it was also possible to detect and analyse mustard gas after four weeks.

Concluding remarks

For the purpose of verification of alleged use of chemical weapons, the utmost reliability of the results is always of paramount importance.

Most chemical agents are not found in the natural environment, and verification of these agents in samples taken in a battlefield would be a clear indication of a violation of the Convention. Most chemicals in the natural environment evaporate and undergo decomposition, which is also true for the chemical warfare agents. A certain time after use, the amount still present will be less than the sensitivity limit of the presently available analytical methods. After this time the only alternative is to verify the presence of a decomposition product. As evidence this is not as compelling as verification of the agent itself; neither is the verification of impurities known to be present in chemical agents.

The research programme demonstrates the importance of the time factor. The samples should therefore be taken as soon as possible after a report on alleged use has been received. Further decomposition of the chemical agents in the samples on the way to the analysing laboratory should be avoided by rapid transport and proper handling. To ensure the integrity of the samples, personnel

having the necessary knowledge should do the sampling and transportation and be selected by the Consultative Committee or a suborgan under the Consultative Committee (Fact-finding Panel/Executive Council). It is necessary that the personnel is selected and trained in advance, and may be called upon on the shortest notice possible.

The laboratory or laboratories where the analyses will be carried out, should be selected and supervised by the same suborgan. To ensure the utmost sensitivity and selectivity of the chemical analyses, sophisticated analytical methods will have to be applied, requiring highly trained scientific personnel and modern equipment, such as a combined gas chromatograph/mass spectrometer (GC/MS) and a high performance liquid chromatograph (HPLC). Such equipment is commercially available. It is used by a large number of civil chemical laboratories, and so are in principle the analytical procedures needed. However, there exist numerous possible chemical warfare agents, which represent various types of chemical compounds. Several different techniques will therefore be needed, all requiring skilled operators. In addition, to obtain the maximum reliability of the results, it may also be necessary to apply more than one independent analytical method for each chemical agent. The analytical results will also be reflected by the quality of the samples. This stresses the importance of a proper collection of samples.

To improve the analytical techniques it is highly recommended that the selected laboratories have small amounts of the potential chemical warfare agents for use in analytical training and for use as reference compounds.

In several countries, laboratories have already relevant experience in this field, and co-operation among these laboratories should be encouraged. This will promote flexible procedures and incorporation of any new scientific achievements in this field.

The regular updating of the procedures for sample taking and analytical methods should be the responsibility of the Consultative Committee.

NORWAY

Working Paper

Verification of non-production of chemical weapons

1. The verification of non-production of chemical weapons in a Chemical Weapons Convention should in principle be based on on-site inspections under the auspices of the Consultative Committee, according to a list of key precursors. This list as well as the criteria for making such a list should be kept under constant review. Such inspections should aim at ascertaining that key precursors of super-toxic chemical agents are not used to produce chemical weapons. These inspections might take place according to a random selection procedure.

The key precursors should be defined by chemical names.

The inspections should be limited to key precursors which are of significance in connection with verification of a Chemical Weapons Convention. Key precursors of both super toxic lethal chemicals and other super-toxic chemicals are relevant in this regard.

The key precursors of these two categories listed in the annex of the Working Paper CD/353 by the United Kingdom would be sufficient as a system for inspection of key precursors in order to verify that those substances which pose the greatest threat are not being produced in violation of the Convention.

2. In Working Paper CD/353 the United Kingdom presented a survey of the British production and civil use of key precursors. It was suggested that other States should furnish corresponding data of their civil chemical industries.

The Ministry of Foreign Affairs therefore decided to undertake a similar survey in Norway. This survey was carried out in May/June 1983 by the Association of Norwegian Chemical Industries, which is a subsidiary of the Federation of Norwegian Industries. This association contacted its members to establish possible Norwegian production and use of key precursors. The result is summarized below.

There is no production in Norway of the following:

Key precursors for super toxic lethal chemicals:

Phosphorus trichloride (PCl_3)

Phosphorus oxychloride (POCl_3)

Chemicals containing the P-methyl and/or P-ethyl bond

Methyl and/or ethyl esters of phosphorus acid

3.3 dimethyl butanol-2 (pinacolyl alcohol)

N.N disubstituted β - amino ethanol

N.N disubstituted β - amino ethane thiol

N.N disubstituted β - amino ethyl halides

(halide = Cl, Br og I)

Key precursors for other super toxic chemicals:

Phenyl, alkyl or cycloalkyl substituted glycolic acid 3- or 4-hydroxy piperidine and their derivatives.

There is only very limited use in Norway of the following key precursors, which are imported:

Phosphorus trichloride (PCl_3)

Phosphorus oxychloride (POCl_3)

Methyl and/or ethyl esters of phosphorus acid

N.N disubstituted β - amino ethanol

N.N disubstituted β - amino ethyl halides

In the Norwegian chemical industry phosphorus oxychloride is used as a catalyst in amount less than 1 ton/year. As for the other precursors they are not known to be used in the Norwegian chemical industry.

All of the above compounds may be used for different purposes in chemical laboratories. Annual consumption for these purposes is, however, in the range of a few kilograms per year.

COMMITTEE ON DISARMAMENT

CD/398**

30 August 1983

Original: ENGLISH

PREVENTION OF NUCLEAR WAR, INCLUDING ALL RELATED MATTERS

(Compilation of existing agreements, resolutions of the General Assembly transmitted to the Committee on Disarmament and proposals submitted to the second special session of the General Assembly devoted to disarmament and to the Committee on Disarmament, prepared by the Secretariat).

**/ Reissued for technical reasons.

Introduction

1. At its 226th plenary meeting on 19 July 1983, the Committee on Disarmament requested the Secretariat to prepare a compilation listing agreements, resolutions of the General Assembly and other documents relevant to the second part of item 2, entitled "Prevention of nuclear war, including all related matters".

2. In accordance with that request, the Secretariat has prepared the present compilation. It includes a list of existing agreements, resolutions of the General Assembly transmitted to the Committee on Disarmament and proposals submitted to the second special session of the General Assembly devoted to disarmament and to the Committee on Disarmament. It may be noted that other documentation relevant to the question of the prevention of nuclear war, including all related matters, may also be found in the tabulations of proposals on nuclear disarmament prepared by the Secretariat in 1981 and 1982 (CD/171 and CD/293, respectively). In addition, it may be noted that pursuant to resolution 33/91D of 16 December 1978, the Secretary-General submitted to the General Assembly a report entitled "Comprehensive study on nuclear weapons" (A/35/390).

I. Existing agreements:

1. Memorandum of Understanding Between the United States of America and the Union of Soviet Socialist Republics Regarding the Establishment of a Direct Communications Link and Annex 1/
2. Franco-Soviet Communiqué Regarding the Establishment of a Direct Communication Link 2/
3. Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics Concerning the Establishment of a Direct Communication Link Between the Residence of the Prime Minister of the United Kingdom in London and the Kremlin 3/
4. Agreement Between the United States of America and the Union of Soviet Socialist Republics on Measures to Improve the US-Soviet Direct Communications Link and Annex 4/
5. Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War Between the United States of America and the Union of Soviet Socialist Republics 5/
6. Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Prevention of Nuclear War 6/
7. Agreement Between the United States of America and the Union of Soviet Socialist Republics Amending the 1971 Agreement on Measures to Improve US-Soviet Direct Communications Link 7/
8. Letters Exchanged on 16 July 1976 by Mr. Jean Sauvagnargues, Minister for Foreign Affairs of France, and Mr. Andrei Gromyko, Minister for Foreign Affairs of the USSR, Constituting an Agreement Between France and the Soviet Union on the Prevention of the Accidental or Unauthorized Use of Nuclear Weapons 8/
9. Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics on the Prevention of Accidental Nuclear War 9/

1/ Signed at Geneva on 20 June 1963. Entered into force on 20 June 1963.

2/ Signed at Paris on 9 November 1966.

3/ Signed at London on 25 August 1967. Entered into force on 25 August 1967.

4/ Signed at Washington on 30 September 1971. Entered into force on 30 September 1971.

5/ Signed at Washington on 30 September 1971. Entered into force on 30 September 1971.

6/ Signed at Washington on 22 June 1973. Entered into force on 22 June 1973.

7/ Effected by exchange of notes dated at Moscow on 20 March and 29 April 1975.

8/ Entered into force on 16 July 1976.

9/ Signed at Moscow on 10 October 1977. Entered into force on 10 October 1977.

II. General Assembly resolutions transmitted to the Committee on Disarmament:

1. Resolution 33/71B, adopted on 14 December 1978
2. Resolution 34/83G, adopted on 11 December 1979
3. Resolution 35/152D, adopted on 12 December 1980
4. Resolution 36/81B, adopted on 9 December 1981
5. Resolution 36/92I, adopted on 9 December 1981
6. Resolution 36/100, adopted on 9 December 1981
7. Resolution 37/78I, adopted on 9 December 1982
8. Resolution 37/78J, adopted on 9 December 1982
9. Resolution 37/100C, adopted on 13 December 1982

III. Proposals submitted to the second special session of the General Assembly devoted to disarmament:

1. Views, proposals and practical suggestions for ensuring the prevention of nuclear war, submitted by the following Member States pursuant to General Assembly resolution 36/81B: Argentina, Belgium, China, Cuba, Czechoslovakia, Finland, France, German Democratic Republic, Germany, Federal Republic of, India, Japan, Liberia, Mexico, Senegal, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and the United States of America. (A/S-12/11, Add.1 and Corr.1 and Add.2-5)
2. Letter dated 16 June 1982 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General transmitting the text of a message from L.I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union and President of the Presidium of the Supreme Soviet of the USSR, to the second special session of the General Assembly devoted to disarmament. (A/S-12/AC.1/10)
3. Letter dated 16 June 1982 from the Permanent Representative of India to the United Nations addressed to the Secretary-General submitting the text of a draft convention on the prohibition of the use of nuclear weapons. (A/S-12/AC.1/13)
4. Proposal entitled "Prevention of Nuclear War", submitted by Bulgaria to Working Group III of the Ad Hoc Committee. (A/S-12/32, Annex III)
5. Proposal entitled "Prevention of War, in Particular Nuclear War", submitted by Germany, Federal Republic of, Japan and the Netherlands to Working Group III of the Ad Hoc Committee. (A/S-12/32, Annex III)

6. Proposal entitled "Prevention of Nuclear War", submitted by India to Working Group III of the Ad Hoc Committee. (A/S-12/32, Annex III)
7. Draft resolution entitled "Prevention of Nuclear War", submitted by India and Mexico. (A/S-12/AC.1/L.2)
8. Draft resolution entitled "Convention on the Prohibition of the Use of Nuclear Weapons", submitted by India. (A/S-12/AC.1/L.4) */
9. Draft resolution entitled "Urgent Measures for the Prevention of Nuclear War and for Nuclear Disarmament", submitted by India. (A/S-12/AC.1/L.6) .

IV. Proposals submitted to the Committee on Disarmament

1. Letter dated 3 February 1982 addressed to the Chairman of the Committee on Disarmament by the Representative of Venezuela, transmitting the result of the study carried out in October 1981 by the Pontifical Academy of Sciences, at the request of His Holiness John Paul II, entitled "Statement on the consequences of the use of nuclear weapons". (CD/238)
2. Working Paper containing the text of the opinion of the Government of Mexico on the prevention of nuclear war, transmitted to the Secretary-General of the United Nations in accordance with the invitation extended by the General Assembly in its resolution 36/81B of 9 December 1981. (CD/282)
3. Letter dated 22 July 1982 addressed to the Chairman of the Committee on Disarmament from the Permanent Representative of India to the United Nations Office at Geneva, transmitting the draft of a convention submitted by India at the second special session of the General Assembly devoted to disarmament. (CD/295)
4. Draft mandate for an Ad Hoc Working Group on the Prevention of Nuclear War, under item 2 of the agenda of the Committee on Disarmament, submitted by India. (CD/309)
5. Letter dated 8 September 1982 from the Permanent Representative of the Polish People's Republic addressed to the Chairman of the Committee on Disarmament, transmitting the text entitled "The Dangers of Nuclear War" issued at the 32nd Pugwash Conference held in Warsaw, Poland, from 26-31 August 1982. (CD/327)
6. Working Paper of the Group of 21 on "Prevention of Nuclear War". (CD/341)

*/ Adopted at the thirty-seventh session of the General Assembly as resolution 37/100C.

7. Proposal entitled "Ensuring the safe development of nuclear energy", submitted by the group of socialist countries. (CD/345)
8. Working Paper entitled "Prevention of Nuclear War", submitted by a group of socialist states. (CD/355)
9. Working Paper entitled "Prevention of nuclear war, including all related matters", submitted by the Federal Republic of Germany. (CD/357)
10. Working Paper entitled "Prevention of nuclear war: confidence building measures", submitted by Belgium. (CD/380)

COMMITTEE ON DISARMAMENT

CD/399

22 July 1983

Original: ENGLISH

PROGRESS REPORT TO THE COMMITTEE ON DISARMAMENT ON THE SIXTEENTH SESSION OF THE AD HOC GROUP OF SCIENTIFIC EXPERTS TO CONSIDER INTERNATIONAL CO-OPERATIVE MEASURES TO DETECT AND IDENTIFY SEISMIC EVENTS

1. The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, initially established in pursuance of the decision taken by the Conference of the Committee on Disarmament on 22 July 1976, held its sixteenth formal session from 11 to 22 July 1983 in the Palais des Nations, Geneva, under the Chairmanship of Dr. Ola Dahlman of Sweden. This was the eighth session of the Group convened under its new mandate by the decision of the Committee on Disarmament at its 48th meeting on 7 August 1979.
2. The Ad Hoc Group continues to be open to all Member States of the Committee on Disarmament as well as upon request to non-Member States. Accordingly, scientific experts and representatives of the following Member States of the Committee on Disarmament participated in the session: Australia, Belgium, Bulgaria, Canada, Czechoslovakia, German Democratic Republic, Germany, Federal Republic of, Hungary, Italy, Japan, Netherlands, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.
3. At their request and on the basis of previous invitation by the Committee on Disarmament, scientific experts from the following non-Member States of the Committee on Disarmament participated in the session: Austria, Denmark, Finland, New Zealand and Norway.
4. A representative of the World Meteorological Organization also attended the session.
5. The Ad Hoc Group took note of the letter addressed to the Chairman of the Committee on Disarmament from the Secretary-General of the World Meteorological Organization (WMO) (CD Working Paper No. 99 of 20 June 1983), in which he informed the Committee of the decision by the WMO Executive Council, at its thirty-fifth session, to approve Recommendation 18 (CBS-VIII) of the WMO Commission for Basic Systems concerning the "Inclusion of seismic bulletins in the global exchange programme". Thus the formal approval now exists to regularly exchange Level I seismic data through the Global Telecommunication System (GTS) of the WMO, starting 1 December 1983.
6. Under the current mandate of the Ad Hoc Group, information on national investigations related to the work of the Group has been presented by experts from Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Italy, Japan, Netherlands, New Zealand, Norway, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom and United States of America.

7. During its tenth session, the Ad Hoc Group agreed to establish five study groups in order to achieve an appropriate compilation, summarization and assessment of the experience acquired through national investigations and co-operative studies in areas relevant to its work. These open-ended study groups each deal with a specific issue, and are each headed by a convenor and a co-convenor, as follows:

- (1) Seismological stations and station networks:
Dr. Basham (Canada), Dr. Schneider (German Democratic Republic)
- (2) Data to be regularly exchanged (Level I data):
Dr. Harjes (Germany, Federal Republic of), Dr. Waniek (Czechoslovakia)
- (3) Format and procedures for the exchange of Level I data through WMO/GTS:
Dr. McGregor (Australia), Dr. Mori (Japan)
- (4) Format and procedures for the exchange of Level II data:
Dr. Huseby (Norway), Dr. Christoskov (Bulgaria)
- (5) Procedures to be used at international data centres:
Dr. Israelson (Sweden), Dr. Alewine (United States of America)

8. The Ad Hoc Group reviewed a draft of its Third Report compiled by the Scientific Secretary on the basis of draft chapters elaborated by the Convenors of the Study Groups. In the course of the session, significant progress was made toward achieving consensus on the text of the main body of this report. The Ad Hoc Group agreed that it should seek to achieve consensus also on all the detailed technical instructions contained in the appendices to be annexed to its Third Report. However, in view of the large volume and the complexity of this material, the Group was not able to complete its review during its sixteenth session.

9. The Ad Hoc Group discussed a proposal for a new experimental exercise concerning the exchange and analysis of Level I data using the WMO/GTS under a regular use basis. This experiment would be the first one conducted by the Group under new formal arrangements provided by WMO for regular use of the WMO/GTS, and should result in the further elaboration of operational procedures for Level I seismic data exchange and of operational procedures at the envisaged international data centers. The experiment as envisaged will be held in 1984 and would last for about two months, including preparatory operations for about two weeks. The Group recommends that final instructions for such an experiment should be discussed and completed at its next session.

10. The Ad Hoc Group also discussed the schedule for its further work. The Group envisages submitting its Third Report following its next session. The Ad Hoc Group suggests that its next session, subject to approval by the Committee on Disarmament, should be convened from 27 February to 9 March 1984, in Geneva.

AUSTRALIA

INTERNATIONAL MANAGEMENT PANEL

As part of the institutional arrangements for a comprehensive nuclear test ban treaty, Australia has suggested the establishment of an International Management Panel. Such a panel would broadly carry out those tasks usually envisaged for the "group of experts" established under other treaties. However in view of the unique character of a CTBT, Australia believes it worthwhile to take a fresh look at the role and responsibilities of the group of experts. The term "International Management Panel" has been chosen both to reflect more accurately the tasks we envisage being undertaken and to distinguish our proposal from those envisaged in the Soviet draft basic provisions (CD/346) and the Swedish draft treaty (CD/381).

The role of an International Management Panel

Assisted by a secretariat, and composed of scientific experts (mainly seismologists and geophysicists but also geologists) the role of the panel would be to ensure the smooth functioning of the monitoring and verification arrangements established under a CTBT. While for practical purposes independent in scientific and technical matters it would be responsible to the Consultative Committee on which all States Parties to the treaty would be represented. It would in effect be the successor body to the Committee on Disarmament's Ad Hoc Group of Scientific Experts (GSE) to consider International Co-operative Measures to Detect and Identify Seismic Events and would build on the experience of that body. (It is envisaged, in order that the treaty provisions be fully operational at the time the treaty enters into force, that the GSE continue its work up to that point.)

Composition and establishment

It is suggested that the panel should be established immediately upon entry into force of the treaty. It could comprise 15 experts appointed by the Depository on the recommendation of the Consultative Committee. In selecting the members due regard should be given to ensuring an appropriate geographical balance. Members would be named for a five year period, with three members being replaced each year. The panel should elect its own Chairmen and establish its own rules of procedure. It should meet at least twice a year and when requested by the Consultative Committee. The panel should decide procedural questions related to the organization of its work by consensus where possible, but otherwise by a majority of those present and voting. There should be no voting on matters of substance. Where consensus cannot be achieved on matters of substance, reports of the panel including an annual report to the Consultative Committee should reflect the views of all participating members. Any State Party may appear before the Panel, through a nominated ex-officio expert, to present submissions or seek information.

Tasks(a) General

- evaluate the technical operation of the international monitoring, detection and verification measures, including the techniques and procedures for on-site inspections,

- propose changes as required to the equipment and technical procedures used to verify compliance,
- undertake any technical studies that the Consultative Committee may request,
- act as a forum for any State Party to make suggestions as to the functioning of the international monitoring, detection and verification measures,
- act as a forum for technical discussions of events for which a State Party seeks clarification (these may or may not, according to the preference of the Party concerned, be channelled through the Consultative Committee, although the Committee should receive a report on the results.)

(b) Seismic and atmospheric

- ensure that the participating seismological stations and International Data Centres are operated as specified in the treaty,
- act as a contact with WMO on matters of data exchange through its Global Telecommunications System and supervise and review, in co-operation with WMO, the specified data exchange,
- supervise any exchange of data on atmospheric radioactivity if provision for such an exchange is specified in the treaty,
- maintain contact with national authorities of States Parties responsible for seismic (and atmospheric) detection.

(c) On-site inspection

- Conduct international on-site inspections, according to agreed procedures, at the request of the Consultative Committee and report the result of such inspections to the Committee.

The panel should be assisted in this task by the secretariat and where necessary by additional experts drawn from lists compiled in co-operation with the Consultative Committee.

In the event that a request is received for an on-site inspection both the requesting State Party and the accepting State Party should each be entitled to appoint an expert, ex officio, to the panel for the duration of the panel's consideration and implementation of the on-site inspection request.

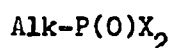
YUGOSLAVIA

PRECURSORS - "KEY" PRECURSORS

I. "Key" Precursors for CW

Bearing in mind the definition of "key" precursors (CD/CW/CRP.76 Yugoslavia CD/CW/CRP.76 Corr.1), the working papers on precursors (CD 334, CD/CW/CTC 40 Yugoslavia, CD/CW/CRP.81 Australia/Netherlands) and on the basis of discussions held in Contact Group D, we propose the following list of "key" precursors:

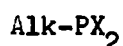
1. Alkyl-phosphonic halides



where: Alk - methyl, ethyl

X - F, Cl, AlkO

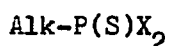
2. Alkyl-phosphonous halides



where: Alk - methyl, ethyl

X - F, Cl, AlkO

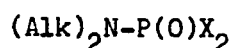
3. Alkyl-thiophosphonic halides and esters



where: Alk - methyl, ethyl

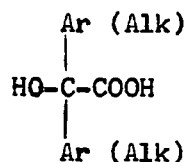
X - Cl, AlkO

4. Dialkylamido-phosphoryl halides



where: Alk - methyl, ethyl

X - Cl

5. Aryl (Cycloalkyl) disubstituted derivatives
at glycolic acid

where: Ar - phenyl, thienyl

Alk - cyclohexyl,
cyclopentyl

The production of these compounds should be prohibited, as well as that of chemical weapons. However, if their application in civilian industry is proven, then their production should be under strict control.

II. Precursors for CW

Precursors for CW are chemicals used in the production of "key" precursors or which in reactions with "key" precursors give CWA. Otherwise, they are dual purpose and are widely used in many branches of the civilian chemical industry, the pharmaceutical industry, for plants protection and other.

List of precursors:

1. Phosphorus trichloride, PCl_3
2. Phosphorus oxychloride, POCl_3
3. Dialkylphosphites, $(\text{AlkO})_2\text{POH}$ Alk - methyl, ethyl
4. Trialkylphosphites, $(\text{AlkO})_3\text{P}$ Alk - methyl, ethyl
5. N,N-disubstituted- β -aminoethanols
N,N-disubstituted- β -aminoethanethiols
N,N-disubstituted- β -aminoethylhalides
6. Alcohols
 - pinacolyl alcohol
 - isopropyl alcohol
 - cyclohexyl alcohol
7. Heterocyclic alcohols
 - piperidinol -3 or -4
 - hinuclidinol -3

The production of these compounds is subject to control. The States Parties which produce them are obliged to submit an annual report to the Consultative Committee on the capacity of production and on their further processing.

UNITED KINGDOM
WORKING PAPER

Verification Aspects of a Comprehensive Test Ban Treaty (CTBT)

Introduction

1. A comprehensive test ban was originally conceived as one step on the path to general and complete disarmament. But the main impetus for opening formal negotiations in the 1950s came from concern over the possible biological effects of fallout from large scale testing of nuclear weapons in the atmosphere. The conclusion in 1963 of a Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (PTBT) largely dispelled this concern. Testing of nuclear weapons has, however, continued underground. A serious obstacle to the conclusion of a comprehensive treaty has been agreement on acceptable methods of verification which would also cover that environment.
2. An adequate verification system has to provide an assurance that the treaty is being complied with by all States Parties. If it does not, the treaty will not attract wide adherence since some States will consider that it poses unacceptable risks to their security. Second, a verification system subject to wide error would generate a lack of confidence which could lead to accusations of breaches of the treaty even when it was in fact being wholly respected. Such accusations could have damaging consequences on international relations.

3. Despite the impression created by some commentators, the verification of a comprehensive treaty would pose difficult technical problems, especially in respect of monitoring the underground environment. This is not to say the verification technologies available for the environments prohibited by the PTBT would necessarily be adequate if a comprehensive treaty were in force. The security risks which might follow if States Parties failed to comply with the PTBT are small because the testing needed to maintain the viability of existing weapon stockpiles and nuclear weapon systems can legitimately take place underground. There is little incentive to test in the prohibited environments; even if testing did take place in such environments instead of underground, the consequences for military balances are unlikely to be serious, even though a breach of the Treaty would have great political significance. If, however, a comprehensive treaty were in force, there would no longer be a legitimate route for continued testing, and if a State decided to evade its obligations it would select that environment for testing which offered the best chance of escaping detection. The need for further measures of monitoring of these other environments cannot therefore be dismissed without consideration.

Seismic Verification

4. The major problem in verification of an NTB is however undoubtedly connected with underground testing, methods for which have been highly developed over the last 20 years. Much effort has been devoted to the technology of monitoring the underground environment. But there have been no outstanding technical breakthroughs and reliance still has to be placed on seismic means of detecting and identifying underground events. No other methods promise to provide a way of obtaining information about underground explosions at long ranges - and long range systems are an essential element in any realizable verification arrangement.

5. There is general agreement within the informed scientific community (as the work of the Ad Hoc Group of Scientific Experts set up by the Committee on Disarmament shows) that available seismic methods allow seismic events with body wave magnitudes of about 4 or more to be detected with a high (say 90 per cent) probability. The threshold of detection is set by the earth's natural seismicity. But detection of a signal without being able to identify whether it was caused by an earthquake or an explosion is of little value for the purpose of verifying compliance with a comprehensive test ban treaty. Indeed detection of an event without being able to identify it could be disadvantageous, because it could give rise to false suspicions of non-compliance with the Treaty. In any case, because earthquakes of significant magnitude occur relatively frequently, a monitoring system which could not distinguish them from nuclear explosions would rapidly be overloaded by earthquake signals. Thus it is of crucial importance to recognize that what is important from the point of view of verification is not detection alone but detection and identification, the threshold of which is about half a magnitude higher than for detection alone. (It is conceivable that further work in this area could provide, at some time in the future, for a similar probability level at a marginally lower figure of body wave magnitude). Failure to recognize this fact can give rise to over-optimistic assessment of the ability of the proposed world-wide seismic network.

6. There is less unanimity in the scientific community about the relationship between the magnitude of a seismic signal and the yield of nuclear explosion which produced it. Extensive studies by United Kingdom scientists have shown that a seismic signal of magnitude $4\frac{1}{2}$ can be related to about a 3 kiloton explosion which is close coupled with surrounding hard or water saturated rock. 1/ For explosions in close contact with dry and soft rock in a stratum of sufficient

1/ In CCD/492 (April, 1976), a magnitude of $4\frac{1}{2}$ was rounded up to equate to 5 kilotons but the 3 kilotons figure given here is more accurate.

thickness, a seismic magnitude of $4\frac{1}{2}$ equates to a yield of about 30 kilotons. And, for explosions detonated in a sufficiently large cavity in a geologic formation (assuming that the formation is able to support a large cavity) a seismic magnitude of $4\frac{1}{2}$ equates to a yield of up to 300 kilotons. Thus the detection and identification threshold currently achievable in theory by seismic means can be associated with explosive yields from about 3 kilotons to up to 300 kilotons.

7. Some of those who believe that existing methods of verification are already adequate tend to base their assessment on the assumption that clandestine testing would invariably be carried out with close coupling in hard rock and at sites already used routinely for nuclear testing. Where they do recognize that other possibilities exist, they tend to assume that sites suitable for close coupled tests in soft dry rock would not be available and that decoupled tests would not be practicable. Neither of these assumptions is valid except perhaps in relation to the practical problems of constructing a cavity large enough to decouple an explosion of say 100 kilotons or more. Our broad assessment is that decoupling offers the possibility of conducting nuclear weapon tests of up to a few tens of kilotons without producing seismic signals in excess of the detection and identification threshold of magnitude $4\frac{1}{2}$. Any nuclear weapon State which was able to test up to a level of a few tens of kilotons in undetected breach of a comprehensive treaty would realize a very significant advantage.

8. The Ad Hoc Group of Scientific Experts has reported that the achievement of a detection and identification threshold of seismic magnitude $4\frac{1}{2}$ requires the services of a global network of high quality seismic stations. The Group has, however, not been asked to consider the arrangements that would be necessary to ensure that these stations produced reliable seismic data of adequate quality and on a sufficiently fast time-scale. In so far as the Group has discussed the

quality of data, they have found significant differences of view on what is necessary. Equally strong differences would be found on the means of ensuring that data were reliable and timely. Contrary to the opinions of some commentators, the establishment of a global network in which all Parties to a comprehensive treaty would have confidence poses many difficulties. This is especially true for those stations of the network which would be crucial for monitoring those countries with large land masses.

9. There are two other possible methods of evasion that should be considered. First, the criteria for differentiating between explosion and earthquake seismic signals are sufficient only if the seismic signals have a reasonable signal/noise ratio. This ratio could theoretically be depressed for an explosion signal by timing the explosion so that it coincided with the signal produced by a nearby earthquake. Any attempt to hide an explosion in an earthquake signal would be very constraining, both in time and place, on the nuclear test. But it cannot be ruled out as a possible method of evasion if the incentive for a clandestine test were sufficiently great. Second, the purposes of a CTBT would be completely undermined if the Treaty did not prohibit the conduct of so-called Peaceful Nuclear Explosions (PNE) which could be used to derive information of direct nuclear weapons value. So far, as demonstrated in an earlier United Kingdom paper on the subject tabled as CD/383, there have been no verification proposals which offer the prospect of agreement being reached on measures which would allow a PNE as part of a CTBT.

10. The discussion so far relates to verification capabilities theoretically achievable with a global seismic network of the type considered by the Ad Hoc Group of Scientific Experts but expanded somewhat to provide better coverage of the Southern Hemisphere. This would detect about 50,000 earthquakes at or above body-wave magnitude 4 each year and clearly would need to be furnished with a data transmission and signal processing system of high capacity and complexity. A global network does not, however, cater specifically for monitoring Treaty compliance within the boundaries of States with very large land areas.

11. It has previously been suggested that, for these special cases, enhanced confidence in Treaty compliance would be obtainable if the density of seismic stations within such countries were increased above the global average. It would be politically unacceptable, technically difficult and economically expensive to have a high enough density of seismic stations to make a significant reduction in the detection and identification threshold for all seismic events occurring within these large countries. The additional stations should perhaps be primarily regarded as offering the capability of monitoring more closely those areas within a large country where it might be technically feasible to implement measures for evading detection and identification by the regular global network. The possibilities of exploiting the data available from these regional stations for CTBT monitoring - especially data recorded at relatively close range from an event as opposed to data acquired at teleseismic distances - deserves more study. Obviously data from regional stations specifically installed to monitor events within the region would have to be authenticated more rigorously than data from the global network.

12. A limitation of all assessments of seismic verification capabilities is that almost all the underground explosions, from which seismic data have been recorded, have been carried out in areas of low seismic activity. Thus the transmission paths for the seismic waves from explosions to the detection stations have been geographically different from those for earthquake seismic signals. Consequently there must be some uncertainty about the verification capability of a seismic station network operating against underground explosions conducted in an area of high seismic activity.

On-site Inspection

13. No matter how good seismic verification of a comprehensive test ban treaty might be, the interpretation of seismic signals can never give completely conclusive proof that a nuclear explosion has taken place. There would always be the possibility of dispute; and there is in any case, no method of differentiating seismically between a nuclear explosion and an explosion of any other type. This last point is not trivial because there have been conventional explosions with yields in the sub-kiloton and very low kiloton range.

14. An almost unambiguous indicator of a nuclear explosion is the presence of fission products but, for an explosion conducted underground with complete containment, these fission products will be retained within the cavity formed

by the explosion. There is no known way of detecting their existence at a distance. However, if an underground nuclear explosion had been carried out, there would be some signs which could be looked for at the actual site.

Greater confidence in the effectiveness of verification would therefore be obtained through arrangements which permitted inspections of the sites where there is evidence that a clandestine explosion may have been carried out.

15. The negotiation of arrangements for on-site inspections raises many difficulties, because such inspections are seen as potential infringements of national rights and as potentially prejudicial to national security. Nevertheless verification arrangements would be regarded as unsatisfactory if they did not provide for on-site inspections on terms and under conditions acceptable to all Parties.

The Implications of a Detection/Identification Threshold

16. The fact that physical factors impose a threshold below which it is not possible to verify an NTB would be significant if testing below the threshold could serve a useful nuclear weapons purpose. It is the case that operational requirements for theatre nuclear weapons may call for yields of the order of 10 kilotons; such weapons could clearly be tested at full yield within a verification threshold of some tens of kilotons. But low yield tests could also be used to prove the fission triggers which are used to initiate further nuclear reactions in high yield nuclear weapons. Although some progress has been made with the development of mathematical modelling and non-nuclear experimentation for assessing the behaviour of trigger designs, a final judgement on design integrity can be made only on the basis of results from nuclear testing, which, for this purpose, can be conducted at a yield level of the order of 10 kilotons. It follows, therefore, that an ability to test at this yield level is of importance in respect both of maintaining existing weapons stockpiles in the face of aging effects and of developing new warhead designs. This example is not unique. Other types of test at the 10 kiloton level would be equally important and all of them would serve to maintain the competence of weapon designers and confidence in their advice.

Conclusions

17. A worldwide system of seismic stations as proposed by the Ad Hoc Group of Scientific Experts working to full capacity would permit seismic events of body wave magnitude of $4\frac{1}{2}$ or more, to be detected and identified as coming from natural events or from explosions. This capability would, in the United Kingdom's view, not rule out the possibility of clandestine tests of nuclear weapons being carried out underground at yields up to a few tons of kilotons. These tests could have considerable military significance.

18. Unless significant improvements can be made to presently available verification techniques, a gap will remain which could be exploited to affect significantly the balance between nuclear weapon States. This conclusion runs counter to some commonly held views which may be based on assumptions about the realizability of an effective global network which are at the moment unjustified. It is doubtful whether some published assessments attach proper weight to various technical factors; in particular, some fail adequately to differentiate between detection alone and detection and identification.

19. Difficult problems remain with respect to on-site inspection which have yet to be solved. Further, there is no agreement on whether or not it is possible to accommodate arrangements for nuclear explosions for peaceful purposes with a comprehensive test ban treaty. These difficulties formed an important part of the trilateral negotiations between 1977 and 1980, and were clearly identified in the report to the CD on those negotiations (Document CD/130). But the work done in the Committee on Disarmament since 1982, particularly by the Ad Hoc Group of Scientific Experts, has been valuable in identifying areas where further progress might be possible. What is at issue is the political will to recognize that the correct path towards an agreed treaty - however long it may prove to be - leads through detailed consideration of the verification issues. Once we are confident that those problems have been resolved - and the solution must not permit disequilibrium in international relationships by allowing one side to gain advantage over another - then we can move towards the final banning of all nuclear tests.

COMMITTEE ON DISARMAMENT

CD/ACD
CD/PTB/P.9
11 August 1985
Original: ENGLISH

Ad Hoc Working Group on
a Nuclear Test Ban

SWEDEN

Working Paper

International Surveillance of Airborne Radioactivity (ISAR)

Since the early 1960s the technique to analyse the radiation from dispersed remnants of a nuclear explosion has considerably improved. Results which twenty years back required time-consuming radiochemical treatments of samples can now be obtained in one single measurement with a so-called germanium detector. After such a measurement it is possible to establish with a high degree of certainty whether nuclear explosion debris has been collected in a sample and, if so, how long a time has passed since the explosion occurred. This has become possible because modern detectors in one step give a very detailed picture of the composition of different radioactive elements in the sample.

Possible ISAR system and cost aspects

A system for the international surveillance of airborne radioactivity (ISAR) should consist of some 50-100 fully equipped sampling stations and about half a dozen regional measurement stations (one in each continent), which could form part of the data centres already envisaged for the collection, analysis and handling of seismic data in connection with the monitoring of a comprehensive nuclear test ban treaty.

At each sampling station air would be continuously blown by a pump through a glass fibre filter, the size of which should be 0.3 - 1 m², with a speed of one or several tons of air per hour. The filters would be changed once or twice a week and sent for analysis at the regional measurement laboratories. The filters can be split in identical parts and these sent to different laboratories in order to ensure the quality of measurement and to minimize the possibility of cheating.

A fully equipped sampling station would cost some 20,000 dollars to establish and about half of that sum to operate per year.

Sweden and many other countries operate national surveillance networks for atmospheric radioactivity. 1/ The Swedish measurement laboratory, which is of a size comparable to what would be needed for a regional laboratory, operates on an annual budget of 300,000 dollars. The cost of establishing such a laboratory - including radiation shields, around 5-10 high-efficient detectors and a small computer to supervise the measurements and carry out the analysis and data handling - would be around 700,000 dollars (costs of premises not included).

*/ Reissued for technical reasons.

1/ See e.g. IAEA Transactions on Nuclear Science, Vol. NS-29, No. 1, February 1972, page 827 for a description of the Swedish air monitoring network.

An international system for the global surveillance of airborne radioactivity would thus cost considerably less than 10 million dollars to establish and less than 3 million dollars annually to operate. If already existing sampling stations or somewhat upgraded existing stations would be made available to the network and/or if existing laboratories could be used for this purpose the costs would be significantly reduced. 2/

Study on network design

As noted in the Swedish Working Paper CD/NTB/WP.2 of 30 August 1982 a network for the international surveillance of airborne radioactivity should be designed in such a way that the detection probability would be essentially the same all over the globe. To design a network with these characteristics is from a technical point of view to a large extent a meteorological problem.

In order to somewhat clarify this matter, a study entitled "Design of a global detection system for airborne radioactivity - meteorological aspects" was carried out last winter at the Department of Meteorology at the University of Stockholm.

In the study a hypothetical network consisting of 60 stations, distributed over the globe was laid out. This was done solely on the basis of an understanding of the general circulation of the atmosphere. No consideration was thus given to the distribution between land and sea or to political boundaries. This hypothetical network had 20 stations evenly spaced around the equator and 8, 5, 4 and 3 stations evenly spaced around the 30°, 45°, 60° and 75° parallels respectively. A realistic detection limit for a station of the kind shortly described above was set to one atom per 10 m³ of air of a characteristic, rather short-lived, fission product Barium-140 with a half-life of 12.8 days. Then nearly 10,000 small (1 kiloton) nuclear explosions were simulated in the computer, and the radioactive clouds were followed in each case for 10, 15 or 20 days. The explosion clouds were started from 410 evenly distributed emission points at an altitude of about 1.5 km (850 mbar) every fifteenth day during one year. Wind data for the period 1 December 1978-30 November 1979 were used because this is probably the best set of such data available at the present time.

The results were presented in the form of a "hit-list" for each of the release points and for each of the stations. For all the 410 release points the number of clouds detected by at least one station in the network was given, and for all the 60 stations the number of detected clouds was recorded.

These data suggested how the assumed network of stations could be rearranged to obtain a network with a more evenly distributed sensitivity. The study confirmed that, depending on what detection probability one chooses, the number of stations needed is 50-100. The main result of the study was, however, that it demonstrated a method of designing a global network of atmospheric sampling stations. This technique can then be applied to more realistic networks, where political, geographical and practical constraints are taken into account.

Copies of the report of the study may be obtained from the Swedish delegation.

2/ The figures given are in 1983 prices and are only of an indicative nature. The purpose here is merely to give an idea of the order of magnitude of the costs involved.

FEDERAL REPUBLIC OF GERMANY

Working PaperModalities of the review of the membership of the Committee

The present working paper takes as a starting point the consensus views expressed in the Final Document of the First Special Session of the General Assembly devoted to Disarmament relating to the composition of the Committee on Disarmament, and the agreement to conduct a review of the membership of the Committee at regular intervals; equally, paragraph 62 of the Concluding Document of the Second Special Session of the General Assembly devoted to Disarmament, General Assembly resolution No. 37/99 K I, and previous debates at the Committee on Disarmament on the membership issue.

It is generally accepted among the members of the Committee that the agreement to review its membership would not entail a rotation of members, or alternatively, a reduction of its membership. Realistically, then, the request to the Committee to review its membership would go either in the direction of the maintenance of the present number of members, or of enlargement.

In this connection it is to be noted that the Committee has, in earlier debates, voiced no objection in principle to a limited expansion of its own membership.

The task at present incumbent upon the Committee to embark on a review of its membership must, therefore, be construed in the direction of determining what a limited expansion of membership should mean, and how such expansion should be implemented.

This task must in particular be viewed in the light of the fact that, for a number of successive annual sessions, formal applications for membership have been before the Committee from a certain number of States members of the United Nations. These applications for full membership presently stand at 10, including Austria, Bangladesh, Finland, Ireland, Norway, Senegal, Spain, Tunisia, Turkey and Viet Nam.

In the opinion of the delegation of the Federal Republic of Germany a formal reply to these requests cannot be postponed indefinitely. The international community, as organized in the universal family of the United Nations, is based on the principle of sovereignty, and the request of a sovereign member State to participate in decision-making bodies that have hitherto been of a limited non-rotating membership cannot be ignored forever. In other words, member States of the United Nations that have been selected for membership in limited bodies owe it to other countries not presently included in important undertakings of the international community that their quest for participation be examined bona fide and without undue delay.

While few members of the Committee would dispute this premise in principle, the practical handling of the issue has led precisely to such a delay, and it appears from the current discussions that no common motivation exists behind the verbal affirmation of the necessity to enact a limited enlargement at an early point.

In order to clarify the various motivations of delegations in this matter, and to facilitate the consensus on how and when a concrete process of enlargement should be envisaged and implemented, the present working paper sets out to enumerate the key principles that should govern the enlargement process.

Such clarification appears to be particularly in order, since a recent suggestion, i.e. to increase the CD-membership by adding not more than four or five States, and to entrust the President of the thirty-eighth session of the General Assembly with certain functions in the selection process, has not found the consensus of the Committee, but has rather given rise to queries such as these: how would the Committee react vis-à-vis countries which have submitted formal applications for membership, but would not be among the four or five selected? What criteria would be applied in the selection process? Would the present step

be followed by other, successive enlargement operations? How would the status of the Committee on Disarmament as an autonomous conference of States be affected by a constituent role of the United Nations General Assembly President in the selection process?

From these queries, and many others that could suitably be posed, it would seem to emerge that the enlargement problem does not admit of facile solutions except if a different time-frame is chosen, and the status and nature of the Committee on Disarmament fully taken into account.

I.

Basic criteria

In the view of the delegation of the Federal Republic of Germany the problem of the composition of the Committee (or Conference) on Disarmament would have to be looked at in a medium-term perspective and should be dealt with in a manner which takes into account all relevant interests of States without impinging upon the nature and work of the Committee.

In this regard the following principles might be formulated:

- The Committee (or Conference) on Disarmament is not a derivative of the United Nations system with which it works in close unison, but an autonomous conference of States acknowledged in its historically grown form by the United Nations General Assembly and the United Nations member States. The ultimate decision on whether the Committee ought to be enlarged, and how co-optation should take place, would therefore reside in the Committee itself.
- The unique role entrusted to the Committee on Disarmament as the sole universal multilateral negotiating forum in the field of disarmament would appear to make it imperative that the Committee's composition should reflect the widest possible representation of major security policy perceptions among the United Nations member States.

- The broadly representative nature of the Committee in terms of major security perceptions would seem to call for a general balance among these perceptions, but not for a narrow numerical balance between various groups which would be impossible to construct.
- The growing relevance of disarmament matters, and the growing awareness of peoples around the world of their precarious security situation have generated a growing interest by States to participate in the work of the Committee on an equal footing, and the principle of sovereignty of States would appear to require that these quests for membership be taken into account by the present members of the Committee.
- At the same time the Committee, in its present composition, has the duty to safeguard the level of efficiency and negotiating experience that have accumulated in the body's history. Any enlargement process should therefore take into account as an important concomitant objective the preservation of these assets, as well as the positive experience made with smaller gradual enlargement steps in the recent past.

II.

Interests of candidate States and selection criteria

The following factors ought to be taken into account:

- A number of countries that have submitted formal applications for membership to the Committee have demonstrated their particular interest and ability to contribute to the purposes of the Committee and have, in part, heavily invested in their participatory role (elaboration and submission of working papers, availability of research facilities, dispatch of experts, specialized staff with Permanent Missions in Geneva). These observer delegations have objectively contributed to the Committee's work and established a pattern of expectation on their own part, that their observer role might at a suitable time be rewarded by transformation into full-fledged membership.
- Other delegations, while not having undertaken the same concrete efforts, have taken initial steps in this direction and evinced their readiness to step up their contributing activity as soon as a reasonable perspective for full membership in the Committee would open up. These delegations appear worthy of encouragement and should, at the appropriate time, be given a chance to make the full weight of their contribution felt.

- The universal respect and acknowledgement that is attached to the policies of a candidate country that consistently abides by the commands of the United Nations Charter and has a notable record in the preservation and enhancement of peace should be taken into account as an important criterion in the selection process.
- In more general terms, the selection process, at each given stage, should be conducted in a rational, non-arbitrary fashion, evaluating the possible gain in terms of the Committee's efficiency, and the interest and quality of the country or countries to be admitted.

III.

A possible model of future enlargement

A possible solution to the present enlargement dilemma, designed to take account of the greatest possible number of legitimate interests involved, would appear to be a staggered enlargement over time.

The model here developed could provide a medium-term perspective.

It would start from the assumption that in addition to the 10 candidate States presently registered for formal membership there might be five to eight other United Nations member States that have consistently evinced an outstanding interest in active participation in the multilateral disarmament process by being involved in an observer capacity in the work of the CD, or as members of the UNDC or the First Committee of the United Nations General Assembly. A gradual process of enlargement that would take into account this over-all number of supposedly interested parties, and provide an acceptable solution to the interest of all of them in a staggered fashion could form a rationally conceived grid for a durable settlement of the membership issue.

In this vein one could think of the periodic admission of three new members every three years. This periodic enlargement could operate over a total span of 12 or 15 years. Another mode of gradual enlargement would be the admission of four States every four years over a comparable period.

This model would appear to have the following advantages:

- Instead of providing a one-stroke expedient, this approach would solve the membership issue over a substantial period of time and absorb the large majority of countries that are at present interested in disarmament work.
- The format of the Committee on Disarmament would be effectively preserved in that at each time only a limited increment would be granted. A small number of new members could easily be absorbed and integrated, and educated to the historically formed procedures and modalities of the CD process.

- Staggered admission would enable those who have most insistently worked for full membership to enter first, while other candidates could satisfy themselves with the reasonable perspective of entering with only a short additional waiting period.
- Those not immediately involved in enlargement, but promised a place in the second or third wave, could use the intermediate time period to intensify their observer role and to train and equip themselves for full participation.
- The reasonably safe prospect that a candidate country which cannot be accepted at an early stage, will ultimately acquire full membership, can, by avoiding downright refusal, serve to satisfy legitimate considerations of national prestige and to attenuate psychological disadvantages.
- In view of the relatively rapid succession of enlargement stages, there would be no need to construct difficult models of geographical and security balance at each given stage. An acceptable general balance would rather be preserved or restored over a number of successive stages.

IV.

Over-all effect

In the view of the Delegation of the Federal Republic of Germany the adoption of the tentative enlargement scheme here outlined would effectively dispense with the enlargement issue, raise the Committee's representativeness of major security perceptions, provide a larger public audience for the Committee's work, and at the same time preserve the Committee's efficiency. It is believed that even in the final stages of this scheme the total number of participants would be manageable and not change the over-all character of the Committee. No major organizational changes in the functioning or support system of the Committee would appear necessary, and the meeting rooms presently available could continue to be utilized. It might however be advisable to examine, at an appropriate time, the working mode of subsidiary bodies in areas which do not meet with equal negotiating interest by all members of the then enlarged membership.

AUSTRALIA

Proposal for the scope of a comprehensive
nuclear test ban treaty

In pursuit of the goal of a comprehensive nuclear test ban treaty that would ban all nuclear explosions by all States in all environments for all time, the Australian delegation proposes the following draft article for the scope of a future treaty:

Article I

1. Each Party to this Treaty undertakes not to carry out any nuclear weapon test explosion, or any other nuclear explosion.
2. Each Party to this Treaty undertakes, furthermore, to refrain from causing, encouraging, assisting, permitting or in any other way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion.
3. Each Party to this Treaty undertakes to take all necessary measures to prohibit and prevent any activity in violation of the provisions of the Treaty anywhere under its jurisdiction or control.

COMMITTEE ON DISARMAMENT

CD/406
4 August 1983
Original: ENGLISH

GERMAN DEMOCRATIC REPUBLIC

Working Paper

containing a list of items which could be dealt with in the course of informal meetings of the Committee on Disarmament on the prevention of nuclear war

There is no task more important and urgent than the prevention of nuclear war. In the last instance the threat of nuclear war will be eliminated by the cessation of the nuclear arms race and nuclear disarmament as called for in paragraph 50 of the Final Document of the First SSOD. In the meantime urgent negotiations on appropriate and practical measures for the prevention of nuclear war are necessary.

Together with many other countries, the German Democratic Republic, therefore, advocates the establishment of an Ad Hoc Working Group to that end. To make headway in this direction the Committee could hold informal meetings to prepare such negotiations, with the clear understanding that this will lead to the creation of an Ad Hoc Working Group on the prevention of nuclear war at the beginning of next year's session.

Items relevant to the prevention of nuclear war should be specified to allow a structured discussion at the informal meetings and to orderly prepare the negotiations. This could be done on the basis of certain objective characteristics, i.e. such measures should directly apply to nuclear weapons, be urgent and multilateral in nature, involve all nuclear-weapon States, and be practical.

Taking into account the proposals put forward during the recent debate in the Committee on Disarmament the following items are considered relevant to the issue of preventing a nuclear war:

1. Renunciation by all nuclear-weapon States of the first use of nuclear weapons.
2. Conclusion of a convention on the prohibition of the use of nuclear weapons.
3. Freeze by all nuclear-weapon States on the production and deployment of nuclear weapons and their means of delivery as well as on the production of fissionable material for the purpose of manufacturing various types of nuclear weapons, as a first step to the reduction and, eventually, the elimination of their nuclear arsenals.

4. Moratorium on all nuclear explosions for the time until a treaty on the complete and general prohibition of nuclear-weapon tests is concluded.

5. Measures to prevent an accidental or unauthorized use of nuclear weapons and to avoid the possibility of surprise attacks.

6. Undertakings by the nuclear-weapon States to avoid actions that might risk unleashing a nuclear conflict and to make the prevention of nuclear war a basic objective of their policies.

7. Measures providing for consultations in the case of necessity to prevent crises which may lead to a nuclear war.

8. Other possible confidence-building measures.

Other proposals aimed at the prevention of a nuclear war might be discussed as well. Any consideration of the above-mentioned items should lead to negotiations in the Committee on Disarmament with a view to early elaborating concrete measures to prevent nuclear war.

STATEMENT OF THE GROUP OF 21 ON EFFECTIVE INTERNATIONAL
ARRANGEMENTS TO ASSURE NON-NUCLEAR WEAPON STATES AGAINST
THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

1. In its statement (CD/280) of 14 April 1982 the Group of 21 had stated that "further negotiations in the ad hoc working group on this item are unlikely to be fruitful so long as the nuclear weapon States do not exhibit a genuine political will to reach a satisfactory agreement. The Group, therefore, urges the nuclear weapon States concerned to review their policies and to present revised positions on the subject to the second special session of the General Assembly devoted to disarmament which shall fully take into account the position of the non-aligned, neutral and other non-nuclear weapon States".
2. At the second special session the Nuclear Weapon States failed to meet the concerns of the Group of 21 in this regard.
3. In subsequent discussions in the Working Group the nuclear weapon States have persistently upheld their existing unilateral declarations which reflect their own subjective approach, with the result that the negotiations on this item cannot be carried any further.
4. The Group of 21 deeply regrets this situation.
5. The Group of 21 reiterates its belief that the most effective assurances of security against the use or threat of use of nuclear weapons is nuclear disarmament and prohibition of the use of nuclear weapons. The Group of 21 reaffirms its adherence to the principles enunciated in the Group's statement (CD/280) of 14 April 1982, regarding an agreement on the question of "effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons".
6. The nuclear weapon States have an obligation to guarantee in clear, unambiguous terms that the non-nuclear weapon States will not be threatened or attacked with nuclear weapons. The inflexibility of the concerned nuclear weapon States to remove the limitations, conditions and exceptions contained in their unilateral declarations runs counter to their obligations to extend credible assurances to the non-nuclear weapon States against the use or threat of use of nuclear weapons. The resulting impasse is preventing the working group from proceeding to the elaboration of a common formula or common approach acceptable to all to be included in an international instrument as called for by the relevant resolutions of the United Nations.
7. The Group of 21, therefore, once again urges the concerned nuclear weapon States to display the necessary understanding and political will in this respect thus enabling the working group to resume work at the beginning of the next session.

WORKING PAPER SUBMITTED BY THE ARAB REPUBLIC OF EGYPT
Proposals to promote respect for the Chemical Weapons Convention
and compliance with its provisions

The accession of the greatest possible number of States to the Convention on the Prohibition of Chemical Weapons is a prerequisite for the successful elimination of such weapons throughout the world since the reluctance of some States to accede to the Convention is likely to induce other States to adopt the same attitude.

Accordingly, it is important that the Convention should embody principles, provisions and measures that would inspire widespread confidence in its credibility and effectiveness and foster the conviction that the Convention would further the real interests rather than endanger the security of the States Parties thereto.

For this reason, the Arab Republic of Egypt firmly believes that the Convention should make provision for the establishment of an effective verification system, including the possibility of on-site inspection. It is gratifying that the Committee on Disarmament currently appears to be more aware of the need for the incorporation of such a system within the provisions of the Convention.

At the same time, however, we do not regard the establishment of an effective verification system as being, in itself, sufficient to inspire the requisite degree of confidence in the face of misgivings regarding what would happen if it were found that one of the States Parties had committed a serious breach of the provisions of the Convention, thereby jeopardizing the security of another State Party, or if such a State refused to co-operate with the bodies responsible for verification.

The endangered State Party could obviously resort to the Security Council. However, such resort to the Security Council, despite its significance, is a method of recourse available to all States Members of the United Nations regardless of whether they have acceded to the Convention. Moreover, the constraints imposed on action by the Security Council, particularly the right of veto enjoyed by the five Superpowers, are well known.

*/ Reissued for technical reasons.

In our view, a reciprocal undertaking by the States Parties to relinquish the chemical weapons option would, in effect, create a joint obligation on the part of all States Parties to uphold the Convention and promote its objectives and would place each State Party under a special responsibility towards all other States Parties fulfilling their obligations in good faith. Such responsibility should be invoked in the event of any State Party being endangered as a result of violation of the provisions of the Convention by another State Party thereto. It is a two-fold responsibility involving, on the one hand, the need to support and assist the endangered State Party and, on the other hand, the duty of Member States to take the measures that they deem appropriate, with a view to upholding the objectives and ensuring the credibility of the Convention.

Furthermore, it is possible to envisage certain situations, which may not necessarily emerge from a violation by a State Party to the Convention, but which could endanger the Convention or the legal principles that it may create. This is a matter which may lead to convening the Security Council or any other body concerned, but it may also necessitate a special meeting of the Consultative Committee if, in this respect, a request was presented to the depositary by a number of States Parties to the Convention. Such a provision could be embodied in the Convention.

In the light of the above, we believe that the Convention should include provisions to the following effect:

1. All States Parties should undertake to respect the Convention, to promote its objectives, and to observe both the letter and the spirit of the Convention in their international relations.

2. An urgent meeting of the Consultative Committee should be convened in any of the following circumstances:

- (a) An established violation of the provision of the Convention by any of the States Parties thereto.

- (b) The refusal of any State to fulfil its obligations with regard to co-operation with the body responsible for verification and inspection.

- (c) The emergence of any situation which, in the opinion of a number of States Parties (five Members, for example), posed a threat to the Convention or impeded the achievement of its objectives.

3. When meeting in any of the above-mentioned circumstances, the Consultative Committee should consider the measures to be taken by Member States in order to ensure respect for the Convention and its objectives and the provision of assistance for any endangered Member State.

UNION OF SOVIET SOCIALIST REPUBLICS
ANSWERS OF THE MINISTER FOR DEFENCE OF THE USSR, MARSHAL D.F. USTINOV
TO QUESTIONS OF A TASS CORRESPONDENT

Moscow, July 30, TASS

Follow the full text of the answers of Marshal Dmitri Ustinov, the USSR Defence Minister, to questions of a TASS correspondent:

Question: Statesmen of the NATO member-countries, above all of the USA, are spreading the allegation that the USSR "continues building up its military might, which goes far beyond the limits of its defence needs". Is that so?

Answer: The Soviet Union and its allies are maintaining their defence potential at a level necessary for the defence of the Warsaw Treaty member-states. The essence of our military policy is effective defence and nothing above that. The USSR has never initiated the arms race and is not going to do so in the future. If we compare the military potential of the USA and the defence potential of the Soviet Union, they are roughly equal. Our military might is not greater than that of the United States. We do not strive for military superiority.

The question, however, arises: about what "limits" of the USSR's defence needs are the NATO leaders speaking? Proceeding from what do they determine the necessary, in their view, volume of our defence potential? They proceed from the premise that the defence might of the Soviet Union and the Warsaw Treaty should be inferior to the military might of the USA and NATO. The Soviet Union will not accept the "limits" which the USA is trying to impose on us.

We are for equality in nuclear and other weapons, for a renunciation of military superiority, not by words, but in deeds, as well as for talks without diktat and power pressure.

There exists a rough equality of military forces between the West and the East. It is a reality. This was recognised by three American Presidents - Nixon, Ford and Carter.

This is also recognised now by many prominent American figures. Only President Reagan and, recently, some other Western representatives, following in his footsteps, are speaking much and at length about the USSR's "superarmament". But in reality up to the early seventies the USA had superiority in the field of strategic nuclear weapons. There are fields, where it has advantages to this day. Look at some figures: the USA has at present more than 13,000 nuclear warheads in its strategic nuclear force, whereas the USSR has less; the strength of the NATO armed forces is 5.5 million men, while the Warsaw Treaty has, even according to official Western sources, 4.9 million men. The USA has 13 aircraft carriers with 520 nuclear-capable aircraft on board, which are in service off the Soviet Union's coasts. The USSR has no air-

craft carriers. This list could be further continued. The claims about Soviet military superiority, about the Soviet Union's superarmament are a fabricated malicious lie, which is being constantly disseminated.

But if we are to speak about superarmament, it is the objective of the country, which has set up more than 1,500 military bases and installations in the territories of other countries; of the country which has created very big groupings of permanently ready armed forces and keeps in full readiness means for their delivery to most distant areas of the world; the country which instead of limiting and reducing nuclear weapons is building up strategic offensive forces on an enormous scale over and above its needs, is deploying medium-range missiles in Europe and is thus creating a potential for launching the first nuclear strike; is heading into outer space in order to take the globe into the sights of its nuclear strike weapons, laser and ray weapons; is now spending already trillions of dollars on military preparations, is turning down all proposals for reaching agreement on normalising the international situation. The name of that country is the United States of America.

Question: In connection with the talks on the limitation of nuclear weapons in Europe, Western propaganda continues accusing the Soviet Union of being unconstructive and intransigent, of allegedly striving to ensure unilateral advantages for itself. It is even claimed that the USSR has a "monopoly" on medium-range missiles. Are there grounds for such claims?

Answer: There are no grounds for such claims. Everyone at talks, naturally, presses for more advantageous conditions for himself. But if the subject of the talks are problems of fundamental interest for states, they can be conducted only with due regard for each other's legitimate interests.

This is precisely how the Soviet side is conducting things in Geneva. Our constructive proposals in Geneva are known. The USSR is for no nuclear weapons - either medium-range or tactical ones - in Europe. This is the real way to nuclear-free Europe, and it is acceptable to us, as the Soviet Union has no aggressive plans. The USA and NATO remain silent so far and do not give any answer to our initiative, although almost two years have passed since it was put forward.

The USSR has put forward yet another plan, according to which both sides should reduce their medium-range weapons in the European zone by more than two-thirds. In so doing, the Soviet Union is ready to preserve for itself the same number of missiles as Britain and France have. We expressed readiness to reach agreement on equality, in each mutually stipulated period of time, of nuclear potentials in Europe not only by the number of delivery

vehicles (missiles and aircraft), but also by the number of warheads for them.

As a result, the Soviet Union would have in the European zone far less medium-range missiles and warheads on them than prior to 1976, when we had no SS-20 missiles at all. In reaching agreement on such a basis, we are prepared to start equalising the number of missiles of the sides even tomorrow. But wherein does the unconstructive character of our proposals lie? On the contrary, our proposals are constructive and responsible ones. They are a way to a reasonable compromise.

They in the West are speaking much about the "intransigence of the Russians". But in what, properly speaking, are we expected to concede? Are we expected to give a go-ahead to the introduction of Pershing and cruise missiles into Europe? Are we expected not to count the nuclear weapons of Britain and France on NATO's side? Thus they are demanding unilateral concessions precisely from us, wishing that we should agree to a direct damage to our security and that of our allies. Why must we be tractable on that point? We are not demanding anything of the sort from the USA.

The question of the nuclear weapons of Britain and France is deliberately muddled up under cover of the thesis about the Soviet Union's "intransigence". It is impossible to find objectivity in the very attitude of not counting these weapons among the NATO's medium-range nuclear force in Europe. This is NATO's frank striving to preserve big military advantages for itself in Europe. As has been learnt now, it was in Guadeloupe way back in 1979 that the leaders of the USA and the other major NATO countries reached agreement that the USA would appear at the Geneva talks alone, so as to be able, by referring to the bilateral character of the talks, to exclude British and French nuclear weapons from the count, and put in circulation the allegation about a Soviet missile monopoly in Europe.

But in actual fact, there is, of course, no Soviet "missile monopoly". The Soviet SS-20 missiles are only a counterbalance to the nuclear potential of the NATO countries in Europe, including to their missiles. Speaking of monopoly, it is precisely the US side which would like to gain the privilege of keeping near the Soviet borders additional nuclear weapons, which is a strategic factor for the Soviet Union. "The USA would like to gain for itself a monopoly position by deploying near the USSR nuclear weapons, capable of hitting targets deep in our territory, while the USSR does not have and, certainly, if one is to follow American logic, should not have a comparable potential somewhere near the USA", this is precisely to what Yuri Andropov drew attention.

It must be noted, for that matter, that when evaluating the NATO force, the USA itself invariably takes into account the nuclear potentials of Britain and France. In the Report to Congress of US Defence Secretary Weinberger on the military budget for 1983, frankly says that the NATO's large distance naval systems include submarine launched ballistic missiles - the British "Polaris" and the American "Poseidon" - as well as carrier-based American planes. Mention is made in the same Report also of French ballistic missile submarines, the only reservation being that officially they are not part of NATO. In its "White Paper" on defence issues for 1978 the British government said that British submarines with "Polaris" missiles are part and parcel of NATO's strategic force. They are capable of doing such damage to the Soviet Union that the Soviet leadership should take them into account, it said further.

The demand that the nuclear weapons of British and France be counted on the NATO side is not a bargaining point for us, but an objective need stemming from the interests of ensuring our security. Under any circumstances the Soviet Union shall and will have an equivalent to the above-said weapons.

Question: Claims have been again widely made recently, on the initiative of the US Administration, that the USSR allegedly has a superiority over the USA in the field of strategic weapons. What will you, comrade Minister, say to that?

Answer: At the present time there is rough equality in the balance of the strategic nuclear force of the Soviet Union and the strategic offensive force of the USA.

Seven years ago when the USSR and the USA were drafting the SALT-2 Treaty, not only each figure but even each comma was verified many times. And when the leaders of the USSR and the USA were signing that treaty in Vienna in 1979, they placed on record that there existed parity between the Soviet Union and the United States in the field of strategic weapons. It remains to this day. But the whole point is that they in Washington have set themselves the aim of breaking that parity, of achieving military superiority.

Whatever component of the strategic offensive force of the USA we may take, each of them is to be re-equipped with new weapons systems soon. The "MX" ground-based strategic missile with ten independently targetable warheads is being tested, a new mobile single warhead "Midgetman" missile and a new sea-based "Trident-2" missile are being developed, intensive work is under way to deploy in this decade two new strategic bombers (B-1b and "Stealth"), batch production has been started of long-range air- and sea-launched cruise missiles, preparations are nearing completion for the deployment of such ground-based missiles. And, as the leading Pentagon officials say, the United States will continue

implementing all the above-said programmes even if an agreement on a reduction of strategic weapons is concluded with the Soviet Union.

The Washington leaders use various gimmicks to cover up their policy of ensuring military superiority. They have set afloat a concept, according to which the weapons that are most developed on the Soviet Union's side - modern intercontinental ballistic missiles (ICBMs) - are declared as being destabilising and subject to scrapping, while those in which the USA is most strong - the modern submarine launched ballistic missiles (SLBMs) and heavy bombers - are to remain intact.

Indeed, the American side is guided by precisely this concept at the Geneva talks on the limitation and reduction of strategic weapons. The stand of the USA, the way it is now presented at the talks, is selfish and aimed at the Soviet Union's unilateral disarmament. It disregards our legitimate interests and presupposes the attainment of an overwhelming advantage of the USA over the USSR. We are proposed actually to reshape the whole structure of our strategic forces. The aim of these proposals is to undermine the USSR's strategic nuclear power.

Question: What will you, comrade Minister, say about the propaganda campaign which has been launched in the USA and the other NATO countries with the aim of portraying the Soviet government's statement of May 28 as a growth of the "Soviet military threat" to the West?

Answer: The Soviet Union has never threatened and does not threaten anyone. By whipping up the "Soviet threat" myth, certain circles in the West are thus trying to distract the attention of the peoples from the real military threat, which is created by the US Administration and some of its NATO allies.

The US President has been recently ever more often saying, for example, that the "Pershing-2" missiles are indispensable, that America also very much needs "Trident" missiles in order to "deter the Russians". But the speculation on deterrence is a camouflage. The American leaders consider it to be a disadvantage to them to tell the truth about their military preparations. Yet, in actual fact, the Pershing-2 and "Trident" missiles are a first strike weapon. And the Washington strategists are concerned not with "detering the Russians". The first nuclear strike doctrine has become the dominant one in the US military strategy. The creation of strategic weapons systems and the build-up of the strategic force as a whole is subordinated to the possibility of implementing precisely that doctrine.

In conditions of the growth of the military threat it would be absolutely inadmissible for us to expose to a risk the peaceful labour of the peoples of the countries of the socialist community

and make it dependent on "peaceable assurances" of the instigators of the nuclear arms race. We know and duly appraise the policy of the imperialists, their attitude to the socialist countries and will never forget the tragedy brought upon the peoples by the policy of "appeasing" the aggressor. Mindful of that, we are duty bound to take measures and to respond to the growth of the nuclear threat. Respond in such a way that the sense of self-preservation should prevail in the potential aggressor over the intention to unleash an aggression against us.

We will take such counter-measures, that will make the military threat to the territory of the USA and the countries, on whose territories American missiles will be deployed, the same as the USA is trying to create for the Soviet Union and our allies. And may those who are building up the arms race today realise, at long last, the dangerous illusory character of the drive for military superiority and the pressing need for reaching agreement on limiting and reducing nuclear weapons in accordance with the principle of equality and equal security.

- - -

MONGOLIA**PREVENTION OF AN ARMS RACE IN OUTER SPACE**

The struggle to preserve a peaceful outer space is at the present time one of the principal aspects of over-all efforts to ensure world peace and international security. The maintenance of peace and security in outer space has enormous significance for the preservation of peace on earth. Consequently, the prevention of the militarization of outer space is one of the foremost problems confronting mankind, and man's future depends on whether he manages to resolve that problem.

The socialist countries have consistently opposed and they continue to oppose the conversion of outer space into a theatre for the arms race. With their direct participation, a number of international treaties and agreements now in force were concluded, with the aim of ensuring that outer space would be used solely for peaceful purposes and for the benefit of mankind. Under the Treaty Banning Nuclear Weapon Tests in three environments (1963), outer space was closed to nuclear weapon test explosions and any other nuclear explosions. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies contained an important international legal undertaking not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction. The conclusion in 1977 of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques constituted a useful measure towards the limitation of the military use of outer space.

Important provisions, substantially reducing the possibility of the use of outer space for military purposes, are contained in the bilateral Soviet-United States agreements concluded in the 1970s. Under the Treaty on the Limitation of Anti-Ballistic Missile Systems of 1972, supplemented by the Protocol of 1974, the parties undertook "not to develop, test or deploy" space-based ABM systems or components. The Interim Agreement on Certain Measures with Respect to the Limitation of Strategic Offensive Arms of 1972 placed definite limits on the number of intercontinental ballistic missiles.

The progress achieved towards the demilitarization of outer space would be even greater if the United States had ratified the SALT II Treaty signed at Vienna on 18 June 1979, which provides not only for quantitative but also for qualitative limitations on such weapons. It contains provisions limiting the possibilities for the development of systems for placing nuclear weapons into earth orbit, and also of fractional orbital systems.

Thus, important international legal instruments have been elaborated and are in force, limiting the use of outer space for military purposes. However, all these agreements do not exclude the possibility of the deployment in outer space of types of weapons which do not fall within the definition of weapons of mass destruction.

It was for that reason that a proposal was put forward at the thirty-sixth session of the United Nations General Assembly with the object of preventing the extension of the arms race to outer space and the prevention of the conversion of outer space into a source of aggravation of the relations between States. To that end, a draft treaty on the prohibition of the stationing of weapons of any kind in outer space (document CD/274 of 7 April 1982) was put before the Committee; it contains a provision whereby States parties would undertake not to place in orbit around the earth objects carrying weapons of any kind, install such weapons on celestial bodies, or station such weapons in outer space in any other manner, including on reusable manned space vehicles of an existing type or of other types which States parties might develop in the future.

In its resolutions 36/99 and 37/83 the United Nations General Assembly suggested that the Committee on Disarmament should elaborate an international agreement on this subject. Prompted by these resolutions, the delegations of the socialist countries in the Committee have already for two years now been advocating the establishment of an ad hoc working group to draft an agreement or agreements on the basis of existing and future proposals.

The Mongolian delegation notes that, in spite of the fact that a number of proposals have been put forward and that the majority of delegations are in favour of the immediate starting of negotiations on item 7 of the agenda, the Committee has been unable to reach a consensus on the mandate of the ad hoc working group. The deadlock in the negotiations on this question are a cause of concern in view of the implementation of military space programmes and the development, within the framework of those programmes, of weapons systems for the carrying out of strikes in and from outer space and of space weapons aimed at targets in outer space, in air space and on earth. The deployment of such weapons will increase mistrust in the relations between States, make co-operation in the sphere of the peaceful use of outer space more difficult and lead to a disruption of the existing strategic balance and thus to an increase in the danger of the outbreak of war.

A subject of particular concern and alarm in the international community is the decision of the United States administration to begin developing a large-scale anti-missile defence system. The implementation of this decision in practice could jeopardize not only the prevention of a further arms race in outer space but also the existing agreements and treaties.

The Mongolian delegation, sharing the concern of the overwhelming majority of delegations at the danger of the extension of the arms race to outer space, urges the speedy settlement of the procedural and organizational problems which are hampering agreement on the mandate of an ad hoc working group. Such a mandate ought to provide for the possibility of the conduct of negotiations aimed at the conclusion of an agreement or agreements for the prevention of an arms race in outer space in all its aspects.

In the view of the Mongolian delegation the ad hoc working group could, during the initial phase of its negotiations, identify those questions that are of immediate concern to the prevention of an arms race in outer space.

In view of the importance and urgency of the task of resolving the problem of the prevention of an arms race in outer space, the Mongolian delegation appeals to the Committee on Disarmament to make renewed efforts to achieve progress on item 7 of its agenda. It is firmly convinced that, given the political will and readiness to achieve mutually acceptable solutions, there is no problem on which an appropriate agreement could not be reached.

AUSTRALIA, BELGIUM, FEDERAL REPUBLIC OF GERMANY,
ITALY, JAPAN, NETHERLANDS

Prevention of Nuclear War, Including All Related Matters

This paper intends to outline a possible structure for a comprehensive analytical exploration of the subject "Prevention of Nuclear War, Including All Related Matters" in the course of a clustered series of informal plenary meetings.

In order to identify possible practical and appropriate, negotiable measures for the prevention of nuclear war and armed conflict in general, the Committee should, in the first instance, develop a view of the full scope of the subject matter by considering the following indicative list of subitems:

- I Assessment of the risk of an outbreak of armed conflict in general and Nuclear War in particular.
- II The United Nations Charter and its prohibition of the threat or use of force, nuclear or other; commitments by States to renounce the use or threat of force.
- III Obligation for all States to maintain a policy of restraint.
- IV Military doctrines.
- V Domestic measures of a legal and political nature susceptible of contributing to the preservation of peace and the avoidance of nuclear war.
- VI Security guarantees.
- VII Regional security arrangements.
- VIII Effectiveness of existing commitments to renounce the use or first use of specific types of weapons.
- IX Effectiveness of measures to stop the further development, testing, and deployment of certain weapon categories.
- X Confidence-building measures, in particular those aiming at the prevention of the outbreak of war, including nuclear war, by surprise, accident or miscalculation.
- XI Significance of military balance, stability and undiminished security of all States.
- XII Significance of effective, negotiated, and verifiable reductions of nuclear armament.
- XIII Other appropriate measures.

Report of the Ad Hoc Working Group on a Nuclear Test Ban

I. INTRODUCTION

1. In accordance with the Committee's decision at its 207th plenary meeting, on 29 March 1983, as contained in document CD/358, the Ad Hoc Working Group on a Nuclear Test Ban was re-established on the basis of its former mandate, to continue to discuss and define, through substantive examination, issues relating to verification and compliance with a view to making further progress toward a nuclear test ban. The Committee also decided that the mandate of the Ad Hoc Working Group on a Nuclear Test Ban might thereafter be revised as decided by the Committee which would consider this question with appropriate urgency. It further decided that the Ad Hoc Working Group would report to the Committee on the progress of its work before the conclusion of its 1983 session.

II. ORGANISATION OF WORK AND DOCUMENTATION

2. At its 207th plenary meeting, on 29 March 1983, the Committee on Disarmament appointed Ambassador Gerhard Herder of the German Democratic Republic as Chairman of the Ad Hoc Working Group. At its 218th plenary meeting, on 16 June 1983, the Committee decided that the new representative of the German Democratic Republic, Ambassador Harald Rose, would succeed Ambassador Herder as Chairman of the Working Group. Mr. Victor Slipchenko, United Nations Department for Disarmament Affairs, served as Secretary of the Working Group.

3. As was the case in 1982, the delegations of two nuclear-weapon States did not participate in the Ad Hoc Working Group. A number of delegations expressed their disappointment at this decision and reiterated their hope that it would be reconsidered.

4. At their request, the Committee on Disarmament decided to invite the representatives of the following States non members of the Committee to participate in the meetings of the Ad Hoc Working Group: Austria, Burundi, Finland, Greece, Ireland, Norway, Senegal, Spain and Turkey.

5. The Ad Hoc Working Group held 17 meetings between 8 April and 16 August 1983.

6. During the 1983 session the following official documents under item 1 of the agenda were presented to the Committee on Disarmament:

- Document CD/346, dated 16 February 1983, submitted by the Union of Soviet Socialist Republics, entitled "Letter dated 14 February 1983 from the Representative of the Union of Soviet Socialist Republics to the Committee on Disarmament transmitting the 'Basic provisions of a treaty on the complete and general prohibition of nuclear-weapon tests'"

- Document CD/381, dated 14 June 1983, submitted by Sweden, entitled "Draft treaty banning any nuclear weapon test explosion in any environment"
- Document CD/383, dated 17 June 1983, submitted by the United Kingdom, entitled "Working paper: Peaceful nuclear explosions in relation to a nuclear test ban"
- Document CD/384, dated 20 June 1983, submitted by Australia, entitled "Institutional arrangements for a CTB verification system: an illustrative list of questions"
- Document CD/388, dated 8 July 1983, submitted by Japan, entitled "Verification and compliance of a nuclear test ban"
- Document CD/389, dated 8 July 1983, submitted by Japan, entitled "Views on a system of international exchange of seismic data"
- Document CD/390, dated 8 July 1983, submitted by Japan, entitled "Working paper on a contribution to an international monitoring system using a newly installed small seismic array of Japan"
- Document CD/395, dated 19 July 1983, submitted by Norway, entitled "Working paper: The role of international seismic data exchange under a comprehensive nuclear test ban"
- Document CD/400, dated 22 July 1983, submitted by Australia, entitled "International management panel"
- Document CD/402, dated 1 August 1983, submitted by the United Kingdom, entitled "Verification aspects of a comprehensive test ban treaty (CTBT)"
- Document CD/403, dated 3 August 1983, submitted by Sweden, entitled "Working paper: International surveillance of airborne radioactivity (ISAR)"
- Document CD/405, dated 4 August 1983, submitted by Australia, entitled "Proposal for the scope of a comprehensive nuclear test ban treaty"

During the 1983 session, the following working papers were circulated to the Working Group:

- CD/NTB/WP.3 submitted by the United Kingdom, entitled "Working paper: Peaceful nuclear explosions in relation to a nuclear test ban" (also issued as CD/383)
- CD/NTB/WP.4 submitted by Australia, entitled "Institutional arrangements for a CTB verification system: an illustrative list of questions" (also issued as CD/384)
- CD/NTB/WP.5 submitted by Belgium, entitled "Analysis of 20 years' observation of atmospheric radioactivity in Belgium"
- CD/NTB/WP.6 submitted by Australia, entitled "International management panel" (also issued as CD/400)
- CD/NTB/WP.7 submitted by the United Kingdom, entitled "Working paper: Verification aspects of a comprehensive test ban treaty (CTBT)" (also issued as CD/402)

- CD/NTB/WP.8 submitted by Australia, entitled "Proposal for the scope of a comprehensive nuclear test ban treaty" (also issued as CD/405)

- CD/NTB/WP.9 submitted by Sweden, entitled "Working paper: International surveillance of airborne radioactivity (ISAR)" (also issued as CD/403)

The following Conference Room Papers were also submitted to the Working Group during its 1983 session:

- CD/NTB/CRP.2 entitled "Annotation by the Chairman of the Ad Hoc Working Group on A Nuclear Test Ban on means of verification of compliance with a treaty on a nuclear test ban"

- CD/NTB/CRP.3 entitled "Programme of Work of the Ad Hoc Working Group on A Nuclear Test Ban"

- CD/NTB/CRP.4 entitled "Annotation by the Chairman of the Ad Hoc Working Group on a Nuclear Test Ban on procedures and mechanisms for consultations and co-operation as well as on Committee of Experts (items 3 and 4 of the Programme of Work)"

- CD/NTB/CRP.5 entitled "Annotation by the Chairman of the Ad Hoc Working Group on a Nuclear Test Ban on procedures for complaints and on-site inspections (items 5 and 6 of the Programme of Work)"

- CD/NTB/CRP.6, as amended, entitled "Draft Report of the Ad Hoc Working Group on a Nuclear Test Ban" (also issued as CD/412).

III. SUBSTANTIVE WORK DURING THE 1983 SESSION

7. At its fourth meeting, on 29 April 1983, the Ad Hoc Working Group adopted the following programme of work:

"In discharging its mandate, the Ad Hoc Group on a Nuclear Test Ban will examine issues of verification of and compliance with a NTB with a view to making further progress towards a corresponding treaty which would be non-discriminatory and could attract the widest possible adherence.

In the examination of issues relating to verification and compliance consideration should be given to all relevant aspects of a treaty on A Nuclear Test Ban.

After a general discussion on the subject matter entrusted to it the Ad Hoc Working Group will consider the following six items in the given order. Such consideration should be carried out in conformity with the provisions of paragraph 31 of the Final Document of the First SSOD. If necessary, the Chairman will submit annotations pertaining to the various items.

1. Requirements and elements of verification
2. Means of verification, inter alia:
 - (a) national technical means
 - (b) international exchange of seismic data
3. Procedures and Mechanisms for Consultation and Co-operation

4. Committee of Experts
5. Procedures for Complaints
6. On-site inspection

Pursuant to its mandate, the Ad Hoc Working Group on A Nuclear Test Ban will take into account all existing proposals and future initiatives. In addition, the Working Group will draw on the knowledge and experience that have been accumulated over the years in the consideration of a comprehensive test ban in the successive multilateral negotiating bodies and the trilateral negotiations. The Working Group will also take into account the work of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events."

8. In connection with the adoption of the programme of work a number of delegations expressed the view that the agreement reached would contribute to a fruitful and streamlined consideration of issues entrusted to the Working Group under its mandate. Several delegations made reservations to the effect that their agreement to include in the programme of work a general formulation concerning a future nuclear test ban treaty should not in any way prejudice negotiations on such a treaty.

9. The Ad Hoc Working Group discussed and examined various documents submitted to the Committee during its 1983 session by the delegations of the Union of Soviet Socialist Republics (CD/346), Sweden (CD/381), the United Kingdom of Great Britain and Northern Ireland (CD/383), Australia (CD/384 and CD/400), Japan (CD/388, CD/389 and CD/390), Belgium (CD/NTB/WP.5) and Norway (CD/395). It also had before it the documents submitted towards the end of the session by the United Kingdom (CD/402), Sweden (CD/403) and Australia (CD/405). Referring to certain proposals, in particular the "Basic provisions of a treaty on the complete and general prohibition of nuclear weapon tests" tabled by the USSR (CD/346) and the "Draft treaty banning any nuclear weapon test explosion in any environment", submitted by Sweden (CD/381), a number of delegations maintained that they provided sufficient material to proceed without further delay to negotiations on a nuclear test ban treaty. Some delegations disagreed with this view.

10. In accordance with the programme of work, delegations exchanged views with regard to the scope of a nuclear test ban. A number of delegations stated that the nuclear-weapon States Parties to the 1963 Partial Test Ban Treaty were legally committed as per the preamble of that instrument to conclude a treaty banning nuclear-weapon tests in all environments for all time, and they had in the past acknowledged the distinction between nuclear explosions for peaceful purposes and nuclear-weapon tests. These delegations maintained that the attitude taken by certain delegations with regard to nuclear explosions for peaceful purposes was not in keeping with their obligations concerning peaceful uses of nuclear energy assumed under agreements in the field of arms limitation and introduced an element of discrimination which was totally unacceptable. They held that the question of nuclear explosions for peaceful purposes could easily be taken care of by applying the general purpose criterion. They further expressed the view that nuclear explosions for peaceful purposes were far from posing a unique problem in that respect, noting that indeed, in the case of most disarmament measures, notably a ban on chemical weapons, the purpose criterion had been generally accepted by the

international community as the basis for solving the problems posed by the potential military applications of the relevant technology or materials. The question of nuclear explosions for peaceful purposes was, as such, a peripheral matter, which should not be brought up to side-track the Committee from the central issue of achieving a nuclear test ban whose primary aim was to curtail the nuclear arms race.

Several delegations, including those of two nuclear-weapon States, considered it essential that any future nuclear test ban should cover both nuclear-weapon tests and nuclear explosions for peaceful purposes. They argued that this position, which they had always maintained, was consistent with the provisions of the 1963 Partial Test Ban Treaty and was based on their conviction that no distinction could be made between a nuclear-weapon test explosion and a nuclear explosion for peaceful purposes. It was, in their view, impossible in practice to work out a regime for conducting nuclear explosions for peaceful purposes that would preclude acquisition of military benefits. These delegations held that this was an issue of genuine concern in respect of the scope and verifiability of a nuclear test ban treaty. It would, in their view, be impossible to apply the general purpose criterion to a nuclear test ban given their conviction that any nuclear explosive device for peaceful purposes could also be employed as a weapon.

The delegations of two nuclear-weapon States categorically rejected assertions made by other delegations, which were set out in other sections of this paragraph, explicit or implicit, regarding their national policies on nuclear explosions for peaceful purposes and regarding any obligations they had assumed respecting nuclear explosions in international agreements. These delegations pointed out that there was no feasible way to ensure that military benefits would not be derived from any nuclear explosion and that to be effective as an arms control measure any ban on nuclear testing must include all nuclear explosions. In their view, all attempts at arguments to the contrary had not been persuasive. They regretted the introduction of issues which in their view were inappropriate to the work of the Working Group.

A number of delegations, including that of one nuclear-weapon State, were of the view that a nuclear test ban treaty should prohibit all test explosions of nuclear weapons by all States in all environments and for all time. With a view to facilitating a speedy conclusion of such a treaty they proposed to establish a moratorium on nuclear explosions for peaceful purposes until appropriate arrangements for conducting them were worked out. Those delegations shared the view that the question of nuclear explosions for peaceful purposes should not be used in order to divert attention from the urgent need to conclude a treaty on the complete and general prohibition of nuclear-weapon tests. They noted that while two nuclear-weapon States had previously agreed to draw a clear distinction between nuclear-weapon tests and nuclear explosions for peaceful purposes and to provide for them different treatment under a treaty, at present they advocated a ban on all nuclear explosions. Those delegations also considered that the question of nuclear explosions for peaceful purposes was a peripheral one in comparison with the aim of the complete prohibition of nuclear-weapon tests and could be resolved in the context of negotiations after the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests.

11. There was also an exchange of views concerning participation in a nuclear test ban. It was generally recognized that the participation of all nuclear-weapon States was important to achieve an effective nuclear test ban treaty. Several delegations considered it essential that all nuclear-weapon States become Parties to it from the outset. Other delegations, conscious of the need to reach an early agreement on a nuclear test ban treaty, held that adherence by only the

USSR, the United Kingdom and the United States amongst the nuclear-weapon States should be a sufficient requirement for its entry into force. The remaining two nuclear-weapon States should then adhere to the treaty within a specified period of time.

12. Pursuant to its programme of work, the Ad Hoc Working Group conducted an examination of the substance of all the items contained in the programme. In order to contribute to an orderly discussion and definition of the issues under the Working Group's mandate, the Chairman submitted annotations on five of the items (CD/NTE/CRP.2, 4 and 5). Some delegations commented either orally or in written form on the Chairman's annotations. The results of the Working Group's discussions on each of the items of its programme of work are listed below.

13. Requirements and elements of verification

With regard to requirements of verification, a number of delegations maintained that a verification system of a nuclear test ban should be non-discriminatory and based on complete equality of rights and obligations of the Parties to a treaty. This system should be negotiated in a multilateral forum and should guarantee equal access to all States.

It was widely felt that requirements of a verification system of a nuclear test ban treaty depend on the scope of such a treaty. It was pointed out in this connection by several delegations that any agreement with regard to requirements of a verification system could only be reached in a wider context of actual negotiations on a treaty. Other delegations, however, maintained that even in the absence of negotiations some common understanding could still be found on verification requirements.

With regard to basic elements of a verification system of a nuclear test ban it was generally recognized that such a system should be based on a combination of national and international measures and could include, inter alia: (a) national technical means; (b) international exchange of seismic data; (c) procedures and mechanisms for consultation and co-operation; (d) multilateral organ or organs of States Parties; (e) procedure for complaints; (f) on-site inspection.

14. Means of verification

It was reaffirmed by a number of delegations including that of one nuclear-weapon State that the means of verification presently available were sufficient to provide reasonable assurance of compliance with a nuclear test ban treaty. In this connection, they referred to the statement made by the United Nations Secretary-General to the CCD on 29 February 1972 in which he, inter alia, stated that all the technical and scientific aspects of the problem had been so fully explored that only a political decision was necessary in order to achieve final agreement. Other delegations, including those of two nuclear-weapon States, however, reiterated their view that the question of adequacy of means of verification could only be defined by each State individually on the basis of its national requirements.

A number of delegations reaffirmed their view that the Working Group could usefully consider the institutional and administrative arrangements of a verification system of a nuclear test ban. Other delegations, however, were of the view that such arrangements should be looked into only in the context of negotiations on a treaty.

(a) National Technical Means. It was widely felt that national technical means could play an important role in verifying compliance with a nuclear test ban treaty. In this connection, a number of delegations stressed the need to ensure that all Parties to a treaty have an equal access to information obtained through national technical means. Some delegations, however, maintained that this information could only be provided on a voluntary basis.

(b) International exchange of seismic data. It was generally recognized that an international exchange of seismic data constituted an essential element of a verification system of a nuclear test ban. It was further recognized that in setting up such an exchange the recommendations of the Ad Hoc Group of Scientific Experts to consider international co-operative measures to detect and identify seismic events should be used as a basis. In accordance with those recommendations, an international exchange of seismic data could consist of the following main elements: (i) a network of seismic stations; (ii) an international exchange of seismic data over the Global Telecommunications System of the WMO; (iii) international data centers.

Several delegations held that to be effective an international system for the exchange of seismic data should provide for the widest possible global coverage and use advanced technology that could ensure detection and identification of low-magnitude seismic events. Some of them pointed out that the global coverage of potential international seismic systems should be improved in areas where currently deficient, inter alia, in areas of the Southern Hemisphere. Several delegations maintained that such a system should be fully operational at the time of a treaty's entry into force. Other delegations, however, were of the view that detailed arrangements for an international exchange of seismic data could only be worked out when it was known which countries would become Parties to a treaty, i.e. after the treaty entered into force. They also felt that for the system to be accessible to all Parties it should be based on widely used technology which all Parties could afford. In this connection, they argued that the technology presently available was quite sufficient for the purposes of verifying compliance with a treaty. Those delegations further maintained that there was a close relationship between political negotiations on a nuclear test ban treaty and technical work on a verification system and that the latter should not be carried out as if it were an open-ended exercise that could go on indefinitely so as to take account of every scientific and technological advance. In their view, technical questions should not be used to endlessly postpone treaty negotiations. However, other delegations emphasized that a common view did not exist on all technical problems concerning verification of a nuclear test ban and that scientific and technological advances should be kept under review in order to render the envisaged data exchange system as efficient and effective as possible.

Some delegations pointed to certain improvements that, in their view, should be introduced to the present means of verification in order to ensure better effectiveness of a verification system. In this connection, several delegations maintained that, apart from seismic monitoring network, means of verification of a nuclear test ban should include a similar network to monitor airborne radioactivity. Other delegations, however, questioned the need of establishing such a network.

15. Procedures and Mechanisms for Consultation and Co-operation

It was generally recognized that procedures and mechanisms for consultation and co-operation provide an important means for resolving issues of compliance among Parties to a treaty. In this connection, several delegations maintained that consultations should first be held on a bilateral basis and that only if they failed to resolve the issues involved Parties should then have recourse to multilateral procedures. One delegation suggested that, in its view, it would be desirable to address a request for consultations first to a multilateral organ of Parties.

16. Committee of Experts

The view was generally shared that it would be desirable for a nuclear test ban treaty to provide for a multilateral organ of States Parties to facilitate consultations and co-operation among those States. It was further recognized that such an organ could be supported by appropriate subsidiary bodies. A number of delegations held that a multilateral organ should be assisted by a technical expert group and a permanent secretariat. Other delegations, however, questioned the need for setting up a cumbersome machinery financed by the States Parties. Various suggestions were put forward with regard to the character and functions of a multilateral organ and its possible subsidiary bodies.

17. Procedures for Complaints

It was generally recognized that a nuclear test ban treaty should contain procedures for complaints. In this connection, a number of delegations expressed the view that the possibility of bringing complaints to the Security Council would provide an additional guarantee of compliance with a treaty. Some delegations suggested that complaints could also be brought to a multilateral organ of States Parties.

18. On-site inspection

It was widely felt that a system of verification of a nuclear test ban treaty should include a provision for on-site inspection. A number of delegations expressed the firm view that on-site inspections should be carried out by challenge or on a voluntary basis. Some delegations held that it was of crucial importance that a request for an on-site inspection would not meet with a refusal on the part of a State Party in whose territory it should be conducted. Several suggestions were made with regard to procedures of on-site inspections, and rights and functions of inspecting personnel.

IV. CONCLUSIONS AND RECOMMENDATIONS

19. Pursuant to its programme of work, the Ad Hoc Working Group held a structured discussion to define issues relating to verification and compliance with a view to making further progress toward a nuclear test ban. A large number of delegations considered that the Ad Hoc Working Group had fulfilled its mandate by discussing and defining all the issues relating to verification and compliance of a nuclear test ban during its 1982 and 1983 sessions, and held that the mandate

of the Working Group should be changed in order to enable it to proceed without further delay to negotiations on a nuclear test ban treaty. Some delegations, however, maintained that the subject was not exhausted and that during the discussions a number of views were expressed which required further examination.

In the absence of consensus, the Ad Hoc Working Group recalled the decision of the Committee on Disarmament that "the mandate of the Ad Hoc Working Group on a Nuclear Test Ban may thereafter be revised as decided by the Committee which will consider this question with appropriate urgency" (CD/358). In this connection, a large number of delegations requested that this matter should be taken up by the Committee on Disarmament at the beginning of its 1984 session.

COMMITTEE ON DISARMAMENT

CD/413
17 August 1983

Original: ENGLISH

AUSTRALIA, BELGIUM, CANADA, FRANCE, FEDERAL REPUBLIC
OF GERMANY, ITALY, JAPAN, NETHERLANDS, UNITED KINGDOM,
UNITED STATES OF AMERICA

Draft Mandate for Ad Hoc Working Group on Item 7 of
the Agenda of the Committee on Disarmament Entitled
"Prevention of an Arms Race in Outer Space"

In the exercise of its responsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document of the First Special Session of the General Assembly devoted to disarmament, the Committee on Disarmament decides to establish an ad hoc working group under item 7 of its agenda entitled "Prevention of an arms race in outer space".

The Committee requests the ad hoc working group to identify, through substantive examination, issues relevant to the prevention of an arms race in outer space.

The ad hoc working group will take into account all existing agreements, existing proposals and future initiatives and report on the progress of its work to the Committee on Disarmament.

REPORT OF THE AD HOC WORKING GROUP
ON RADIOLOGICAL WEAPONS

I. INTRODUCTION

1. At its 207th plenary meeting, on 29 March 1983, the Committee on Disarmament adapted the following decision, relating to item 5 on its agenda, contained in document CD/358, which, inter alia, reads:

"...

The Committee decides to re-establish for the duration of its 1983 session the Ad Hoc Working Groups on a Nuclear Test Ban, Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons, Chemical Weapons and Radiological Weapons ...

It is understood that the ad hoc working groups may start their work on the basis of their former mandates ...

The ad hoc working groups will report to the Committee on the progress of their work before the conclusion of its 1983 session."

II. ORGANIZATION OF WORK AND DOCUMENTATION

2. At its 207th plenary meeting, on 29 March 1983, the Committee on Disarmament appointed Ambassador Curt Lidgard, representative of Sweden, as Chairman of the Ad Hoc Working Group. Dr. Lin Kuo-Chung of the United Nations Department for Disarmament Affairs served as Secretary of the Ad Hoc Working Group.

3. The Ad Hoc Working Group held six meetings between 8 April and 29 April and between 13 June and 17 August 1983.

4. At its 1st meeting, on 8 April, the Ad Hoc Working Group, upon the Chairman's suggestion, decided to establish two groups (A and B) to undertake substantive examinations of the two major issues before the Working Group. */ Group A, under the coordinatorship of the representative of the United States of America, would consider questions relating to "traditional radiological weapons subject matter" and Group B, under the coordinatorship of the representative of the Union of Soviet Socialist Republics, would examine issues related to prohibition of attacks against nuclear facilities. It was the understanding that the question of linkage between these two issues would be left aside for the time being and would be considered in the Ad Hoc Working Group itself at the end of the current session.

*/ A delegation, while not opposing the establishment of Group B, abstained from participating in that Group.

5. 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 1983 session: Austria, Burundi, Finland, Greece, Ireland, Norway, Senegal and Spain.

6. 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 took into account in particular resolution 37/99C of the General Assembly. Paragraphs 1 and 2 of that resolution read as follows:

"1. Requests the Committee on Disarmament 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 to the General Assembly at its thirty-eighth session;

2. Further requests the Committee on Disarmament to continue its search for a solution to the question of prohibition of military attacks on nuclear facilities, including the scope of such prohibition, taking into account all proposals submitted to it to this end;"

7. During the 1983 session, the Ad Hoc Working Group had before it the following additional documents for consideration:

- | | |
|-----------------------------|---|
| (1) CD/345 | <u>A Group of Socialist Countries: Ensuring the Safe Development of Nuclear Energy</u> (14 February 1983); |
| (2) CD/RW/WP.41
(CD/374) | <u>United Kingdom: Definition of Radiological Weapons and the scope of a Radiological Weapons Treaty</u> (13 April 1983); |
| (3) CD/RW/WP.42 | <u>Chairman's Working Paper: Meetings in the First Part of 1983 Session</u> (14 April 1983); |
| (4) CD/RW/WP.43 | <u>Chairman's Working Paper: Meetings in the Second Part of 1983 Session</u> (26 April 1983); |
| (5) CD/RW/WP.44 | <u>Chairman's Working Paper, containing Coordinators' progress reports of Groups A and B</u> (29 April 1983); |
| (6) CD/RW/WP.45 and Corr.1 | <u>Sweden: Compliance and Verification</u> (21 June 1983); |
| (7) CD/RW/WP.46 | <u>Proposal by the delegation of the United States of America</u> (16 June 1983); |
| (8) CD/RW/WP.47 | <u>United Kingdom: The Prohibition of Attacks on Nuclear Facilities</u> (30 June 1983); |

- (9) CD/RW/WP.48 Group of 21: Proposal for an Article on "Peaceful Uses" (30 June 1983);
- (10) CD/RW/WP.49 Japan: Proposal for Article I ("Definition") Article II ("Scope of Prohibition") and the related Article (6 July 1983);
- (11) CD/RW/WP.50 A compilation of types or categories of nuclear facilities to be considered (9 August 1983);
- (12) CD/RW/WP.51 A compilation of alternative mechanisms for the linkage between "traditional radiological weapons subject matter" and "prohibition of attacks against nuclear facilities" (11 August 1983);
- (13) CD/RW/CRP.19 Suggestions by the Coordinator on the Issues of Definition, Peaceful Uses, and Relationship to Other Agreements (28 April 1983);
- (14) CD/RW/CRP.20 Suggestions by the Coordinator for the Structure of a Treaty Prohibiting Radiological Weapons (23 June 1983);
- (15) CD/RW/CRP.20/Rev.1 Submission by the Coordinator of Group A (3 August 1983);
- (16) CD/RW/CRP.21/Rev.1 Report of Group A (9 August 1983);
- (17) CD/RW/CRP.22/Rev.2 Report of Group B on the question of prohibition of attacks against nuclear facilities (12 August 1983);
- (18) CD/RW/CRP.23 Draft Report of the Ad Hoc Working Group on Radiological Weapons (11 August 1983);
- (19) CD/RW/CRP.24 A list of proposals regarding the question of prohibition of attacks against nuclear facilities (10 August 1983).

During the course of deliberations in the Working Group, as well as in Groups A and B, the Secretariat also prepared a number of informal working papers with a view to assisting the work of the Groups. They are listed as follows:

- (1) Compilation of texts regarding "Definition" and "Scope of Prohibition" as contained in CD/31, CD/32, CD/RW/WP.20 and CD/RW/WP.39;
- (2) Compilation of texts regarding "Peaceful Uses" as contained in CD/31, CD/32, CD/RW/WP.20 and CD/RW/WP.39;
- (3) Compilation of texts regarding "Relationship with other disarmament measures and agreements" as contained in CD/31, CD/32, CD/RW/WP.20 and CD/RW/WP.39;

- (4) Compilation of texts regarding "Compliance and Verification" as contained in CD/31, CD/32, CD/RW/WP.20 and CD/RW/WP.39;
- (5) A list of proposed draft treaties on radiological weapons;
- (6) A list of proposals on the draft preamble part of the Treaty on Radiological Weapons;
- (7) A list of proposals on "Definition" and "Scope of Prohibition" parts of the Treaty on Radiological Weapons;
- (8) A list of proposals on "Peaceful Uses" part of the Treaty on Radiological Weapons;
- (9) A list of proposals on "Relationship with other disarmament measures and agreements" part of the Treaty on Radiological Weapons;
- (10) A list of proposals on "Compliance and Verification" part of the Treaty on Radiological Weapons;
- (11) A list of proposals on "Amendments", "Review Conferences", "Duration and Withdrawal", "Adherence, Entry into Force, Depositary" parts of the Treaty on Radiological Weapons;
- (12) A list of proposals on "Annex" part of the Treaty on Radiological Weapons;
- (13) A list of proposals regarding the question of prohibition of attacks against nuclear facilities;
- (14) A compilation of texts of provisions contained in certain existing legal instruments regarding the question of prohibition of attacks against nuclear facilities;
- (15) Compilation of specific proposals which may facilitate the formulation of a list of criteria regarding the scope of prohibition of attacks against nuclear facilities;
- (16) A preliminary list of types or categories of nuclear facilities to be considered;
- (17) A compilation of alternative mechanisms for the linkage between "Traditional radiological weapons subject matter" and "prohibition of attacks against nuclear facilities".

III. SUBSTANTIVE NEGOTIATIONS ON THE SUBJECT DURING THE 1983 SESSION

8. In accordance with the Programme of Work adopted by the Ad Hoc Working Group as contained in document CD/RW/WP.42, Groups A and B held three meetings each between 11 and 28 April, under the coordinatorship of Mr. Morris D. Busby (USA) and Mr. Yury Nazarkin (USSR) respectively. The Coordinators of Groups A and B submitted progress reports, as contained in Annexes I and II of document CD/RW/WP.44 respectively.

9. During the second part of the 1983 session, Group A held nine meetings between 13 June and 8 August, under the coordinatorship of Mr. Morris D. Busby (USA). The Coordinator submitted the report of the Group on its work to the Ad Hoc Working Group on Radiological Weapons, as contained in Annex I of this report. Group B held 11 meetings between 21 June and 12 August under the coordinatorship of Mr. Boris P. Prokofiev (USSR). The Coordinator submitted the report of the Group on its work to the Ad Hoc Working Group on Radiological Weapons, as contained in Annex II of this report.

10. At its 4th and 5th meetings, on 11 and 15 August, the Ad Hoc Working Group considered the question of linkage between the two major issues before the Working Group, namely "traditional radiological weapons subject matter" and "prohibition of attacks against nuclear facilities". Taking into account various suggestions and proposals made by delegations, the Secretariat prepared a compilation of alternative mechanisms for the linkage between them (CD/RW/WP.51). The compilation contains the following alternative mechanisms:

- (1) One single treaty on radiological weapons covering both issues, in light of the fact that attacks against nuclear facilities could be tantamount to the use of radiological weapons;
- (2) One general treaty on radiological weapons containing two protocols, namely: Protocol I dealing with "traditional radiological weapons subject matter" and Protocol II dealing with "prohibition of attacks against nuclear facilities";
- (3) One treaty with one protocol, either integral or optional, namely: the treaty itself dealing with "traditional radiological weapons subject matter" and the protocol dealing with "prohibition of attacks against nuclear facilities";
- (4) Two separate treaties dealing with the two issues with clauses of understanding that the conclusion of one treaty will be pending the conclusion of the other treaty;
- (5) One treaty dealing with "traditional radiological weapons subject matter, with clauses of understanding that the relevant provisions contained in the existing legal instruments, in particular, the Additional Protocol I of 1977 to the Geneva Conventions of 1949 should be amended in such a manner that the question of "prohibition of attacks against nuclear facilities" be fully covered;
- (6) Two separate treaties dealing with the two issues independently without any linkage.

In addition the following alternative mechanisms were suggested:

- (1) One treaty on the "traditional radiological weapons subject matter" with the insertion of a clause stipulating that the Contracting Parties undertake to start negotiations as soon as possible on the prohibition of attacks against nuclear facilities.
- (2) One treaty dealing with the "traditional radiological weapons subject matter" could have clauses of understanding to the effect that the question of prohibiting military attacks against nuclear facilities, including the question of the scope of such a prohibition, be further considered with a view to reaching agreement on these issues.

On the basis of this compilation delegations had a general exchange of views. The discussions revealed that positions of delegations on this question continued to be considerably far apart from each other.

IV. CONCLUSIONS AND RECOMMENDATIONS

11. Although certain outstanding issues continued to remain in the "traditional radiological weapons subject matter", the extensive discussions and intensive negotiations in Group A have further clarified many of the problems involved and would pave the way for future work on the subject. The substantive examination of the question of prohibition of attacks against nuclear facilities in Group B was considered useful and necessary and to have led to a better comprehension of the problems. The various positions of delegations, especially as to the scope of prohibition and legal aspects of the issue, were clarified. The discussion contributed considerably to the examination of common approaches and of potential activities of the Group in the future.

12. It was recognized that the "traditional radiological weapons subject matter" and the question of prohibition of attacks against nuclear facilities were important and that these issues needed solution. The Committee on Disarmament could continue to be the most appropriate forum to deal with them.

13. The Ad Hoc Working Group agreed to recommend to the Committee on Disarmament to re-establish an ad hoc working group at the beginning of its 1984 session to continue its work and in that context to review and assess how best to make progress on the subject matter.

ANNEX I

COMMITTEE ON DISARMAMENT

Ad Hoc Working Group on
Radiological Weapons
Group A

CD/RW/CRP.21/Rev.1
9 August 1983

Original: ENGLISH

REPORT OF GROUP A

1. As requested by the Chairman of the Ad Hoc Working Group on Radiological Weapons on 8 April 1983, Group A has considered the subject of radiological weapons in the "traditional" sense. A separate group was requested to deal with the question of prohibition of military attacks on nuclear facilities. Group A held 12 meetings during the course of this session. The purpose of Group A, as defined by the Chairman, was to "...try to solve the still outstanding substantive issues and leave for the time being the question of the linkage between them."
2. At its initial meeting on 11 April 1983, Group A decided on a working method whereby there would be substantive discussion of four outstanding issues: the question of a definition of radiological weapons; the question of an appropriate article in the treaty regarding peaceful uses; the question of undertakings and obligations of states in the related field of nuclear disarmament; and the question of compliance provisions. The Co-ordinator proposed, and the Group agreed, that negotiations should be held on these issues, based on all existing proposals as well as suggested compromise texts which the Co-ordinator would prepare and present to the Group, in order to arrive at accommodations. Group A would attempt to find consensus and to forward to the full RW Working Group an overall treaty text.
3. Based on previously submitted consolidated texts and all relevant proposals, Group A considered each of the four outstanding issues. In this context, Group A took note of and expressed appreciation for the efforts of previous chairmen of the Radiological Weapons Working Group, Ambassador Komives of Hungary and Ambassador Wegener of the Federal Republic of Germany. During the course of these deliberations, the Co-ordinator submitted, on his own responsibility, several suggestions for compromise (CD/RW/CRP.20) which were in turn discussed by the Group.
4. Differences on matters of substance remain. On 3 August 1983, the Co-ordinator prepared a consolidated negotiating text of a radiological weapons treaty (CD/RW/CRP.20/Rev.1) and submitted it to the Group. The purpose of the Co-ordinator's text was to reflect in a single document the state of the negotiations, including areas of agreement and disagreement. The Co-ordinator pointed out that the text contained internal brackets and in some cases alternative language. This method had been employed not to indicate agreement on the unbracketed portion of the text but, rather, to highlight key issues upon which subsequent negotiations should focus.
5. The Group considered the Co-ordinator's text. There was no agreement on the text, but the Group agreed that the Co-ordinator forward it, along with this report, to the Radiological Weapons Working Group, it being understood that the text was prepared on his own responsibility.

Annex to ANNEX I

CD/RW/CRP.20/Rev.1
3 August 1983
Original: ENGLISH

COMMITTEE ON DISARMAMENT
Ad Hoc Working Group on
Radiological Weapons
Group A

Submission by the Co-ordinator

Attached, for consideration of Group A, is a draft Treaty Prohibiting Radiological Weapons, which has been prepared following consultations with delegations, as agreed at the meeting of Group A on 8 July 1983. The draft includes provisions regarding verification and consultation/compliance procedures which it had not been possible to include in CD/RW/CRP.20.

Attachment: as stated.

TREATY PROHIBITING RADIOLOGICAL WEAPONS

The States Parties to this Treaty,

Determined to strengthen international peace and security and to preserve mankind from the danger of new means of warfare,

Desiring to contribute to the cause of halting the arms race and recognizing that an agreement on the prohibition of radiological weapons would contribute to this end,

[Affirming the obligation of all States] [Determined] to pursue negotiations in good faith on effective measures relating to the prohibition of recognized weapons of mass destruction and to bring about general and complete disarmament under strict and effective international control,

Reaffirming in this regard the urgency of the pursuit and early conclusion of negotiations on effective measures aimed at the cessation of the nuclear arms race and nuclear disarmament,

Noting the provisions contained in other agreements relating to this objective,

Conscious that the use of [any form of] radiological weapons could have devastating consequences for mankind,

Stressing therefore the particular importance of accession to this Treaty by the greatest possible number of States,

[Affirming the principle that the benefits of peaceful applications of radioactive materials should be available to all States Parties to this Treaty, with due consideration for the needs of the developing countries, and recognizing the need for peaceful uses of sources of radiation from radioactive decay in different fields of human activities,]

Recalling that the General Assembly of the United Nations has urged the prohibition of the development, production, stockpiling, and use of radiological weapons,

Have agreed as follows:

Article I

1. Each State Party to this Treaty undertakes never under any circumstances to develop, produce, stockpile, otherwise acquire or possess, transfer, or use radiological weapons. For the purposes of this Treaty, the term "radiological weapon" means:

(a) Any device, including any weapon or equipment, specifically designed to employ radioactive material by disseminating it to cause destruction, damage, or injury by means of the radiation produced by the decay of such material;

(v) Any radioactive material specifically [designed] for employment, by its dissemination, to cause destruction, damage, or injury by means of the radiation produced by the decay of such material.

2. Each State Party to this Treaty also undertakes never under any circumstances to employ deliberately, by its dissemination, any radioactive material to cause destruction, damage, or injury by means of the radiation produced by the decay of such material, whether or not such material is specifically defined as a radiological weapon in paragraph 1 of this article.

3. Each State Party to this Treaty also undertakes not in any way to assist, encourage, or induce any person, State, group of States, or international organization to engage in any of the activities which the States Parties to the Treaty have undertaken not to engage in under the provisions of paragraphs 1 and 2 of this article.

[Article II]

1. Each State Party to this Treaty undertakes to contribute [to the fullest possible extent] [fully] to the strengthening of international co-operation in the peaceful uses of radioactive materials and of sources of radiation from radioactive decay[, and to the development of adequate measures of protection for all States against harmful effects of radiation].

2. Each State Party to this Treaty undertakes to facilitate, and has the right to participate in, the [fullest possible] [full] exchange of equipment, materials, and scientific and technological information regarding the peaceful uses referred to in paragraph 1 of this article, taking into account the needs of the developing countries.

3. Nothing in this Treaty shall be interpreted as affecting the inalienable right of the States Parties to this Treaty to develop and apply their programmes for the peaceful uses of nuclear energy and to international co-operation in this field[, consistent with the need to prevent the proliferation of nuclear weapons]; and no provisions of this Treaty shall hinder the use of sources of radiation from radioactive decay for peaceful purposes, in accordance with generally recognized principles and applicable rules of international law concerning such use.]

Article III

Each State Party to this Treaty undertakes to prevent loss of and to prohibit and prevent diversion to radiological weapons of radioactive materials that might be used for such weapons.

Article IV

Each State Party to this Treaty undertakes, in accordance with its constitutional procedures, to take any measures which it considers necessary to prohibit and prevent any activity in violation of the provisions of the Treaty anywhere under its jurisdiction or control.

Article V

[1. The provisions of this Treaty shall not apply to nuclear explosive devices or to radioactive material produced by them].

2. Nothing in this Treaty shall be interpreted as in any way limiting or detracting from any existing rules of international law applicable in armed conflict or limiting or detracting from obligations assumed by the States Parties under any other relevant international agreement.

[Article V bis

The States Parties to this Treaty undertake to pursue urgently negotiations for the cessation of the nuclear arms race, the conclusion of effective measures to prevent the use or threat of use of nuclear weapons, and the achievement of nuclear disarmament.]

Article VI

1. The States Parties to this Treaty undertake to consult one another and to co-operate in solving any problems which may be raised in relation to the objectives of, or in the application of the provisions of, the Treaty.

2. Consultation and co-operation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a consultative committee and a fact-finding panel as provided for in article VII of this Treaty.

3. The States Parties to this Treaty shall exchange to the fullest possible extent, bilaterally or multilaterally, information deemed necessary to provide assurance of fulfilment of their obligations under the Treaty.

Article VII

1. For the purpose of effective fulfilment of paragraph 2 of article VI of this Treaty, a consultative committee and a standing fact-finding panel shall be established. Their functions and rules of procedure are established in Annexes I and II, respectively, which constitute integral parts of the Treaty.

2. Any State Party to this Treaty which has reasons to believe that any other State Party may not be in compliance with the provisions of the Treaty, or which has concerns about a related situation which may be considered ambiguous, and is not satisfied with the results of the consultations provided for under article VI of the Treaty, may request the Depositary to initiate an inquiry to ascertain the facts. Such a request should include all relevant information, as well as all possible evidence supporting its validity.

3. For the purposes set forth in paragraph 2 of this article, the Depositary shall convene as soon as possible, and in any case within 10 days of the receipt of a request from any State Party, the standing fact-finding panel established pursuant to paragraph 1 of this article.

4. If the possibilities for fact-finding pursuant to paragraphs 2 and 3 of this article have been exhausted without resolution of the problem, [five or more States Parties] [any State Party] may request the Depositary to convene a meeting of the consultative committee of States Parties to consider the matter.

5. Each State Party to this Treaty undertakes to co-operate to the fullest possible extent with the consultative committee and with the fact-finding panel with a view to facilitating their work.

[6. Each State Party to this Treaty undertakes to provide assistance, in accordance with the provisions of the Charter of the United Nations, to any State Party to the Treaty which has been harmed or is likely to be harmed as a result of violation of the Treaty.]

[7. The provisions of this article shall not be interpreted as affecting the rights and duties of States Parties under the Charter of the United Nations, including bringing to the attention of the Security Council concerns about compliance with this Treaty.]

Article VIII

1. Any State Party to this Treaty may propose amendments to the Treaty. The text of any proposed amendment shall be submitted to the Depositary, who shall promptly circulate it to all States Parties.

[2. Any State Party proposing amendments to this Treaty may request the Depositary to seek the views of the States Parties on whether a conference should be convened to consider the proposal. Thereupon, if requested to do so by a majority of the States Parties, the Depositary shall convene a conference to which he shall invite all States Parties to consider such a proposal.]

3. An amendment shall enter into force for all States Parties to this Treaty which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of the States Parties. Thereafter, it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article IX

1. This Treaty shall be of unlimited duration.

2. Each State Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties[,] [and] to the Depositary[, and to the United Nations Security Council] three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article X

1. [Five] [Ten] years after entry into force of this Treaty, a conference of States Parties shall be convened by the Depositary to review the [scope and] operation of the Treaty, with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized [and to consider any proposals for amendments then pending]. Such review shall take into account any new scientific and technological developments [likely to affect the provisions of] [relevant to] the Treaty. [States [not Parties] [signatories] to the Treaty shall be invited to the conference as observers.]
2. At intervals of five years thereafter, a majority of States Parties may obtain, by submitting a proposal to this effect to the Depositary, the convening of further conferences with the same objectives.
3. If no review conference has been convened within 10 years following the conclusion of the previous review conference, the Depositary shall solicit the views of all States Parties on the holding of such a conference. If one-third or 10 of the States Parties, whichever number is less, respond affirmatively, the Depositary shall take immediate steps to convene the conference.

Article XI

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.
3. This Treaty shall enter into force upon the deposit of instruments of ratification by [fifteen] [twenty] governments in accordance with paragraph 2 of this article.
4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession, and the date of entry into force of this Treaty and of any amendments thereto, as well as of the receipt of other notices.
6. This Treaty shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

Article XII

This Treaty, of which the English, Arabic, Chinese, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to the governments of the signatory and acceding States.

ANNEX I

[Consultative Committee]

1. The consultative committee of States Parties[, in addition to establishing the fact-finding panel as provided for in annex II,] shall undertake to resolve any problem which may be raised by the [States Parties] [State Party] requesting a meeting of the committee. For this purpose, the assembled States Parties shall be entitled to request and receive any information which a State Party is in a position to communicate.
2. The work of the consultative committee shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this annex. The committee shall [decide procedural questions relative to the organization of its work] [take decisions], where possible by consensus, but otherwise by a majority of those present and voting. [There shall be no voting on matters of substance.] The chairman shall have no vote.
3. Any State Party may participate in the work of the consultative committee. Each representative on the committee may be assisted at meetings by advisers.
4. The Depositary or his representative shall serve as chairman of the committee.
5. The consultative committee shall be convened by its chairman[:
 - (a) within 30 days after entry into force of this Treaty for the purpose of establishing the standing fact-finding panel;
 - (b)] as soon as possible and in any case within 30 days after a request for a meeting pursuant to paragraph 4 of article VII of the Treaty.
6. Each State Party shall have the right, through the chairman, to request from States and from international organizations such information and assistance as the State Party considers desirable for the accomplishment of the committee's work.
7. A summary of any [problem-solving] meeting, incorporating all views and information presented during the meeting, shall be prepared. The chairman shall distribute the summary to all States Parties.

ANNEX II

[Fact-Finding Panel]

1. The standing fact-finding panel shall undertake to make appropriate findings of fact and provide expert views relevant to any problem referred to it by the Depositary pursuant to paragraph 3 of article VII of this Treaty. [Pursuant to paragraph 5 of article VII of the Treaty, the fact-finding panel may carry out on-site investigations when necessary.]

[2. The fact-finding panel shall be composed of not more than 15 members representing State Parties:

(a) Ten members shall be appointed by the [chairman] [consultative committee] after consultation with States Parties. In selecting these members due regard shall be given to ensuring an appropriate geographic balance. Members shall be named for a two-year period, with five members being replaced each year;

(b) In addition, those permanent members of the United Nations Security Council who are parties to the Treaty shall also be represented on the fact-finding panel.]

[2. The fact-finding panel shall be composed of not more than (blank) members representing States Parties. Members of the initial panel shall be appointed by the [chairman, after consultation with States Parties,] [consultative committee] at its first meeting, one-third being named for one year, one-third for two years, and one-third for three years. Thereafter all members shall be named for a three-year period by the chairman [of the consultative committee, following principles decided by the committee during its first meeting and] after consultation with States Parties. In selecting the members, due regard shall be given to ensuring an appropriate geographical balance.]

3. Each member may be assisted by one or more advisers.

4. The Depositary or his representative shall serve as chairman of the panel[, unless the panel decides otherwise under the procedures established in paragraph 5 of this annex].

5. The work of the fact-finding panel shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this annex. [At the first meeting of the panel, to be held not later than 60 days after its establishment [by the consultative committee], the Depositary shall submit recommendations, based on consultations with States Parties and signatories, as to the organization of the work of the panel, including any necessary resources.] [The panel shall decide procedural questions relative to the organization of its work, where possible by consensus, but otherwise by a majority of those present and voting. There shall be no voting on matters of substance.] [The panel shall take decisions, where possible by consensus, but otherwise by a majority of those present and voting.] The chairman shall have no vote.

6. Each member shall have the right, through the chairman, to request from States and from international organizations such information and assistance as the member considers desirable for the accomplishment of the work of the panel.

7. The State Party requesting the inquiry and any State Party against which the inquiry is directed shall have the right to [participate in the work of the panel] [be represented at meetings but may not take part in decisions], whether or not they are members of the panel.

8. The fact-finding panel shall, without delay, transmit to [the Depositary] [all States Parties] a report on its work, including its findings of fact and incorporating all views and information presented to the panel during its proceedings[.] [, together with such recommendations as it may deem appropriate. If the panel is unable to secure sufficient data for factual findings, it shall state the reasons for that inability.] [The Depositary shall distribute the report to all States Parties.]

ANNEX II

COMMITTEE ON DISARMAMENT

Ad Hoc Working Group on
Radiological Weapons

GROUP B

CD/RW/CRP.22/Rev.2
12 August 1983

Original: ENGLISH

REPORT OF GROUP B ON THE QUESTION OF PROHIBITION
OF ATTACKS AGAINST NUCLEAR FACILITIES

I. INTRODUCTION

1. In accordance with the decision adopted by the Ad Hoc Working Group on Radiological Weapons at its first meeting on 8 April 1983, Group B was established with the purpose of considering the question of prohibition of attacks against nuclear facilities with the understanding that the question of linkage between this issue and the "traditional radiological weapons subject matter" would be left aside for the time being.
2. In carrying out of its task, Group B took into account all relevant proposals submitted on the subject and held three meetings between 18 and 28 April, under the Co-ordinatorship of Mr. Yury K. Nazarkin, representative of the Union of Soviet Socialist Republics, during the first part of 1983 session. The Group devoted its efforts to the consideration of various issues involved in the subject such as scope, legal question, zones, as well as compliance and verification. At the conclusion of the first part of the 1983 session, the Co-ordinator submitted a progress report on the work of Group B of the Ad Hoc Working Group on Radiological Weapons at its second meeting held on 29 April 1983, as contained in Annex II of document CD/RW/WP.44.
3. During the second part of 1983 session, Group B held 14 meetings between 21 June and 12 August under the Co-ordinatorship of Mr. Boris P. Prokofiev, representative of the Union of Soviet Socialist Republics. At the initial meeting of this period, the Group decided, upon the suggestion of the Co-ordinator to continue to concentrate its efforts on those issues which have been considered during the first part of the session.
4. In the course of its deliberations the Group also considered the various proposals, suggestions and commentaries contained in the documents and working papers submitted to the Committee and its subsidiary bodies before and during the 1983 session. The list of these documents is contained in document - - CD/RW/CRP.24, as annexed to the report of the Ad Hoc Working Group. In addition to these documents, the Group took into consideration the proposals made and the views expressed by delegations on the question of prohibition of attacks against nuclear facilities in the Committee on Disarmament and the regular and special sessions of the United Nations General Assembly. In this connection a number of delegations stressed the importance of the question of ensuring the safe development of nuclear energy as proposed at the thirty-seventh session of the United Nations General Assembly, which was the other side of the problem of prohibition of attacks against nuclear facilities.

II. SUBSTANTIVE DISCUSSIONS ON THE SUBJECT

Objectives

5. The view was widely held that there was a need for effective international legal measures prohibiting attacks against nuclear facilities because such attacks could result in mass destruction. In this connection, a view was expressed that attacks on certain nuclear facilities might lead to such a destructive effect as that of a nuclear explosion. There was also an exchange of views concerning the precise nature of the objective to be pursued, namely, whether the purpose should be:

- to prohibit attacks on such facilities as a form of radiological weapon or, more precisely, as a means of radiological warfare;
- to avoid effects of weapons of mass destruction;
- to strengthen the existing legal protection of such facilities;
- to ensure the safe development of nuclear power energy; or
- a combination of the objectives mentioned above.

While many delegations held that the objective, in keeping with the mandate of the Working Group, should be the avoidance of effects of mass destruction, no consensus could be reached on this issue. Some delegations argued that approaches which relied on the concept of an attack on a nuclear facility being equivalent to the use of a radiological weapon, or on concepts of "mass destruction" were unlikely to be fruitful. They suggested that a more practical approach should be adopted which would try to establish the primary purpose of any further ban of attacks on nuclear facilities, determine practical limits to the scope of any new ban and from these considerations determine how far existing instruments were already adequate in this respect. Other delegations stated that attempts to thwart negotiations on a subject of such high importance to international community should also not be allowed to be fruitful. They pointed out that avoidance of possible mass destruction through radiological warfare by attacks on nuclear facilities was indeed the basis as well as the primary purpose of the Group's work. The existing instruments were entirely insufficient in this respect.

Scope of prohibition

6. There was general understanding among the delegations that the question of a definition of the scope of the ban, or the kind of nuclear facilities to be protected, constituted one of the key issues of a future international instrument. In this connection a number of specific proposals and suggestions were made regarding categories or types of nuclear facilities to be covered by a possible agreement. Several main points of views were expressed in that regard and it was suggested that the prohibition of attacks should apply to:

- All nuclear facilities;
- All nuclear facilities in non-nuclear-weapon developing States;

- Civilian nuclear facilities only;
- Civilian nuclear facilities above a specified power threshold for nuclear reactors and above a specified level of quality and quantity of radioactive materials for other facilities;
- All nuclear facilities subject to IAEA safeguards system.

It was generally understood, however, that naval vessels, submarines, space vehicles as well as other devices having nuclear installations and designed as weapons systems would not be considered within the context of "nuclear facilities" as referred to under the subject of prohibition of attacks against nuclear facilities.

7. In connection with the scope of the ban, some delegations drew attention to the fact that there was also a problem of dual-purpose nuclear facilities, that is, facilities which can be used both for peaceful and for military purposes, and a problem of distinguishing between military and civilian nuclear facilities. Other delegations stated that the difficulty in strictly distinguishing between military and civilian nuclear facilities was another important reason for all nuclear facilities to be protected. A view was expressed in this regard that an effective existing criterion to identify nuclear facilities for peaceful purposes is the IAEA safeguards system and that therefore among nuclear facilities for peaceful purposes at least those facilities under the IAEA safeguards should be included in the scope of protection. Other delegations considered that this criterion was not sufficient.

8. Some delegations stated that all nuclear facilities in the non-nuclear-weapon States were civilian facilities, and at least, these should all enjoy protection from attacks. Other delegations held that the scope of any agreement should not automatically include all nuclear facilities whether located in non-nuclear-weapon States or nuclear-weapon States. Further, a view was also expressed that the concept of "generic danger" might be applied when identifying the types of facilities to be protected, and that that concept might also be used to determine the points in time when protection should begin and cease to operate.

9. It was suggested that the scope of a possible future treaty could very well be limited to nuclear power and research reactors, nuclear fuel production and reprocessing plants as well as fissionable materials, spent fuel and high level waste storage.

Legal aspects of the question

10. The Group examined some legal aspects of the problem of prohibition of attacks against nuclear facilities. The discussion centered on questions whether certain relevant provisions in the existing international instruments, in particular Additional Protocol I (1977) to the Geneva Conventions of 1949, are adequate, as well as possible types of an agreement to be elaborated. In this connection some delegations stated that the existing international law provided for a substantial protection of the nuclear facilities in question, and that they had not been convinced of the necessity for additional protection. Other delegations held that since the protection covered by the Additional Protocol I was inadequate in scope, contained a number of reservations and allowed a subjective interpretation of its relevant provisions by military commanders on a

tactical level, there was a clear need for a new international agreement, for the necessary protection of nuclear facilities. In the course of discussion the question of the application of the ENMOD Convention to the issue of military attacks on civilian nuclear facilities was also raised.

Zones

11. The Group also discussed the rationale of establishing protective zones around nuclear facilities to be protected. In this context zones based on circles with a definite radius were mentioned. However, substantial doubts were expressed as to the feasibility and usefulness of the concept of protective zones, especially in view of the existing differences in the design, typical inventory and location of the various facilities to be protected. Another view was held that there were difficulties with that concept in the case of nuclear power stations. It was suggested that, instead of protective zones, a provision should be included that an attacker should assume absolute liability if severe radiological consequences occur. The problem of clandestine use of protective zones for military purposes was also touched upon.

Compliance and verification

12. With regard to matters concerning compliance and verification aspects of a possible agreement it was argued that consideration of those issues would depend to a great degree on the scope of prohibition. It was felt in this connection that solution of this problem would be possible only after the scope of the ban had been determined. Some delegations pointed out that the question of verification and compliance should be seen in its proper perspective and in seeking a ban on attacks on nuclear facilities it is the prohibited action, not the mechanism of control on the potential victim, which ought to be the subject of verification and compliance. Other delegations considered this view somewhat over-simplified. A view was also held that the issue of compliance and verification was irrelevant since it was sufficient to establish the fact of an attack. Some delegations were of the opinion that if the scope of the agreement would be limited to those facilities which were placed under the IAEA safeguards system the control procedure could be much simplified and made more efficient with respect to all such facilities, except those in the possession of nuclear-weapon States. Other delegations believed that such an approach was discriminatory and had no relevance to the question of compliance and verification.

III. CONCLUSIONS

13. In spite of differences of opinion among delegations on specific matters, it was generally recognized that the question of prohibition of attacks against nuclear facilities was an important issue which needed solution and that it was also a complex problem. The exchange of views on the subject in the Group was considered as necessary and useful. It helped to clarify the various positions of delegations, in particular the scope of prohibition and the relevant legal questions. It also contributed substantially to the examination of possible common approaches and potential main avenues of the activities of the Group in the future.

ANNEX III

COMMITTEE ON DISARMAMENT

Ad Hoc Working Group on
Radiological Weapons

CD/RW/CRP.24

10 August 1983

Original: ENGLISH

A list of proposals regarding the question of prohibition
of attacks against nuclear facilities

1. CD/345 A group of socialist countries: Ensuring the Safe Development of Nuclear Energy.
2. CD/RW/WP.3 Canada: Comments on major elements of a treaty prohibiting the development, production stockpiling and use of radiological weapons.
3. CD/RW/WP.6 Sweden: Proposals for Articles I, II and III of a treaty prohibiting radiological warfare including the development, production, stockpiling and use of radiological weapons.
4. CD/RW/WP.19 Sweden: Memorandum on certain aspects of a convention prohibiting radiological warfare.
5. CD/RW/WP.23 Group of 21: Working Paper on certain elements of the Convention on the Prohibition.
6. CD/RW/WP.25 Chairman's Statement (9 March 1982).
7. CD/RW/WP.25/Add.1/Rev.1 Chairman's Amended Proposal for the organization of work during the opening.
8. 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.
9. CD/RW/WP.34 Sweden: Memorandum of certain aspects of a convention prohibiting radiological warfare.
10. CD/323 (CD/RW/WP.37) Japan: Working Paper on prohibition of attacks against nuclear facilities.
11. CD/331 (CD/RW/WP.40) Federal Republic of Germany: Working Paper on issues relating to a prohibition of attacks against nuclear facilities in the framework of a radiological weapons treaty.
12. CD/RW/WP.45 and Corr.1 Sweden: Compliance and Verification.
13. CD/RW/WP.47 United Kingdom: Working Paper on the prohibition of attacks on nuclear facilities.

14. CD/RW/WP.50 A compilation of types or categories of nuclear facilities to be considered (Prepared by the Secretariat)
15. CD/RW/CRP.13 The Netherlands: Proposal on invitation to the International Atomic Energy Agency.
16. CD/RW/CRP.16 Pakistan: Proposal on definition of facilities to be protected.

COMMITTEE ON DISARMAMENT

CD/415*
19 August 1983
Original: ENGLISH

REPORT OF THE AD HOC WORKING GROUP ON THE COMPREHENSIVE PROGRAMME OF DISARMAMENT

I. INTRODUCTION

1. At its 176th plenary meeting, on 5 August 1982, the Committee on Disarmament decided to re-establish the Ad Hoc Working Group on the Comprehensive Programme of Disarmament to continue negotiations on the Programme as envisaged in paragraph 109 of the Final Document of the first special session of the General Assembly devoted to disarmament, with a view to submitting a revised draft Comprehensive Programme of Disarmament to the General Assembly at its thirty-eighth session, taking into account the views expressed and the progress achieved on the subject at the second special session of the General Assembly devoted to disarmament. It was understood that the Ad Hoc Working Group would not conduct formal meetings during the remainder of the 1982 session of the Committee, but that informal consultations or meetings of an exploratory character would be held. In accordance with that decision, the Working Group resumed its work on 16 February 1983.

II. ORGANIZATION OF WORK AND DOCUMENTATION

2. At its 176th plenary meeting on 5 August 1982, the Committee on Disarmament reappointed Ambassador Alfonso Garcia Robles (Mexico) as Chairman of the Ad Hoc Working Group. Miss Aida Luisa Levin, United Nations Department for Disarmament Affairs, served as Secretary of the Working Group.

3. The Ad Hoc Working Group held 12 meetings between 16 February and 19 August 1983.

4. At their request, the Committee at its 208th plenary meeting on 31 March 1981 and 212th plenary meeting on 14 April 1982, decided to invite the representatives of the following States not members of the Committee to participate in the meetings of the Ad Hoc Working Group: Austria, Burundi, Denmark, Finland, Greece, Ireland, Norway, Portugal, Senegal, Spain, Tunisia and Turkey.

5. The Ad Hoc Working Group had before it the documentation submitted during previous sessions of the Committee on Disarmament. **/

III. SUBSTANTIVE WORK DURING THE 1983 SESSION

6. In accordance with its mandate, the Ad Hoc Working Group took as the basis for its work the texts that resulted from the negotiations on the Comprehensive Programme

*/- Reissued for technical reasons.

**/ The list of documents submitted during the previous sessions of the Committee on Disarmament may be found in the reports of the Ad Hoc Working Group to the Committee on Disarmament which are an integral part of the Committee's reports for those sessions (CD/139, CD/228 and CD/292).

of Disarmament at the second special session of the General Assembly devoted to Disarmament (A/S-12/32, Annex I), which, as stated in the report of the Ad Hoc Committee established at that session, reflected the persistence of significant differences of opinion on various aspects of the Programme, notably the chapter on Measures and stages of implementation (A/S-12/32, paragraph 28).

7. The Ad Hoc Working Group decided to establish Contact Groups to proceed with the elaboration of the various sections of the Comprehensive Programme of Disarmament as follows: Contact Group on Objectives; Contact Group on Principles; Contact Group on Priorities; Contact Group on Measures and stages of implementation and Contact Group on Machinery and Procedures. The Working Group further decided to appoint Ambassador François de la Gorce (France) as Co-ordinator of the Contact Group on Objectives, Ambassador Baruch Grinberg (Bulgaria) as Co-ordinator of the Contact Group on Principles, Ambassador Celso Antonio de Souza e Silva (Brazil) as Co-ordinator of the Contact Group on Priorities, Ambassador Mansur Ahmad (Pakistan) as Co-ordinator of the Contact Group on Measures and stages of implementation, and Ambassador Curt Lidgard (Sweden) as Co-ordinator of the Contact Group on Machinery and Procedures. During the second part of the session, Ambassador Ahmad was unable to continue as Co-ordinator of the Contact Group on Measures and stages of implementation and, at his suggestion, the Chairman of the Working Group acted as Co-ordinator of that Contact Group. Also during the second part of the session, the Working Group appointed Ambassador Borislav Konstantinov (Bulgaria) as Co-ordinator of the Contact Group on Principles in view of the fact that Ambassador Grinberg could not continue performing that function.

8. Efforts were made in the Contact Groups to achieve agreement on the sections of the Comprehensive Programme of Disarmament assigned to them. However, differences of view persisted. Further efforts to reconcile those differences were made in the Ad Hoc Working Group. In addition, informal consultations were held during June, July and August under the guidance of the Chairman of the Working Group. With a view to reaching agreement, where it was not possible to arrive at generally acceptable new formulations, the language of relevant paragraphs of the Final Document of the first special session of the General Assembly devoted to disarmament was largely used.

9. The resulting texts are included in the Annex to this report. As indicated therein, the texts of some paragraphs are pending. In addition, differences of view remain regarding the appropriateness of including certain paragraphs and the desire to add further paragraphs. It was agreed that their placement in the Programme should be decided at a later stage, bearing in mind that duplication should be avoided.

10. In the time available to it, the Ad Hoc Working Group was not able to consider the Introduction. It agreed to include in the Annex to this report the draft of the Introduction prepared by the Chairman of the Working Group during the second special session of the General Assembly devoted to disarmament in his capacity as Chairman of the Working Group on the Comprehensive Programme of Disarmament that was established at that session, it being understood that this draft would, in any case, need to be redrafted in light of the over-all content of the Programme.

11. The Ad Hoc Working Group was also unable to devote attention to questions relating to stages of implementation, time frames and nature of the Programme.

IV. CONCLUSION

12. The Ad Hoc Working Group agreed to submit to the Committee on Disarmament the texts that are annexed to this report, on the understanding that delegations could not take final positions until agreement was reached on outstanding points of difficulty and until the document was complete. The Working Group further agreed to recommend to the Committee that those texts be submitted to the General Assembly for further consideration at the Assembly's thirty-eighth session with a view to the final adoption of the Comprehensive Programme of Disarmament.

ANNEX

Texts for the Comprehensive Programme of Disarmament submitted
by the Ad Hoc Working Group

I. Introduction */

1. The threat to the very survival of mankind posed by the existence of nuclear weapons and the continuing arms race, which already in 1978 gave rise to the justified alarm of the General Assembly, far from disappearing has considerably increased during the four years that have elapsed since the holding of its first special session devoted to disarmament. It was thus natural not to unduly delay the convening of the second special session, which, with the same purpose as the first, had been explicitly provided for in the Final Document of that session.

2. Both in the general debate of this second special session of the Assembly, in which an impressive number of heads of State or Government and Ministers of Foreign Affairs participated, as well as in the deliberations of the Ad Hoc Committee and the Working Groups, it became evident that there had been no erosion in the support of all fundamental conclusions of the Final Document, such as the following:

(a) The objective of security, which is an inseparable element of peace, has always been one of the most profound aspirations of humanity. Yet the accumulation of weapons, particularly nuclear weapons, today constitutes much more a threat than a protection for the future of mankind since, far from helping to strengthen international security, it on the contrary weakens it, and since existing arsenals of nuclear weapons alone are sufficient to destroy all life on earth.

(b) The arms race, particularly in its nuclear aspect, runs counter to efforts to achieve further relaxation of international tension, to establish international relations based on peaceful coexistence and trust between all States, and to develop broad international co-operation and understanding. The arms race impedes the realization of the purposes, and is incompatible with the principles, of the Charter of the United Nations, especially respect for sovereignty, refraining from the threat or use of force against the territorial integrity or political independence of any State, the peaceful settlement of disputes and non-intervention and non-interference in the internal affairs of States. On the other hand, progress on détente and progress on disarmament mutually complement and strengthen each other.

(c) Military expenditures are reaching ever higher levels, the highest percentage of which can be attributed to the nuclear-weapon States and most of their allies, with prospects of further expansion and the danger of further increases in the expenditures of other countries. The hundreds of billions of dollars spent annually on the manufacture or improvement of weapons are in sombre and dramatic contrast to the want and poverty in which two thirds of the world's population live. This colossal waste of resources is even more serious in that it diverts to military purposes not only material but also technical and human resources which are urgently needed for development in all countries, particularly in the developing countries.

*/ Draft prepared by the Chairman of the Ad Hoc Working Group during the second special session of the General Assembly devoted to disarmament in his capacity as Chairman of the Working Group on the Comprehensive Programme of Disarmament established at that session. The draft was not discussed in the Ad Hoc Working Group.

(d) Enduring international peace and security cannot be built on the accumulation of weaponry by military alliances nor be sustained by a precarious balance of deterrence or doctrines of strategic superiority. Genuine and lasting peace can only be created through the effective implementation of the security system provided for in the Charter of the United Nations and the speedy and substantial reduction of arms and armed forces, by international agreement and mutual example, leading ultimately to general and complete disarmament under effective international control.

3. It was undoubtedly for reasons like the above that, in one of the last paragraphs of the Programme of Action outlined in the Final Document, the General Assembly decided that the implementation of the priorities defined therein should lead to general and complete disarmament under effective international control, which "remains the ultimate goal of all efforts exerted in the field of disarmament". The Assembly completed this statement adding that the negotiations on general and complete disarmament shall be conducted concurrently with negotiations on partial measures of disarmament and deciding that, with this purpose in mind, the Committee on Disarmament should undertake the elaboration of a "comprehensive programme of disarmament encompassing all measures thought to be advisable in order to ensure that the goal of general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail and in which the new international economic order is strengthened and consolidated".

4. The General Assembly did not only stress several times the importance of this goal which it called the "ultimate goal" of all disarmament efforts. On more than one occasion it stated also its opinion as to which should be the "immediate goal" defining it as "the elimination of the danger of a nuclear war and the implementation of measures to halt the arms race and clear the path towards lasting peace".

5. Bearing in mind those antecedents and taking as the main basis for its deliberations the draft transmitted by the Committee on Disarmament, the General Assembly has elaborated this Comprehensive Programme of Disarmament, which received the approval by consensus of all the States Members of the United Nations which participated in its second special session devoted to disarmament. In addition to the present introduction, the Programme comprises five chapters whose titles, clearly indicative of their contents, are the following: "Objectives", "Principles", "Priorities", "Measures and stages of implementation", and "Machinery and procedures".

6. It has not been possible to reach agreement for the Comprehensive Programme to become a treaty, as some States would have preferred in order to make its provisions legally binding. There has been, however, unanimous support for the idea that all necessary steps must be taken to enhance the political and moral value of the Programme. It has thus been agreed that a special copy of the Programme shall be carried by a personal representative of the Secretary-General to the capitals of all States Members of the United Nations, in order to have it signed by the respective heads of State or Government. This symbolic act will be a clear sign that this time there is the required "political will" to proceed along the road of uninterrupted negotiations in good faith in the field of disarmament. Should there be some States where constitutional obstacles prevent recourse to the above procedures, alternative methods of similar significance should be employed. Thus the Comprehensive Programme of Disarmament, although not a treaty in itself, would indeed become a source of numerous successive treaties thanks to which mankind may start the twenty-first century in conditions totally different from those that prevail at present and are the cause of deepest concern.

II. Objectives

1. The immediate objectives of the Comprehensive Programme of Disarmament should be to eliminate the danger of war, in particular nuclear war, the prevention of which remains the most acute and urgent task of the present day, to implement measures to halt and reverse the arms race, in particular the nuclear arms race, and to clear the path towards lasting peace. To this end, the Programme will also aim:

- To maintain and further the momentum generated by the first special session of the General Assembly devoted to disarmament;
- To initiate or engage in further negotiations, to expedite the halting of the arms race in all its aspects, in particular the nuclear arms race;
- To consolidate and develop the results reflected in agreements and treaties achieved so far, relevant to the problems of disarmament;
- To open and accelerate the process of genuine disarmament on an internationally agreed basis.

2. The ultimate objective of the Comprehensive Programme is to ensure that general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail and in which the new international economic order is fully achieved.

3. Throughout the implementation of the Programme towards the progressive reduction and final elimination of armaments and armed forces, the following objectives should be pursued:

- To strengthen international peace and security, as well as the security of individual States, in accordance with the Charter of the United Nations;
- To contribute to the safeguarding of the sovereignty and independence of all States;
- To make, through the implementation of the Programme, an effective contribution to the economic and social development of States, in particular developing States;
- To increase international confidence and relaxation of international tension;
- To establish international relations based on peaceful coexistence and trust between all States, and to develop broad international co-operation and understanding with a view to promoting conditions favourable to the implementation of the Programme;
- To mobilize world public opinion in favour of disarmament, through balanced, factual and objective information and education in all regions of the world, so as to generate further understanding and support for the efforts to halt the arms race and achieve disarmament.

III. Principles

1. */ The Members of the United Nations are fully aware of the conviction of their peoples that the question of general and complete disarmament is of utmost importance and that peace, security and economic and social development are indivisible, and they have therefore recognized that the corresponding obligations and responsibilities are universal.

2. */ The ending of the arms race and the achievement of real disarmament are tasks of primary importance and urgency.

3. */ Progress on détente and progress on disarmament mutually complement and strengthen each other.

*/ The placement of this paragraph in the Comprehensive Programme of Disarmament will be determined later.

4.*/ All States Members of the United Nations reaffirm their full commitment to the purposes of the Charter of the United Nations and their obligation strictly to observe its principles as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security. They stress the special importance of refraining from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, or against peoples under colonial or foreign domination seeking to exercise their right to self-determination and to achieve independence, non-acquisition and non-annexation of territories by force and non-recognition of such acquisition or annexation, non-intervention and non-interference in the internal affairs of other States; the inviolability of international frontiers; and the peaceful settlement of disputes, having regard to the inherent right of States to individual and collective self-defence in accordance with the Charter.

5. In order to create favourable conditions for success in the disarmament process, all States should strictly abide by the provisions of the Charter of the United Nations, refrain from actions which might adversely affect efforts in the field of disarmament, and display a constructive approach to negotiations and the political will to reach agreements.

6.*/ The arms race, particularly in its nuclear aspect, runs counter to efforts to achieve further relaxation of international tension, to establish international relations based on peaceful coexistence and trust between all States, and to develop broad international co-operation and understanding. The arms race impedes the realization of the purposes, and is incompatible with the principles of the Charter of the United Nations, especially respect for sovereignty, refraining from the threat or use of force against the territorial integrity or political independence of any State, the peaceful settlement of disputes and non-intervention and non-interference in the internal affairs of States.

7. Significant progress in disarmament, including nuclear disarmament, would be facilitated by parallel measures to strengthen the security of States and to improve the international situation in general.

8. Disarmament, relaxation of international tension, respect for the right to self-determination and national independence, the peaceful settlement of disputes in accordance with the Charter of the United Nations and the strengthening of international peace and security are directly related to each other. Progress in any of these spheres has a beneficial effect on all of them; in turn, failure in one sphere has negative effects on others.

9.*/ Enduring international peace and security cannot be built on the accumulation of weaponry by military alliances or be sustained by a precarious balance of deterrence or doctrines of strategic superiority. Genuine and lasting peace can only be created through the effective implementation of the security system provided for in the Charter of the United Nations and the speedy and substantial reduction of arms and armed forces, by international agreement and mutual example, leading ultimately to general and complete disarmament under effective international control.

At the same time, the causes of the arms race and threats to peace must be reduced and to this end effective action should be taken to eliminate tensions and settle disputes by peaceful means.

10. Progress in disarmament should be accompanied by measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means.

11. Negotiations should be based on the strict observance of the purposes and principles enshrined in the Charter of the United Nations, with full recognition of the role of the United Nations in the field of disarmament and reflecting the vital interest of all the peoples of the world in this sphere.

12. Since the process of disarmament affects the vital security interests of all States, they must all be actively concerned with and contribute to the measures of disarmament and arms limitation, which have an essential part to play in maintaining and strengthening international security.

13. All the peoples of the world have a vital interest in the success of disarmament negotiations. Consequently, all States have the duty to contribute to efforts in the field of disarmament. All States have the right to participate in disarmament negotiations. They have the right to participate on an equal footing in those multilateral disarmament negotiations which have a direct bearing on their national security.

14. In a world of finite resources, there is a close relationship between expenditure on armaments and economic and social development. The continuation of the arms race is detrimental to and incompatible with the implementation of the new international economic order based on justice, equity and co-operation. Consequently, there is a close relationship between disarmament and development. Progress in the former would help greatly in the realization of the latter and resources released as a result of the implementation of disarmament measures should be devoted to the economic and social development of all nations and contribute to the bridging of the economic gap between developed and developing countries.

15. Disarmament and arms limitation, particularly in the nuclear field, are essential for the prevention of the danger of nuclear war and the strengthening of international peace and security and for the economic and social advancement of all peoples, thus facilitating the achievement of the new international economic order.

16. */ Nuclear weapons pose the greatest danger to mankind and to the survival of civilization.

17. The adoption of disarmament measures should take place in such an equitable and balanced manner as to ensure the right of each State to security and to ensure that no individual State or group of States may obtain advantages over others at any stage. At each stage the objective should be undiminished security at the lowest possible level of armaments and military forces.

18. In accordance with the Charter, the United Nations has a central role and primary responsibility in the sphere of disarmament. In order effectively to discharge this role and facilitate and encourage all measures in this field, the United Nations should be kept appropriately informed of all steps in this field, whether unilateral, bilateral, regional or multilateral, without prejudice to the progress of negotiations.

19. */ The process of nuclear disarmament should be carried out in such a way, and requires measures to ensure, that the security of all States is guaranteed at progressively lower levels of nuclear armaments, taking into account the relative qualitative and quantitative importance of the existing arsenals of the nuclear-weapon States and other States concerned.

20. Significant progress in nuclear disarmament would be facilitated both by parallel political or international legal measures to strengthen the security of States and by progress in the limitation and reduction of armed forces and conventional armaments of the nuclear-weapon States and other States in the regions concerned.

21. Together with negotiations on nuclear disarmament measures, negotiations should be carried out on the balanced reduction of armed forces and of conventional armaments, based on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into account the need of all States to protect their security. These negotiations should be conducted with particular emphasis on armed forces and conventional weapons of nuclear-weapon States and other militarily significant countries. **/

22. While disarmament is the responsibility of all States, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, have the primary responsibility for nuclear disarmament and, together with other militarily significant States, for halting and reversing the arms race. It is therefore important to secure their active participation. ***/

23. */ In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility.

24. An acceptable balance of mutual responsibilities and obligations for nuclear and non-nuclear-weapon States should be strictly observed.

*/ One delegation reserved its position on the present text of this paragraph.

*/ Some delegations felt that the language of this paragraph should be brought in accordance with paragraph 28 of the Final Document of the first special session of the General Assembly devoted to disarmament.

25. Disarmament and arms limitation agreements should provide for adequate measures of verification satisfactory to all parties concerned in order to create the necessary confidence and ensure that they are being observed by all parties. The form and modalities of the verification to be provided for in any specific agreement depend upon and should be determined by the purposes, scope and nature of the agreement. Agreements should provide for the participation of parties directly or through the United Nations system in the verification process. Where appropriate, a combination of several methods of verification as well as other compliance procedures should be employed. Every effort should be made to develop appropriate methods and procedures which are non-discriminatory and which do not unduly interfere with the internal affairs of other States or jeopardize their economic and social development or prejudice their security.
26. Negotiations on partial measures of disarmament should be conducted concurrently with negotiations on more comprehensive measures and should be followed by negotiations leading to a treaty on general and complete disarmament under effective international control.
27. Qualitative and quantitative disarmament measures are both important for halting the arms race. Efforts to that end must include negotiations on the limitation and cessation of the qualitative improvement of armaments, especially weapons of mass destruction and the development of new means of warfare so that ultimately scientific and technological achievements may be used solely for peaceful purposes.
28. Universality of disarmament agreements helps create confidence among States. When multilateral agreements in the field of disarmament are negotiated, every effort should be made to ensure that they are universally acceptable. The full compliance of all parties with the provisions contained in such agreements would contribute to the attainment of that goal.
29. All States, in particular nuclear-weapon States, should consider various proposals designed to secure the avoidance of the use of nuclear weapons, and the prevention of nuclear war. In this context, while noting the declarations made by nuclear-weapon States, effective arrangements, as appropriate, to assure non-nuclear-weapon States against the use or the threat of use of nuclear weapons, could strengthen the security of those States and international peace and security.
- 30.*/ The establishment of nuclear-weapon-free zones on the basis of agreements or arrangements freely arrived at among the States of the zone concerned and the full compliance with those agreements or arrangements, thus ensuring that the zones are genuinely free from nuclear weapons, and respect for such zones by nuclear-weapon States constitute an important disarmament measure.
31. Non-proliferation of nuclear weapons is a matter of universal concern. Measures of disarmament must be consistent with the inalienable right of all States, without discrimination, to develop, acquire and use nuclear technology, equipment and materials for the peaceful use of nuclear energy and to determine their peaceful nuclear programmes in accordance with their national priorities, needs and interests, bearing in mind the need to prevent the proliferation of nuclear weapons. International co-operation in the peaceful uses of nuclear energy should be conducted under agreed and appropriate international safeguards applied on a non-discriminatory basis.

32. As security and stability should be assured in all regions taking into account the specific needs and requirements of their respective situations, bilateral and regional disarmament negotiations may also play an important role and could facilitate negotiations of multilateral agreements in the field of disarmament.

33. Agreements or other measures should be resolutely pursued on a bilateral, regional and multilateral basis with the aim of strengthening peace and security at a lower level of forces, by the limitation and reduction of armed forces and of conventional weapons, taking into account the need of States to protect their security, bearing in mind the inherent right of self-defence embodied in the Charter of the United Nations and without prejudice to the principle of equal rights and self-determination of peoples in accordance with the Charter, and the need to ensure balance at each stage and undiminished security of all States.

34. Bilateral, regional and multilateral consultations and conferences should be held where appropriate conditions exist with the participation of all the countries concerned for the consideration of different aspects of conventional disarmament, such as the initiative envisaged in the Declaration of Ayacucho subscribed to by eight Latin American countries on 9 December 1974.

35. */ It is essential that not only Governments but also the peoples of the world recognize and understand the dangers in the present situation. In order that an international conscience may develop and that world public opinion may exercise a positive influence, the United Nations should increase the dissemination of information on the armaments race and disarmament with the full co-operation of Member States.

36. */ Draft multilateral disarmament conventions should be subjected to the normal procedures applicable in the law of treaties. Those submitted to the General Assembly for its commendation should be subject to full review by the Assembly.

37. Collateral measures in both the nuclear and conventional fields, together with other measures specifically designed to build confidence, should be undertaken in order to contribute to the creation of favourable conditions for the adoption of additional disarmament measures and to further the relaxation of international tension.

38. */ Taking further steps in the field of disarmament and other measures aimed at promoting international peace and security would be facilitated by carrying out studies by the Secretary-General in this field with appropriate assistance from governmental or consultant experts.

39. */ In particular, publicity should be given to the decisions of the special sessions of the General Assembly devoted to disarmament.

IV. Priorities

1. In the implementation of the Comprehensive Programme of Disarmament for the achievement of general and complete disarmament under effective international control as the ultimate goal, the priorities which reflect the urgency attached to the measures for negotiations are:

- nuclear weapons;
- other weapons of mass destruction, including chemical weapons;

- conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects; and
- reduction of armed forces.

2. Effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority. Along with negotiations on these measures, effective measures should be negotiated to prohibit or prevent the development, production or use of other weapons of mass destruction, as well as on the balanced reduction of armed forces and of conventional armaments.

3. Nothing should preclude States from conducting negotiations on all priority items concurrently. Bearing in mind these priorities, negotiations should be pursued on all measures which would lead to general and complete disarmament under effective international control.

V. Measures and stages of implementation */

First stage */

DISARMAMENT MEASURES

A. Nuclear weapons

1. Nuclear weapons pose the greatest danger to mankind and to the survival of civilization. It is essential to halt and reverse the nuclear arms race in all its aspects in order to avert the danger of war involving nuclear weapons. The ultimate goal in this context is the complete elimination of nuclear weapons.

*/ The heading is without prejudice to the position of delegations with respect to questions relating to stages of implementation. The following text has been considered for eventual inclusion in the chapter on Machinery and Procedures:

All efforts will be made by States, particularly through the conduct of negotiations in good faith on specific disarmament measures, to achieve the goal of General and Complete Disarmament, as defined in the Comprehensive Programme, by the year 2000. In order to assure continued progress towards the full realization of this ultimate goal, a special session of the General Assembly shall be convened periodically to review the implementation of the measures included in the various stages of the Comprehensive Programme. The first such special session of the General Assembly shall be held in (1987) (1988) (1989), and will: (a) review the implementation of the measures included in the first stage of the Comprehensive Programme; (b) consider the readjustments that need to be made in the Programme in the light of the review and the steps that need to be taken to stimulate progress in its implementation; (c) elaborate in more concrete terms the measures to be implemented in the second stage of the Programme, taking into account the progress made so far and other developments in international relations, as well as science and technology; and (d) decide on the time for the next special session to review the implementation of the measures included, and adjusted as necessary, in the second stage of the Comprehensive Programme, with the understanding that such session would be held not later than six years after the first.

In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility.

The process of nuclear disarmament should be carried out in such a way, and requires measures to ensure, that the security of all States is guaranteed at progressively lower levels of nuclear armaments, taking into account the relative qualitative and quantitative importance of the existing arsenals of the nuclear-weapon States and other States concerned.

2. The achievement of nuclear disarmament will require urgent negotiation of agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned for:

(a) Cessation of the qualitative improvement and development of nuclear-weapon systems;

(b) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;

(c) A comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time.

Consideration can be given in the course of the negotiations to mutual and agreed limitation or prohibition, without prejudice to the security of any State, of any types of nuclear armaments.

3. Nuclear test ban:

The cessation of nuclear-weapon testing by all States within the framework of an effective nuclear disarmament process would be in the interest of mankind. It would make a significant contribution to the aim of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons and of preventing the proliferation of nuclear weapons. Therefore, all efforts should be made to conclude, as an important part of the process of nuclear disarmament, a multilateral nuclear test ban treaty at the earliest possible date. */

4. Pending the conclusion of further agreements relating to nuclear disarmament, the USSR and the United States should, on a reciprocal basis, continue to refrain from actions which would undercut existing strategic arms agreements concluded between them.

*/ Some delegations reserved their position with respect to the first sentence of this text. Other delegations reserved their position with regard to the last sentence.

5. USSR-United States strategic arms negotiations: */

(Consultations between the Union of Soviet Socialist Republics and the United States of America on the text are underway.)

6. Bilateral negotiations on the limitation and reduction of nuclear weapons in Europe: */

(Consultations between the Union of Soviet Socialist Republics and the United States of America on the text are underway.)

7. Multilateral negotiations on nuclear disarmament: **/

The urgent initiation of multilateral nuclear disarmament negotiations is of vital interest to the nuclear and non-nuclear-weapon States. The conclusion of multilateral disarmament agreements would be facilitated by substantial progress in the bilateral negotiations in this area between the States which possess the most important arsenals and have a special responsibility in the field of nuclear disarmament. Also, multilateral negotiations are particularly important to achieve significant and universal progress toward the achievement of nuclear disarmament. This will require negotiation of agreements at appropriate stages, taking due account of the relative quantitative and qualitative importance of existing arsenals and the necessity of maintaining the undiminished security of all States, nuclear and non-nuclear, at each stage, and with adequate measures of verification satisfactory to all parties concerned, for the cessation of the qualitative improvement and development of nuclear-weapon systems, for the cessation of the production of all types of nuclear weapons and their means of delivery and for the reduction of stockpiles of nuclear weapons and their means of delivery.

In the course of such negotiations, a combination of the measures as detailed in paragraph 2 above, or a combination of different elements of such measures, could be considered.

The over-all objective of the measures for nuclear disarmament outlined in the preceding paragraphs for negotiation during the first stage of the Comprehensive Programme, and of those included in subsequent stages, would be to achieve qualitative and quantitative limitations on and significant reductions of the nuclear-weapon arsenals existing at the beginning of the stage.

8. Avoidance of the use of nuclear weapons and prevention of nuclear war:

(Text pending.)

9. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons:

The nuclear-weapon States should take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. Bearing in mind the declarations made by the nuclear weapon States, efforts should be pursued to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

*/ One delegation held that paragraphs 5 and 6 should be consolidated.

**/ Two delegations reserved their position on the text of paragraph 7 pending the preparation of the text of paragraphs 5 and 6.

10. Nuclear non-proliferation:

It is imperative, as an integral part of the effort to halt and reverse the arms race, to prevent the proliferation of nuclear weapons. The goal of nuclear non-proliferation is on the one hand to prevent the emergence of any additional nuclear-weapon States besides the existing five nuclear-weapon States, and on the other progressively to reduce and eventually eliminate nuclear weapons altogether. This involves obligations and responsibilities on the part of both nuclear-weapon States and non-nuclear-weapon States, the former ~~undertaking~~ to stop the nuclear arms race and to achieve nuclear disarmament by urgent application of the measures outlined in the relevant paragraphs of the Final Document, and all States undertaking to prevent the spread of nuclear weapons.

Effective measures can and should be taken at the national level and through international agreements to minimize the danger of the proliferation of nuclear weapons without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes. Therefore, the nuclear-weapon States and the non-nuclear-weapon States should jointly take further steps to develop an international consensus of ways and means, on a universal and non-discriminatory basis, to prevent the proliferation of nuclear weapons.

Full implementation of all the provisions of existing instruments on non-proliferation, such as the Treaty on the Non-Proliferation of Nuclear Weapons and/or the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) by States parties to those instruments will be an ~~important~~ contribution to this end. Adherence to such instruments has increased in recent years and the hope has been expressed by the parties that this trend might continue.

Non-proliferation measures should not jeopardize the full exercise of the inalienable rights of all States to apply and develop their programmes for the peaceful uses of nuclear energy for economic and social development in conformity with their priorities, interests and needs. All States should also have access to and be free to acquire technology, equipment and materials for peaceful uses of nuclear energy, taking into account the particular needs of the developing countries. International co-operation in this field should be under agreed and appropriate international safeguards applied through the International Atomic Energy Agency on a non-discriminatory basis in order to prevent ~~effectively~~ the proliferation of nuclear weapons.

Each country's choices and decisions in the field of the peaceful uses of nuclear energy should be respected without jeopardizing their respective fuel cycle policies or international co-operation, agreements and contracts for the peaceful uses of nuclear energy, provided that the agreed safeguard measures mentioned above are applied.

In accordance with the principles and provisions of General Assembly resolution 32/50 of 8 December 1977, international co-operation for the promotion of the transfer and utilization of nuclear technology for economic and social development, especially in the developing countries, should be strengthened.

11. Establishment of nuclear-weapon-free zones:

The establishment of nuclear-weapon-free zones on the basis of agreements or arrangements freely arrived at among the States of the region concerned constitute an important disarmament measure and should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons, taking into account the characteristics of each region. The States participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements or arrangements establishing the zones, thus ensuring that they are genuinely free from nuclear weapons. The nuclear-weapon States are called upon to give undertakings, the modalities of which are to be negotiated, in particular: (i) to respect strictly the status of the nuclear-weapon-free zone; (ii) to refrain from the use or threat of use of nuclear weapons against the States of the zone.

(a) Adoption by the States concerned of all relevant measures to ensure the full application of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), taking into account the views expressed on the adherence to it at the tenth special session of the General Assembly, the General Conference of OPANAL and other relevant fora, and including ratification of additional Protocol I by all States concerned.

(b) In Africa, the Organization of African Unity has affirmed the denuclearization of the continent. The United Nations General Assembly in successive resolutions has supported the African initiative for the denuclearization of the continent and at its tenth special session the General Assembly, by consensus, called upon the Security Council to take appropriate effective steps to prevent the frustration of this objective.

(c) The establishment of a nuclear-weapon-free zone in the Middle East in compliance with General Assembly resolution 35/147 would greatly enhance international peace and security. Pending the establishment of such a zone in the region, States of the region should solemnly declare that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, and agree to place all their nuclear activities under International Atomic Energy Agency safeguards. Consideration should be given to a Security Council role in advancing the establishment of a nuclear-weapon-free zone in the Middle East.

(d) All States in the region of South Asia have expressed their determination to keep their countries free of nuclear weapons. No action should be taken by them which might deviate from that objective. In this context, the question of establishing a nuclear-weapon-free zone in South Asia has been dealt with in several resolutions of the General Assembly, which is keeping the subject under consideration.

(e) Efforts to create nuclear-weapon-free zones in other regions of the world should be promoted at the initiative of States which intend to become part of the zone.

(f) Ensuring that the zones are genuinely free from nuclear weapons and respect for such zones by nuclear-weapon States constitute an important disarmament measure.

B. Other Weapons of Mass Destruction

1. All States should adhere to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

2. All States which have not yet done so should consider adhering to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

3. It is necessary to make all possible efforts for the early conclusion of an international convention on the complete and effective prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction.

4. An international treaty on the prohibition of the development, production, stockpiling and use of radiological weapons should be concluded, bearing in mind the negotiations under way in the Committee on Disarmament and all proposals made in connection therewith.

5. Effective measures should be taken to avoid the danger and prevent the emergence of new types of weapons of mass destruction based on new scientific principles and achievements. Efforts should be appropriately pursued aiming at the prohibition of such types and systems of weapons. This question should be kept under continuing review.

C. Conventional weapons and armed forces

1. Together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament. States with the largest military arsenals have a special responsibility in pursuing the process of conventional armaments reductions. */

2. (Interested States will have to continue consultations on the text of paragraph on Europe).

*/ In the view of one delegation, the inclusion of this paragraph was dependent on the text that may be agreed for paragraph 21 of the chapter on Principles.

3. Agreements or other measures should be resolutely pursued on a bilateral, regional and multilateral basis with the aim of strengthening peace and security at a lower level of forces, by the limitation and reduction of armed forces and of conventional weapons, taking into account the need of States to protect their security, bearing in mind the inherent right of self-defence embodied in the Charter of the United Nations and without prejudice to the principle of equal rights and self-determination of peoples in accordance with the Charter and the need to ensure balance at each stage and undiminished security of all States. Such measures might include the following:

(a) Bilateral, regional and multilateral consultations and conferences should be held where appropriate conditions exist with the participation of all the countries concerned for the consideration of different aspects of conventional disarmament, such as the initiative envisaged in the Declaration of Ayacucho subscribed to by eight Latin American countries on 9 December 1974.

(b) Consultations should be carried out among major arms suppliers and recipient countries on the limitation of all types of international transfer of conventional weapons, based in particular on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into account the need of all States to protect their security as well as the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligations of States to respect that right, in accordance with the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States.

4. Prohibition or restrictions of use of certain conventional weapons, including those which may cause unnecessary suffering or which may have indiscriminate effects:

(a) Adherence by all States to the agreement adopted by the United Nations Conference on Prohibition or Restrictions of Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

(b) Broadening of the prohibitions or restrictions of use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, either through amendments to the existing Protocols or through the conclusion of additional Protocols, in accordance with Article 8 of the Convention on Prohibition or Restrictions of Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

(c) The result of the above-mentioned Conference should be considered by all States, especially producer States, in regard to the question of the transfer of such weapons to other States.

D. Military budgets

1. Gradual reduction of military budgets on a mutually agreed basis, for example, in absolute figures or in terms of percentage points, particularly by nuclear-weapon States and other militarily significant States, would be a measure that would contribute to the curbing of the arms race and would increase the possibilities of reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries.

2. The basis for implementing this measure will have to be agreed by all participating States and will require ways and means of its implementation acceptable to all of them, taking account of the problems involved in assessing the relative significance of reductions as among different States and with due regard to the proposals of States on all the aspects of reduction of military budgets.

3. The General Assembly should continue to consider what concrete steps should be taken to facilitate the reduction of military budgets, bearing in mind the relevant proposals and documents of the United Nations on this question.

E. Related measures

1. Further steps to prohibit military or any other hostile use of environmental modification techniques:

Review of the need for a further prohibition of military or any other hostile use of environmental modification techniques with a view to the adoption of further measures to eliminate the danger to mankind from such use.

2. Further steps to prevent an arms race on the sea-bed and the ocean floor and the subsoil thereof:

Consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed and the ocean floor and in the subsoil thereof in order to promote the peaceful use of, and to avoid an arms race in, that environment, taking into account the United Nations Convention on the Law of the Sea and the proposals made during the First and Second Review Conferences of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, as well as any relevant technological developments. */

3. In order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

*/ Two delegations reserved their position with respect to the reference in this paragraph to the United Nations Convention on the Law of the Sea.

4. The establishment of zones of peace:

The establishment of zones of peace in various regions of the world under appropriate conditions, to be clearly defined and determined freely by the States concerned in the zone, taking into account the characteristics of the zone and the principles of the Charter of the United Nations, and in conformity with international law, can contribute to strengthening the security of States within such zones and to international peace and security as a whole.

(a) South East Asia:

Steps should be taken by the States of the region towards the early establishment of a zone of peace, freedom and neutrality in South East Asia, taking into account the need for ensuring stability and for enhancing prospects for co-operation and development in the region. */

(b) (Interested States will have to continue consultations on text on Indian Ocean);

(c) (Interested States will have to continue consultations on text on the Mediterranean).

OTHER MEASURES

1. Confidence-building measures

In order to facilitate the process of disarmament, it is necessary to take measures and pursue policies to strengthen international peace and security and to build confidence among States. Commitment to confidence-building measures could significantly contribute to preparing for further progress in disarmament. For this purpose, measures such as the following, and other measures yet to be agreed upon, should be undertaken:

(a) The prevention of attacks which take place by accident, miscalculation or communications failure by taking steps to improve communications between Governments, particularly in areas of tensions, by the establishment of "hot lines" and other methods of reducing the risk of conflict;

(b) States should assess the possible implications of their military research and development for existing agreements as well as for further efforts in the field of disarmament.

2. Prevention of the use of force in international relations

(a) Strict adherence and full commitment by all States Members of the United Nations to the purposes of the Charter of the United Nations and their obligation strictly to observe its principles as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security, in particular the principles of refraining from the threat or use of force against the sovereignty, territorial integrity or political independence of any States or against peoples under colonial or foreign domination seeking to exercise their right to self-determination and to achieve independence, non-acquisition and non-annexation of territories by force and

*/ Some delegations reserved their position on the present text of this subparagraph.

non-recognition of such acquisition or annexation, non-intervention and non-interference in the internal affairs of other States; the inviolability of international frontiers; and the peaceful settlement of disputes, having regard to the inherent right of States to individual and collective self-defence in accordance with the Charter.

(b) Strengthening the role of the United Nations in the maintenance of international peace and security and full implementation of the decisions of the Security Council by all States Members of the United Nations in accordance with their obligations under Article 25 of the United Nations Charter.

3. Mobilization of world public opinion in favour of disarmament

In order to mobilize world public opinion in favour of disarmament, the specific measures set forth below, designed to increase the dissemination of information about the armaments race and the efforts to halt and reverse it, should be adopted in all regions of the world in a balanced, factual and objective manner:

(a) Throughout the implementation of the Programme, therefore, governmental and non-governmental information organs of Member States and those of the United Nations and its specialized agencies as well as non-governmental organizations should, as appropriate, undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations and their results, particularly by means of annual activities conducted in connection with Disarmament Week. These actions should constitute a programme to further alert world opinion to the danger of war in general and nuclear war in particular.

(b) With a view to contributing to a greater understanding and awareness of the problems created by the armaments race and of the need for disarmament, Governments and governmental and non-governmental international organizations are urged to take steps to develop programmes of education for disarmament and peace studies at all levels.

(c) The World Disarmament Campaign, which was solemnly launched by the General Assembly at the opening meeting of its second special session devoted to disarmament, should provide an opportunity for discussion and debate in all countries on all points of view relating to disarmament issues, objectives and conditions. The Campaign has three primary purposes: to inform, to educate and to generate public understanding and support for the objectives of the United Nations in the field of arms limitation and disarmament.

(d) As part of the process of facilitating the consideration of issues in the field of disarmament, studies on specific questions should be undertaken on the decision of the General Assembly, when necessary for preparing the ground for negotiations or reaching agreement. Also, studies pursued under the auspices of the United Nations, in particular by the United Nations Institute for Disarmament Research could bring a useful contribution to the knowledge and exploration of disarmament problems, especially in the long term.

(e) Member States should be encouraged to ensure a better flow of information with regard to the various aspects of disarmament to avoid dissemination of false and tendentious information concerning armaments, and to concentrate on the danger of escalation of the armaments race and on the need for general and complete disarmament under effective international control.

(f) */ In particular publicity should be given to the decisions of the special session of the General Assembly devoted to disarmament, especially the Final Document of the first special session.

4. Verification **/

(a) In order to facilitate the conclusion and effective implementation of disarmament agreements and to create confidence, States should accept appropriate provisions for verification in such agreements.

(b) In the context of international disarmament negotiations, the problem of verification should be further examined and adequate methods and procedures in this field be considered. Every effort should be made to develop appropriate methods and procedures which are non-discriminatory and which do not unduly interfere with the internal affairs of other States or jeopardize their economic and social development. ***/

DISARMAMENT AND DEVELOPMENT

1. In view of the relationship between expenditure on armaments and economic and social development, the implementation of the Comprehensive Programme of ~~Disarmament~~ should make an effective contribution to economic and social development of all States, in particular of the developing countries. In this context, it is of particular significance that substantial progress in disarmament should be made in accordance with the responsibility that each State bears in the field of disarmament, so that real resources now being used for military purposes can be released to economic and social development in the world, particularly for the benefit of the developing countries.

2. Disarmament would contribute over the long term to the effective economic and social development of all States, in particular developing countries, by contributing towards reducing the economic disparities between developed and developing countries and establishing the new international economic order on the basis of justice, equity and co-operation and towards solving other global problems.

3. The Secretary-General shall periodically submit reports to the General Assembly on the economic and social consequences of the ~~armaments race~~ and its extremely harmful effects on world peace and security.

*/ The placement of this paragraph in the Comprehensive Programme of Disarmament will be determined later.

**/ Some delegations indicated a preference for the paragraphs under this heading to be amplified and given greater prominence, such as an introduction to Chapter V (Measures and stages of implementation) or as a separate Chapter preceding Chapter V. One delegation held that the paragraphs under this heading should form part of Chapter VI (Machinery and Procedures).

***/ The final placement of the second sentence of this paragraph will be determined later.

DISARMAMENT AND INTERNATIONAL SECURITY

1. Progress in disarmament should be accompanied by measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means. During and after the implementation of the programme of general and complete disarmament, there should be taken, in accordance with the principles of the Charter of the United Nations, the necessary measures to maintain international peace and security, including the obligation of States to place at the disposal of the United Nations agreed manpower necessary for an international peace force to be equipped with agreed types of armaments. Arrangements for the use of this force should ensure that the United Nations can effectively deter or suppress any threat or use of arms in violation of the purposes and principles of the United Nations.

Intermediate Stage */

Last Stage */

VI. Machinery and Procedures

1. The United Nations, in accordance with the Charter, should continue to have a central role and primary responsibility in the sphere of disarmament.

2. Negotiations on multilateral measures of disarmament envisaged in the Comprehensive Programme of Disarmament should, as a rule, be conducted in the Committee on Disarmament, the single multilateral negotiating body in the field of disarmament.

3. Bilateral and regional disarmament negotiations may also play an important role and could facilitate negotiations of multilateral agreements in the field of disarmament.

4. The United Nations should be kept duly informed through the General Assembly, or any other appropriate United Nations channel reaching all Members of the Organization, of all disarmament efforts outside its aegis without prejudice to the progress of negotiations.

*/ The heading is without prejudice to the position of delegations with respect to questions relating to stages of implementation.

5. All efforts will be made by States, particularly through the conduct of negotiations in good faith on specific disarmament measures, to achieve the goal of General and Complete Disarmament, as defined in the Comprehensive Programme, by the year 2000. In order to assure continued progress towards the full realization of this ultimate goal, a special session of the General Assembly shall be convened periodically to review the implementation of the measures included in the various stages of the Comprehensive Programme. The first such special session of the General Assembly shall be held in (1987) (1988) (1989), and will: (a) review the implementation of the measures included in the first stage of the Comprehensive Programme; (b) consider the readjustments that need to be made in the Programme in the light of the review and the steps that need to be taken to stimulate progress in its implementation; (c) elaborate in more concrete terms the measures to be implemented in the second stage of the Programme, taking into account the progress made so far and other developments in international relations, as well as science and technology; and (d) decide on the time for the next special session to review the implementation of the measures included, and adjusted as necessary, in the second stage of the Comprehensive Programme, with the understanding that such session would be held not later than six years after the first. */
6. In addition to the periodic reviews to be carried out at special sessions, there should be an annual review of the implementation of the Programme. Therefore, an item entitled "Review of the implementation of the Comprehensive Programme of Disarmament" should be annually included on the agenda of the regular sessions of the General Assembly. To facilitate the work of the Assembly in this regard, the Secretary-General should annually submit a report to the General Assembly on progress in the implementation of the Programme.
7. During its annual review, or at its periodic special sessions to review the implementation of the Comprehensive Programme of Disarmament, the General Assembly may, as appropriate, consider and recommend further measures and procedures to enhance the implementation of the Programme.
8. In the implementation of the Comprehensive Programme of Disarmament, the Disarmament Commission shall continue functioning as a deliberative body, a subsidiary organ of the General Assembly, and shall consider and make recommendations on various problems in the field of disarmament.
9. Proposals listed in paragraph 125 of the Final Document of the first special session and annex II of the Concluding Document of the second special session devoted to disarmament should be considered, and decisions taken, at an appropriate time.
10. At the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation.

*/ This paragraph has not been discussed. Therefore, the issues dealt with therein remain open.

Report of the Ad Hoc Working Group on Chemical Weapons
to the Committee on Disarmament

I. INTRODUCTION

1. In accordance with the decision taken by the Committee on Disarmament at its 207th meeting held on 29 March 1983, as contained in document CD/358, the Ad Hoc Working Group on Chemical Weapons was re-established for the duration of the 1983 session on the basis of its former mandate. The Committee further decided that the Ad Hoc Working Group would report to it on the progress of its work before the conclusion of its 1983 session.

II. ORGANIZATION OF WORK AND DOCUMENTATION

2. At its 207th plenary meeting on 29 March 1983, the Committee on Disarmament appointed Ambassador D.S. McPhail of Canada as Chairman of the Ad Hoc Working Group. Mr. Abdelkader Bensmail, Senior Political Affairs Officer, United Nations Department for Disarmament Affairs continued to serve as Secretary of the Working Group.

3. The Ad Hoc Working Group held 23 meetings from 6 April to 22 August 1983. The Working Group benefited from the inclusion in delegations of national experts in the period 22 June to 22 July 1983. In addition, the Chairman held a number of informal consultations with delegations.

4. At the 216th plenary meeting of the Committee on Disarmament, the Chairman of the Ad Hoc Working Group reported on the progress of its work.

5. At their request, the representatives of the following States, not members of the Committee on Disarmament, participated in the work of the Working Group: Austria, Denmark, Finland, Greece, Ireland, Norway, Portugal, Spain, Switzerland and Viet Nam.

6. During the 1983 session, the following official documents dealing with chemical weapons were presented to the Committee on Disarmament:

- Document CD/338, dated 1 February 1983, entitled "Letter dated 24 January 1983, from the Permanent Representative of the Socialist Republic of Czechoslovakia, transmitting the text of the Political Declaration of the Warsaw Treaty Member States adopted in Prague on 5 January 1983."

- Document CD/342, dated 8 February 1983, entitled "Report of the Ad Hoc Working Group on Chemical Weapons on its work during the period 17-28 January 1983"
- Document CD/343, dated 10 February 1983, submitted by the United States of America, entitled "United States detailed views on the contents of a chemical weapons ban"
- Document CD/349, dated 21 February 1983, submitted by the Republic of Cuba, entitled "Letter dated 21 February 1983 from the Permanent Representative of the Republic of Cuba transmitting the final summary report of the International Symposium on Herbicides and Defoliants in War: The long-term effects on Man and Nature, held in H. Chi Minh City from 13 to 20 January 1983"
- Document CD/350, dated 28 February 1983, submitted by Spain entitled "Working Paper on technical aspects of a convention on chemical weapons"
- Document CD/353, dated 8 March 1983, submitted by the United Kingdom of Great Britain and Northern Ireland, entitled "Verification of non-production of chemical weapons"
- Document CD/378, dated 21 April 1983, submitted by China, entitled "On the prohibition regime of the future convention banning chemical weapons"
- Document CD/387, dated 6 July 1983, submitted by the United States of America, entitled "Illustrative on-site inspection procedures for verification of chemical weapons stockpile destruction"
- Document CD/392, dated 13 July 1983, submitted by Finland, entitled "Letter dated 11 July 1983 from the Permanent Representative of Finland addressed to the Chairman of the Committee on Disarmament, transmitting a document entitled 'Systematic Identification of Chemical Warfare Agents: Identification of Precursors of Warfare Agents, Degradation Products of Non-Phosphorus Agents, and some Potential Agents'"
- Document CD/393, dated 13 July 1983, submitted by Yugoslavia, entitled "Working Paper on some technical aspects of the verification process in a chemical weapons convention" (also issued as CD/CW/WP.55)
- Document CD/396, dated 19 July 1983, submitted by Norway, entitled "Working Paper on verification of a chemical weapons convention: sampling and analysis of chemical warfare agents under winter conditions"
- Document CD/397, dated 19 July 1983, submitted by Norway, entitled "Working Paper on verification of non-production of chemical weapons"

- Document CD/401, dated 29 July 1983, submitted by Yugoslavia, entitled "Precursors - 'Key' Precursors" (also issued as CD/CW/CRP.82)
- Document CD/408, dated 9 August 1983, submitted by Egypt, entitled "Proposals to promote respect for the Chemical Weapons Convention and compliance with its provisions"

7. In addition, the following Working Papers were circulated to the Working Group:

- CD/CW/WP.45 entitled "Report of the Ad Hoc Working Group on Chemical Weapons on its work during the period 17-28 January 1983"
- CD/CW/WP.46 submitted by the Netherlands, entitled "Suggested list of key precursors - including those usable in multicomponent chemical weapon systems"
- CD/CW/WP.47 submitted by the United States of America, entitled "United States Delegation impressions of the CW technical consultations held in January 1983"
- CD/CW/WP.48 submitted by the United States of America, entitled "Working hypothesis on systematic, international on-site inspection of the destruction of declared stocks"
- CD/CW/WP.49 entitled "Statement by the Co-ordinator of Contact Group A"
- CD/CW/WP.50 submitted by Poland, entitled "Views of the Polish Delegation on the results of the consultations with delegations on technical issues held in the framework of the Ad Hoc Working Group on Chemical Weapons during the period 17 January - 4 February 1983"
- CD/CW/WP.51 submitted by the United States of America, entitled "Preventing illegal production of key precursors of nerve gas"
- CD/CW/WP.52 submitted by the United States of America, entitled "Verification of non-production of chemical weapons"
- CD/CW/WP.53 submitted by Bulgaria, entitled "Working hypothesis on verification of destruction of declared stocks"
- CD/CW/WP.54 submitted by France, entitled "Precursors - Key Precursors"
- CD/CW/WP.55 submitted by Yugoslavia, entitled "Working Paper on some technical aspects of the verification process in a chemical weapons convention" (also issued as CD/393)
- CD/CW/WP.56, entitled "Draft Report of the Ad Hoc Working Group on Chemical Weapons to the Committee on Disarmament"
- CD/CW/WP.57, submitted by the United Kingdom of Great Britain and Northern Ireland, entitled "Verification of Non-Production of Chemical Weapons"

8. The following Conference Room Papers were also submitted to the Working Group:

- CD/CW/CRP.66 entitled "Programme of work of the Ad Hoc Working Group on Chemical Weapons from 17-28 January 1983"
- CD/CW/CRP.67 entitled "Timetable for the Chairman's consultations on technical issues as presented in the report of the Working Group, CD/334, para. 12 on 15 September 1982, to be held 17 January - 4 February 1983"
- CD/CW/CRP.68 entitled "Work Schedule - April 1983"
- CD/CW/CRP.69 submitted by Sweden, entitled "Statement made by Dr. J. Lundin of the Swedish delegation in the Ad Hoc Working Group on Chemical Weapons, Monday, 11 April 1983, on the question of 'no military preparation for use of chemical weapons'"
- CD/CW/CRP.70* entitled "Contact Group C: Paper presented by the Co-ordinator"
- CD/CW/CRP.71 entitled "Contact Group C: Paper presented by the Co-ordinator: Criteria for the objective and impartial verification of a prohibition of use of chemical weapons"
- CD/CW/CRP.72 entitled "Chairman's summary of the discussions held in Contact Group A in April 1983"
- CD/CW/CRP.73 entitled "Progress Report by the Co-ordinator"
- CD/CW/CRP.74 + Rev. 1 and 2 entitled "Proposals by the Co-ordinator: Procedure for declaring possession or non-possession of chemical weapons and their possible components"
- CD/CW/CRP.75* entitled "Proposals by the Co-ordinator: The destruction or diversion of stocks of chemical weapons"
- CD/CW/CRP.76 and Corr.1 submitted by Yugoslavia, entitled "Definition of 'Key' Precursors"
- CD/CW/CRP.77 submitted by Australia, entitled "Diversion of chemical weapons stocks"
- CD/CW/CRP.78 submitted by Australia, entitled "Questions relating to the possible civilian use of chemicals containing the methyl-phosphorus bond"
- CD/CW/CRP.79 entitled "Report by the Co-ordinator on the 'Criteria for the objective and impartial verification of a prohibition of use of chemical weapons'"

- CD/CW/CRP.80 + Rev.1, 2, 3, 4, entitled "Proposal by the Co-ordinator: Issues relevant to the incorporation of a use prohibition in the scope of the Convention"
- CD/CW/CRP.80/Rev.5 entitled "Report of the Co-ordinator on Issues relevant to the incorporation of a use prohibition in the scope of the Convention"
- CD/CW/CRP.81/Rev.1 submitted by Australia/The Netherlands, entitled "List of precursors for super-toxic lethal chemicals and incapacitating chemicals"
- CD/CW/CRP.82 submitted by Yugoslavia, entitled "Precursors - 'Key' Precursors" (also issued as CD/401)
- CD/CW/CRP.83 submitted by Czechoslovakia, entitled "Concept of precursors in the CW Convention"
- CD/CW/CRP.84 submitted by the Federal Republic of Germany, entitled "List of key precursors"
- CD/CW/CRP.85 entitled "Report of the Co-ordinator on the result of the work of Contact Group A"
- CD/CW/CRP.86 entitled "Report of the Co-ordinator on the work of Contact Group D"
- CD/CW/CRP.87 entitled "Report of the Co-ordinator on the Structure and functions of the Consultative Committee and its subsidiary organs"

III. SUBSTANTIVE WORK DURING THE 1983 SESSION

9. During its 1983 session, the Working Group intensified its efforts aimed at elaborating a Convention on the basis of existing material and new proposals made by delegations. The main tasks of the Group were to attempt to resolve the remaining major items of substance on which there is still disagreement and to record the substance of agreement where this has already been reached. To this effect, it accepted the Chairman's proposal to set up four Contact Groups which dealt with specified aspects of the following spheres of the Convention as follows:

- (a) Contact Group A: Existing stockpiles
(Co-ordinator: Colonel J. Cialowicz, Poland)
- (b) Contact Group B: Compliance provisions and verification issues
(Co-ordinator: Mr. S. Duarte, Brazil)
- (c) Contact Group C: Prohibition of use
(Co-ordinator: Mr. R.J. Akkerman, The Netherlands)
- (d) Contact Group D: Definitions
(Co-ordinator: Dr. J. Lundin, Sweden)

10. Having considered and remitted these matters to Contact Groups, the remaining two major issues considered in 1983 - destruction of existing means of production and non-production; and lesser issues requiring attention; were considered by the

Working Group itself. Areas of seeming consensus - much of the scope of prohibition, many definitions, certain co-operative and confidence-building measures, certain aspects of national implementation and international verification, and preambular and additional provisions relating to substance - were not discussed in detail, but of course were taken into account on the basis of earlier work in arriving at the Working Group's conclusions in 1983. Specifically, the Working Group considered:

(a) Existing means of production -

Differences in this area are among the most difficult to resolve; problems exist regarding the declaration of plants; the need to inspect, close and seal declared plants was explored, as well as approaches to their elimination; problems of timing of declarations, the specification of location, the method of elimination, possible special requirements for binary facilities were also considered; proposals for systematic international verification were advanced;

(b) Non-production of chemical weapons in the chemical industry -

Basic differences remain in this area, particularly with respect to possible restrictions on chemicals for permitted purposes and the development of lists of e.g. key precursors, and the verification measures which might be applied. (Subsequently remitted to Contact Group D);

(c) Prohibition of transfer -

Agreement was reached that transfers, except for elimination purposes, would be restricted but the allowable circumstances and amounts for such transfers require further consideration:

(d) Non-development -

While there is agreement that future development of chemical weapons should be prohibited, verification by any systematic means would appear difficult because of the need to preserve the right to undertake work on protection or other permitted purposes.

The Working Group did consider other items including certain definitions, small-scale production for permitted or protective purposes, stockpile elimination, military preparations for the use of chemical weapons and the preparatory commission, and the results in some cases were further remits to the existing Contact Groups, and in others, simply a reconfirmation of the state of play reported in earlier Contact Group reports.

11. The Working Group's agreed conclusions on substantive matters are recorded in the systematic and integrated manner set forth in annex 1 for the consideration of Governments. Both common and unagreed views on individual provisions of a convention appear. Annex 1 does not, however, necessarily take full account of certain instances which need further reflection on individual understandings or undertakings. In particular this applies to the definitions of a "precursor", "key precursor" and "production facilities", existing stocks of chemical weapons, and the range of possible applications of on-site inspection.

IV. CONCLUSIONS ON THE SUBSTANCE OF A POSSIBLE CONVENTION

12. The Ad Hoc Working Group recommends to the Committee on Disarmament:

(a) that the views set forth in annex 1 to this report, substantive provisions to be included in a chemical weapons convention, be used as the basis for the further work of the Working Group;

(b) that the views contained in the 1983 reports of Contact Groups appended as annex II to this report, including the draft formulations for possible use in a future convention, together with other relevant previous reports and documents of the Committee and future ones, also be utilized in the further elaboration of a convention; and

(c) that the Working Group resume negotiations immediately at the outset of the 1984 session of the CD with a view to intensive negotiation aimed at the final elaboration of a Convention at the earliest date.

Report of the Ad Hoc Working Group on Chemical Weapons
to the Committee on Disarmament

ANNEX I

The Ad Hoc Working Group on Chemical Weapons considers the following substantive provisions should be included in a Chemical Weapons Convention. (Portions not agreed to by all delegations are indented and introduced by:

1. and, where they are additional proposals;
2. or, where they are alternatives to other texts).

I. GENERAL PROVISIONS

A. Purpose and Commitments

1. General Purpose of the Convention.

An undertaking to ban chemical weapons

2. Basic Undertakings

(a) An undertaking not to develop, produce, otherwise acquire, stockpile, retain or transfer chemical weapons.

(b) An undertaking:

To exclude through the implementation of the provisions of the Convention, which complement the prohibitions of the 1925 Geneva Protocol, the use of chemical weapons in any armed conflict.

or not to use chemical weapons in any armed conflict

or not to use chemical weapons in any circumstances

or to observe, by States not parties to the Geneva Protocol on the prohibition of the use of chemical weapons the terms of its provisions, and to recall, by States parties to the Protocol, their commitments under it.

(c) An undertaking to eliminate^{*/} existing stockpiles of chemical weapons.

(d) An undertaking to eliminate^{*/} existing facilities for the production of chemical weapons.

(e) An undertaking not to assist, encourage or induce anyone to engage in activities prohibited by the Convention.

and An undertaking not to engage in any military preparations to use chemical weapons.

^{*/} As indicated on pages 9 and 12.

B. Definitions and Criteria

1. Definitions

An understanding that, in accordance with the general purpose
criterion of the Convention

(a) Chemical weapons means:

(i) super-toxic lethal, other lethal, or other
harmful chemicals, and their precursors,
regardless of the method of production, except
for those intended for permitted purposes as
long as the types and quantities involved are
consistent with such purposes

or chemical warfare agents and their precursors;

(ii) munitions or devices specifically designed to
cause death or other harm through the toxic
properties or chemicals released as a result of
the employment of such munitions or devices; or

(iii) any equipment

and or chemical

specifically designed for use directly in connection
with the employment of such munitions or devices.

and (b) Chemical warfare agents means:

e.g. toxic chemical substances whose types and
quantities accord with hostile and military
purposes and whose toxic effects are used to
interfere directly with the normal functions
of man, animals and plants in such a way as to
lead them to death, temporary incapacitation,
permanent injury, damage, and for the purposes
of the Convention, chemical warfare agents can
be divided into three categories, super-toxic
lethal, other lethal, and other harmful
chemicals.

(c) Permitted purposes means:

- (i) non-hostile purposes, that is, industrial, agricultural, research, medical, law enforcement, or other peaceful purposes, or protective purposes; and
- (ii) military purposes which are not related to the use of chemical weapons.

and (d) Protective purposes means:

purposes directly related to protection against chemical weapons.

(e) Production facility means:

any building or equipment which in any degree was designed, constructed or used for the production of any chemicals, including key precursors, primarily useful for chemical weapons, or designed, constructed or used for filling chemical weapons.

or (to be determined)

(f) Precursor means:

a chemical that by any reaction takes part in the production of a toxic end product,^{*/} which for the purposes of the Convention is defined as a chemical in accordance with the general purpose criterion.

(g) Key precursor means:

a precursor which plays a most important role in the production of, or in determining the characteristics of the end product^{*/} and has little peaceful use^{1/}
and and used at the last stage of the synthesis.

^{*/} Or, possibly, chemical warfare agent (to be determined, see page 2).

^{1/} As determined in an annex to the Convention referred to below indicating the criteria for inclusion and measures for ensuring compliance with the Convention.

2. Toxicity Criteria

An understanding that for the purpose of classifying chemicals according to their toxicity the following criteria apply:^{2/}

- (a) a "super-toxic lethal chemical" has a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m³ (by inhalation);
- (b) an "other lethal chemical" has a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m³ (by inhalation) and less than or equal to 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m³ (by inhalation); and
- (c) an "other harmful chemical" has a median lethal dose which is greater than 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m³ (by inhalation).

C. Compliance

1. National Implementation Measures

An undertaking to adopt measures in accordance with constitutional processes to implement the Convention, to monitor compliance with it, and to prohibit or prevent any activity under national jurisdiction or control in violation of it.

2. National Technical Means

An understanding that technical procedures for collecting information on compliance that are under national control will be utilized in a manner consistent with generally recognized principles of international law.

^{2/} When measured by an agreed method set forth in an annex to the Convention.

3. Systematic International Procedures

An undertaking to ensure systematic verification of compliance with the provisions of the Convention by:

(a) data reporting

the provision of data on production and use and other information to the Consultative Committee on a periodic basis; and^{3/}

(b) on-site inspections

on-site monitoring utilizing automatic instruments and/or mandatory inspections by an international inspectorate^{4/}

- (i) "on an immediate basis", i.e. involving the presence of inspectors as soon as feasible,
- (ii) "on a continuous basis", i.e. involving the presence of inspectors at all times during an operation,
- (iii) "on a periodic basis", i.e. involving regular visits to an operation at fixed intervals as established by the Consultative Committee,
- (iv) "on a quota basis", i.e. involving an agreed number of regular visits to be determined by the Consultative Committee on the basis of agreed criteria and data communicated by States,
- (v) "on a random basis", i.e. involving an agreed number of visits which follow an irregular pattern with limited advanced warning,
- (vi) on any other agreed basis arranged bilaterally or by the Consultative Committee.

^{3/} In accordance with declarations referred to below and lists of chemicals set forth in annexes to the Convention that will be subject to revision by the Consultative Committee.

^{4/} On the basis of agreed procedures set forth in an annex to the Convention.

4. Challenge Procedure

An undertaking to ensure non-routine verification of compliance with the provisions of the Convention by the application of fact-finding procedures including on-site inspection
on a voluntary basis
or on the basis of a stringent obligation to permit
such inspection
arranged bilaterally or by a justified request to the Consultative Committee

II. SPECIFIC PROVISIONS FOR ELIMINATION

A. Existing Stocks of Chemical Weapons

1. Initial Declarations^{5/}

- (a) An undertaking to submit initial declarations to the Consultative Committee:
 - (i) not later than 30 days after entry into force or adherence to the Convention;
 - (ii) stating the possession or non-possession of any chemical weapons regardless of the quantity or location;
 - (iii) stating the presence of stocks of chemical weapons which are under the jurisdiction or control of someone else;
 - (iv) stating the composition of all stocks of chemical weapons; all chemicals, including precursors comprised in such stocks, should be declared by their chemical names, toxicities, where applicable, and weights in metric tons in bulk and filled into munitions; munitions should be declared by types, calibres, quantities and chemical fill; devices and "specifically designed" equipment should be declared,

^{5/} On the basis of the provisions of the Convention and in accordance with procedures established by the Consultative Committee (note that this footnote applies to all declarations and reports referred to in this record).

and by type and quantity, and for devices, also
by size and chemical fill,
and declaration of locations of all stockpiles
and composition of the stocks at each
location;

- (v) ~~certifying that the acquisition or transfer of~~
~~chemical weapons~~
along with any assistance
or including technological equipment for the
production of chemical weapons and relevant
technical documentation
has ceased.

- (b) An undertaking to submit the initial declarations of
stocks of chemical weapons to verification by means of
systematic international on-site inspection on an
immediate basis
or on a quota basis for those stocks stored at
specialized facilities for the destruction of
stocks
or challenge procedure

2. Interim and Other Measures

- (a) An undertaking to submit declared stocks to verification
between the initial declarations and commencement of
elimination by
continuous monitoring with on-site instruments
and systematic international on-site inspection
on a periodic basis
or on a quota basis for those stocks stored at
specialized facilities for the destruction of stocks
or challenge procedure
- (b) An undertaking not to move chemical weapons stocks
from present locations after entry into force or
adherence to the Convention except for purposes of
elimination or for protective purposes
and other permitted purposes.

- (c) An undertaking to submit to the Consultative Committee
30 days
or 6 months
after entry into force or adherence to the Convention,
initial plans for the elimination of all stocks of
chemical weapons including type of operation, schedules
with respect to quantities and types of chemical
weapons to be destroyed, and products; and
simultaneously
or just before entry into operation
locations of destruction plants to be used
- (d) An undertaking to submit to the Consultative
Committee
annual
or periodic
reports of progress on implementation of plans for
the elimination of stocks of chemical weapons.
- (e) An undertaking to submit to the Consultative
Committee
annually
or 3 months before the implementation of each
stage
detailed plans for elimination of stocks of chemical
weapons during the next
year
or stage.
- (f) An undertaking to notify the Consultative Committee
of the elimination of chemical weapons within 30 days
of the completion of their elimination.
- and (g) An undertaking to submit notifications to the
Consultative Committee concerning old stocks found
after the initial declaration, as to

- (i) within 30 days, the estimated quantity and type, how, where and when they were found, why they were previously unknown, and where they are stored;
 - (ii) within 90 days, the exact quantity and type, including the chemical names, formulae and quantities of the chemicals found, and plans for their elimination, and
 - (iii) within 30 days after completion, certification of elimination.
- and (h) An undertaking to accept international control of stocks until their final elimination;

3. Elimination of Stocks

- (a) An undertaking to eliminate as rapidly as possible all stocks of chemical weapons,
and including old stocks found after the initial declaration,

by destruction
or by destruction or diversion to permitted purposes following non-reversible procedures which will allow systematic international on-site inspection and in accordance with a schedule^{6/} which will maintain a balance of security during the entire elimination stage, with commencement within
6 months and completion within 10 years
or 6 months in regard to binary and multicomponent chemical weapons only and completion of the operation within 2 years and commencement within 2 years in regard to all other chemical weapons and completion within 10 years after entry into force of the Convention.

^{6/} To be agreed and set forth in an annex to the Convention.

- (b) An undertaking to submit the elimination of stocks of chemical weapons to systematic international verification by continuous on-site monitoring with instruments, and by systematic international on-site inspection

on a continuous basis

or on a quota basis.

B. Existing Means of Production

1. Initial Declaration

- (a) An undertaking to submit declarations to the Consultative Committee not later than 30 days after entry into force or adherence to the Convention

- (i) stating the possession or non-possession of capacities for production of chemical weapons, the capacities themselves, and stating the presence or non-presence of production facilities and their capacities under the jurisdiction or control of someone else;

or stating whether or not any production facility is under its jurisdiction or control; stating the presence on its territory of any production facility, which is under the jurisdiction or control of anyone else and the location of any such facility; and stating the location, nature, capacity, types of products and chemical names of products for any production facility which has been under its jurisdiction or control at any time since

- (ii) certifying that all production or filling in facilities possessed or present has ceased.

and (b) An undertaking to submit the initial declaration of production facilities to verification by systematic international on-site inspection on an immediate basis
or challenge procedure.

2. Interim and Other Measures

- (a) An undertaking at entry into force or adherence to the Convention to cease all activities at any production facility except those required for closure and elimination or conversion to the destruction of chemical weapons stocks, and to close each facility in a manner which will render it inoperative in a verifiable way.
- (b) An undertaking at entry into force or adherence to the Convention not to undertake construction of any new production facilities or the conversion of any other existing facilities for purposes of producing chemical weapons.
- (c) An undertaking to submit the inactive status of production facilities to verification between the declaration of their location and commencement of elimination by
 - continuous monitoring with on-site automatic instruments and systematic international on-site inspection on a periodic basis,
 - or challenge procedure.
- (d) An undertaking to submit to the Consultative Committee plans for
 - the closing and destruction of all production facilities, 30 days after entry into force or adherence to the Convention
 - or the elimination of each plant, one year before the commencement of its elimination, and its location.
- (e) An undertaking to submit to the Consultative Committee
 - annual
 - or periodic
 - reports of progress on implementation of plans for the elimination of production facilities.

- (f) An undertaking to submit to the Consultative Committee annually, detailed plans concerning elimination of production facilities for the next year
or 3 months before the implementation of each stage, notifications concerning elimination of production facilities, including their location, for the next stage.
- (g) An undertaking to certify to the Consultative Committee within 30 days that the elimination of production facilities has been completed.
- (h) An undertaking to submit to the Consultative Committee within 30 days of entry into force or adherence to the convention
or within the time period provided for in the plan for the destruction of stocks
plans for the temporary conversion of any production facility for the destruction of stocks of chemical weapons, including its location.
- (i) An undertaking to notify the Consultative Committee within 30 days that the destruction of stocks of chemical weapons in a temporarily converted production facility has been completed.

3. Elimination of Production Facilities

- (a) An undertaking to eliminate all production facilities, including any facilities temporarily converted for the destruction of stocks of chemical weapons, by
razing them
or destroying or dismantling them
employing procedures which permit verification and in accordance with a schedule^{1/} which will maintain

^{1/} To be agreed and set forth in an annex to the Convention.

a balance of security during the entire elimination stage, with commencement within

6 months and completion within 10 years

or 6 months in regard to facilities producing binary weapons with completion of elimination within 2 years; and commencement within 8 years in regard to the facilities producing all other chemical weapons and completion within 10 years.

- (b) An undertaking to submit the elimination of each production facility to verification by systematic international on-site inspections, of each facility at an agreed level
or challenge procedure.

III. OTHER SUBSTANTIVE PROVISIONS

A. Future Chemical Weapons Non-Production Verification

An undertaking to submit the non-production of chemicals for use in chemical weapons to systematic international verification in addition to the use of a challenge procedure, by:^{8/}

1. Super-toxic Lethal Chemicals

- (a) a limitation to an amount which is the lowest possible and in any case does not exceed one metric ton of the aggregate quantity of super-toxic lethal chemicals
and their key precursors
produced, diverted from stocks, or otherwise acquired annually or possessed at any one time
for protective purposes
or for all permitted purposes?

^{8/} In accordance with procedures set forth in an annex and on the basis of lists of chemicals, including those of particular risk, to be determined by the Consultative Committee following agreed criteria.

- (b) a limitation of the production of these chemicals to a single small scale facility having a capacity limit of _____
 - (c) a notification to the Consultative Committee of the location and capacity of the small scale production facility within 30 days after entry into force or adherence to the Convention, or when constructed later, _____ days before the date of commencement of operations;
 - (d) monitoring of the small scale production facility by annual data reporting with justification, on-site instruments, and systematic international on-site inspection
 - on an agreed level
 - or on a quota basis
- and 2. a prohibition of the production of compounds with methyl-phosphorus bond in commercial production facilities
- and to restrict such production to the single small-scale facility.
3. Other Lethal and Other Harmful Chemicals
- (a) monitoring of production and use by annual data reporting;
- and (b) a declaration to the Consultative Committee of the location of facilities for the production of certain other lethal and other harmful chemicals deemed to pose a particular risk.
4. Key precursors
- (a) Monitoring by annual data reporting of production and use
- and and declaration to the Consultative Committee of the location of facilities for the production of key precursors;
- and and systematic international on-site inspection on a random basis.

B. Verification of the Prohibition of Use

An understanding that provisions for international verification by means of a challenge procedure^{9/} shall apply equally to complaints of the use of chemical weapons

C. Permitted Transfers

1. Transfer for Elimination Purposes

- (a) An understanding that, by mutual agreement, chemical weapons may be transferred between parties for purposes of elimination.
- (b) An understanding that all declaration and verification provisions normally applicable to the elimination of stocks of chemical weapons will also apply to stocks transferred for purposes of elimination with an additional notification to the Consultative Committee immediately before commencement of the transfer.

2. Transfer for other purposes

- (a) An undertaking not to transfer super-toxic lethal chemicals and their key precursors to non-parties;
- (b) An understanding to limit transfer to another party of super-toxic lethal chemicals
and and of their key precursors
for permitted purposes
or for protective purposes
to a maximum of
100 grams
or _____
in any 12 month period
- (c) An undertaking by both parties to submit an advance report to the Consultative Committee for each transfer and an annual summary report of all transfers including in both the chemical names, weights and destination.

^{9/} On the basis of procedures to be agreed and set forth in an annex.

IV. OPERATIONAL PROVISIONS

A. National Means for Implementation

1. National Implementation Measures

(a) An undertaking to adopt measures necessary in accordance with constitutional processes to implement the Convention, and in particular to prohibit and prevent any activity in violation of the Convention anywhere under national jurisdiction or control.

(b) An undertaking to submit to the Consultative Committee information concerning the legislative and administrative measures taken.

2. Responsibilities

(a) An undertaking to provide, through any national organization or authority assigned to implement the Convention, assistance to the Consultative Committee including data reporting, assistance for international on-site inspections and a prompt response to all requests for the provision of expertise, information and laboratory support.

and (b) An undertaking to co-operate fully with the Consultative Committee in the exercise of its verification activities and not to interfere in any manner with the conduct of legitimate verification activities.

B. National Technical Means

An understanding that national technical means may be utilized to collect information on compliance, that such means will not be interfered with, and that any State party that possesses national technical means of verification may place the information at the disposal of other parties.

or An understanding that where national technical means are utilized to collect information on compliance, and not interfered with, that all parties shall have access to such information.

or No provision

C. International Means for Implementation

1. Depository

To be determined.

2. Preparatory Commission

An undertaking to establish a Preparatory Commission composed of representatives of all signatory States to convene after the Convention is open for signature for the purpose of carrying out the necessary preparations for the entry into force of the provisions of the Convention and to prepare for the establishment of the Consultative Committee.^{10/}

3. Consultative Committee

- (a) An undertaking to establish a Consultative Committee^{11/} composed of representatives of all States Parties, which shall convene not later than 30 days after entry into force of the Convention, to carry out broad international consultations and co-operation among States Parties, to oversee the implementation of the Convention and to promote the verification of continued compliance by performing scientific and technical review functions and by providing a forum for discussion of any problem related to the implementation of the Convention.
and to decide on practical measures to be taken by parties to the Convention in case of violation.

^{10/} In accordance with guidelines set forth in an annex to the Convention.

^{11/} In accordance with specifications, organization and functions set forth in an annex to the Convention.

- (b) An undertaking to meet in regular sessions of the Consultative Committee every ... years, and to hold extraordinary sessions at the request of any State Party or the Executive Council.
- (c) An undertaking to establish an Executive Council composed of representatives of ... States Parties appointed by the Consultative Committee as well as a Technical Secretariat and other subsidiary bodies as necessary.
- (d) An understanding that the Executive Council will carry out the functions of the Consultative Committee when it is not in session and will also be responsible for receiving and disseminating data and information, receiving requests on challenge procedures and deciding on specific action to be taken, and overseeing systematic on-site inspections.
- (e) An understanding that the Technical Secretariat will provide administrative support to the Executive Council and the Consultative Committee and will render technical assistance to States Parties and the Executive Council.

V. CO-OPERATION AND CONFIDENCE-BUILDING PROVISIONS

A. Consultation and Co-operation

1. Bilateral Consultative Process

- (a) An undertaking to consult and co-operate, directly or through appropriate procedures, including the services of appropriate international organizations and of the Consultative Committee in any matter related to the implementation of the Convention, and to endeavour to clarify and resolve, through bilateral consultation, any situation which may give cause to doubts about compliance with the Convention, or which gives rise to concerns about a related situation which may be considered ambiguous.
- (b) An undertaking to provide information to assure compliance with the provisions of the Convention.

2. International Consultative Procedures

- (a) An undertaking to co-operate fully with the Consultative Committee and its subsidiary organs and/or international organizations, which may, as appropriate, give scientific, technical and administrative support to the Consultative Committee in order to facilitate fact-finding activities so as to ensure the speedy clarification of the situation which gave rise to the original request.^{12/}
 - (b) An understanding that at any time a request may be submitted to the Consultative Committee or its appropriate subsidiary body to carry out a challenge procedure to clarify and resolve any situation considered to be ambiguous or which gives rise to suspicion about actions in breach of obligations deriving from the provisions of the Convention.^{13/}
 - (c) An undertaking to treat favourably and in good faith a request for an on-site inspection by the Consultative Committee or its appropriate subsidiary body, and to submit a prompt and full explanation for the reasons for a refusal, which should be considered an exceptional response.
- or An undertaking to treat favourably and in good faith a request for an on-site inspection by the Consultative Committee or its appropriate subsidiary organ. A refusal should be accompanied by the submission of a prompt and full explanation of its reasons. The Consultative Committee shall assess the explanation submitted and may send another request, taking into account all relevant elements, including possible new elements received by the Consultative Committee after the original request. If a second request is refused, recourse may be had to appropriate procedures under the Charter of the United Nations.

^{12/} In accordance with procedures set forth in an annex to the Convention.

^{13/} In accordance with detailed procedures to be agreed and set forth in an annex to the Convention.

3. Assistance

(a) An undertaking to provide assistance and support the provision of assistance to a party to the Convention threatened or adversely affected as a result of the violation of the provisions of the Convention.

and (b) An undertaking to provide assistance or support being provided in accordance with the Charter of the United Nations to any party to the Convention which has requested such assistance and which the Security Council decides has been exposed or is possibly being exposed to danger as a result of a violation of obligations assumed under the Convention by another party to it.

4. United Nations

(a) An understanding that parties will retain at all times their ability to take whatever action they deem necessary within the framework of the Convention or the Charter of the United Nations to resolve differences concerning the application of the Convention.

and (b) An undertaking to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Security Council which shall inform the parties to the Convention of the result of the investigation.

B. Protection of Population and Environment

An undertaking to protect the population and the environment in fulfilling the obligations connected with the elimination of stocks of chemical weapons and production facilities.

C. Promotion of Development Goals

An undertaking to facilitate the creation of favourable conditions for the economic and technical development and for international co-operation in the field of peaceful chemical activities while precluding interference with areas of activity unrelated to the purposes of the Convention.

or An undertaking to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful and protective chemical activities, including the international exchange of chemicals and equipment for the production, processing or use of chemicals for peaceful and protective purposes.

VI. ADDITIONAL PROVISIONS

A. Preamble and Other Provisions

1. An understanding that the Convention will not limit or detract from obligations assumed under other Treaties including:
 - (a) the 1925 Protocol for the Prohibition of Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare;
 - (b) The Convention on the Prohibition of the Development, Production and stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction;
 - and (c) The Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.
- and 2. An undertaking to declare, within 30 days of entry into force or adherence to the Convention, the location and nature of any facility under jurisdiction or control designed, constructed or used since _____ for the development of chemical weapons.

B. Withdrawal

An understanding that withdrawal may be exercised if extraordinary events related to the subject matter of the Convention have jeopardized the supreme interests of a State. Notice of withdrawal will be given three months in advance including a statement of the extraordinary events.

ANNEX II

Contents

	<u>Page</u>
- Report of the Co-ordinator of Contact Group A (Together with the Chairman's Terms of Reference)	4
- Reports of the Co-ordinator of Contact Group B (Together with the Chairman's Terms of Reference)	12 and 15
- Reports of the Co-ordinator of Contact Group C (Together with the Chairman's Terms of Reference)	19 and 21
- Report of the Co-ordinator of Contact Group D (Together with the Chairman's Terms of Reference)	28

AD HOC WORKING GROUP ON CHEMICAL WEAPONS

CONTACT GROUP A

In order to pursue its negotiations, the Ad Hoc Working Group needs to examine the issue of existing stockpiles in a comprehensive fashion. This involves consideration of, inter alia, the following areas:

1. Relative aspects in scope;
2. All declarations;
3. Timing of declarations;
4. Monitoring of declarations;
5. Destruction plans;
6. Timing of destruction;
7. Destruction methods;
8. Monitoring of destruction;
9. Other compliance requirements and confidence building measures; and
10. Resulting work requirements for national and international implementation organizations.

To assist the Working Group in its consideration of these matters, a contact group will be established.

INSTRUCTIONS TO CONTACT GROUP A

To further the Working Group's objectives, the contact group will examine and report on specific questions relating to treatment of the issue of existing stockpiles as requested by the Working Group chairman. Specifically it will consider:

- the techniques suitable for monitoring the destruction of stockpiles;
and
- the basic content of declarations required.

In examining these questions, the contact group should proceed in a systematic fashion, drawing on material from all areas as necessary, and taking national positions into account as alternatives to be considered. The contact group reports from 1982 should provide a useful starting point. The contact group should not focus on "technical matters" as such, although it should identify areas where existing technical advice is insufficient. Essentially, the contact group's task is to identify the political and operational decisions needed to permit the Working Group to negotiate successfully provisions on these questions for inclusion in a convention.

The contact group chairman will report orally as necessary to the Working Group chairman and will submit a short written report prior to the last Working Group meeting in April. To assist the Working Group in its negotiations, the contact group in this report should note in particular the consensus reached and areas in respect of each question in which differences have not been resolved.

MEETINGS OF CONTACT GROUP

The contact group will meet at the discretion of its chairman and meeting times must be scheduled and announced through the Secretariat.

Meetings will be informal, but interpretation services must be available.

Report of the Co-ordinator on the Results of the
work of Contact Group A

The terms of reference approved by the Working Group directed the Contact Group to concentrate its attention on the consideration of the two subjects:

- the techniques suitable for monitoring the destruction of stockpiles, and
- the basic content of declarations required.

The Contact Group began to consider the actual steps of the destruction process for chemical weapons stocks in order to evaluate whether verification of destruction of stockpiles should be carried out by a quota system of inspections or by continuous inspections. In this connection the Contact Group took note of the United States document CD/387 of 6 July 1983, devoted to specific methods for on-site verification on a continuous basis. Other documents have been also discussed. Delegations continued to hold differing views, as reflected in CD/294, CD/343, and other documents.

With respect to the consideration of the basic content of declarations, delegations continued to hold differing views, in particular, on the content of initial declarations of stockpiles, as reflected in CD/334.

Some other questions related to the issue of existing stockpiles have also been discussed.

Common Views and Topics for Further Discussion

Based on consultations with delegations the co-ordinator presented, for consideration of the Contact Group, a paper outlining some points on stockpiles on which commonality of views appeared to exist and also outlining some points requiring further discussion. Consideration of the points confirmed that they could serve as a suitable basis for further work and future elaboration. These points are the following:

*/ CD/CW/CRP.85 has been distributed in English only.

A. Possession or non-possession of chemical weapons, as defined, should be declared within 30 days.

B. The presence on a State's territory of stocks of chemical weapons under the jurisdiction or control of anyone else should also be declared within 30 days. (Thus, the same stocks would be declared by the possessing State and by the State on whose territory the stock is.)

C. States which possess chemical weapons should also provide specific information on their chemical weapons stockpiles at the same time. The information should cover not only toxic chemicals but also precursors in the stockpiles, munitions and devices, and specifically designed equipment.

D. Chemical weapons stocks should be destroyed/eliminated^{*/} as rapidly as possible.

E. To ensure that no party gains a unilateral advantage, destruction/elimination should be carried out according to a general schedule agreed during the negotiation of the convention.

F. The destruction/elimination process should begin not later than ... months/years and be completed not later than 10 years.

G. General plans for destruction/elimination of stocks should be declared within ... days/months. The plans should describe:

- (i) type of operation;
- (ii) details of implementation of the agreed general schedule;
- (iii) what is to be destroyed and at what location;
- (iv) destruction products.

H. The destruction/elimination process should be carried out employing agreed procedures which permit systematic international on-site verification. The process should not be easily reversible.

I. An annual/periodic notification should be provided regarding implementation of plans for destruction/elimination of chemical weapons stocks. The notification should include:

- (1) a progress report of stocks destroyed/eliminated during the last year/period including details of types, quantities, and destruction methods;

^{*/} An understanding has been reached that here and subsequently in the wording destruction/elimination the first word ("destruction") reflects the approach of the delegations which are in favour of the complete destruction of the stocks of chemical weapons, while the second word ("elimination") corresponds to the approach of other delegations which envisage the possibility of both destruction and diversion of the stocks of chemical weapons for non-hostile purposes.

- (ii) plans for destruction/elimination during the next year/period including details of types, quantities, and destruction methods.

J. A certification that all chemical weapons stocks have been destroyed/eliminated should be provided within 30 days after the process has been completed.

K. Destruction of stocks should be subject to systematic international on-site verification, including systematic international on-site inspection.

L. Provisions should be included regarding:

- (i) transfer of declared stocks from one party to another for the purpose of destruction; and,
- (ii) chemical weapons found after the initial declaration has been made.

M. A chemical weapons production facility could be temporarily converted for destruction of chemical weapons. The converted facility would have to be destroyed as soon as it was no longer in use for destruction of stocks but not later than the deadline for completion of stockpile destruction.

N. All necessary precautions should be taken for the protection of the population and the environment.

O. Specific principles for verification of destruction.

(Separate section under preparation.)*

For further discussion:

- Should the location of CW stocks be declared as part of the initial declaration?
- What information should be provided about the CW stocks in the initial declaration?
- Should the declared stocks be subject to prompt and systematic international on-site inspection? If so, on what basis? Should the declared stocks be subject to systematic international on-site monitoring until they are eliminated? If so, on what basis?
- As an alternative to destruction, could some stocks also be eliminated by allowing them to be used for non-hostile purposes? If so, which chemicals could be used? What quantities? Under what verification provisions?

*/ This section has not yet been prepared.

- Specific measures for systematic international on-site verification:
(separate section under preparation)*
- What should be the deadline for beginning the actual elimination of stocks?
- In what terms should the agreed general schedule for stockpile destruction be defined?
- What should be the nature of the provisions regarding:
 - (a) transfer of declared stocks from one party to another for the purpose of destruction; and,
 - (b) chemical weapons found after the initial declaration has been made?

Co-ordinator's suggestions for more precise wording on certain points

In an attempt to reflect, in more precise wording, certain aspects of the common points set forth above, the Co-ordinator presented to the Contact Group his suggestions. In the course of their elaboration, the views of some delegations were taken into account. The Co-ordinator stated that his suggestions in no way committed delegations. The Co-ordinator's suggestions are as follows:

1. States Parties to the Convention shall be guided, in accordance with their resulting obligation, to declare possession and non-possession of chemical weapons and their possible components, by the following:

Each State depending on whether or not it possesses chemical weapons, as defined in totality of paragraphs ... of the article ... (definition of chemical weapons) or in any one of those paragraphs individually, regardless of the quantity, on its own territory or elsewhere, under its authority:

(a) within 30 days after the entry into force of the Convention will send to the Consultative Committee a declaration, which confirms the fact that it possesses chemical weapons, or will give a negative answer;

(b) a State in possession of chemical weapons, not later than 30 days after the entry into force of the Convention, will declare its stocks of chemical weapons (procedure for declaring such stocks is subject to negotiation).

Taking into account further consideration in Contact Group D of the questions connected with chemicals for permitted purposes, this formula could be supplemented by the provisions according to which each State Party, whether or not in possession

*/ This section has not yet been prepared.

of chemical weapons, will also be required to make declarations, if it possesses stocks of key precursors of supertoxic lethal chemicals, to be used for permitted purposes, and if it possesses stocks of other lethal and/or harmful chemicals, to be used for permitted purposes.

2. (1) Each State Party, having chemical weapons under its jurisdiction or control on the territory of any other State, regardless if the latter is a Party to the Convention or not, undertakes to declare the presence of its chemical weapons stockpiles on the territory of that other State not later than 30 days after the entry into force of the Convention or its accession to it; to withdraw those chemical weapons from the territory of such a State not later than (to be elaborated) after the entry into force of the Convention or its accession to it with a view to destroying/eliminating them; or to destroy/eliminate those chemical weapons stockpiles directly on the territory of that State in agreement with it, under the condition that the latter agrees to the verification procedures as provided for under this Convention.

(2) Each State Party, having on its territory chemical weapons stockpiles which are under the jurisdiction or control of another State, regardless if the latter is a Party to the Convention or not, undertakes, not later than 30 days after the entry into force of the Convention or its accession to it, to declare the known presence of such weapons on its territory.

3. The destruction/elimination of the stocks of chemical weapons shall be initiated by each State Party possessing such weapons not later than ... months/years and should be completed not later than 10 years after the Convention enters into force or accession of the State to it.

4. Each State Party to the Convention having chemical weapons stocks under its jurisdiction or control, undertakes not later than 30 days after destruction/elimination of the stocks of chemical weapons to certify that all chemical weapons stocks have been destroyed/eliminated.

5. (1) Each State Party is entitled to transfer its stockpiles of chemical weapons to another State Party for the purpose of their destruction.

(2) All such stockpiles would, notwithstanding their transfer to another State for the purpose of destruction, be subject to the provisions of the Convention and its related annexes which apply to stockpiles in general (e.g. declarations of stockpiles, timing of destruction, including the need to ensure a balanced schedule of destruction, agreed procedures for destruction, periodic notification of progress in destruction, etc.).

(3) Such transfers will be on the basis of an agreement between the participants, the text of which is to be elaborated in accordance with the guidelines contained in the annex and is to be transmitted to the Consultative Committee.

(4) Each State Party transferring its stockpiles for destruction to another State Party should also undertake to declare, before the commencement of the operations on transfer and transportation, the time-table of transfers and transportation including quantity and composition of stocks to be transferred at a given time and the location of the facility on the territory of another State Party at which the destruction of stockpiles will be carried out.

(5) The State Party conducting the destruction of stockpiles of chemical weapons which belong to another State Party, should not later than 30 days after the completion of their destruction make an appropriate declaration about it.

(6) The transfer of the stockpiles of chemical weapons for purposes of destruction by one Party to the Convention to another State Party, the transportation of the stockpiles and their destruction are subject to verification in full measure, as it is envisaged in Chapter ... of the Convention.

6. The destruction of stocks of chemical weapons shall be carried out by each such State Party at a specialized facility (facilities) or at facility (facilities) temporarily converted for such purposes, whose location and technical parameters shall be declared by this State Party in accordance with ... In case of temporarily converted facility (facilities) for the purposes of destruction, it (they) shall be destroyed in the agreed manner immediately after the termination of their use for the destruction of stocks and in any event not later than 10 years after the Convention enters into force or accession of the State to it.

7. Each State Party during the destruction/elimination of the stocks of chemical weapons, undertakes to take all necessary precautions for the protection of the population and the environment.

AD HOC WORKING GROUP ON CHEMICAL WEAPONS

CONTACT GROUP B

In order to pursue its negotiations, the Ad Hoc Working Group needs to examine in detail the procedures required for the resolution of compliance questions. This involves consideration of, inter alia, the following areas:

1. Information exchanges demonstrating compliance;
2. Sequence of events in resolution of compliance questions;
3. Evidence required to support challenges;
4. Fact-finding measures;
5. On-site inspections;
6. Obligations on nations;
7. Role of consultative committee;
8. Appeals to the United Nations;
9. Other relevant compliance procedures and confidence building measures; and
10. Resulting work requirements for national and international implementation organizations.

To assist the Working Group in its consideration of these matters, a contact group will be established.

INSTRUCTIONS TO CONTACT GROUP B

To further the Working Group's objectives, the contact group will examine and report on specific questions relating to treatment of the issue of non-compliance as requested by the Working Group chairman. Specifically it will consider:

- the fact-finding measures which should be in place for dealing with challenges on compliance;
- the nature of the evidence which should be available to justify initiation of a challenge and an on-site inspection; and
- the obligation on nations to accept on-site inspections as a result of a challenge.

In examining these questions, the contact group should proceed in a systematic fashion, drawing on material from all areas as necessary, and taking national positions into account as alternatives to be considered. The contact group reports from 1982 should provide a useful starting point. The contact group should not focus on "technical matters" as such, although it should identify areas where existing technical advice is insufficient. Essentially, the contact group's task is to identify the political and operational decisions needed to permit the Working Group to negotiate successfully provisions on these questions for inclusion in a convention.

The contact group chairman will report orally as necessary to the Working Group chairman and will submit a short written report prior to the last Working Group meeting in April. To assist the Working Group in its negotiations, the contact group in this report should note in particular the consensus reached and areas in respect of each question in which differences have not been resolved.

MEETINGS OF CONTACT GROUP

The contact group will meet at the discretion of its chairman and meeting times must be scheduled and announced through the Secretariat.

Meetings will be informal, but interpretation services must be available.

Progress Report by the Co-ordinator

The Contact Group examined the ten points contained in the general directions given to it by the Working Group, and in particular the three specific questions it was requested to consider. The following texts sum up the discussions held by the Contact Group.

Text No. 1

On "the fact-finding measures which should be in place for dealing with challenges on compliance", the Contact Group reviewed the contents of Element XIII (Consultative Committee) as it appears in the Annex to CD/334. It was generally felt that the Consultative Committee, composed of all States Parties to the Convention, should have as its subordinate bodies a technical secretariat and a sub-organ of reduced membership to operate on a permanent basis. The possibility of establishing additional sub-organs was not discussed. The technical secretariat would have routine administrative functions such as receiving requests from States parties, providing technical information, handling communications to and from States parties, organizing expert teams for action decided by the competent organ, etc. The other sub-organ would have a smaller membership than the Consultative Committee and would be composed of a fixed number of representatives of States parties chosen on a basis yet to be determined. Such a number should be small enough to ensure its speedy convening and practical functioning and at the same time representative enough to ensure its authority. The Contact Group considered alternatives for the name of such a body ("Fact-Finding Panel" and "Executive Council" were suggested). It was also generally agreed that such a body should be able to be convened on short notice, and to take decisions on behalf of the Consultative Committee with regard inter alia to the following matters: to be seized with requests from States parties; deciding on specific action to be taken regarding the request (information, fact-finding, on-site inspections); evaluation of reports submitted to it as a result of the action decided; reporting to the Consultative Committee; requesting the convening of the Consultative Committee. In this respect, the decision-making process should be further discussed.

Text No. 2

On "the nature of the evidence which should be available to justify initiation of a challenge and an on-site inspection" and "the obligation on nations to accept on-site inspections as a result of a challenge", the discussions in the Contact Group touched on a number of points recorded on CD/334 and CD/342, in particular the results of the work of the Contact Groups established during the 1982 Session of the Committee on Disarmament. The result of the discussion in the Contact Group is summed up below.

It was generally considered desirable that in seeking the resolution of questions concerning compliance with the Convention, States parties follow the sequence of steps described in the text below. States parties should nevertheless retain at all times their ability to take whatever action they deemed necessary in the framework of the Convention or the Charter of the United Nations to resolve differences concerning the application of the Convention.

It was also generally considered that a refusal by a State party to accept on-site inspections requested by the competent organ of the Convention should be exceptional and accompanied by a full explanation of the reasons for such a refusal.

1. States parties to this Convention undertake to consult and co-operate, directly among themselves or through appropriate procedures, including the services of appropriate international organizations and of the Consultative Committee in any matter related to the implementation of this Convention.
2. States parties to this Convention shall endeavour to clarify and resolve, through bilateral consultation, any situation which may give cause to doubts about compliance with this Convention, or which gives rise to concerns about a related situation which may be considered ambiguous. A State party seized with a request from another State party for clarification of a particular situation shall promptly provide the requesting State party with all relevant information in connection with the request with a view to the satisfactory conclusion of the issue.
3. In order to facilitate the satisfactory solution of situations referred to in Section 2 above, the States parties concerned may request the co-operation and good offices of the Consultative Committee, or its subsidiary organs for the solution of the issue.

4. Having regard to the procedures contained in Sections 2 and 3 above, any State party may request the Consultative Committee or its appropriate subsidiary organ to carry out, in the exercise of its functions, appropriate procedures with regard to itself or another State party to clarify and resolve any situation which may be considered ambiguous, or which gives rise to suspicion about actions by another State party in breach of obligations deriving from the provisions of this Convention. Such a request may include a request for an on-site inspection.

4.1 Requests sent to the Consultative Committee or its subsidiary organ under Section 4 above should contain objective and concrete elements supporting a suspicion of non-compliance with the Convention and should be directly relevant to the complaint.

4.2 All States parties undertake to co-operate fully with the Consultative Committee and its subsidiary organs and/or international organizations, which may, as appropriate, give scientific, technical and administrative support to the Consultative Committee in order to facilitate their fact-finding activities so as to ensure the speedy clarification of the situation which gave rise to the original request.

4.3 A request for an on-site inspection by the Consultative Committee or its appropriate subsidiary organ shall be treated favourably and in good faith by the State party which receives it. A refusal should be accompanied by the submission of a prompt and full explanation of its reasons. The Consultative Committee shall assess the explanation submitted and may send another request, taking into account all relevant elements, including possible new elements received by the Consultative Committee after the original request. If a second request is refused, the State party which originated the request may have recourse to appropriate procedures under the Charter of the United Nations.

4.4 The Consultative Committee shall notify all States parties of the initiation of any of the procedures referred to in Section 4 above and shall provide all available information related thereto to any State party upon request.

Report of the Co-ordinator
on the
Structure and Functions of the Consultative Committee
and its Subsidiary Organs

1. A Consultative Committee, composed of representatives of all States Parties to the Convention and presided over by, shall be established within 30 days after entry into force of the Convention.
2. The Consultative Committee shall convene in (venue) not later than (time) after the Convention enters into force.
3. The Consultative Committee shall subsequently meet in regular sessions every (time). Extraordinary sessions may be convened at the request of any State Party or of the Executive Council.
4. (time) after the Convention is open for signature,^{*/} a Preparatory Commission, composed of representatives of all signatory States, shall be convened for the purpose of carrying out necessary preparations for the coming into force of the Convention's provisions, including preparing the first session of the Consultative Committee. The guidelines for the activities of the Preparatory Commission are contained in Annex (suggestions: CD/343, page 10).
5. The Consultative Committee shall carry out broad international consultations and co-operation among States Parties to the Convention, oversee the implementation of the Convention, and promote the verification of the continued compliance with the Convention,^{**/} and for those purposes it shall:
 - (a) review new scientific and technical developments which could affect the operation of the Convention;
 - (b) provide a forum for discussion of any questions relating to the implementation of the Convention.

^{*/} Suggestions were made to the effect that a minimum number of signatures should be required for the convening of the Preparatory Commission.

^{**/} Suggestions were made to the effect that the Consultative Committee should carry out the functions of a Review Conference of the Convention.

6. In order to assist it in carrying out its functions, the Consultative Committee shall establish an Executive Council composed of representatives of ... (number) States Parties appointed by the Consultative Committee, as well as a Technical Secretariat (and other subsidiary bodies to be agreed upon).

7. The Executive Council shall be responsible for carrying out the functions of the Consultative Committee specified in (a) and (b) of Section 5 above during the period when the latter is not in session. It shall also be responsible for the following functions:

- (a) co-operate with States Parties to ensure the implementation of, and compliance with the Convention;
- (b) obtain, keep and disseminate information submitted by States Parties regarding matters pertaining to the Convention;
- (c) render services to States Parties, facilitating consultations among them;
- (d) be seized with requests from States Parties;
- (e) decide on specific action to be taken regarding such requests;
- (f) receive the reports submitted to it as a result of the action undertaken;
- (g) report to the Consultative Committee;
- (h) request, when it deems necessary, the convening of the Consultative Committee;
- (i) oversee the carrying out of systematic on-site inspections to ensure:
 - destruction of chemical weapons stockpiles
 - monitoring of small-scale production of super-toxic lethal chemicals for [permitted purposes] [non-hostile military purposes]^{*/}
 - as may be agreed upon, compliance with other obligations (e.g. non-production of chemical weapons, non-use, elimination of production facilities, etc.).

8. In addition to providing the necessary administrative support to the Consultative Committee and the Executive Council, the Technical Secretariat (and/or other subsidiary bodies to be further agreed upon)^{**/} shall:

- (a) render technical assistance to States Parties and to the Executive Council in implementing the provisions of the Convention;
- (b) receive from States Parties and distribute to them data relevant to the implementation of the Convention;

^{*/} Subject to further elaboration of relevant definitions.

^{**/} See last sentence of Section 6 above.

(c) elaborate technical questions relevant to the implementation of the Convention, such as drawing up for recommendation to the Consultative Committee (or the Executive Council) of lists of key precursors, technical procedures, etc.;

(d) assist the Executive Council as further agreed upon in tasks related to information, fact-finding, systematic on-site inspection and challenge inspection.

9. The detailed specifications of the functions and organization of the Consultative Committee and its subsidiary organs shall be spelt out in an Annex to the Convention.

AD HOC WORKING GROUP ON CHEMICAL WEAPONS

CONTACT GROUP C

In order to pursue its negotiations, the Ad Hoc Working Group needs to examine in depth the question of including a prohibition of use in the chemical weapons convention and its implications. This involves consideration of, inter alia, the following areas:

1. Alternative ways for including prohibition of use;
2. Relation to other items in scope;
3. Relation to similar provisions in other conventions;
4. Legal aspects relating to international law;
5. Application of general challenge and fact-finding procedures;
6. Requirements for special compliance and verification procedures;
7. Obligations on nations;
8. Role of consultative committee;
9. Other relevant aspects; and
10. Resulting work requirements for national and international implementation organizations.

To assist the Working Group in its consideration of these matters, a contact group will be established.

INSTRUCTIONS TO CONTACT GROUP C

To further the Working Group's objectives, the contact group will examine and report on specific questions relating to treatment of the issue of prohibition of use as requested by the Working Group chairman. Specifically it will consider:

- legal and other restrictions on including a measure for prohibition of use in a chemical weapons treaty; and
- special requirements, if any, in addition to the normal challenge and fact-finding procedures necessary to investigate suspected use.

In examining these questions, the contact group should proceed in a systematic fashion, drawing on material from all areas as necessary, and taking national positions into account as alternatives to be considered. The contact group reports from 1982 should provide a useful starting point. The contact group should not focus on "technical matters" as such, although it should identify areas where existing technical advice is insufficient. Essentially, the contact group's task is to identify the political and operational decisions needed to permit the Working Group to negotiate successfully provisions on these questions for inclusion in a convention.

The contact group chairman will report orally as necessary to the Working Group chairman and will submit a short written report prior to the last Working Group meeting in April. To assist the Working Group in its negotiations, the contact group in this report should note in particular the consensus reached and areas in respect of each question in which differences have not been resolved.

MEETINGS OF CONTACT GROUP

The contact group will meet at the discretion of its chairman and meeting times must be scheduled and announced through the Secretariat.

Meetings will be informal, but interpretation services must be available.

Report by The Co-ordinator on the "Criteria for the objective
and impartial verification of a prohibition of use of
chemical weapons"

I.1 The procedure assuring the verification of a prohibition of use of chemical weapons should allow for rapid action. This applies both to the administrative treatment of a request for verification, by the organ responsible under the Convention, and to access to site (if considered necessary). Access to site should at any rate take place within a time period after the reported event that would facilitate examination of any material including identification of symptoms in the human body of possible victims. Urgency would moreover be imperative in view of the seriousness of an allegation of use, the prohibition of which is after all the ultimate goal of the convention.

I.2 If the Convention should specifically state a time limit, this should in any case be an indicative one. The procedures established within WHO for rapid dispatch of WHO epidemical teams might serve as an example. Possible co-operation with WHO could be explored. It was argued with respect to a time-limit, albeit indicative in nature, that generally speaking the longer the time allowed to lapse after a reported event before an investigation is undertaken, the less likely it will be that the team produce decisive evidence. The likelihood of finding decisive evidence would decrease with time. Climatological and other environmental factors could influence the time factor both ways. Suggestions for the commencement of investigations varied from as early as 24 hours after the reported event, to up to four weeks thereafter. It was suggested that the question of the speed with which an investigation should be initiated might be usefully worked out in guidelines under the responsibility of the Consultative Committee.

II.1 The speed with which an investigation could proceed would depend to an important degree on the measure of preparation. A list of laboratories, equipment and qualified "inspectors" could be composed for the responsible treaty organ to draw from at short notice. A standardized methodology could be elaborated in the form of a guideline for the collection and analysis of information and samples, which would include an assured indisputable "chain of custody" with respect to a sample from the moment it was taken to the moment of its scientific analysis and identification.

II.2 Preparation could also focus on the availability of technical equipment to be used by an investigation team in an on-site inspection, including protective equipment for such a team.

II.3 Special arrangements should be concluded, preferably agreed beforehand, to ensure access to a zone of presumed use and to ensure safety if combat is imminent in the zone. A possible role for the International Committee of the Red Cross, as an organization with experience of working in conditions of armed conflict, was suggested. Danger could never be totally excluded and would have to be accepted.

II.4 In the case of an intended on-site inspection under combat conditions the responsible organ under the Convention should launch a strong appeal for cessation of hostilities. It was believed that in certain types of conflict access to the zone of combat was not feasible without cessation of hostile action.

II.5 The armed forces involved in the conflict could be asked to co-operate. National authorities of the State on whose territory use might have occurred should to the best of their ability assist the investigating team.

II.6 The investigation would be of an international nature. The authorities representing the armed forces allegedly involved in use of chemical weapons as well as the national authorities mentioned in paragraph 5 above could be conferred the right to be represented on the investigating team on an ad hoc basis.

II.7 It was suggested that wherever preparation was required as referred to above, a technical preparatory committee could be charged with the elaboration of the necessary details.

III.1 The investigation should comprise a "forensic" procedure; in this context it could focus on defining the confines of the reported site; date and time of the reported event; weather conditions at the time of the reported event; methods and means of delivery of the reported agents; impact on plant, animal and human life. A series of events might have to be contemplated simultaneously. It was observed that such a chain of elements of evidence was as weak as its weakest element. Attention should therefore be focused on all elements alike, individually, as well as in their interrelations.

III.2 For a final conclusion to be reached the availability of information on the presence of the chemicals under consideration in the region under consideration for reasons of a non-hostile nature could be essential. The same could be true for pathological phenomena related to contamination with or intoxication by chemicals of a non-hostile origin. The authorities in whose territory the phenomena occurred could extend useful assistance in providing such information.

Report of the Co-ordinator on
Issues relevant to the incorporation of a use
prohibition in the scope of the Convention

Discussions have centred on the desired coverage of a use prohibition in the Convention. Commonality of views has been observed to take shape on the following aspects:

- the prohibition should apply with respect to use against all States, not only States Parties to the Convention;
- the prohibition should apply in any armed conflict (to be further defined, for example in an agreed understanding);
- the Convention should provide for verification of alleged use of chemical weapons;
- the Convention should provide for a clause of non-interference with the relevant international treaties;
- the Convention should contain the "traditional" withdrawal clause;
- the Convention should in its preambular part contain a reference to the obligations set forth in the Geneva Protocol of 1925.

Other aspects as yet eluded consensus:

- whether the use prohibition should apply to riot control agents;
- whether the use prohibition should apply to herbicides;

Comment: a solution to these questions could be found in the framework of the definitions in the Convention.

- how to uphold in law the deterrence value of remaining stocks in the period preceding their destruction;

Comment: the right of any State to resort to reprisals seems not to be affected by any of the proposed draft texts. Rather the question seems to be how the States concerned could preserve, if they would choose to do so, a much broader right to retaliate during this period. The remaining question would then be in which form this concern could be met.

- the extent to which the 1925 Geneva Protocol has been subsumed in customary international law and how this should be reflected in the (preambular part of the) Convention;

Comment: though there was general recognition of the existence of a rule of customary international law regarding non-use of chemical weapons, positions varied as to the scope of such rule and, accordingly, as to the desirability and way to reflect such rule in the Convention.

The Co-ordinator, in an attempt to take account of the commonality of views referred to above, suggested formulations that are contained in Appendix I.

Appendix I

Preambular paragraph

"Taking cognizance of the obligations enshrined in the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925."

Operative paragraphs

I. [See Appendix II.]

II. The States Parties to this Convention, having accepted to be bound by the obligation not to use chemical weapons in any armed conflict, in accordance with Article ..., hereby accept that the procedure laid down in Article ... shall apply to the verification of compliance with the said obligation.

III. 1. Nothing in the Convention should be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925.

2. Nothing in the Convention should be interpreted as in any way limiting or detracting from the obligations assumed under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

3. Nothing in the Convention should be interpreted as in any way limiting or detracting from the obligations assumed under the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

IV. Each State Party shall in exercising its national sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject matter of the Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Appendix II

With regard to a first operative paragraph relating to non-use of chemical weapons, a suggestion was made for a formula in which an unequivocal undertaking to exclude the use of chemical weapons is placed in the framework of the recognition that such undertaking would complement the prohibitions in the 1925 Geneva Protocol. This formula, as drafted by the co-ordinator, reads as follows:

"I. States Parties to the Convention undertake, through the implementation of the provisions of this Convention which complement the prohibitions of the 1925 Geneva Protocol, to exclude the use of chemical weapons in any armed conflict."

The possibility of making this formula the basis for further work has been considered; however no agreement could be reached thereupon and delegations felt that the matter had to be further studied.

Meanwhile, a number of delegations maintain preference for solution to the incorporation of a use prohibition in the scope of the Convention through direct inclusion of such a prohibition in Element I (of CD/CW/WP.33), while other delegations continue to prefer a solution whereby commitment of Parties as well as non-Parties to the 1925 Geneva Protocol is reflected to observe the Protocol's provisions regarding prohibition of the use of chemical weapons in all armed conflicts.

The matter should be resolved in further intensive consultations.

AD HOC WORKING GROUP ON CHEMICAL WEAPONS

CONTACT GROUP D

In order to pursue its negotiations, the Ad Hoc Working Group needs to examine some definitions further and to develop the criteria necessary to identify and list chemicals whose production must be prohibited for chemical weapons purposes and for which compliance with the ban must be verified. This involves consideration of, inter alia, the following areas:

1. Scope of the prohibition;
2. The basic prohibitions/general purpose criterion;
3. All terms requiring definition for purposes of the convention;
4. Terms where adequate definition is still lacking;
5. Categories, if necessary, within which chemicals may be identified for control and verification of production;
6. Criteria for assigning chemicals to categories including toxicity criteria and chemical criteria;
7. The preparation of lists;
8. The use of categories, criteria and lists in verification;
9. Verification procedures; and
10. The effects of verification procedures in industry.

To assist the Working Group in its consideration of these matters, a contact group will be established.

INSTRUCTIONS TO CONTACT GROUP D

To further the Working Group's objectives, the contact group will examine and report on specific questions relating to definitions, criteria and precursors as requested by the Working Group chairman. Specifically, it will consider:

- reaching common agreement on the definition of the terms chemical weapons, precursors and key precursors;
- providing agreed criteria and one or more lists of precursors suitable for use in establishing controls and verification procedures to guarantee the non-production of chemicals for chemical weapons purposes; and
- verification methods and limitations that might be devised on the basis of the agreed definitions and criteria.

In examining these questions, the contact group should proceed in a systematic fashion, drawing on material from all areas as necessary, and taking national positions into account as alternatives to be considered. Previous contact group reports from 1982, the results from discussions in January 1983 and material already obtained in consultations and in the Working Group in 1983 should provide a useful starting point. The contact group should consider related technical information as necessary and identify the political and operational decisions needed to permit the Working Group to negotiate successfully provisions on these questions for inclusion in a convention.

The contact group co-ordinator will report orally as necessary to the Working Group chairman and will submit a first report by 13 July 1983. To assist the Working Group in its negotiations the contact group in its reports should note in particular the consensus reached and areas in respect of each question in which differences have not been resolved.

MEETINGS OF CONTACT GROUP

The contact group will meet at the discretion of its chairman and meeting times will be scheduled and announced as agreed with the Secretariat.

Report of the Co-ordinator on the work of Contact Group D

1. The discussions of the Contact Group concerned the mandate given to the Group by the Chairman of the Working Group on Chemical Weapons, specifically: definitions of chemical weapons; precursors and key precursors; criteria for, and one or more lists of, precursors, as well as procedures for verification of production of such precursors. The Group was later given the task of discussing also small-scale facilities for production of super-toxic lethal chemicals for agreed purposes.
2. The discussions were based on previously presented material as well as material presented during the discussions as given in the list of references attached to this report.
3. The report is set out in two parts. The first part contains views which the Co-ordinator feels have not met with objections from delegations participating in the discussions in the Contact Group although no delegation is bound by the specific formulations used. In the second part views, which have not met with full agreement, are recorded, including alternatives and objections which have been presented during the discussions.

PART 1

Structure

4. The convention should contain definitions of chemical weapon, precursor and key precursor, criteria for selecting key precursors as well as a list or, if agreed, lists of agreed key precursors.

Definitions

5. The following concepts regarding the definition of chemical weapon appearing in CD/334 seem to continue to obtain general support:

(a) The definition should comprise only such concepts as are necessary for the purpose of the convention.

(b) The definition should express the typical effects of chemical weapons, i.e. that their effects are due to the utilization of the toxic properties of chemicals to cause death or other harm.

(c) The term "chemical weapon" should be applied to three different categories of items:

- (i) Toxic chemicals which meet certain criteria, and their precursors.
- (ii) Munitions and devices which meet certain criteria. This category includes binary and other multi-component munitions or devices.
- (iii) Equipment specifically designed for use directly in connection with the employment of such munitions or devices.

The toxicity criteria given in CD/334 were not discussed further in the Contact Group, since they seem to be generally agreed.

6. For the purpose of the convention precursor should be defined.

7. The definition of a key precursor should express the following concepts:

- It should be a substance which plays a most important role for the production of/toxic chemicals for chemical weapons purposes/chemical warfare agents./^{*/}
- For this reason production of a key precursor for permitted purposes might create conditions for the violation of the convention and should be subject to particular provisions under the convention.
- A key precursor should normally meet all agreed criteria in order to be selected for listing.

Criteria

8. Criteria, and provisions derived from them regarding key precursors could be the following:

- One criterion should be that it would be particularly important in determining the characteristics of the end product.
- Another criterion is that it has relatively little use for non-hostile purposes.

Criteria could be revised when scientific or other development so required.

The purpose of the criteria would be to select key precursors which should be placed in a list or, if agreed lists.

^{*/} Pending final definition of chemical weapons.

List of key precursors

9. There should be a list or, if agreed, lists containing chemical substances which meet all the agreed criteria of key precursors. In addition, a chemical substance, notwithstanding that it does not meet all the criteria, could be, as an exception, included in the list of key precursors on the basis of decision taken by the States Parties to the Convention. Such decision should take into consideration the potential role of a chemical substance for chemical weapons and its role in the commercial chemical industry. The list should be reviewed periodically and revised, if necessary, with the aim of adding chemical substances or deleting those which no longer meet all the agreed criteria, or no longer need to be included as exceptions.

Permitted purposes

10. There was a common view that "permitted purposes" had been expressed in an equal way in CD/294, CD/334 and CD/343. Differences in formulations did not detract from the common understanding of this issue in the three documents. Accordingly the concept of "permitted purposes", as well as "protection purposes" which form a sub-category of "permitted purposes", could be used as a common basis for the discussion of the problems connected with a "small-scale production facility". A preliminary formulation might be the following:

Permitted purposes means:

- Non-hostile purposes, that is: industrial, agricultural, research, medical or other peaceful purposes, law-enforcement purposes, or protective purposes;
- Military purposes which are not related to the use of chemical weapons.

Small-scale production facility

11. With respect to provisions for a small-scale facility for protective/permitted purposes^{*/} the following views below were expressed:

^{*/} The expression "protective/permitted purposes" reflects the common understanding that the production of a declared single small-scale production facility should relate to "protective purposes" which are part of "permitted purposes", irrespective of whether delegations held that such production should relate to all permitted purposes or only to protective purposes.

- (a) Production of super-toxic lethal chemicals for protective/permitted purposes should be limited to a single declared small-scale facility for each party;
- (b) The capacity of the facility should not exceed an agreed limit;
- (c) The aggregate quantity of super-toxic lethal chemicals/and key precursors/ for protective/permitted purposes should be as low as possible and not exceed an agreed limit;
- (d) The single, small-scale facility should be subject to systematic international on-site inspection.

Verification procedures for non-production of key precursors for chemical weapons purposes

12. In order to verify the declared production for permitted purposes of listed key precursors, it was considered generally agreed that such production would, like all aspects of the Convention, be subject to verification by challenge under the provisions of the Convention. It was also agreed that regular exchange of information regarding such production should be provided for in the Convention.

The above-mentioned measures, or other measures to be agreed, should be set out alongside each chemical or class of chemicals on the list.

PART 2 - ALTERNATIVE VIEWS

Definition of chemical weapons

13. Some delegations held that the definitions of chemical weapons should include the concept "chemical warfare agent" as was suggested as an alternative also in CD/334. Different suggestions were put forward for this purpose in written and oral proposals submitted to the Committee on Disarmament, the Working Group and the Contact Group or were contained in earlier documents (see list of references).

Definition of "chemical warfare agent"

14. It was suggested that a definition of chemical warfare agent should be included in the Convention.

Definition of precursor

15. A suggestion for the definition of "precursor" was the following: for the purpose of the convention a precursor is a chemical which, by isomerization, or reaction with another chemical, or both, lead to the formation of/chemical weapons/.

A view was put forward that the definition of precursor should be based on the concept of chemical warfare agent.

Definitions of key precursors

16. Some delegations felt that a definition of key precursors contained in chemical weapons or military stockpiles would not be necessary since the key precursors falling under such a definition automatically would have to be declared and eliminated under the Convention. Only key precursors to be produced under supervision for permitted purposes need to be defined.

The definition shall contain the concept that the key precursor shall be listed together with:

(a) The criteria or other grounds which constitute the reasons for putting it on the list;

(b) The measures for ensuring compliance with the Convention, agreed individually for each key precursor.

Others felt that the definition of key precursors should be related to all the chemicals which meet all the demands of criteria of key precursors, irrespective of for which purposes they are produced and where they are stored.

Such a definition must serve for the purposes of composing a list of key precursors, declarations, destruction or diversion of stockpiles, and verification of limitation of production in the peaceful chemical industry.

The definition of key precursor should serve as a guide for the evaluation of criteria in the future.

A view was put forward that the definition of key-precursors should be based on the concept of chemical warfare agent.

Criteria

17. Some delegations considered that a third criterion for selecting key precursors should be that the precursor takes part in the final stage of the production of the toxic chemicals used for chemical weapons.

Other delegations thought that this criterion, to be acceptable, should specify the "final stages". For alternative suggestions see the list of references.

Some delegations did not find it necessary to include this criterion at all.

Criteria would also guide in a general way the measures of verification (e.g. exchange of information) which should accompany the selected key precursors on the list.

List of key precursors

18. With regard to the content of the list of key precursors several suggestions and variations of earlier suggestions were put forward. Although all delegations seemed able to accept the inclusion of certain chemicals in a list (or lists), views differed with respect to other chemicals and, to the reasons why they should be put on a list of key precursors.

A list, or, if agreed, lists of key precursors to be produced for permitted purposes under supervision could contain all or some of the chemicals or types of chemicals which had been suggested earlier (see list of references), together with agreed verification measures to be applied for each substance or class of chemicals listed.

Small-scale production facility

19. In addition to the common views expressed on provisions for a small-scale production facility for protective/permitted purposes, it was considered that the following issues need further discussion:

(a) Should production of key precursors for protective purposes be limited to a single small-scale facility for each Party?

(b) Should production of super-toxic lethal chemicals for permitted purposes other than protective purposes be restricted to a small-scale facility?

(c) Should production of key precursors for permitted purposes other than protective purposes be restricted to a small-scale facility?

(d) Should production for protective purposes of all compounds containing methyl-phosphorus bonds be restricted to a small-scale facility?

(e) Should production for permitted purposes of all compounds containing methyl-phosphorus bonds be restricted to a small-scale facility?

(f) What should be the agreed amount of super-toxic lethal chemicals and key precursors which a Party might have on hand for protective purposes?

(g) Should there be a limit on the amount of super-toxic lethal chemicals and key precursors which a Party might have on hand for all permitted purposes, including protective purposes? If so, what should be the agreed amount?

(h) What should be the agreed production/capacity limit for a small-scale production facility for protective purposes?

(i) What should be the agreed production/capacity/limit for production of super-toxic lethal chemicals at a small-scale production facility for permitted purposes?

(j) If production for permitted purposes of super-toxic lethal chemicals and key precursors were allowed in commercial industry, should there be a production/capacity/limit?

(k) What should the verification objectives and guidelines be for each of the possible production restrictions above?

Verification procedures for non-production of key-precursors for chemical weapons purposes

It was proposed by the Co-ordinator that the following topics should be further discussed:

- Details on the kind of information to be exchanged, e.g. concerning declarations of production facility location and capacity, production level, civil use, etc.
- On-site inspection on a random or periodic basis.

The discussions did not deal with how the non-production of the chemicals or undeclared facilities could be verified.

List of References

CD/294	Basic provisions of a convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction.	USSR
CD/326	Proposals on "Declaration", "Verification" and the "Consultative Committee".	Federal Republic of Germany
CD/334	Report of the <u>Ad Hoc</u> Working Group on Chemical Weapons to the Committee on Disarmament.	
CD/343	United States detailed views on the contents of a chemical weapons ban.	USA
CD/353	Verification of non-production of chemical weapons	United Kingdom
CD/401	Precursors - key precursors	Yugoslavia
CD/CW/WP.46	Suggested list of key-precursors, including those usable in multicomponent chemical weapon systems.	The Netherlands
CD/CW/WP.51	Preventing illegal production of key precursors of nerve gas.	USA
CD/CW/WP.52	Verification of non-production of chemical weapons.	USA
CD/CW/WP.54	Precursors - key precursors.	France
CD/CW/CRP.62*	Suggested alternative wording for Element II and Annex I. Element II = General definition of chemical weapons.	China
CD/CW/CRP.76	Definition of "key precursors".	Yugoslavia
CD/CW/CRP.78	Questions relating to the possible civilian use of chemicals containing the methyl-phosphorus bond.	Australia
CD/CW/CRP.81/Rev.1	List of precursors for super-toxic chemicals and incapacitating chemicals.	Australia/ The Netherlands
CD/CW/CRP.83	Concept of precursors in the CW Convention.	Czechoslovakia

List of References (continued)

CD/CW/CRP.84	Listing of key precursors.	Federal Republic of Germany
CD/CW/CTC.29	"Precursors" and "key precursors".	USA
CD/CW/CTC.34	Definition of "precursors" and "key precursors".	China
CD/CW/CTC.41	Illustrative list of binary chemical systems.	German Democratic Republic

AD HOC WORKING GROUP ON EFFECTIVE INTERNATIONAL ARRANGEMENTS
TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT
OF USE OF NUCLEAR WEAPONS

Report to the Committee on Disarmament

I. Introduction

1. At its 207th plenary meeting, on 29 March 1983, the Committee on Disarmament adopted the following decision, relating to item 3 on its agenda, contained in document CD/358, which, inter alia, reads:

"...

The Committee decides to re-establish for the duration of its 1983 session the Ad Hoc Working Groups on a Nuclear Test Ban, Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons, Chemical Weapons and Radiological Weapons ...

It is understood that the ad hoc working groups may start their work on the basis of their former mandates. The mandate of the Ad Hoc Working Group on a Nuclear Test Ban may thereafter be revised as decided by the Committee which will consider this question with appropriate urgency.

The ad hoc working groups will report to the Committee on the progress of their work before the conclusion of its 1983 session."

II. Organization of Work and Documentation

2. At its 207th plenary meeting, on 29 March 1983, the Committee on Disarmament appointed Ambassador Mansur Ahmad, representative of Pakistan, as Chairman of the Ad Hoc Working Group. Mr. S.K. Buu and Mr. M. Cassandra of the United Nations Department for Disarmament Affairs served as Secretary of the Ad Hoc Working Group during the first and second parts of the 1983 session respectively.

3. The Ad Hoc Working Group held nine meetings between 26 April and 29 April and between 16 June and 22 August 1983.

4. At their request, the Committee on Disarmament, at its 208th plenary meeting on 31 March 1983, decided to invite the representatives of the following States not members of the Committee to participate in the meetings of the Ad Hoc Working Group during the 1983 session: Austria, Finland, Norway.

5. In carrying out its mandate, the Ad Hoc Working Group took into account paragraph 59 of the Final Document of the tenth special session of the General Assembly devoted to disarmament, in which "... the nuclear-weapon States are called upon to take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. The General Assembly notes the

declarations made by the nuclear-weapon States and urges them to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". During the course of its work, the Working Group also took into account other relevant paragraphs of the Final Document.

6. The Ad Hoc Working Group also took note of the letter of the Secretary-General in document CD/336 transmitting resolutions adopted by the General Assembly at its thirty-seventh session, and took note in particular of resolutions 37/80 and 37/81. Paragraphs 3, 4 and 5 of resolution 37/80 read as follows:

"3. Requests the Committee on Disarmament to continue the negotiations on the question of the strengthening of the security guarantees for non-nuclear-weapon States during its session in 1983;

4. Calls once again upon all States participating in these negotiations to make efforts to elaborate and conclude an international instrument of a legally binding character, such as an international convention, on this matter;

5. Calls once again upon all nuclear-weapon States to make solemn declarations, identical in substance, concerning the non-use of nuclear weapons against non-nuclear-weapon States having no such weapons on their territories, as a first step towards the conclusion of an international convention, and recommends that the Security Council should examine such declarations and, if they all meet the above-mentioned objective, should adopt an appropriate resolution approving them."

Paragraphs 3, 4 and 5 of resolution 37/81 read as follows:

"3. Appeals to all States, especially the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula which could be included in an international instrument of a legally binding character;

4. Recommends that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including in particular those considered in the Committee on Disarmament, should be further explored in order to overcome the difficulties;

5. Recommends that the Committee on Disarmament should actively continue negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective."

7. In addition to the previous documents before the Ad Hoc Working Group listed in CD/SA/WP.1/Rev.4, two documents from the 1981 session were recirculated to the Group: a working paper presented by the Netherlands (CD/SA/CRP.6) and another presented by Pakistan (CD/SA/CRP.7). A working paper was prepared by the Secretariat during the 1983 session, entitled "Declarations on Security Assurances to non-nuclear-weapon States made by the five nuclear-weapon States, including references to nuclear-weapon-free-zones; and Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America" (CD/SA/WP.10),^{1/} which updated the declarations of the nuclear-weapon States contained in CD/SA/WP.2. The Group of 21 presented a document (CD/407) to the Committee on the subject.^{2/} The Secretariat also prepared a document dated 20 April 1983, entitled "A compilation of statements made at the twelfth special session of the General Assembly and during the thirty-seventh regular session of the General Assembly, in 1982, on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

SUBSTANTIVE NEGOTIATIONS

8. In pursuing the task entrusted to it, the Working Group bore particularly in mind its special report to the Committee on Disarmament in view of the second special session of the General Assembly devoted to disarmament (CD/281/Rev.1) wherein it reviewed substantive negotiations on "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" during the 1979, 1980 and 1981 sessions of the Committee on Disarmament, as well as the state of negotiations on the subject before the second special session in 1982. The Working Group had held no meetings since that report until it was re-established in 1983 and the prospect of further progress on this issue was debated.

9. A number of delegations generally regretted the fact that there had been little positive movement forward in the negotiations on the question since the Group last met a year ago and they reiterated the Group of 21's view, contained in document CD/280, that further negotiations in the Group were unlikely to be fruitful as long as nuclear-weapon States did not exhibit a genuine political

^{1/} See Annex I.

^{2/} See Annex II.

will to reach a satisfactory agreement. They were of the view that nuclear-weapon States were under the obligation to guarantee in clear and categorical terms that non-nuclear-weapon States will not be made victims of threats or attacks with nuclear weapons. One nuclear-weapon-State emphasized that these appreciations should take full account of the movement in its position that occurred at the second special session of the General Assembly devoted to disarmament. Many delegations, including two nuclear-weapon States, shared the view that political will was the central requirement for progress on this issue. In this regard other delegations pointed to the specific difficulties that had been revealed in negotiations which stemmed from the differing perceptions of the security interests of some nuclear and non-nuclear-weapon States and showed that the question of negative security assurances, in their view, cannot in fact be divorced from the wider issues of security in general. Some delegations expressed their view on the inadmissibility of this concept and stated that perceptions of security interests could not be used as an excuse for not granting negative guarantees or for the placing of conditions on those declarations. One nuclear-weapon State declared that its unilateral commitment never to use or threaten to use nuclear weapons against those States which renounce the production and acquisition of such weapons and do not have them on their territories was effective, reliable and met the vital interests of non-nuclear-weapon States. A number of delegations from non-nuclear-weapon States held that the inflexibility of the concerned nuclear-weapon States to remove the limitations, conditions and exceptions contained in their unilateral declarations reduced to nothing the credibility of their declarations. Three nuclear-weapon States rejected this argument and stated that the assurances they had provided had been solemnly and formally given and remained fully in force.

10. Some delegations held that the unilateral declarations of two nuclear-weapon States were incompatible with the obligations of those two States under Additional Protocol II of the Treaty of Tlatelolco. Those delegations further noted that the effectiveness of the treaty had been adversely affected by interpretative declarations to the Protocols which they held imposed conditions contrary to the letter and spirit of the Treaty and derived from multilateral instruments that in their view were inherently discriminatory. They also stated that the interpretative declarations amounted to reservations since they modified the terms of the Treaty of Tlatelolco and recalled in that connection the provisions of Article IV of Additional Protocol II. The nuclear-weapon States concerned disagreed that any such incompatibility existed. They maintained that

the declarations made on ratification of the Additional Protocols to the Treaty of Tlatelolco were entirely consistent with the provisions of those Protocols and the Treaty.

11. The importance of effective security assurances to non-nuclear-weapon States was re-affirmed. It was widely held that there was an urgent need to reach agreement on a "common formula" which could be included in an international instrument of a legally binding character. There was also no objection, in principle, to the idea of an international convention; however, the difficulties involved were also pointed out. Some delegations were of the view that the Working Group had exhausted its discussions on the subject.

12. The Chairman suggested three mutually non-exclusive approaches for possible adoption by the Working Group in its consideration of the subject, namely, (1) to continue negotiations towards an agreement on a common formula which could be included in an international instrument of a legally binding character; (2) to examine the relevance and the direct implications of the non-first-use of nuclear weapons to the so-called negative security assurances; and (3) to adopt any other approach which might help in the resolution of some of the problems.

13. Some delegations expressed the view that the Working Group should proceed immediately to the concrete elaboration of an international convention. It was pointed out however that an agreement first on the substance of the assurances would facilitate an agreement on the form.

14. An exchange of views was held on the relevance of non-first-use of nuclear weapons to security assurances offered to non-nuclear-weapon States. Some delegations felt that a non-first-use pledge evidently amounted to a clear guarantee that nuclear weapons would not be used against non-nuclear-weapon States since these States by virtue of their non-possession of nuclear weapons could never provoke retaliation.

15. A number of delegations underlined the significance of the non-first-use obligations and pointed out that a unilateral non-first-use undertaking, if assumed by all nuclear-weapon States without exception, would constitute an important measure aimed at strengthening the security of non-nuclear-weapon States, and therefore had direct implications and relevance to the Group's work. Some other delegations stated that the commitment not to be the first to use nuclear weapons cannot constitute an effective and credible guarantee for non-nuclear-weapon States, in so far as its validity erga omnes may at any moment be called into question by the actions of another nuclear-weapon State. Divergent views on this issue remained.

16. In the course of deliberations and with a view to clarifying the subject matter, a proposal was put forward that the question be examined according to the categories of non-nuclear-weapon States contained in the five unilateral declarations by the nuclear-weapon powers. These categories would be:

(1) non-nuclear-weapon States that belong to a military alliance with nuclear-weapon States; (2) non-nuclear-weapon States that belong to a military alliance and have nuclear weapons stationed on their territory; (3) non-nuclear-weapon States that belong to a military alliance and do not have nuclear weapons stationed on their territory; (4) non-nuclear-weapon States who do not belong to a military alliance, but have military arrangements with a nuclear-weapon State involving nuclear weapon assurances; (5) non-nuclear-weapon States that do not belong to a military alliance and enjoy a denuclearized status deriving from their participation in a nuclear-weapon-free zone. In this context it was pointed out that some of the existing unilateral declarations made by the nuclear-weapon States specifically referred to non-nuclear-weapon States which are parties to the Non-Proliferation Treaty or to other internationally binding commitments not to acquire nuclear explosive devices. Many delegations pointed out that non-nuclear-weapon States as a whole should be given clear and unambiguous guarantees against the use or threat of use of nuclear weapons. Some delegations reiterated their position that in view of the manifest difficulties in providing effective assurances to all non-nuclear-weapon States, at least those not belonging to any of the military alliances should receive such guarantees. The discussion on the suggested approach however remained inconclusive.

17. Some delegations, referring to what, in their view, has come to be known as the geographic proliferation of nuclear weapons, noted that the increasing introduction and deployment of nuclear weapons in various areas of the world should be averted, as it has serious implications for the non-nuclear-weapon States in their respective regions. Other delegations stated that this notion of geographic proliferation fails to take into account existing geographic asymmetries.

18. One nuclear-weapon State reiterated that it undertook unconditionally not to use or threaten to use nuclear weapons against non-nuclear States and nuclear-free zones.

19. One nuclear-weapon State stressed the importance of its unilateral obligation not to be the first to use nuclear weapons. The same nuclear-weapon State confirmed that its unilateral commitment never to use or threaten to use nuclear weapons against those States which renounce the production and acquisition of such weapons and do not have them on their territories remained fully valid.

20. One nuclear-weapon State recalled the substantial expansion of its position presented during the second special session of the General Assembly devoted to disarmament and as contained in document CD/SA/WP.10.

21. Two nuclear-weapon States pointed out that their unilateral assurances had been offered in response to, and given in recognition of the security concerns expressed by the non-nuclear-weapon States, and that these assurances were credible and reliable and represented firm declarations of policy.

22. In connection with those unilateral declarations, some delegations expressed the view that Article 51 of the Charter of the United Nations cannot be invoked to justify the use or threat of use of nuclear weapons in the exercise of the right of self-defence in case of armed attack not involving the use of nuclear weapons. Other delegations maintained that no provision of the United Nations Charter limits the right of States to make use of the means they deem the most appropriate, subject to existing international agreements, in exercise of their inherent right of individual or collective self-defence as recognized in Art. 51.

23. Many delegations reiterated their belief that nuclear disarmament constituted the most effective security assurance against the use or threat of use of nuclear weapons. A number of delegations further stated that if non-nuclear-weapon States were required to accept unilateral declarations, as a sufficient assurance of security, similarly nuclear-weapon States should accept unilateral declarations of non-nuclear-weapon States as sufficient assurance that they do not possess nuclear weapons nor intended to acquire such weapons.

CONCLUSIONS AND RECOMMENDATIONS

24. The Ad Hoc Working Group reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons pending effective measures of nuclear disarmament. Negotiations on the substance of the effective arrangements however revealed that specific difficulties related to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States persisted and that the complex nature of the issues involved in evolving a common formula acceptable to all continued to prevent agreement on such a formula, as well as on an international convention. Under these circumstances, no progress was achieved.

25. Against this background, the Working Group recommends to the Committee on Disarmament that ways and means should be explored to overcome the difficulties encountered in the negotiations to reach an appropriate agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Accordingly, a working group should be re-established at the beginning of the 1984 session and consultations should take place in order to determine the most appropriate course of action, including the resumption of the activities of the working group itself.

COMMITTEE ON DISARMAMENT

Ad Hoc Working Group on
Security Assurances

DECLARATIONS ON SECURITY ASSURANCES TO NON-NUCLEAR-WEAPON STATES MADE
BY THE FIVE NUCLEAR WEAPON STATES, INCLUDING REFERENCES TO
NUCLEAR WEAPON FREE ZONES; AND PROTOCOL II OF THE
TREATY FOR THE PROHIBITION OF NUCLEAR
WEAPONS IN LATIN AMERICA

I. DECLARATIONS ON SECURITY ASSURANCES

CHINA: "Pending the realization of complete prohibition and thorough destruction of nuclear weapons, all nuclear countries must undertake unconditionally not to use or threaten to use such weapons against non-nuclear countries and nuclear-free zones.

As is known to all, the Chinese Government has long declared on its own initiative and unilaterally that at no time and under no circumstances will China be the first to use nuclear weapons, and that it undertakes unconditionally not to use or threaten to use nuclear weapons against non-nuclear countries and nuclear-free zones."

Letter from the Chinese
Government to the
Secretary-General of the
United Nations on the Prevention
of Nuclear War, 28 April 1982,
A/S-12/11 of 4 May 1982.

FRANCE: declares that "for its part ... it will not use nuclear arms against a State that does not have these weapons and has pledged not to seek them, except in the case of an act of aggression carried out in association or alliance with a nuclear-weapon State against France or against a State with which France has a security commitment".

Address by Mr. Claude Cheysson,
Minister for Foreign Affairs, to
the 12th Special Session of the
General Assembly (SSOD II) on
11 June 1982, A/S-12/PV.9, p.69.

It remains also ready "to negotiate with nuclear-free zones participants in order to contract effective and binding commitments, as appropriate, precluding any use or threat of use of nuclear weapons against the States of these zones".

CD/SA/WP.2 of 25 June 1980.

USSR: "From the rostrum of the special session our country declares that the Soviet Union will never use nuclear weapons against those States which renounce the production and acquisition of such weapons and do not have them on their territories.

We are aware of the responsibility which would thus fall on us as a result of such a commitment. But we are convinced that such a step to meet the wishes of non-nuclear States to have stronger security guarantees is in the interests of peace in the broadest sense of the word. We expect that the goodwill evinced by our country in this manner will lead to more active participation by a large number of States in strengthening the non-proliferation régime.

The Soviet Union is prepared to enter into an appropriate bilateral agreement with any non-nuclear State. We call upon all the other nuclear Powers to follow our example."

Address by Mr. A. Gromyko, Minister for Foreign Affairs of the USSR, to the 10th Special Session of the General Assembly (SSOD I), 26 May 1978, Official Records of the General Assembly Tenth Special Session Plenary Meetings, Verbatim Records, 5th meeting, paras. 84-86, p.78.

UNITED KINGDOM: "The United Kingdom is now ready formally to give ... the following assurance ... to non-nuclear-weapon States which are parties to the Non-Proliferation Treaty or to other internationally binding commitments not to manufacture or acquire nuclear explosive devices: Britain undertakes not to use nuclear weapons against such States except in the case of an attack on the United Kingdom, its dependent territories, its armed forces, or its allies by such a State in association or alliance with a nuclear-weapon State."

United Kingdom Working Paper on the Subject of Effective International Arrangements to Assure Non-Nuclear Weapon States against the Use or Threat of Use of Nuclear Weapons, CD/177 of 10 April 1981.

UNITED STATES: "The United States will not use nuclear weapons against any non-nuclear-weapon State party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a State allied to or associated with a nuclear-weapon State in carrying out or sustaining the attack."

Most recently reaffirmed by Mr. Eugene Rostow, Director United States Arms Control and Disarmament Agency, at the 152nd plenary meeting of the CD on 9 February 1982 (CD/PV.152, p.15).

II. TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS
IN LATIN AMERICA (TLATELOLCO)

Additional Protocol II

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards promoting and strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1

The statue of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth in the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

Article 2

The Governments represented by the undersigned Plenipotentiaries undertake, therefore, not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies in accordance with article 4 thereof.

Article 3

The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

Article 4

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the definitions of territory and nuclear weapons set forth in articles 3 and 5 of the Treaty shall be applicable to this Protocol, as well as the provisions

regarding ratification, reservations, denunciation, authentic texts and registration contained in articles, 26, 27, 30 and 31 of the Treaty.

Article 5

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Additional Protocol on behalf of their respective Governments.

Extracted from Status of multilateral
arms regulation and disarmament agreements
Special Supplement to the United Nations
Disarmament Yearbook, Volume II: 1977;
pages 60-61. Sales No. E.78.IX.2.

ANNEX II

STATEMENT OF THE GROUP OF 21 ON EFFECTIVE INTERNATIONAL
ARRANGEMENTS TO ASSURE NON-NUCLEAR WEAPON STATES AGAINST
THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

1. In its statement (CD/280) of 14 April 1982 the Group of 21 had stated that "further negotiations in the ad hoc working group on this item are unlikely to be fruitful so long as the nuclear weapon States do not exhibit a genuine political will to reach a satisfactory agreement. The Group, therefore, urges the nuclear weapon States concerned to review their policies and to present revised positions on the subject to the second special session of the General Assembly devoted to disarmament which shall fully take into account the position of the non-aligned, neutral and other non-nuclear weapon States".
2. At the second special session the Nuclear Weapon States failed to meet the concerns of the Group of 21 in this regard.
3. In subsequent discussions in the Working Group the nuclear weapon States have persistently upheld their existing unilateral declarations which reflect their own subjective approach, with the result that the negotiations on this item cannot be carried any further.
4. The Group of 21 deeply regrets this situation.
5. The Group of 21 reiterates its belief that the most effective assurances of security against the use or threat of use of nuclear weapons is nuclear disarmament and prohibition of the use of nuclear weapons. The Group of 21 reaffirms its adherence to the principles enunciated in the Group's statement (CD/280) of 14 April 1982, regarding an agreement on the question of "effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons".
6. The nuclear weapon States have an obligation to guarantee in clear, unambiguous terms that the non-nuclear weapon States will not be threatened or attacked with nuclear weapons. The inflexibility of the concerned nuclear weapon States to remove the limitations, conditions and exceptions contained in their unilateral declarations runs counter to their obligations to extend credible assurances to the non-nuclear weapon States against the use or threat of use of nuclear weapons. The resulting impasse is preventing the working group from proceeding to the elaboration of a common formula or common approach acceptable to all to be included in an international instrument as called for by the relevant resolutions of the United Nations.
7. The Group of 21, therefore, once again urges the concerned nuclear weapon States to display the necessary understanding and political will in this respect thus enabling the working group to resume work at the beginning of the next session.

COMMITTEE ON DISARMAMENT

CD/418
23 August 1983
Original: ENGLISH

Statement by the Group of 21

Prevention of an Arms Race in Outer Space

The Group of 21 wishes to state its views regarding the question of the establishment of an Ad Hoc Working Group on item 7, "Prevention of an Arms Race in Outer Space".

Throughout the 1982 and 1983 sessions, the Group has consistently maintained that the establishment of such an Ad Hoc Working Group, with an appropriate mandate offers the only practical course for the Committee to fulfil its responsibility under this item. It was in this spirit that the Group of 21 proposed during the 1982 session the following draft mandate for the proposed Ad Hoc Working Group, as contained in CD/329:

"Reaffirming the principle that Outer Space -- the common heritage of mankind -- should be preserved exclusively for peaceful purposes, and in order to prevent the extension of an Arms Race to Outer Space, and prohibit its use for hostile purposes; the Committee on Disarmament decides to establish an Ad Hoc Working Group to undertake negotiations for the conclusion of an agreement/or agreements -- as appropriate -- to prevent an Arms Race in Outer Space in all its aspects. The Ad Hoc Working Group will take into account all existing proposals and future initiatives and report on the progress of its work to the Committee on Disarmament".

In its thirty-seventh session, the General Assembly adopted by an overwhelming majority resolutions 37/83 and 37/98 in which the Assembly specifically requested the Committee to establish an Ad Hoc Working Group to negotiate an agreement or agreements aimed at preventing an arms race in outer space.

It may be observed from the pattern of voting in the General Assembly at its thirty-seventh session, that no Member State voted against the establishment of an Ad Hoc Working Group with such a mandate. This was in consonance with the Final Document of the First Special Session of the General Assembly, which stated in paragraph 80 that:

"In order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations be held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Other Celestial Bodies".

During the 1983 Session of the Committee, consultations were held under the auspices of the Chairman with a view to reaching a consensus on a mandate for the Ad Hoc Working Group. In these consultations the Group of 21 was confronted by

position consistently held by members of the Western Group, which sought to restrict the mandate of the proposed Ad Hoc Working Group to identifying "through substantive examination, issues relevant to the prevention of an arms race in outer space". While the Group of 21 expressed its readiness to accept such a task, as a necessary initial stage in the work of the Ad Hoc Working Group it maintained that the mandate should spell out the ultimate objective of the Ad Hoc Working Group, namely to reach an agreement or agreements aimed at Preventing an Arms Race in Outer Space, as specifically requested by the General Assembly. The Group of 21 still displayed flexibility and showed willingness to accommodate the States in question.

To this end, it submitted various alternative drafts and proposed amendments to the draft mandates submitted during the informal consultations. For example, on 1 August 1983, it proposed the following draft mandate:

"In discharging its responsibilities as the single multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document of the first special session of the General Assembly devoted to disarmament, the Committee on Disarmament decides to establish an Ad Hoc Working Group under item 7 of its agenda entitled 'Prevention of an Arms Race in Outer Space'.

In carrying out its task, the Ad Hoc Working Group will take into account all existing proposals and future initiatives, and -- in the first instance -- identify, through substantive examination, issues relevant to the conclusion of an agreement or agreements aimed at preventing an Arms Race in Outer Space, and report on the progress of its work to the Committee on Disarmament".

In the last round of consultations, the draft mandate contained in document CD/413 was submitted by its authors for consideration. The Group of 21, in a further attempt to reach an agreed mandate, proposed to amend the second paragraph of the proposed mandate so as to read as follows:

"The Committee requests the Ad Hoc Working Group to identify, in the first part of 1984 session */ , through substantive examination, issues relevant to the Prevention of an Arms Race in Outer Space".

Such a formula would have, if accepted, led to the establishment of an Ad Hoc Working Group, and allowed it to carry out the task of identifying issues relevant to an arms race in Outer Space during the first half of the session. Following this, the Committee would be in a position to review the situation and hopefully be able to agree on the substantive mandate of the Ad Hoc Working Group. To the deep regret of the Group of 21 this proposal, moderate as it is, was not accepted by the authors of CD/413, who have proceeded with the formal introduction of their proposal as a draft mandate for the Ad Hoc Working Group.

The Group of 21 feels it necessary to put on record these developments with regard to which it wishes to express its deep disappointment. The Group of 21 considers the mandate contained in CD/413 as inadequate, since it failed to spell out the objective to be reached by the Ad Hoc Working Group, namely the negotiation of an agreement or agreements aimed at the Prevention of an Arms Race in Outer Space.

*/ The underlined words constitute the amendment proposed by the Group of 21.

The Group of 21 believes that the absence of a time limit in the mandate proposed in CD/413 may only plunge the proposed Ad Hoc Working Group into unnecessarily prolonged discussions on a number of unspecified issues.

The Group nevertheless, in view of the urgent need of initiating action in connection with the task of preventing an arms race in Outer Space, has decided not to prevent the adoption of CD/413, if all other groups are willing to accept it.

In such a case, the members of the Group of 21 would participate in the Ad Hoc Working Group to be established, with the understanding that its mandate constitute only an initial stage. The Group of 21 would, therefore, reserve its right to raise the question at any time and in any manner it deems appropriate, in the light of the course of discussion in the Ad Hoc Working Group, and it would then ask the Committee on Disarmament to fulfil its responsibility in providing the Ad Hoc Working Group with an adequate mandate.

UNITED STATES OF AMERICA

WORKSHOP ON VERIFICATION OF
CHEMICAL WEAPONS STOCKPILE DESTRUCTION

The United States delegation attaches great importance to the efforts of the Committee on Disarmament to find a common approach to verification of destruction of chemical weapons stockpiles. To facilitate successful completion of this work in 1984, the United States will hold a workshop for CD member and observer delegations at its chemical weapons destruction facility at Tooele, Utah. The purpose of the workshop, which is scheduled for mid-November 1983, is to give delegations a first-hand look at the actual procedures used by the United States for destruction of chemical weapons and to provide a forum for discussion of various means of verifying destruction of chemical weapons. It is intended that the workshop provide an opportunity for a wide-ranging discussion of all points of view regarding verification of destruction.

More specific information is provided below:

Site: The workshop will be held at the Chemical Agent Munitions Disposal System (CAMDS) facility, which is located on the grounds of Tooele Army Depot. The site is approximately 45 road miles southwest of Salt Lake City, Utah. The facility itself is fully described in CD/387, 5 July 1983.

Planned Activities: Participants will:

- be briefed on the United States chemical weapons destruction programme, on the CAMDS facility, and on possible verification procedures for CAMDS operations;
- tour the CAMDS facility;
- participate in discussions of all points of view regarding verification of chemical weapons stockpile destruction, using the CAMDS facility as an example; and,
- observe a mock on-site verification exercise, utilizing actual equipment installed at CAMDS.

Timing and Duration: The workshop will be held during the week of 14 November. The precise dates will be fixed in early October. Workshop activities will cover two full days. In addition, participants travelling from New York City should plan for one-half workday for travel to the workshop and one workday for the return. (The difference is due to time zone changes.)

Participation: Since the facility has a limited capacity, it would be preferable to have no more than two participants from a single delegation.

Transportation: Further information will be provided in the near future.

Housing and Meals: Participants will be housed in Salt Lake City in hotel rooms booked by the United States Government. Lunches at Tooele Army Depot and a dinner at the conclusion of the workshop will be provided.

Expenses: Participants are expected to pay their own hotel expenses and any transportation and meal expenses in excess of those noted above.

Final Arrangements: Participants will be notified of the detailed final arrangements regarding dates, transportation, hotels, etc. at least one month in advance.

Points of Contact: Delegations are requested to notify the United States delegation of their intention to participate and the names and affiliation of their representatives by Friday, 23 September. The notification, as well as any questions above the workshop, should be directed to:

(a) Mr. Richard Horne
United States Mission Geneva
(telephone: 99.02.11, extension 485)

or

(b) Colonel Harold L. Brown, II
United States Arms Control and Disarmament Agency
Room 5499, New State Building
Washington, D.C. 20451
(telephone: (202) 632-2069)

Visas: Applications for visas should be made in the customary way. Appropriate United States diplomatic posts will be informed in early October of the names of participants.

COMMITTEE ON DISARMAMENT

CD/420

23 August 1983

Original: RUSSIAN/ENGLISH

LETTER DATED 23 AUGUST 1983 ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE ON DISARMAMENT TRANSMITTING AN EXCERPT FROM THE TASS COMMUNIQUE CONCERNING THE MEETING OF THE GENERAL SECRETARY OF THE CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF THE SOVIET UNION AND CHAIRMAN OF THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR, MR. Y.V. ANDROPOV, WITH A GROUP OF AMERICAN SENATORS

I am sending you herewith an excerpt from the TASS communiqué concerning the meeting between Mr. Y.V. Andropov, General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the USSR, and a group of American senators. The communiqué sets forth the position of the USSR on a number of questions which are on the agenda of the Committee on Disarmament.

I would ask you kindly to distribute this text as an official document of the Committee on Disarmament.

(Signed)

V.L. Issraelyan
Representative of the USSR to
the Committee on Disarmament

GE.83-63910

YURI ANDROPOV RECEIVES UNITED STATES SENATORS

On 18 August Yuri Andropov, General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the USSR, received in the Kremlin the United States senators Claiborne Pell, Russell Long, Paul Sarbanes, Dale Bumpers, Patrick Leahy, James Sasser, Donald Riegle, Howard Metzenbaum and Dennis DeConcini, who arrived in the Soviet Union at the invitation of the Parliamentary group of the USSR.

Talking with them, Yuri Andropov characterized the present-day state of relations between the USSR and the United States as tense virtually in every field. They have become such not because the Soviet side has chosen so. The Soviet Union would like to have with the United States a level of concord ensuring normal, stable and good relations in the mutual interests of both sides and to the great benefit of world peace.

If, nonetheless, someone hopes to attain superiority over the USSR amidst tensions, in a game without rules, this is a dangerous miscalculation.

Dwelling upon the issue of nuclear arms in Europe, Yuri Andropov emphasized that very much, including the future development of Soviet-United States relations, depended on whether a mutually acceptable solution of that issue would be found at the Geneva negotiations, whether it would be possible to stop a lethally dangerous new round of the arms race in that region. The stationing in Europe of United States "Pershing" and cruise missiles will have far-reaching consequences which will inevitably affect the United States as well. The Americans will also feel the difference between the situation which existed before deployment and that which will take shape after it.

Summing up the essence of a number of constructive proposals put forward by the Soviet Union at the Geneva talks on the limitation of nuclear arms in Europe, Yuri Andropov said that if those proposals were translated into practice, the aggregate number of medium-range nuclear systems in Europe would be cut by approximately two thirds both on the Soviet Union's and on NATO's side. Moreover, NATO would only reduce its air force whereas the Soviet Union would also cut back its missiles, including a large number of modern SS-20 missiles. As a result, the Soviet Union would be left with far fewer missiles and warheads on them than it had in 1976, when no one in the West talked about the Soviet Union's superiority in weaponry of this type.

It was stressed that the success of the Geneva talks on the limitation of nuclear arms in Europe was still possible if the United States showed an interest in an honest agreement on an equal basis. However, we do not advise anyone to count on the Soviet Union's making unilateral concessions to the prejudice of its own security.

As the limitation of strategic weapons was discussed, the senators were told that it was absolutely unrealistic to try, as the United States administration was doing, to convince or compel the other side to break down the structure of its strategic forces and to reduce their basic components, while keeping for oneself a completely free hand. This question, too, can only be resolved on the basis of parity. The lack of such a solution would mean the continuation of the strategic arms race and the escalation of the threat of nuclear war. The USSR is against this.

The senators' attention was also drawn to the Soviet proposal to "freeze" the strategic nuclear arsenals of the Soviet Union and the United States. We suggest, Yuri Andropov said, that not only should the number of the existing missiles not be raised but that the development and testing of new types and varieties of strategic arms should be renounced and that the modernization of the existing systems should be limited to the utmost. We would agree to an even broader option, namely, a freeze on all the components of the nuclear arsenals of the USSR and the United States. This could set an example to other countries. The freeze agreement could immediately halt the dangerous process of the runaway nuclear arms race, thus meeting the dreams of all the peoples. An entirely different political atmosphere would emerge, in which it would be easier to seek agreement on reductions in the stockpiles of such weaponry.

Yuri Andropov placed special emphasis on an issue of paramount significance, the serious and real threat of the arms race spreading to outer space. Recalling the idea he had expressed earlier concerning the prohibition of the use of force in general, both in space and from space with respect to the earth, he set forth new major initiatives of the USSR in that field.

First of all, Yuri Andropov said, the Soviet Union deems it necessary to come to terms on a complete prohibition of the testing and deployment of any space-based weapons for hitting targets on earth, in the air or in outer space.

Further, the USSR is prepared to solve radically the issue of anti-satellite weapons - to agree on the elimination of the existing anti-satellite systems and the prohibition of the development of new ones.

The Soviet Union will submit detailed proposals on that issue for consideration at the forthcoming session of the United Nations General Assembly.

In addition to these proposals, Yuri Andropov said, the Soviet leadership has taken an exceptionally important decision: the USSR assumes the commitment not to be the first to put into outer space any type of anti-satellite weapon, that is, it imposes a unilateral moratorium on such launchings for the entire period during which other countries, including the United States, refrain from stationing anti-satellite weapons of any type in outer space.

That decision is a fresh concrete demonstration of the Soviet Union's goodwill and its determination to work in practice for stronger peace and security for the peoples. It is to be hoped that the United States will follow this example.

DOCUMENT IDENTIQUE A L'ORIGINAL

DOCUMENT IDENTICAL TO THE ORIGINAL