



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/9910
6 December 1974

ORIGINAL: ENGLISH

Twenty-ninth session
Agenda item 103

PROHIBITION OF ACTION TO INFLUENCE THE ENVIRONMENT AND
CLIMATE FOR MILITARY AND OTHER PURPOSES INCOMPATIBLE
WITH THE MAINTENANCE OF INTERNATIONAL SECURITY, HUMAN
WELL-BEING AND HEALTH

Report of the First Committee

Rapporteur: Mr. Antonio da COSTA LOBO (Portugal)

1. The item entitled "Prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health" was included by the Secretary-General in the draft agenda of the twenty-ninth session of the General Assembly at the request of the Union of Soviet Socialist Republics (A/9702 and Corr.1).
2. At its 2236th plenary meeting, on 21 September 1974, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and to allocate it to the First Committee for consideration and report.
3. At its 1987th meeting, on 25 September, the First Committee decided to have a combined general debate on the items allocated to it relating to disarmament and the Indian Ocean as a zone of peace, namely:
 - Item 24: Reduction of the military budgets of States permanent members of the Security Council by 10 per cent and utilization of part of the funds thus saved to provide assistance to developing countries.
 - Item 27: Napalm and other incendiary weapons and all aspects of their possible use.
 - Item 28: Chemical and bacteriological (biological) weapons.
 - Item 29: Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban.

- Item 30: Implementation of General Assembly resolution 3079 (XXVIII) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).
- Item 31: Implementation of the Declaration of the Indian Ocean as a Zone of Peace.
- Item 34: World Disarmament Conference.
- Item 35: General and complete disarmament.
- Item 100: Implementation of General Assembly resolution 2286 (XXII) concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).
- Item 101: Establishment of a nuclear-weapon-free zone in the region of the Middle East.
- Item 103: Prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health.
- Item 107: Declaration and establishment of a nuclear-free zone in South Asia.

4. The general debate on these items took place at the 1998th to 2016th meetings, from 21 October to 11 November.
5. On 24 September, the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/L.675) to which a draft "Convention on the prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health" was annexed. It was subsequently revised (A/C.1/L.675/Rev.1; for the text see para. 7 below) and co-sponsored by Afghanistan, Argentina, Bangladesh, Barbados, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Finland, the German Democratic Republic, Ghana, Hungary, India, Iraq, Kenya, Mauritius, Mongolia, Poland, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and the United Republic of Cameroon. It was introduced by the representative of the USSR at the 2026th meeting, on 21 November.
6. At the 2028th meeting, on 22 November, the draft resolution was adopted by a roll-call vote of 102 to none, with 7 abstentions (see para. 7 below). The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Bhutan, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark,

/...

Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia, Afghanistan.

Against: None.

Abstaining: Burundi, Chile, France, Gabon, Mali, Paraguay, United States of America.

RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health

The General Assembly,

Noting the concern of peoples to consolidate peace and to pursue efforts designed to save mankind from the danger of using new means of warfare, to limit the arms race and to bring about disarmament,

Bearing in mind that, under conditions of continuous scientific and technological progress, new possibilities arise for using the results of this progress not only for peaceful but also for military purposes,

Convinced that the prohibition of action to influence the environment and climate for military and other hostile purposes, which are incompatible with the maintenance of international security, human well-being and health, would serve the cause of strengthening peace and averting the threat of war,

Taking into account the profound interest of States and peoples in the adoption of measures to preserve and improve the environment and to modify or moderate the climate solely for peaceful purposes for the benefit of present and future generations,

/...

1. Considers it necessary to adopt, through the conclusion of an appropriate international convention, effective measures to prohibit action to influence the environment and climate for military and other hostile purposes, which are incompatible with the maintenance of international security, human well-being and health;
2. Takes note of the draft international "Convention on the prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health" submitted to the General Assembly by the Union of Soviet Socialist Republics 1/ as well as other points of view and suggestions put forward during the discussion of this question;
3. Requests the Committee on Disarmament to proceed as soon as possible to achieving agreement on the text of such a convention and to submit a report on the results achieved for consideration by the General Assembly at its thirtieth session;
4. Requests the Secretary-General to transmit to the Committee on Disarmament all documents relating to the discussion by the General Assembly at its twenty-ninth session of the item entitled "Prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health";
5. Decides to include in the provisional agenda of its thirtieth session an item entitled "Prohibition of action to influence the environment and climate for military and other hostile purposes, which are incompatible with the maintenance of international security, human well-being and health".

ANNEX

CONVENTION ON THE PROHIBITION OF ACTION TO INFLUENCE THE ENVIRONMENT
AND CLIMATE FOR MILITARY AND OTHER PURPOSES INCOMPATIBLE WITH THE
MAINTENANCE OF INTERNATIONAL SECURITY, HUMAN WELL-BEING AND HEALTH

Union of Soviet Socialist Republics: draft convention

The States Parties to this Convention,

Guided by the interests of consolidating peace and wishing to contribute to the cause of saving mankind from the danger of using new means of warfare, limiting the arms race and bringing about disarmament,

Taking into account that, under conditions of continuous scientific and technological progress, new possibilities arise for using the result of this progress not only for peaceful but also for military purposes,

/...

Considering that action to influence the environment and climate for military purposes may represent an exceptional danger to universal peace and security as well as to human well-being and health,

Expressing the profound interest of States and peoples in the adoption of measures to preserve and improve the environment for the benefit of present and future generations,

Desiring to contribute to the deepening of confidence among peoples and to the further improvement of the international situation,

Striving to co-operate in implementing the purposes and principles of the Charter of the United Nations,

Have agreed on the following:

Article I

Each of the parties to the Convention undertakes not to use meteorological, geophysical or any other scientific or technological means of influencing the environment, including the weather and climate, for military and other purposes incompatible with the maintenance of international security, human well-being and health, and, furthermore, never under any circumstances to resort to such means of influencing the environment and climate or to carry out preparations for their use.

Article II

1. For the purposes of this Convention, the activities referred to in article I of this Convention consist of those active influences on the surface of the land, the sea-bed and the ocean floor, the depths of the earth, the marine environment, the atmosphere or on any other elements of the environment that may cause damage by the following means:

(a) Introduction into the cloud systems (air masses) of chemical reagents for the purpose of causing precipitation (formation of clouds) and other means of bringing about a redistribution of water resources;

(b) Modification of the elements of the weather, climate and the hydrological system on land in any part of the surface of the earth;

(c) Direct or indirect action to influence the electrical processes in the atmosphere;

(d) Direct or indirect disturbance of the elements of the energy and water balance of meteorological phenomena (cyclones, anticyclones, cloud front systems);

(e) Direct or indirect modifications of the physical and chemical parameters of the seas and oceans, the seashore, sea-bed and ocean floor that may lead to a change in the hydrological system, water interchange process and the ecology of the biological resources of the seas and oceans;

/...

(f) Direct or indirect stimulation of seismic waves by any methods or means that may produce earthquakes and accompanying processes and phenomena, or destructive ocean waves, including tsunami;

(g) Direct or indirect action on the surface of an area of water that may lead to a disturbance of the thermal and gaseous interchange between the hydrosphere and the atmosphere;

(h) The creation of artificial continuous electromagnetic and acoustic fields in the oceans and seas;

(i) Modification of the natural state of the rivers, lakes, swamps and other aqueous elements of the land by any methods or means, leading to reduction in the water-level, drying up, flooding, inundation, destruction of hydrotechnical installations or having other harmful consequences;

(j) Disturbance of the natural state of the lithosphere, including the land surface, by mechanical, physical or other means, causing erosion, a change in the mechanical structure, desiccation or flooding of the soil, or interference with irrigation or land improvement systems;

(k) The burning of vegetation and other actions leading to a disturbance of the ecology of the vegetable and animal kingdom;

(l) Direct or indirect action to influence the ionized or ozone layers in the atmosphere, the introduction of heat and radiant energy absorbing agents in the atmosphere and the contiguous layer, or other action that might lead to disturbances of the thermal and radiation equilibrium of the earth-atmosphere-sun system.

2. Subsequently, in accordance with the provisions of this Convention, the list of actions enumerated in paragraph 1 of this article may be supplemented or amended depending upon the progress of scientific and technological research.

Article III

Each of the parties to the Convention undertakes to refrain from assisting, encouraging or inducing any State, group of States or international organizations whatsoever to carry out activities that violate the provisions of this Convention, as well as to refrain from participating either directly or indirectly in such activities carried out by other States or international organizations.

Article IV

Each party to this Convention undertakes, in accordance with its own constitutional procedures, to adopt the necessary measures to prohibit and prevent any activity carried out in violation of the provisions of this Convention anywhere whatsoever within its jurisdiction or under its control.

Article V

Nothing in this Convention shall impede the economic or scientific and technological development of the parties to the Convention or international economic and scientific co-operation in the utilization, preservation and improvement of the environment for peaceful purposes.

Article VI

Any party to this Convention that learns that any other party to the Convention is acting in violation of the obligations flowing from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint shall contain all possible evidence to support the grounds for the complaint, together with a request that it be considered by the Security Council.

Each party to this Convention undertakes to co-operate in carrying out any investigations that the Security Council may undertake in accordance with the provisions of the Charter of the United Nations on the basis of the complaint received by the Council. The Security Council shall inform the States parties to the Convention of the results of such investigations.

Article VII

Each party to this Convention undertakes to furnish or support assistance provided in accordance with the Charter of the United Nations to any party to the Convention that may make such a request, in the event that the Security Council adopts a decision to the effect that that party has been subjected to danger as a result of the violation of the Convention.

Article VIII

Any party may propose an amendment to this Convention. Each proposed amendment shall be submitted to the depositary Governments and shall be transmitted by them to all parties to the Convention, which shall inform the depositary Governments of the adoption or rejection of the amendment at the earliest possible date after receiving it.

The amendment shall enter into force for each party accepting it after its adoption by the majority of parties to the Convention, including the depositary Governments, and subsequently for each remaining party on the day on which it adopts that amendment.

Article IX

Five years after the entry into force of this Convention, or before that date, if the majority of parties to the Convention so request by submitting a proposal for that purpose to the depositary Governments, a conference of States parties to the Convention shall be convened in ... for the purpose of considering the operation of the Convention, in order to ensure that its provisions are being implemented. During such consideration, account shall be taken of all new scientific and technological achievements that may relate to the Convention.

/...

Article X

This Convention shall be of a permanent nature.

Each party to this Convention shall have the right, within the context of the realization of its own State sovereignty, to secede from the Convention, if it decides that exceptional circumstances connected with the content of the Convention have threatened the supreme interests of its country. It shall notify all other States parties to the Convention and the Security Council of the United Nations three months prior to its secession. The notification shall contain an account of the exceptional circumstances which, in the view of that party, have threatened its supreme interests.

Article XI

1. This Convention shall be open for signature by all States. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by the signatory States. The instruments of ratification and the documents of accession shall be deposited with the Governments of ..., which are hereby designated the depositary Governments.

3. This Convention shall enter into force after the deposit of the instruments of ratification by ... Governments, including Governments designated the depositary Governments of the Convention.

4. For those States whose instruments of ratification or documents of accession are deposited after the entry into force of this Convention, it shall enter into force on the day of deposit of their instruments of ratification or documents of accession.

5. The depositary Governments shall forthwith notify all States that sign or accede to this Convention of the date of each signature, the date of deposit of each instrument of ratification or document of accession, the date of the entry into force of the Convention, and the receipt by them of other information.

This Convention shall be registered by the depositary Governments in accordance with Article 102 of the Charter of the United Nations.

Article XII

This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the depositary Governments. Certified copies of the Convention shall duly be forwarded by the depositary Governments to the Governments of States signing the Convention or acceding to it.

In witness whereof the undersigned, duly furnished with full powers, have signed this Convention.

Done in copies in the town of on the day of,
.....