

**REPORT  
OF THE  
CONFERENCE ON DISARMAMENT**

**GENERAL ASSEMBLY**

OFFICIAL RECORDS: FORTIETH SESSION

SUPPLEMENT No. 27 (A/40/27)



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New York, 1985

#### **NOTE**

**Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.**

[3 October 1985]

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1/ To be issued as separate volumes of the Report.

## I. INTRODUCTION

.. The Conference on Disarmament submits to the fortieth session of the United Nations General Assembly its annual report on its 1985 session, together with the pertinent documents and records.

## II. ORGANIZATION OF WORK OF THE CONFERENCE

### A. 1985 Session of the Conference

2. The Conference was in session from 5 February to 23 April and from 11 June to 30 August 1985. During this period, the Conference held 48 formal plenary meetings, at which member States as well as non-member States invited to participate in the discussions set forth their views and recommendations on the various questions before the Conference.

3. The Conference also held 29 informal meetings on its agenda, programme of work, organization and procedures, as well as on items of its agenda and other matters.

4. In accordance with rule 9 of the Rules of Procedure, the following member States assumed the Presidency of the Conference: the United States of America for February, Venezuela for March, Yugoslavia for April and the recess between the first and second parts of the 1985 session of the Conference, Zaire for June, Algeria for July and Argentina for August and the recess until the 1986 session of the Conference.

5. After appropriate consultations, the Secretary-General of the United Nations appointed, effective 1 January 1985, Ambassador Miljan Komatina, former Permanent Representative of Yugoslavia to the United Nations, as Secretary General of the Conference, who shall also act as his Personal Representative.

### B. Participants in the work of the Conference

6. Representatives of the following member States participated in the work of the Conference: Algeria; Argentina; Australia; Belgium; Brazil; Bulgaria; Burma; Canada; China; Cuba; Czechoslovakia; Egypt; Ethiopia; France; German Democratic Republic; Germany, Federal Republic of; Hungary; India; Indonesia; Islamic Republic of Iran; Italy; Japan; Kenya; Mexico; Mongolia; Morocco; Netherlands; Nigeria; Pakistan; Peru; Poland; Romania; Sri Lanka; Sweden; Union of Soviet Socialist Republics; United Kingdom of Great Britain and Northern Ireland; United States of America; Venezuela; Yugoslavia; and Zaire. The consolidated list of participants in the first and second parts of the session is included as Appendix I to the report.

C. Agenda for the 1985 Session and Programme of Work  
for the First and Second Parts of the Session

7. At the 289th Plenary Meeting on 7 February 1985, the President submitted a proposal on the provisional agenda for the 1985 session in conformity with rule 29 of the Rules of Procedure, and made the following statement (CD/PV.289):

"With respect to the adoption of the agenda for the year 1985, it is understood that the question of the nuclear neutron weapon is covered by item 2 of the agenda and can be considered under that agenda item."

8. At the same plenary meeting, the Conference adopted its agenda for the year.

9. At the 291st plenary meeting on 14 February 1985, the President submitted a proposal concerning the programme of work for the first part of the 1985 session, in accordance with rule 29 of the Rules of Procedure. At the same meeting, the Conference adopted the programme of work.

10. The texts of the agenda and programme of work adopted by the Conference (Documents CD/550 and Addendum 1) are given below:

"The Conference on Disarmament, as the multilateral negotiating forum, shall promote the attainment of general and complete disarmament under effective international control.

"The Conference, taking into account, inter alia, the relevant provisions of the Documents of the first and second special sessions of the General Assembly devoted to disarmament, will deal with the cessation of the arms race and disarmament and other relevant measures in the following areas:

- I. Nuclear weapons in all aspects;
- II. Chemical Weapons;
- III. Other weapons of mass destruction;
- IV. Conventional weapons;
- V. Reduction of military budgets;
- VI. Reduction of armed forces;
- VII. Disarmament and development;
- VIII. Disarmament and international security;
- IX. Collateral measures, confidence-building measures; effective verification methods in relation to appropriate disarmament measures, acceptable to all parties concerned;
- X. Comprehensive programme of disarmament leading to general and complete disarmament under effective international control.

"Within the above framework, the Conference on Disarmament adopts the following agenda for 1985 which includes items that, in conformity with the provisions of Section VIII of its Rules of Procedure, would be considered by it:

1. Nuclear test ban.
2. Cessation of the nuclear arms race and nuclear disarmament.
3. Prevention of nuclear war, including all related matters.
4. Chemical weapons.
5. Prevention of an arms race in outer space.
6. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
7. New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
8. Comprehensive programme of disarmament.
9. Consideration and adoption of the annual report and any other report as appropriate to the General Assembly of the United Nations.

#### Programme of Work

"In compliance with rule 28 of its Rules of Procedure, the Conference on Disarmament also adopts the following programme of work for the first part of its 1985 session:

- |                     |  |
|---------------------|--|
| 5-15 February       | Statements in plenary meetings. Consideration of the agenda and programme of work, as well as of the establishment of subsidiary bodies on items of the agenda and other organizational questions. |
| 18 February-1 March | Nuclear test ban.<br><br>Cessation of the nuclear arms race and nuclear disarmament.   |
| 4-15 March          | Prevention of an arms race in outer space.   |
| 18-22 March         | Prevention of nuclear war, including all related matters.  |
| 25 March-5 April    | Chemical weapons.  |
| 8-12 April          | Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.<br><br>Comprehensive programme of disarmament.                       |

15-19 April

New types of weapons of mass destruction and new systems of such weapons; radiological weapons.

22-23 April

Further consideration of outstanding matters.

"The Conference will continue consideration of its improved and effective functioning.

"The Conference will continue its consultations in pursuance of paragraphs 19 and 20 of its report (CD/540) with a view to taking a positive decision at its 1985 annual session with regard to expansion of its membership by not more than four States having in mind that candidates for membership should be nominated, two by the Group of 21, one by the Socialist Group, and one by the Western Group, so as to maintain balance in the membership of the Conference.

"Meetings of subsidiary bodies will be convened after consultations between the President of the Conference and the Chairman of the subsidiary bodies, according to the circumstances and needs of those bodies.

"The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events will meet from 25 to 29 March 1985.

"In adopting its programme of work, the Conference has kept in mind the provisions of rules 30 and 31 of its Rules of Procedure."

11. At its 301st plenary meeting, the Conference decided to begin the second part of the 1985 session on 11 June 1985.

12. During the second part of the 1985 session of the Conference, the President submitted, at the 312th plenary meeting on 13 June 1985, a proposal on the programme of work for the second part of the session. At the same meeting, the Conference adopted the programme of work proposed by the President (CD/595). It reads as follows:

"In compliance with rule 28 of its Rules of Procedure, the Conference on Disarmament adopts the following programme of work for the second part of its 1985 session:

11-14 June

Statements in plenary meetings.

Consideration of the programme of work, as well as of the establishment of subsidiary bodies on items of the agenda and other organizational questions which will continue to be considered beyond 14 June.

17-28 June

Nuclear test ban.

Cessation of the nuclear arms race and nuclear disarmament.

1-5 July

Prevention of an arms race in outer space.

8-12 July	Prevention of nuclear war, including all related matters.
15-26 July	Chemical weapons.
29 July-2 August	Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
	Comprehensive programme of disarmament.
5-9 August	New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
12-30 August	Reports of <u>ad hoc</u> subsidiary bodies; organizational questions; consideration and adoption of the Annual Report to the General Assembly of the United Nations.

"The Conference will continue consideration of its improved and effective functioning.

"The Conference will continue its consultations in pursuance of paragraphs 19 and 20 of its report (CD/540) with a view to taking a positive decision at its 1985 annual session with regard to expansion of its membership by not more than four States having in mind that candidates for membership should be nominated, two by the Group of 21, one by the Socialist Group, and one by the Western Group, so as to maintain balance in the membership of the Conference.

"Meetings of subsidiary bodies will be convened after consultations between the President of the Conference and the Chairmen of the subsidiary bodies, according to the circumstances and needs of those bodies.

"The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events will meet from 15 to 19 July 1985.

"In adopting its programme of work, the Conference has kept in mind the provisions of rules 30 and 31 of its Rules of Procedure."

13. At its 289th plenary meeting on 7 February and 299th plenary meeting on 14 March, the Conference decided to re-establish, for the duration of its 1985 session, the Ad Hoc Committees on Chemical Weapons and Radiological Weapons, respectively (documents CD/551 and CD/577). At the 289th plenary meeting, the President made a statement noting that there was no need to re-establish the Ad Hoc Committee on the Comprehensive Programme of Disarmament and that its Chairman would determine the most appropriate time for the beginning of work in that subsidiary body. At its 304th plenary meeting on 29 March 1985, the Conference also decided to establish an Ad Hoc Committee on item 5 of the agenda entitled "Prevention of an arms race in outer space" (CD/584). Some delegations made statements in that connection. The Conference further decided, at its 326th plenary meeting on 1 August 1985, to re-establish the Ad Hoc Committee dealing with the item on the agenda, entitled "Effective International Arrangements to Assure Non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons" (CD/628).

D. Participation of States not Members of the Conference

14. In conformity with rule 32 of the Rules of Procedure, the following States non-members of the Conference attended plenary meetings of the Conference: Austria, Bangladesh, Cameroon, Denmark, Finland, Greece, Holy See, Iraq, Ireland, New Zealand, Norway, Portugal, Senegal, Spain, Switzerland, Turkey and Viet Nam.

15. The Conference received and considered requests for participation in its work from States not members of the Conference. In accordance with the Rules of Procedure, the Conference invited:

(a) The representatives of Finland, Norway and Spain to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons, Prevention of an Arms Race in Outer Space, Effective International Arrangements to Assure Non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons, Radiological Weapons and the Comprehensive Programme of Disarmament.

(b) The representative of Portugal to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons, Radiological Weapons and the Comprehensive Programme of Disarmament.

(c) The representatives of Austria and Greece to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons, Prevention of an Arms Race in Outer Space and Effective International Arrangements to Assure Non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons.

(d) The representatives of Denmark, Ireland and New Zealand to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons and Prevention of an Arms Race in Outer Space.

(e) The representatives of Cameroon and Senegal to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons, Effective International Arrangements to Assure Non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons and the Comprehensive Programme of Disarmament.

(f) The representatives of Burundi and Turkey to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons and the Comprehensive Programme of Disarmament.

(g) The representative of Switzerland to participate during 1985 in the plenary meetings and in the subsidiary bodies on Chemical Weapons and Radiological Weapons, as well as in the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

(h) The representative of Bangladesh to participate during 1985 in the plenary meetings and in the subsidiary bodies on Effective International Arrangements to Assure Non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons and the Comprehensive Programme of Disarmament.

(i) The representative of Viet Nam to address the plenary during 1985 on the Comprehensive Programme of Disarmament.

#### E. Expansion of the membership of the Conference

16. The urgency attached to the question of the expansion of its membership is duly recognized by the Conference.

17. The Conference had before it the requests for membership received during previous sessions from the following non-member States, in chronological order: Norway, Finland, Austria, Turkey, Senegal, Bangladesh, Spain, Viet Nam, Ireland, Tunisia, Ecuador, Cameroon and Greece.

18. During its 1985 session, the Presidents of the Conference conducted continuous consultations with the members, in accordance with established practice, on the selection of additional members. Members of the Conference also engaged in consultations on this important question. Those consultations were held in pursuance of paragraphs 19 and 20 of the Report of the Conference to the thirty-ninth session of the General Assembly (CD/540). In that connection, the Conference reaffirmed its decision that its membership might be increased by not more than four States and agreed that candidates for membership should be nominated, two by the Group of 21, one by the Socialist Group and one by the Western Group so as to maintain balance in the membership of the Conference.

19. The Conference will intensify its consultations with a view to taking a positive decision at its next annual session and will inform accordingly the forty-first session of the General Assembly of the United Nations.

#### F. Proposals for the improved and effective functioning of the Conference

20. The Conference devoted one informal meeting to the consideration of its improved and effective functioning. A number of proposals were put forward. The Conference considered those proposals, as well as the best procedure to deal with the question of its improved and effective functioning, having in mind the need for all members of the Conference to be fully informed and to have the opportunity to contribute to the consideration of the subject. It is understood that the Conference will continue to examine its improved and effective functioning during its 1986 session.

#### G. Communications from Non-Governmental Organizations

21. In accordance with rule 42 of the Rules of Procedure, lists of all communications from Non-Governmental Organizations and persons were circulated to the Conference (document CD/NGC.11 and CD/NGC.12).

### III. SUBSTANTIVE WORK OF THE CONFERENCE DURING ITS 1985 SESSION

22. The substantive work of the Conference during its 1985 session was based on its agenda and programme of work. The list of documents issued by the Conference, as well as the texts of those documents, are included as Appendix II to the report. An index of the verbatim records by country and subject, listing the statements made by delegations during 1985, and the verbatim records of the meetings of the Conference are attached as Appendix III to the report.



23. The Conference had before it a letter dated 5 February 1985 from the Secretary-General of the United Nations (CD/544) transmitting all the resolutions on disarmament adopted by the General Assembly at its thirty-ninth session in 1984, including those entrusting specific responsibilities to the Conference on Disarmament:

- 39/52 "Cessation of all test explosions of nuclear weapons"
- 39/53 "Urgent need for a comprehensive nuclear-test ban treaty"
- 39/57 "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons"
- 39/58 "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"
- 39/59 "Prevention of an arms race in outer space"
- 39/60 "Implementation of General Assembly resolution 38/72 on the immediate cessation and prohibition of nuclear-weapon tests"
- 39/62 "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons"
- 39/63 H "Convention on the prohibition of the use of nuclear weapons"
- 39/65 A "Chemical and bacteriological (biological) weapons"
- 39/65 B "Prohibition of chemical and bacteriological weapons"
- 39/65 C "Chemical and bacteriological (biological) weapons"
- 39/148 C "Nuclear weapons in all aspects"
- 39/148 D "Non-use of nuclear weapons and prevention of nuclear war"
- 39/148 E "Prohibition of the nuclear neutron weapon"
- 39/148 G "Bilateral nuclear-arms negotiations"
- 39/148 I "Comprehensive programme of disarmament"
- 39/148 K "Cessation of the nuclear-arms race and nuclear disarmament"
- 39/148 L "Implementation of the recommendations and decisions of the tenth special session"

39/148 N "Report of the Conference on Disarmament"

39/148 O "Implementation of the recommendations and decisions of the tenth special session"

39/148 P "Prevention of nuclear war"

39/151 H "Prohibition of the production of fissionable material for weapons purposes"

39/151 J "Prohibition of the development, production, stockpiling and use of radiological weapons"

24. At the 288th plenary meeting of the Conference on 5 February 1985, the Personal Representative of the United Nations Secretary-General and Secretary-General of the Conference conveyed to the Conference a message from the Secretary-General of the United Nations at the opening of the 1985 session (CD/PV.288).

25. In addition to documents separately listed under specific items, the Conference received the following:

(a) Document CD/528/Add.1, dated 13 February 1985, submitted by the secretariat, entitled "List of documents relating to the items on the agenda of the Conference on Disarmament, including documents of the Eighteen-Nation Committee on Disarmament (ENDC: 1962-1969); the Conference of the Committee on Disarmament (CCD: 1969-1978); the Committee on Disarmament and the Conference on Disarmament (CD: 1979-1984) - Addendum".

(b) CD/542, dated 26 October 1984, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Replies of Mr. Konstantin U. Chernenko to Questions of The Washington Post".

(c) Document CD/543, dated 20 December 1984, submitted by the delegation of the German Democratic Republic, entitled "Communiqué of the Meeting of the Committee of Foreign Ministers of the Warsaw Treaty States".

(d) Document CD/545, dated 5 February 1985, submitted by the delegation of Romania, entitled "Romania's Position on Disarmament".

(e) Document CD/547, dated 4 February 1985, submitted by the delegation of Mongolia, entitled "Statement of the Great People's Khural of the Mongolian People's Republic".

(f) Document CD/561, dated 13 February 1985, submitted by the delegation of the United States of America, entitled "Text of President Ronald Reagan's message to the Congress of the United States, released 1 February 1985, transmitting 'The President's Unclassified Report to the Congress on Soviet Noncompliance with Arms Control Agreements'".

(g) Document CD/572, dated 25 February 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Not Sabotage but Compliance with Obligations".

(h) Document CD/574, dated 1 March 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Excerpts from the address delivered by the General Secretary of the Central Committee of the Communist Party of the Soviet Union, President of the Presidium of the Supreme Soviet of the USSR, K.U. Chernenko, on 22 February 1985".

(i) Document CD/576, dated 11 March 1985, submitted by the delegation of the Islamic Republic of Iran, entitled "Copy of a Message sent by the Minister of Foreign Affairs of the Islamic Republic of Iran to the Secretary-General of the United Nations, Mr. Javier Pérez de Cuéllar".

(j) Document CD/587, dated 9 April 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Interview given by the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mikhail Gorbachev, to the newspaper Pravda"

(k) Document CD/591, dated 16 April 1985, submitted by the delegation of Romania, entitled "Appeal of the Grand National Assembly of the Socialist Republic of Romania to the Supreme Soviet of the Union of Soviet Socialist Republics, the Congress of the United States of America, the Parliaments of all European Countries and Canada".

(l) Document CD/593, dated 10 June 1985, submitted by the delegation of Romania, entitled "Appeal for Disarmament and Peace of the Socialist Democracy and Unity Front in the Socialist Republic of Romania to Democratic Political Parties and Organizations, the Governments and all the Peoples of Europe, the United States of America and Canada".

(m) Document CD/597, dated 17 June 1985, entitled "Letter dated 14 June 1985 addressed to the Secretary-General of the Conference on Disarmament by the Permanent Representative of the Islamic Republic of Iran".

(n) Document CD/604, dated 26 June 1985, submitted by the delegation of China, entitled "Extracts from the speech by Chairman Deng Xiaoping of the Central Military Commission, made on 4 June 1985, and the speech by the General Secretary of the Communist Party of China, Mr. Hu Yaobang, made on 6 June 1985".

(o) Document CD/609, dated 8 July 1985, submitted by the delegation of Mexico, entitled "Statement of the Symposium on 'Survival in the Nuclear Age' held under the Sponsorship of the Third World Foundation for Social and Economic Studies and Parliamentarians for World Order (New York, 25-26 April 1985)".

(p) Document CD/622, dated 25 July 1985, submitted by the delegation of Hungary, entitled "Statement issued by the Representatives of the Parliaments of the Warsaw Treaty Member States - Budapest, May 14, 1985".

(q) Document CD/623, dated 26 July 1985, submitted by the delegation of the Islamic Republic of Iran, entitled "Letter dated 18 July 1985 addressed to the President of the Conference on Disarmament from the Chargé d'Affaires of the Permanent Mission of the Islamic Republic of Iran".

(r) Document CD/631, dated 7 August 1985, submitted by the delegation of Peru, entitled "Proposal on Regional Disarmament formulated by the Constitutional President of Peru, Dr. Alan García Pérez, in his Inaugural Message on taking office on 28 July 1985".

#### A. Nuclear Test Ban

26. The item on the agenda entitled "Nuclear test ban" was considered by the Conference, in accordance with its programme of work, during the periods 18 February-1 March and 17-28 June 1985.

27. The Conference had before it the Progress Reports on the nineteenth and twentieth sessions of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, as contained in documents CD/583 and CD/616. The Ad Hoc Group met from 25 to 29 March and from 15 to 19 July 1985, under the Chairmanship of Dr. Ola Dahlman of Sweden. At its 307th and 325th plenary meetings, on 11 April and 30 July 1985, the Conference adopted the recommendations contained in those Progress Reports. A number of delegations commented on them.

28. The following documents were submitted to the Conference in connection with the item during the 1985 session:

(a) Document CD/520/Rev.1, dated 8 August 1985, submitted by the Group of 21, 1/ entitled "Draft Mandate for the Ad Hoc Committee on a Nuclear Test Ban".

(b) Document CD/522/Rev.1, dated 26 July 1985, entitled "Draft Mandate for an Ad Hoc Committee on Item 1 of the Agenda of the Conference on Disarmament by a Group of Socialist States". 2/

(c) Document CD/599, dated 20 June 1985, submitted by Norway, entitled "Working Paper: Seismological Verification of a Comprehensive Nuclear Test Ban - Report on the Workshop in Oslo, Norway, 4-7 June 1985".

(d) Document CD/602, dated 24 June 1985, submitted by the delegation of Brazil, entitled "Draft Decision on the Establishment of a Subsidiary Body under Item 1 of the Agenda".

(e) Document CD/610, dated 9 July 1985, submitted by the delegation of the United Kingdom of Great Britain and Northern Ireland, entitled "Seismic Monitoring for a Comprehensive Nuclear Test Ban".

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1/ Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Islamic Republic of Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia and Zaire.

2/ Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland and the Union of Soviet Socialist Republics.

(f) Document CD/612, dated 10 July 1985, submitted by the delegation of the Federal Republic of Germany, entitled "Working Paper: A Proposal for the Establishment and Progressive Improvement of an International Seismic Monitoring and Verification System Relating to a Comprehensive Nuclear Test Ban".

(g) Document CD/621, dated 24 July 1985, submitted by the delegations of Australia, Belgium, Canada, the Federal Republic of Germany, Italy, Japan, the Netherlands, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America, entitled "Draft Programme of Work for an Ad Hoc Committee on Item 1 of the Agenda of the Conference on Disarmament, entitled 'Nuclear Test Ban'".

(h) Document CD/624, dated 26 July 1985, submitted by the delegation of the Federal Republic of Germany, entitled "A System Design for the Gradual Improvement of Seismic Monitoring and Verification Capabilities for a Comprehensive Nuclear Test Ban".

(i) Document CD/625, dated 31 July 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Text of the Statement made by the General Secretary of the CPSU Central Committee, Mikhail Gorbachev concerning the Announcement by the Soviet Union of a Unilateral Moratorium on all Nuclear Explosions from 6 August 1985 to 1 January 1986".

(j) Document CD/626, dated 1 August 1985, submitted by the delegation of Japan, entitled "Concrete Measures for the Realisation of the International Seismic Data Exchange System".

(k) Document CD/629, dated 2 August 1985, submitted by the delegations of Bulgaria and the German Democratic Republic, entitled "Working Paper on Item 1 of the Agenda of the Conference on Disarmament entitled 'Nuclear Test Ban'".

(l) Document CD/638, dated 20 August 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Answers of the General Secretary of the CPSU Central Committee, Mikhail Gorbachev, to the Correspondent of Tass, published on 14 August 1985".

29. In accordance with its programme of work, dealing with the consideration of the question of the establishment of subsidiary bodies on items of its agenda, the Conference held, at the beginning of the first part of the session, a number of informal consultations on the establishment of an ad hoc committee on item 1.

30. At the 301st meeting, on 21 March 1985, after receiving requests from the Group of 21 and from a group of Socialist countries, the President put before the Conference for decision, in the order in which they were received, the orally updated proposals of those two groups, contained in documents CD/520 and CD/522 <sup>3/</sup> respectively, on the mandate of an ad hoc committee on item 1 of the agenda. Document CD/520 proposed the establishment of an ad hoc committee to initiate the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and requested it to take into account all existing proposals and future initiatives, as well as previous work done on the subject.

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<sup>3/</sup> Updated versions were later issued as documents CD/520/Rev.1 and CD/522/Rev.1.

Document CD/522 contained a draft mandate for the establishment of an ad hoc committee to carry out practical negotiations with a view to elaborating a treaty prohibiting all nuclear-weapon tests, taking into account all existing drafts, proposals and future initiatives.

31. While updating the proposal contained in document CD/520, the Co-ordinator of the Group of 21 recalled that many consultations had been held on this subject since 1984 and that it had been regrettably impossible to reach a consensus. In 1982 and 1983 the Group agreed to the adoption of a limited mandate which was now clearly outdated. A group of Western States recalled their view that the mandate under which work had been carried out in 1982 and 1983 was not exhausted, and that, nevertheless, in a spirit of flexibility, they had proposed a revised, broader mandate in CD/521 which would enable practical work to continue.

32. A group of Western countries stated that there was no consensus for the mandates contained in documents CD/520 and CD/522. It further stated that efforts to achieve a consensus should be continued and that for that reason, the co-sponsors would not be putting to a decision the draft mandate contained in document CD/521, which proposed the establishment of an ad hoc committee under item 1 of the agenda to resume its substantive examination of specific issues relating to a comprehensive test ban with a view to the negotiation of a treaty on the subject. This group of Western countries expressed its readiness to continue the search for agreement on a formula that would allow the Conference to undertake practical work on the issue, including the discussion of possible programmes of work. The Group of 21 regretted the position taken by the group of Western countries which prevented once again the adoption of a mandate which would make it possible to begin negotiations on the prohibition of nuclear-weapon tests and once again expressed the hope that the delegations which had been unable to join in a consensus for drafting a suitable mandate would respond positively to the wishes of the majority of representatives at the Conference and to the demands of the international community. The Group of 21 also stated that it would not relent in its efforts to find a suitable solution for beginning as rapidly as possible a negotiating process on agenda item 1, and would continue to display flexibility in attaining that solution. The Group of 21 was prepared to adopt the draft mandate of a group of Socialist States contained in document CD/522. A group of Socialist States reiterated the position of that group to the effect that concrete negotiations on a complete and general prohibition of nuclear-weapon tests should begin without delay and expressed its regret that some States continued to refuse such negotiations. That group supported the draft mandate of the Group of 21, whereas the proposal contained in CD/521 was unacceptable to the group as it believed that it amounted to starting a new round of non-committal discussions. The delegation of one nuclear-weapon State, not belonging to any group, recalled that it had expressed the hope for the establishment of a subsidiary body as well as its flexible approach towards its mandate. As a result of the discussion held, the President noted that there was then no consensus on either of the two proposals for a mandate of an ad hoc committee on agenda item 1. He further expressed his understanding that it was the wish of the Conference that consultations should remain open in case there should be any fresh initiative on that issue.

33. A number of delegations addressed the issues concerning a nuclear-test ban at plenary meetings of the Conference.

34. Members of the Group of 21 noted that the question of a nuclear-test ban had been under consideration for more than 25 years and that the General Assembly had adopted nearly 50 resolutions on it. They recalled that it was a basic objective of the United Nations in the sphere of disarmament, to which the General Assembly had repeatedly assigned the highest priority. Members of the Group stressed that what they considered as the continuing failure to achieve any progress on the number one item on the agenda, gave rise to serious concern, particularly in view of the continuing vertical and geographic proliferation of nuclear weapons. They were of the view that there were no insurmountable technical obstacles and emphasized the importance they attached to an early conclusion of a treaty for the prohibition of all nuclear-weapon tests. In their opinion what was required was a political decision to relate the existing knowledge to the problem of the day. These delegations stressed that a comprehensive test-ban treaty would prevent the development of more sophisticated nuclear weapons, render existing arsenals undependable as well as serve non-proliferation concerns. It would also be the necessary logical conclusion to the Limited Test Ban Treaty and the Threshold Treaty.

35. A group of Western delegations stated that practical work should continue in an ad hoc committee toward the objective of a complete ban on nuclear explosion which they shared. One of these delegations also noted that it had as its objective the achievement of a radical reduction in the number and power of nuclear arms, and that it sought this objective at this time through bilateral negotiations.

36. The Group of 21 further drew the attention of the Conference to the relevant provisions of the Joint Declaration of the six heads of State or Government issued in New Delhi on 28 January 1985. Members of the Group of 21 continued to advocate the establishment of an ad hoc committee on item 1 of the agenda in order to initiate immediately the multilateral negotiation of a corresponding treaty which they considered as the most urgent problem which was ripe for solution. In this context, they considered that the States depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water and the Treaty on the Non-Proliferation of Nuclear Weapons had special responsibilities. The Group of 21 deplored the fact that no consensus had been reached for a second consecutive year over a negotiating mandate for the renewal of the work of the subsidiary body on a priority item of the Conference's agenda. Many delegations belonging to this Group reiterated their firm conviction that such a mandate should correspond to the recommendation contained in the United Nations General Assembly resolution 39/52 which had been adopted by an overwhelming majority. One member of the Group of 21 proposed a draft decision on the establishment of a subsidiary body under item 1 of the agenda (CD/602), based on the need to achieve the full implementation of the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water, of 1963. This member stated that it continued to support the draft mandate proposed by the Group of 21 in CD/520/Rev.1.

37. Members of the group of Socialist States continued to regard the earliest elaboration of a treaty on the complete and general prohibition of nuclear-weapon tests and, until the conclusion of such a treaty, the proclamation by all nuclear-weapon States of a moratorium on all nuclear explosions, among the most urgent and significant measures for the prevention of nuclear war and halting the nuclear arms race. They accordingly advocated the establishment of an ad hoc committee of the Conference to carry out practical negotiations with a

view to elaborating a treaty, the objective of which should be general and complete cessation of the testing of nuclear weapons by all States in all environments for all time. These delegations further noted that the mandates proposed in CD/520 and CD/522 had attracted support from delegations not belonging to the groups proposing the negotiating mandates. They shared the view expressed in the Delhi Declaration that a comprehensive test ban treaty was one of the two specific steps which required today special attention. They also reaffirmed their readiness to support the draft mandate proposed by the Group of 21. In document CD/629, two members of the group of Socialist States proposed the main subjects for negotiations in an ad hoc committee on item 1. The delegations of this group noted that the main subjects for negotiations contained in document CD/629, as well as this group's position on seismic data exchange as an integral part of a nuclear-test ban treaty, had been supported by a range of delegations in the Conference.

38. In the view of one nuclear-weapon State, member of that group, the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests would substantially limit the possibility of modernizing nuclear arms, would be conducive to reducing nuclear arsenals, would contribute to the strengthening of the nuclear non-proliferation régime and would thus become a major contribution to consolidating strategic stability and peace on Earth. In the interests of creating favourable conditions for concluding such a treaty, it announced its Government's decision to stop unilaterally any nuclear explosions from 6 August 1985 until 1 January 1986. It further stated that the moratorium would remain in effect as long as the other major nuclear-weapon State, on its part, refrained from conducting nuclear explosions, and expressed its hope that that State would give a positive response to this initiative and stop its nuclear explosions. It also noted, in connection with an invitation to send its experts to the test site of another nuclear-weapon State, that nuclear explosions ought to be stopped, instead of invitations being made to observe how they were conducted. This position was supported by other members of that group.

39. Many delegations not belonging to any alliance welcomed the decision of one major nuclear-weapon State to declare a moratorium on all nuclear explosions as from 6 August 1985. They stated that this decision reflected faithfully what the General Assembly had specifically requested in five successive resolutions approved annually since 1980. They expressed their belief that if the other major nuclear-weapon State were to adopt a similar decision it would constitute a very useful step which might culminate in the attainment of the objective pursued for such a long time: the total cessation of nuclear-weapon tests.

40. A group of Western countries, including two nuclear-weapon States, reaffirmed their commitment and the great importance they attached to a ban on all nuclear tests by all States in all environments for all time. They continued to favour the re-establishment of a subsidiary body on item 1 of the Conference's agenda, under the mandate contained in CD/521, drawn up pursuant to paragraph 120 of the Final Document, which would enable the Conference to resume its substantive examination of specific issues relating to such a ban, including the issue of scope as well as those of verification and compliance, with a view to negotiating a treaty on the subject. They also continued to stress that the proposed mandate would enable the Conference to undertake



practical work on a nuclear test ban to which they were ready to contribute in the most serious manner. They and one non-member State further proposed a draft programme of work for an ad hoc committee on agenda item 1 (CD/621) which indicated the practical work which would be undertaken on the subjects of scope, verification and compliance pursuant to the mandate in CD/521. They also emphasized the importance they attached, as reflected in CD/521, to the examination of institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system. One member of the group submitted "a proposal for the establishment and progressive improvement of an international seismic monitoring and verification system relating to a comprehensive nuclear test ban" (CD/612 and 624). Other members of the group submitted substantive working papers relating to seismic monitoring and verification of a comprehensive nuclear test ban (CD/599, CD/610 and CD/626). The members of the group regretted that it had not been possible, in the absence of an ad hoc Committee, to give these proposals and working papers the serious attention and consideration that they deserved. Nevertheless they noted that the programme of work contained in CD/621 and the proposal for the establishment of an international seismic monitoring network had been supported by a range of delegations to the conference. They also recalled that the principal elements of the mandate in CD/521 had been contained in General Assembly resolution 39/53 which had been overwhelmingly supported.

41. In connection with the working papers mentioned in the preceding paragraph, many delegations pointed out that their significance was diminished since the same delegations which tabled them were among those who repeatedly sabotaged beginning negotiations on a nuclear test ban. They also drew the attention of Western delegations to the urgent need for negotiations with a view to elaborating a treaty on the complete and general prohibition of nuclear-weapon tests which could not be replaced by a mere discussion of technical issues. They maintained that technical questions, connected with such a treaty, should be taken up in the process of negotiations.

42. The Western delegations to which a reference was made in the previous paragraph, stated that in view of the crucial role verification had to play in a nuclear-test ban, the real and practical progress would only be ensured by addressing those substantive issues contained in their working papers, and at the same time expressed their concern that the prolonged absence of substantive work on such issues, including technical questions, might further move the Conference away from its common goal.

43. Other delegations indicated that "the real and practical progress would only be ensured" by a change in the position of one major nuclear-weapon State which had declared its intention not to conclude a nuclear-test ban treaty in the foreseeable future and was going to pursue and expand, as had been officially declared, its nuclear test programmes. They emphasized that in the absence of such a change the work proposed in CD/521 and in the preceding paragraph of this report would be nothing but a smoke-screen for the obstructionist position of that major nuclear-weapon State on this issue. The State in question dissented from this characterization of its views, and referred to the description of its views elsewhere in this report. It noted that there were serious verification problems with regard to a nuclear-test ban, and that a considerable amount of work on this vital matter remained to be carried out.

44. A number of Western delegations utterly rejected repeated attempts by the members of the group of Socialist countries to misrepresent the purpose of the draft mandate presented in CD/521 as providing for "mere discussions" when it clearly stated as its purpose - "with a view to negotiation of a treaty". They pointed out that such misrepresentations had blocked the negotiation of a treaty. They noted that the same delegations repeatedly refused to discuss the working papers submitted by Western delegations even though they conceded that the issues addressed in the papers - scope, verification and compliance - were the issues of substance in a nuclear-test ban treaty. They noted further that the group of Socialist countries confined itself to the question of a nuclear-weapons test ban whereas a group of Western countries envisaged a comprehensive test ban on all nuclear tests by all States in all environments for all time, the urgent need for which had been agreed to by an overwhelming number of States voting on relevant resolutions of the General Assembly (for example resolution 39/53).

45. Members of the Group of Socialist countries pointed out that the mandate contained in document CD/521 did not provide for negotiations on a treaty on a nuclear-test ban. They stated that this draft in fact negated the priority character of the question of a nuclear-test ban; it was transferred to the rank of long-term tasks. They also pointed out that this draft mandate concealed an attempt to revise or to cast doubt on paragraph 51 of the Final Document of the first special session of the United Nations devoted to disarmament and on many decisions of the General Assembly of the United Nations in which it was pointed out clearly that an agreement on prohibition of testing "is a matter of primary importance", "is a matter of great importance", "is an urgent need". They also noted that the question of the scope of a treaty on a nuclear-test ban had already been resolved in the framework of trilateral negotiations.

46. Members of the Group of 21 expressed the view that the work of the Conference on item 1 was being set back by those who insisted on testing nuclear weapons. In their opinion, the stated intention to continue testing was incompatible with serious work on the curbing of such tests.

47. One nuclear-weapon State, member of the Western group of delegations, reiterated that a comprehensive ban on nuclear explosions remained its long-term objective in the context of broad, deep and verifiable nuclear arms reductions, expanded confidence-building measures, maintenance of a credible nuclear deterrent and improved verification capabilities. It expressed serious doubts that moratoriums on nuclear testing were a sound basis for agreement on verifiable testing limitations, that they would limit further growth in nuclear arsenals, or that they would contribute significantly to the stability and confidence that sustained disarmament negotiations. In this connection, it recalled its historical experience with previous moratoriums, and subsequent large scale testing efforts. It further drew the attention of the Conference to the unconditional invitation by its Government addressed to the other major nuclear-weapon State to send experts to its test site and to bring any equipment they deemed necessary to carry out the direct yield measurement of a test. It expressed the hope that that proposal would stimulate a process which would enable both major nuclear-weapon States to establish the basis for the verification of effective limits on underground nuclear testing.

48. A number of delegations not belonging to any alliance observed that they remained deeply concerned at the continued pronouncements from a major nuclear weapon State according to which a nuclear-test ban remained a long-term objective with it. This, these delegations felt, was contrary to the views of an overwhelming majority of States which held that a treaty to achieve the prohibition of nuclear tests was a matter of the highest priority and that such a treaty should be concluded without delay. The Group of Socialist countries shared these views.

49. The delegation to which the previous paragraph referred expressed its considered disagreement with the views expressed therein, and its reiteration of its willingness to enter promptly into practical work, toward the objective of a comprehensive ban on all nuclear explosions, in an ad hoc committee. This delegation further reiterated that it was not the delegation blocking the formation of an ad hoc committee under the mandate proposed in CD/521, with a programme of work along the lines of that proposed in CD/621. This delegation further noted that the mandate proposed in CD/521 had attracted support from delegations not belonging to the group proposing the mandate. Moreover, this delegation called attention to the fact that the country it represented had invested hundreds of millions of dollars in the effort to resolve problems related to verification and compliance of a nuclear-test ban. This delegation had also strongly supported efforts of the ad hoc Group of Scientific Experts in the area of international seismic data exchange and analysis.

50. A nuclear-weapon State, belonging to the group of delegations referred to in paragraph 40 above, reaffirmed its government's firm commitment to the pursuit of a verifiable comprehensive test ban which, in the context of substantial reductions in numbers of nuclear weapons could, in its view, be an important step towards nuclear disarmament. It further stressed the importance it attached to continuing work on the issues of scope as well as those of compliance and verification. As regards the latter an inadequate treaty which lent itself to evasion would, in its view, be not only useless but also dangerous. In this context, it tabled a further document CD/610 entitled "Seismic Monitoring for a Comprehensive Test Ban" containing a detailed analysis of the issues of seismic verification.

51. The Group of 21 shared the conviction of the vast majority of the international community that the existing means of verification were adequate to ensure compliance with a nuclear-test ban and that the alleged absence of such means of verification was nothing but an excuse for further development and refinement of nuclear weapons. It reaffirmed the view that whatever differences there might be on the question of verification, there was no valid reason for delaying the conclusion of an agreement on a comprehensive test ban. Western delegations rejected the conclusions of the Group of 21 regarding verification and disagreed that the problem of verification and compliance in a future test ban had been solved.

52. In connection with the proposed establishment of an international seismic verification system outside a comprehensive test ban many delegations confirmed the opinion, as it was stated in the Final Document of SSOD I, that "the form and the 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". They stressed that it was not an alleged verification

problem that prevented progress towards a comprehensive test-ban treaty. In the view of the Group of Socialist States all possibilities existed today to sufficiently verify compliance with such a treaty. They confirmed their position that the exchange of seismic data should be carried out only with the purpose of increasing confidence of the parties to a treaty on the prohibition of nuclear-weapon tests in ensuring their compliance with its provisions.

53. Another nuclear-weapon State reiterated its view that commitments in this field should be part of the process of nuclear disarmament; such commitments should be taken first by the two countries which possessed by far the most important nuclear arsenals and conducted by far the highest number of tests. Therefore this delegation was not in a position to participate in work, the objective of which would be the negotiation of an agreement to which its country could not subscribe, until the conditions for a commitment on its part had been fulfilled.

54. Yet another nuclear-weapon State, not belonging to any group, reiterated that it would be prepared, once the two States with the largest nuclear arsenals had taken the lead in halting the testing, improvement and production of nuclear weapons and substantially reducing their arsenals, to take corresponding measures. Recalling that in the past it had not participated in the subsidiary body on a nuclear-test ban although it had not been opposed to its establishment, that State announced that if such a subsidiary body was established in 1985, it would be willing to reconsider its position.

#### B. Cessation of the Nuclear Arms Race and Nuclear Disarmament

55. The item on the agenda entitled "Cessation of the nuclear arms race and nuclear disarmament" was considered by the Conference, in accordance with its programme of work, during the periods 18 February-1 March and 17-28 June 1985.

56. The following new documents were before the Conference in connection with the item:

(a) Document CD/548, dated 8 February 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Answers of the General Secretary of the Central Committee of the CPSU and President of the Supreme Soviet of the USSR, K.U. Chernenko, to the questions of Mr. S. Louri, correspondent of the American television company, CNN".

(b) Document CD/549, dated 6 February 1985, submitted by the delegations of Argentina, India, Mexico and Sweden, entitled "The Delhi Declaration".

(c) Document CD/566, dated 18 February 1985, submitted by the delegation of the German Democratic Republic, entitled "Personal Message of Erich Honecker to the Heads of State or Government of Argentina, Greece, India, Mexico, Sweden and Tanzania".

(d) Document CD/568, dated 20 February 1985, entitled "Statement of the Group of 21".

(e) Document CD/570, dated 27 February 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Joint Soviet-United States Statement".

(f) Document CD/571, dated 5 March 1985, submitted by the delegation of the United States of America, entitled "Joint United States-Soviet Statement".

(g) Document CD/580, dated 20 March 1985, submitted by the delegation of Belgium, entitled "Excerpts from the Speech of the Prime Minister of Belgium, Mr. Wilfried Martens, to Parliament on 15 March 1985".

(h) Document CD/596, dated 17 June 1985, submitted by the delegation of Bulgaria, entitled "Message by Todor Zhivkov, President of the State Council of the People's Republic of Bulgaria, addressed to Rajiv Gandhi, Prime Minister of India, dated 30 April 1985".

(i) Document CD/633, dated 15 August 1985, submitted by the delegation of Australia and by New Zealand, entitled "South Pacific Nuclear Free Zone Treaty".

57. In connection with agenda item 2, consultations were held under the guidance of the President of the Conference during the first part of the session to consider the procedure to be followed by the Conference to deal with this item, including proposals for the establishment of a subsidiary body, but no agreement could be reached. At its 309th plenary meeting, on 18 April 1985, the Conference had before it for decision draft mandates for an ad hoc committee proposed by a Group of Socialist Countries and the Group of 21 (CD/523 and CD/526, respectively). In document CD/523 a proposal was put forward for the establishment of an ad hoc committee for negotiations to begin the elaboration of practical measures for the cessation of the nuclear arms race and for nuclear disarmament in accordance with paragraph 50 of the Final Document of the first special session of the General Assembly devoted to disarmament, including a nuclear disarmament programme. In document CD/526, it was proposed that the Conference set up an ad hoc committee to elaborate the stages and measures in paragraph 50 of the Final Document of the first special session of the General Assembly devoted to disarmament and to identify substantive issues for multilateral negotiations, as suggested in documents CD/116 and CD/181. The Group of Socialist Countries declared that it would also accept the mandate suggested by the Group of 21. There was no consensus on either proposal, since the Group of Western States stated that it was not in a position to join such a consensus for the reasons set out in paragraph 62.

58. Several delegations addressed various issues relating to the cessation of the nuclear arms race and nuclear disarmament at plenary meetings of the Conference.

59. The Group of 21 deplored the fact that the Conference on Disarmament had once again been prevented from undertaking any work on item 2, the consideration of which for another year remained confined merely to statements in plenary meetings. The Group of 21 stressed its conviction that all nations had a vital interest in negotiations on nuclear disarmament and that the Conference on Disarmament, as the single multilateral negotiating body in the field of disarmament, should be allowed to fulfil its function and initiate negotiations for the cessation of the nuclear arms race and nuclear disarmament. To that

end, the Group of 21 reiterated its proposal for the establishment of an ad hoc committee and proposed that it should submit recommendations to the Conference as to how best to initiate multilateral negotiations of agreements with adequate measures of verification, in appropriate stages, for the cessation of the qualitative improvement and development of nuclear weapons systems; cessation of the production of all types of nuclear weapons and their means of delivery and the production of fissionable material for weapons purposes; and substantial reductions in the existing nuclear weapons with a view to their ultimate elimination. Group of 21 delegations further expressed their conviction that concrete bases did exist for beginning serious negotiations on the subject. They expressed their belief that work on all the so-called nuclear items on the Conference's agenda could begin simultaneously without in any way compromising the national security interests of any State or group of States. On the contrary, these delegations argued, such an effort would enhance the security of everyone by creating a climate of dialogue and engagement.

60. In the view of the Group of 21, the initiation of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America did not detract from the need for multilateral negotiations. The Group welcomed the agreement between those two countries to begin negotiations on a complex of questions concerning space and nuclear arms with these questions considered and resolved in their interrelationship. It expected this development to have a positive effect on the work of the Conference and called upon the two negotiating parties to bear constantly in mind that not only their national interests but also the vital interests of all the peoples of the world were at stake. It urged all members of the Conference, in particular the nuclear-weapon States, to make full use of the Conference as a negotiating forum, so that real progress on disarmament could finally be made. The Group of 21 considered that bilateral and multilateral negotiations on disarmament should facilitate and complement, rather than hinder or preclude, each other. Furthermore, in its view, the Conference should be kept appropriately informed of all steps in this field without prejudice to the progress of the negotiations. Members of the Group of 21 welcomed and supported the Delhi Declaration issued by the Heads of State or Government of Argentina, Greece, India, Mexico, Sweden and Tanzania, on 28 January 1985, in which they reiterated their appeal to the nuclear-weapon States for an all-embracing halt to the testing, production and deployment of nuclear weapons and their delivery systems which, in their view, should be followed immediately by substantial reductions in nuclear forces, leading to the complete elimination of nuclear weapons and the final goal of general and complete disarmament.

61. A Group of Socialist States underlined the importance they attached to the multilateral negotiations in the Conference on Disarmament for the cessation of the nuclear arms race and nuclear disarmament. They expressed appreciation for the commencement of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America as a significant step that held out the prospect of reaching agreement to prevent an arms race in outer space and terminating it on Earth. They emphasized that, as stated in the joint statement of 8 January, the subject of the negotiations would be a complex of questions concerning space and nuclear arms - both strategic and intermediate-range - with all these questions considered and resolved

in their interrelationship. They also stressed that ultimately the negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear arms everywhere. At the same time, the socialist countries firmly believed that, in accordance with paragraph 120 of the Final Document of the first special session of the General Assembly devoted to disarmament, the Conference on Disarmament, in which all five nuclear-weapon States were represented, was the appropriate forum for the conduct of comprehensive negotiations aimed at removing the nuclear threat. They expressed the view that bilateral and multilateral negotiations were not mutually exclusive but should complement and stimulate each other. Therefore, they reiterated their proposal for the establishment of an ad hoc committee. In their view, a nuclear disarmament programme, as reflected in the draft mandate in CD/526, on a step-by-step basis and in accordance with the principle of equality and equal security, should envisage the reduction of nuclear weapons until they had been completely eliminated in all their forms. In this context the urgency of the prohibition of the nuclear neutron weapon was underlined. They also considered that a quantitative and qualitative freeze of nuclear weapons would constitute a starting point for the reduction of such weapons until their complete elimination. They expressed their full support for the Delhi Declaration which was completely consonant with the policy of their Governments.

62. The Group of Western States, including three nuclear-weapon States, noted with satisfaction the initiation of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America, the subject of which negotiations was a complex of questions concerning space and nuclear arms - both strategic and intermediate-range - with all these questions considered and resolved in their interrelationship. As stated in the joint United States-Soviet statement of 8 January 1985, the objective of the negotiations would be to work out effective agreements aimed at preventing an arms race in space and terminating it on earth, at limiting and reducing nuclear arms, and at strengthening strategic stability. The statement also noted that the sides believed that these negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear arms everywhere. They reiterated the view that such negotiations offered the best means at present for achieving progress in the field of nuclear arms control and disarmament. They were not convinced that the creation of a subsidiary body on agenda item 2 would contribute to the cause of nuclear disarmament. In their opinion, as provided for in the programme of work of the Conference, questions relating to the agenda item could be and, indeed, already had been addressed at plenary meetings. They did not share the view that every item on the agenda of the Conference was ripe for immediate negotiation. They stressed that for negotiations to stand a chance for success, the subject of negotiations requires careful definition and a precise, agreed objective. These delegations stressed the importance they attached to substantial and verifiable reductions of nuclear weapons. At the same time, they emphasized that nuclear arms reductions could not be divorced from conventional arms control and disarmament measures and should be pursued so as to enhance international stability and security. These delegations stated that fundamental to all efforts in this regard was a commitment to uphold the provisions of the Charter of the United Nations. They considered that the single most significant way of lessening insecurity and instability in international relations would be for all nations to live up to their obligations under the Charter. Many of these States also held that proposals for a nuclear weapons freeze would detract from efforts to reduce nuclear arsenals.

63. One nuclear-weapon State, belonging to this group, considered that for obvious reasons deriving from the large size of the nuclear arsenals of the two major Powers, the responsibility to hold as a matter of priority negotiations on the limitation or reduction of their nuclear weapons rested with them.

64. One nuclear-weapon State, not belonging to any group, reiterated its call for the complete elimination and total destruction of nuclear weapons and recalled that it had proposed, as a practical step towards that goal, that the two major Powers take the lead in halting the testing, improvement and production of nuclear weapons and substantially reducing their existing arsenals and that thereafter corresponding measures be taken by the other nuclear-weapon States. It welcomed the initiation of bilateral negotiations. At the same time, it noted that nuclear disarmament involved the vital interests of all States and held that, therefore, the Conference, as the sole multilateral body for disarmament negotiations, should establish an ad hoc committee on the subject. It shared the view that multilateral and bilateral negotiations should complement each other.

65. The Group of 21 emphasized the view contained in the Final Document of the first special session of the General Assembly devoted to disarmament that the nuclear arms race, far from contributing to the strengthening of the security of all States, on the contrary weakened it, and increased the danger of the outbreak of nuclear war. In addition, the nuclear arms race thwarted efforts towards the relaxation of international tensions. The Group considered it politically and morally unjustifiable that the security and survival of the whole world should be held hostage to the state of relations existing among nuclear-weapon States. The Group expressed its conviction that it was necessary to take constructive action towards halting and reversing the nuclear arms race and in that context it recalled once again paragraph 50 of the Final Document which sets out the stages of nuclear disarmament. Progress in the sphere of nuclear disarmament would promote international peace and security and improve the international climate, which would in turn facilitate agreement on further measures of disarmament.

66. Many delegations drew attention to the fact that the total number of nuclear weapons in the world had already exceeded 50,000. They stressed the urgent need to halt this growing stockpile of nuclear weapons and to reduce them substantially so as to ultimately eliminate nuclear weapons from the Earth. They viewed with considerable alarm the reports about projected build-up of nuclear weapons according to which one major nuclear-weapon State was to nearly double the number of its nuclear weapons by the end of the current decade. Noting that no information was available about the other major nuclear-weapon State, they pointed out, none the less, that this was bound to lead to another round in an unceasing nuclear arms race.

67. Many delegations stated that some nuclear-weapon States had not yet given convincing reasons for rejecting all proposals for a nuclear freeze. They deplored the rejection of the proposals for a nuclear freeze by some nuclear-weapon States and their allies on the basis of shifting and subjective notions about parity of nuclear forces between the largest nuclear-weapon States. These delegations further noted that the nuclear weapons in possession of each of the two major nuclear-weapon Powers were sufficient to destroy the Earth not once but many times over. These delegations also stressed that there was a glaring inconsistency in the assertion of some nuclear-weapon States about the alleged unverifiability of a freeze on the one hand and the proclaimed self-assurance of the same States about their technological ability to locate the nuclear weapons of their adversary for ultimate interception under the Star Wars plan.



68. Other delegations rejected the assertions made in the preceding paragraph.

C. Prevention of Nuclear War, Including all Related Matters

69. The item on the agenda entitled "Prevention of nuclear war, including all related matters" was considered by the Conference, in accordance with its programme of work, during the periods 18-22 March and 8-12 July 1985.

70. The following documents were submitted to the Conference in connection with the item during the 1985 session:

(a) Document CD/515/Rev.1, dated 18 July 1985, submitted by the Group of 21, entitled "Draft Mandate for an Ad Hoc Committee on Item 3 of the Agenda of the Conference on Disarmament".

(b) Document CD/569, dated 21 February 1985, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Answer of the 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, K.U. Chernenko, to the Communication of the Argentine Movement 'Appeal of 100 for the Sake of Life' published on 14 February 1985".

(c) Document CD/578, dated 18 March 1985, submitted by the delegation of the Federal Republic of Germany, entitled "Working Paper: Prevention of Nuclear War, Including all Related Matters - Issues for Consideration by the Conference".

(d) Document CD/581, dated 27 March 1985, submitted by the delegation of Australia, entitled "Prevention of Nuclear War".

(e) Document CD/592, dated 29 April 1985, submitted by the delegation of Czechoslovakia, entitled "Statement of a Group of Socialist Countries in connection with the Fortieth Anniversary of the Victory over Hitlerite Fascism".

(f) Document CD/603, and Add.1, dated 25 June 1985, transmitted by the United Nations Secretariat, entitled "Report of the Secretary-General on Prevention of Nuclear War (resolution 39/148 P)".

(g) Document CD/608, dated 8 July 1985, submitted by the delegation of Romania, entitled "Working Paper: Prevention of Nuclear War, Including all Related Matters".

71. In connection with agenda item 3, consultations were held under the guidance of the President of the Conference to consider an appropriate organizational arrangement to deal with the item, including proposals for the establishment of a subsidiary body, but no agreement could be reached during those consultations.

72. At the 325th plenary meeting on 30 July 1985, the Conference had before it for decision a draft mandate for an ad hoc committee on agenda item 3, proposed by the Group of 21 (CD/515/Rev.1). Under the proposed mandate, the ad hoc committee would, as a first step, consider all proposals relevant to agenda item 3, including appropriate and practical measures for the prevention of nuclear war. The proposal of the Group of 21 was supported by the Group

of Socialist Countries. It was also supported by one nuclear-weapon State not belonging to any group. However, there was no consensus on the proposed mandate. In that connection, members of the Group of 21 pointed out that the proposed mandate was designed to take into account the concerns of other delegations and made it possible to consider all suggestions and proposals on the subject. One delegation of this Group stressed that the proposed mandate did not even contain the word "negotiation" to which members of another Group apparently had a real aversion. Members of the Group of 21 regretted the fact that, due to the opposition of Western delegations, the Conference was once again unable to start serious consideration of the agenda item with a view to finding appropriate and practical measures for the prevention of nuclear war. Socialist States stressed that, in their view, the Conference should establish an ad hoc committee with a negotiating mandate but that, taking into account the position of other delegations, they were willing to support the compromise mandate proposed by the Group of 21. They also regretted that Western countries continued to oppose the establishment of a subsidiary body to deal with agenda item 3. A nuclear-weapon State not belonging to any group considered that the mandate proposed by the Group of 21 showed the positive spirit and flexibility of the Group. In its view it was a reasonable and constructive proposal that could serve as a basis for agreement. Delegations of the Group of Western countries stated that they attach great importance to the subject matter addressed under agenda item 3 and that they had considered with particular care the mandate proposed by the Group of 21 in document (CD/515/Rev.1). They further stated that it was generally felt by them that it would be appropriate, at this stage, to embark on a substantive in-depth consideration of agenda item 3 covering all its various aspects. In their opinion, such a discussion would be facilitated by the Report of the Secretary-General of the United Nations on this subject, published as document CD/603, which they welcomed. They believed that they had demonstrated a considerable measure of flexibility in consultations designed to find an appropriate format for these discussions that would be acceptable to all. They regretted, however, that a consensus on these issues had so far eluded the Conference. In the light of the above, the delegations of the Western Group stated that they were not in a position to associate themselves with a consensus on the proposed mandate. It was pointed out that nothing in the proposal of the Group of 21, as contained in document CD/515/Rev.1, did prevent any delegation or a group of delegations from discussing document CD/603 or any other document, for that matter, relevant to item 3 of the agenda. The Group of 21, therefore, regretfully found it inexplicable why the Western delegations needed to have to refer to document CD/603 while conveying their inability to accept the proposal in CD/515/Rev.1.

73. The group of socialist countries issued a statement in connection with the fortieth anniversary of the victory over Hitlerite fascism. Many other delegations also spoke at the plenary meetings in connection with the end of World War II in Europe.

74. Many delegations spoke on the occasion of the fortieth anniversary of the atomic bombing of Hiroshima and expressed their firm conviction that that tragedy must never be repeated again.

75. Many delegations addressed the issues concerning the prevention of nuclear war, including all related matters, at plenary meetings of the Conference.

76. The Group of 21 reaffirmed its conviction that the greatest peril facing the world was the threat of destruction from a nuclear war and that, consequently, the removal of that threat was the most acute and urgent task of the present day. The Group reiterated the view that, while nuclear-weapon States had the primary responsibility for avoiding a nuclear war, all nations were vitally interested in the negotiation of measures for the prevention of nuclear war, in view of the catastrophic consequences that such a war would have for mankind.

77. In this connection, members of the Group of 21 recalled that the Heads of State or Government of Argentina, Greece, India, Mexico, Sweden and Tanzania had, in the Delhi Declaration of 28 January 1985 stated that, as a result of recent atmospheric and biological studies, there had been new findings that indicated that, in addition to blast, heat and radiation, nuclear war, even on a limited scale, would trigger an Arctic nuclear winter that might transform the Earth into a darkened, frozen planet, posing unprecedented peril to all nations, even those far removed from the nuclear explosions. Furthermore, such consequences would follow even if either of the major nuclear-weapon States were to use just a small fraction of the nuclear weapons in its possession if the attacked side did not retaliate. In their view, this made it still more pressing to take preventive action to exclude forever the use of nuclear weapons and the occurrence of nuclear war. Members of the Group of 21 pointed out that the General Assembly had repeatedly requested the Conference on Disarmament to undertake, as a matter of the highest priority, negotiations with a view to achieving agreement on appropriate and practical measures for the prevention of nuclear war, and to establish for that purpose an ad hoc committee on the subject. They noted that, in deference to the position of other delegations, the Group of 21 had put forward a non-negotiating mandate that would permit a thorough consideration of all aspects legal, political, technical, military - of all the proposals before the Conference and all the approaches to the problem, without adopting any priority among them. At the same time, they pointed out that the purpose of such consideration should not merely be to contribute to a better understanding of the subject but to prepare the way for negotiating agreement or agreements on measures for the prevention of nuclear war. In their view, as experience had demonstrated, discussions in plenary or informal meetings of the Conference, would not contribute to that objective. Members of the Group of 21 were convinced that the surest way to remove the danger of nuclear war lay in the elimination of nuclear weapons and that, pending the achievement of nuclear disarmament, the use or threat of use of nuclear weapons should be prohibited. They rejected doctrines of nuclear deterrence which, in their opinion, heightened the risk of the outbreak of nuclear war. The view was expressed that nuclear deterrence and the prevention of nuclear war were incompatible concepts. In addition, members of the Group of 21 pointed out that the use of nuclear weapons posed a unique threat to human survival and could not accept the view that the question of prevention of nuclear war should be considered in the context of the prevention of all armed conflicts. It was also noted that the logic of that approach could be applied to other agenda items, such as the prohibition of chemical weapons.

78. Western delegations, while recognizing the catastrophic consequences of a nuclear war, nevertheless pointed out that research on the climatic effects of nuclear explosions was still going on and was not conclusive at this stage.

79. Members of the Western Group drew attention to the Report of the Secretary-General of the United Nations on Prevention of Nuclear War (CD/603), dated 25 June 1985, where it states in paragraph 67:

"It should be noted that at the thirty-ninth session Australia, Canada, Germany, Federal Republic of, Italy, Japan and Norway, submitted a draft resolution (A/C.1/39/L.40), bearing a double title 'Prevention of nuclear war, including all related matters: prevention of war in the nuclear age'. The draft resolution was introduced by the Federal Republic of Germany, which noted that the first title was in line with the formulation of the agenda item agreed upon in the CD and that the second title was designed to reflect the draft resolution's comprehensive nature. In the view of the sponsors, the latter formulation provided an excellent description of the over-riding task at hand and they recommended its wider use. The draft resolution was subsequently revised and also sponsored by Denmark, Turkey and the United Kingdom. The following views were stressed among others in the draft resolution:

- elimination of the threat of all armed conflict remains the ultimate goal of disarmament;
- all States should refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and thus never should use any of their weapons, except in the exercise of their inherent right of individual or collective self-defence;
- all States should maintain, as a priority objective of their policies, the removal of the danger of war at any level of hostility, thereby precluding the use of nuclear weapons;
- all States should exercise restraint in their relations with others, should act in such a manner as to prevent the development of situations which could cause dangerous exacerbation of their relations, should avoid military confrontations and should prevent the outbreak of war;
- the importance of concluding agreements on militarily significant and verifiable reductions of armaments and forces, including nuclear armaments;
- all States should promote, to the best of their ability, the objective of the prevention of war, through, inter alia, more openness and an enhancement of mutual knowledge about military activities, an expanded exchange of information and views on military matters and other confidence-building measures, with a view to enhancing both confidence and stability, particularly in regional contexts, and taking into account regional security needs;
- conviction that a nuclear war cannot be won and that a conventional war may involve the risk of escalation to nuclear war."

Members of the Western Group noted that the draft resolution had been the subject of detailed substantive discussion and stressed that the content of A/C.1/39/L.40/Rev.1 was fully consistent with the Final Document.

80. Members of the group of socialist countries drew special attention to the following parts of the report of the Secretary-General on prevention of nuclear war (CD/603):

"In 1981 the General Assembly adopted three resolutions on the issue, entitled (a) Declaration of the Prevention of Nuclear Catastrophe; (b) Non-use of nuclear weapons and prevention of nuclear war; and (c) Prevention of nuclear war.

The Declaration was adopted as the result of an initiative of the Soviet Union. In submitting the proposal, the Soviet Union stressed that the task of preventing a nuclear catastrophe was one that should be given the highest priority in international relations. The problem, the Soviet Union added, had become particularly relevant in the light of attempts on the part of some countries to advance the doctrine of a limited nuclear war, a doctrine which was, in the opinion of the Soviet Union, meant to legalize the use of nuclear weapons. The USSR stated that the United Nations would be taking a timely and correct action if it issued, as proposed in the draft resolution, a warning that there could never be any justification or pardon for those who took a decision to be the first to use nuclear weapons, and that any doctrine endorsing the first use of nuclear weapons would be incompatible with the principles of human morality and the ideals of the United Nations.

Several States, including Bulgaria, Czechoslovakia and Mongolia, expressed strong support for the Soviet initiative. Bulgaria stressed the danger of the emergence in certain Western circles of doctrines such as that of a limited nuclear war and pointed out that the text of the Soviet proposal first and foremost was aimed at ensuring survival and preserving civilization. The provision stating that it was the supreme duty and direct obligation of leaders of nuclear-weapon States to act so as to eliminate the risk of the outbreak of nuclear conflict was also particularly important. Czechoslovakia also emphasized those points and, noting that eliminating the scourge of war was the very cornerstone of the work of the United Nations, stated that the proposed declaration would be an important political instrument to promote the preservation of peace and save mankind from nuclear catastrophe. Mongolia similarly referred to the fact that new and dangerous ideas were being put forward, thus making urgent preventive efforts essential. It added that the nuclear arms race should be halted and reversed by joint efforts of all countries through honest and equitable negotiations.

At its regular session in 1983, the General Assembly took up once again the question of prevention of nuclear war. At that session, the Soviet Union, together with other Eastern European States and Viet Nam, submitted a draft resolution by which the General Assembly would express alarm at the growing threat of nuclear war, which could lead to the destruction of civilization on earth, unconditionally and for all time, and condemn nuclear war as being

contrary to human conscience and reason, as the worst crime against peoples and as a violation of the foremost human right, the right to life. The General Assembly would also condemn the formulation, propounding, dissemination and propaganda of political and military doctrines and concepts intended to provide 'legitimacy' for the first use of nuclear weapons and use of nuclear weapons and in general to justify the 'admissibility' of unleashing nuclear war. In submitting the draft resolution, the Soviet Union stated that, by adopting it, the United Nations would make a major contribution to the creation of an international moral and political climate likely to reduce substantially the danger of an outbreak of nuclear war and open up more favourable prospects for the solution of far-reaching tasks, such as the conclusion of an international convention on the prohibition of the use of nuclear weapons with the participation of all the nuclear-weapon States, as called for by many non-aligned countries."

In connection with the draft resolution A/C.1/39/L.40/Rev.1, Socialist States emphasized that this draft was contrary to what had been stated in the Final Document of the first special session of the General Assembly devoted to disarmament and that it in fact placed the issue of the prevention of nuclear war in jeopardy.

81. Members of the Group of 21 drew attention to the Secretary-General's views as contained in his statement of 12 December 1984 and reaffirmed that:

"... it is clear that to rely on nuclear deterrence is to accept a perpetual community of fear. That is very far from the community of human worth and understanding foreseen by the United Nations Charter.

It is neither desirable nor feasible in the long term to find true stability through nuclear deterrence. It is not desirable because in the long term human values are inconsistent with the threat to bring about the indiscriminate death of millions of our fellow men and women. No humane society that recognizes individual worth and dignity can contemplate such an action. Conversely, the very fear and hatred of an adversary believed to be capable of carrying out such an attack would destroy the basis of a civilized society.

Even if we ignore its inhuman aspects, in the long run can we really expect stability from a balance of fear and the suspicion that it breeds? With the accelerating pace of military technology, the need to counter each new threat will become ever more frantic and desperate. Every innovation in arms will tend to destabilize the fragile balance. Every perceived advantage will lead to fears of first-strike capability and the resulting temptation, at a time of great crisis, to launch a pre-emptive attack. And will our scientific vanity allow us to forget the double fallibility we face: from human and from technological error? Offensive capacity must certainly be reduced. Ultimately, however, there is no deterrence, since any initiation of nuclear hostilities would be to no one's advantage. This is made cruelly clear by suggestions that a 'nuclear winter' could follow a nuclear strike, even without any retaliation. To launch any nuclear attack could then indeed be suicide."

Members of the Group of 21 stated that the approach in draft resolution A/C.1/39/L.40/Rev.1 was contradictory to the approach and principles of the

Final Document and those contained in the declarations of the non-aligned summit conferences and in other important international declarations and they recalled that they had submitted relevant amendments thereto (A/C.1/39/L.80). They noted that no action was taken on the draft resolution mentioned above.

82. A Group of Socialist Countries reiterated its firm belief that there was no more urgent task than to prevent a nuclear war and that, towards that end, it was necessary to adopt appropriate and practical measures as called for in resolution 39/148P. They deplored the opposition of a group of States that once again had prevented the Conference from discharging its duties as the multilateral negotiating body with respect to this most important question. While expressing their opposition to any war, they underlined their view that conventional and nuclear wars were of an entirely different nature, given the global catastrophic consequences of the latter and the widely shared conviction that there could be no winners in a nuclear war which might well bring the end of the human civilization and life on Earth. They also felt that in the present international circumstances it was imperative to avoid extension of the arms race to outer space. This would be a significant contribution to the prevention of a nuclear war. Socialist countries reiterated the proposals contained in documents CD/355 and CD/484. In their view, all those proposals remained valid. They underlined the importance of unconditional commitments by all nuclear weapon States not to be the first to use nuclear weapons, noted the declarations made in that connection by two nuclear weapon States and called upon the other nuclear weapon States that had not yet made declarations of non-first-use of nuclear weapons, to do so. In their opinion, such unilateral undertakings could be incorporated in a unified instrument of international law, which in practice would be equivalent to the complete legal prohibition of the use of nuclear weapons. Those Socialist countries also reiterated their support for the proposal to conclude a convention on the prohibition of the use of nuclear weapons, with the participation of all nuclear weapon States. In addition, they recalled that they had proposed the general exclusion of the use of force from international relations. Another priority measure, in their view, would be an agreement by all nuclear weapon States to freeze quantitatively and qualitatively their nuclear arsenals under appropriate verification. In their opinion, this step could be taken in the first instance by the Union of Soviet Socialist Republics and the United States of America, on the understanding that the other nuclear weapon States would follow their example. They also considered that such measures as a treaty on the complete and general prohibition of nuclear weapon tests, the prevention of further proliferation of nuclear weapons, including universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, the prevention of an arms race in other high-risk areas, e.g., outer space, would undoubtedly contribute to averting the threat of nuclear war. The Socialist States also expressed readiness to consider various confidence-building measures, such as the prevention of accidental or unauthorized use of nuclear weapons and the avoidance of the possibility of surprise attacks.

83. Western delegations emphasized that the question of the prevention of nuclear war could not be dealt with in isolation from the underlying basic security situation and that, in their view, the question at issue was the prevention of war in all its dimensions in the nuclear age. Their concern was that conventional war, in itself destructive to the extreme, could easily, in the nuclear age, escalate into nuclear war. Already on 18 March, a proposal (CD/578) had been submitted by a Western delegation containing criteria that a work format would have to meet in order to allow the consideration of agenda item 3 in a manner satisfactory to all. The Western approach had been reflected in the draft resolution that Western delegations had supported at the thirty-ninth session of the General Assembly (A/C.1/39/L.40/Rev.1). Western delegations reiterated the paramount importance of strict compliance by all States with the Charter of the United Nations, in particular the obligation to refrain from the threat or use of force and to settle all disputes by peaceful means. Recalling their belief that a nuclear war cannot be won and must never be fought, they noted that in the present circumstances the balance needed for maintaining peace and security depended on nuclear, as well as conventional forces. The same delegations recalled their view that a declaration on the prohibition of use or first use limited to nuclear weapons would be unverifiable by its very nature and would fail to prevent armed conflict. Those delegations stressed that their weapons, nuclear and conventional, were solely designed to prevent war by deterring aggression and that none of their weapons, nuclear or conventional, would ever be used except in response to armed attack. They further believed that a key element in reducing the risk of nuclear war was the achievement of deep and verifiable reductions of nuclear weapons. They considered that another major element was the effort to ensure the non-proliferation of nuclear weapons and, to that end, those delegations which are party to the Non-Proliferation Treaty called for universal adherence to that Treaty. In this context, the same delegations added that the proliferation of nuclear weapons under the guise of so-called peaceful nuclear explosions was of particular concern. The Western delegations further pointed out the significant contribution of confidence-building measures to diminish the danger of war and thereby nuclear war, by improving the international political climate, and of measures against surprise attack and to reduce the risk of the accidental use of nuclear weapons. In the course of the debate, reference was made to documents CD/357, CD/380, CD/411, CD/578 and CD/581 submitted by various Western delegations. Some of these delegations further stated that the prevention of nuclear war, including all related matters, affected and was the responsibility of all States and was amenable to multilateral consideration. As the single multilateral disarmament negotiating forum, the Conference on Disarmament was therefore an appropriate organ to deal with these questions. Western delegations, for their part, noted the rigid positions on procedural matters of some other delegations.

84. Other delegations felt that the above statements were seriously compromised since the delegations making them were among those that had repeatedly blocked the formation of an Ad Hoc Committee on item 3 under the mandate contained in CD/515/Rev.1.

85. Western delegations noted that the inability of their group to support the mandate contained in CD/515/Rev.1 in no way detracted from, or compromised their commitment to, the prevention of nuclear war.



86. Many delegations of States not Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, stated that the actual and increasing proliferation of nuclear weapons in its vertical and geographic dimensions, as promoted and condoned by the nuclear weapon powers, under the guise of so-called theories of their national security, was of great concern to many non-nuclear weapon States and to peoples from all over the world. A number of delegations held that to associate the prevention of horizontal proliferation of nuclear weapons with the prevention of nuclear war was an attempt made by nuclear-weapon States and their allies to divert attention from the actual threat of annihilation posed by existing nuclear weapons. They further stated that the reference to peaceful nuclear explosions shifted the focus of the problem away from the central issue of achieving the complete cessation of nuclear-weapon tests, a measure that was long overdue and that would make a vital contribution to the prevention of nuclear war.

87. Many delegations stated that there had been a backward step in the position of the Western Group with regard to the consideration of the item on prevention of nuclear war. In this context, it was recalled that last year it had not been possible to rally all the delegations of the Group behind the draft mandate proposed by the Group of 21, while this year the entire Group rejected document CD/515/Rev.1, which would have permitted the consideration of all ideas and proposals including those of the Western Group of countries.

88. The Western group did not share the above interpretation of its position.

89. One nuclear weapon State, not belonging to any group, recalled that it had always held that the fundamental way to the elimination of the nuclear threat and the prevention of nuclear war, lay in the complete and total destruction of all nuclear weapons. It noted that in recent years many countries had referred to the non-use of nuclear weapons, or the non-use of force. It shared the view that this would contribute to reducing the danger of nuclear war. It recalled that as early as the 1960's it had unilaterally declared that at no time and in no circumstances would it be the first to use nuclear weapons and unconditionally undertook not to use nuclear weapons against non-nuclear weapon States and nuclear weapon-free zones. In its view, all nuclear weapon States should assume the same obligation and furthermore reach an agreement on mutual non-use of nuclear weapons. It held that while giving priority attention to nuclear disarmament, due attention should be paid to conventional disarmament.

90. Various delegations stressed the point that preventing the horrors of modern war was the precondition of all our endeavours; accordingly, they would make all efforts to prevent nuclear disaster as well as all disasters of modern war. All nations are, therefore, entitled to contribute to, and to participate in, those efforts on an equal footing, since the prevention of nuclear war, as well as that of all wars, was in the interests of every nation.

91. Many delegations reiterated that nuclear war could not be equated with any other kind of war.

92. Some of them also stated that the Western approach equating all wars to a nuclear war, that is, to the most monstrous crime against humanity, was totally inconsistent with the recognition by the United Nations of the legitimacy of the struggle of the peoples under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal.

93. The Western group regretted the misrepresentation of its position in the preceding paragraph and rejected particularly the phrase "the Western approach equating all wars to a nuclear war".

#### D. Chemical Weapons

94. The item on the agenda entitled "Chemical weapons" was considered by the Conference, in accordance with its programme of work, during the periods 25 March-5 April and 15-26 July 1985.

95. The list of new documents presented to the Conference under the agenda item is contained in the Report submitted by the Ad Hoc Committee referred to in the following paragraph.

96. At its 334th plenary meeting on 29 August 1985, the Conference adopted the Report of the Ad Hoc Committee, re-established by the Conference under the agenda item at its 289th plenary meeting (see paragraph 13 above). That Report (CD/636) is an integral part of this Report and reads as follows:

#### "I. INTRODUCTION

"1. At its 289th plenary meeting on 7 February 1985, the Conference on Disarmament adopted the following decision on the re-establishment of the Ad Hoc Committee on Chemical Weapons (CD/551):

'The Conference on Disarmament, keeping in mind that the negotiation of a Convention should proceed with a view to its final elaboration at the earliest possible date, in accordance with United Nations General Assembly resolutions 38/187 B and 39/65 C, and in discharging its responsibility to conduct as a priority task the negotiations on a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction, and to ensure the preparation of the convention, decides to re-establish, in accordance with its rules of procedure, for the duration of its 1985 session, the Ad Hoc Committee to continue the full and complete process of negotiations, developing and working out the convention, except for its final drafting, taking into account all existing proposals and drafts as well as future initiatives with a view to giving the Conference a possibility to achieve an agreement as soon as possible. This agreement, if possible, or a Report on the progress of the negotiations, should be recorded in the report which this Ad Hoc Committee will submit to the Conference at the end of the second part of its 1985 session.'

## "II. ORGANIZATION OF WORK AND DOCUMENTATION

"2. In accordance with the decision mentioned above (CD/551), Ambassador Stanislaw Turbanski of Poland was appointed Chairman of the Ad Hoc Committee. Mr. Abdelkader Bensmail, Senior Political Affairs Officer, Department for Disarmament Affairs, continued to serve as Secretary of the Committee.

"3. The Ad Hoc Committee held 12 meetings from 27 February to 19 August 1985. The Ad Hoc Committee benefited from the inclusion in delegations of national experts. In addition, the Chairman held a number of informal consultations with delegations.

"4. At its 310th plenary meeting on 23 April 1985 of the Conference on Disarmament, the Chairman of the Ad Hoc Committee reported on the progress of its work.

"5. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the work of the Ad Hoc Committee: Austria, Burundi, Denmark, Finland, Greece, New Zealand, Norway, Portugal, Senegal, Spain, Switzerland, Turkey, United Republic of Cameroon.

"6. During the 1985 session, the following official documents dealing with chemical weapons were presented to the Conference on Disarmament:

- CD/541, dated 9 October 1984, submitted by Australia, entitled 'Verification of Non-Production of Chemical Weapons' (also issued as CD/CW/WP.87)
- CD/546, dated 1 February 1985, entitled 'Report of the Ad Hoc Committee on Chemical Weapons on its work during the period 14 January-1 February 1985' (also issued as CD/CW/WP.97)
- CD/551, dated 8 February 1985, entitled 'Decision on the re-establishment of the Ad Hoc Committee on Chemical Weapons'
- CD/575, dated 6 March 1985, submitted by the United Kingdom of Great Britain and Northern Ireland, entitled 'Verification of Non-Production of Chemical Weapons: Proposals for Inspection Procedures and Data Exchange' (also issued as CD/CW/WP.100)
- CD/585, dated 2 April 1985, submitted by Spain, entitled 'Letter dated 25 March 1985 from the Permanent Representative of Spain addressed to the President of the Conference on Disarmament transmitting a document entitled "Verification of Non-Production of Chemical Weapons"'
- CD/589, dated 11 April 1985, submitted by the United Kingdom of Great Britain and Northern Ireland, entitled 'Chemical Weapons Convention: The Organs and Constitution of the Organization'
- CD/598, dated 20 June 1985, submitted by Norway, entitled 'Letter dated 19 June 1985 addressed to the President of the Conference on Disarmament from the Permanent Representative of Norway transmitting a Research Report entitled "Verification of a Chemical Weapons Convention. Sampling and Analysis of Chemical Warfare Agents under Winter Conditions. Part IV"'

- CD/600, dated 20 June 1985, submitted by Norway, entitled 'Verification of a Chemical Weapons Convention. Sampling and Analysis of Chemical Warfare Agents under Winter Conditions'
- CD/601, dated 20 June 1985, submitted by Norway, entitled 'Verification of Alleged Use of Chemical Warfare Agents under Winter Conditions'
- CD/605, dated 4 July 1985, submitted by China, entitled 'Destruction of Chemical Weapons' (also issued as CD/CW/WP.114)
- CD/613, dated 10 July 1985, submitted by Yugoslavia, entitled 'Permitted Activities: Verification Measures' (also issued as CD/CW/WP.115)
- CD/614, dated 12 July 1985, submitted by Finland, entitled 'Letter dated 12 July 1985 addressed to the President of the Conference on Disarmament from the Chargé d'Affaires a.i. of the Permanent Mission of Finland, transmitting a document entitled "Air Monitoring as a Means for Verification of Chemical Disarmament; C.2. Development and Evaluation of Basic Techniques, Part I"'
- CD/615, dated 15 July 1985, submitted by the Union of Soviet Socialist Republics, entitled 'Letter dated 15 July 1985 addressed to the President of the Conference on Disarmament from the Representative of the Union of Soviet Socialist Republics transmitting the text of the Tass statement published on 11 July 1985'
- CD/617, dated 22 July, submitted by the Islamic Republic of Iran, entitled 'Letter dated 19 July addressed to the President of the Conference on Disarmament from the Chargé d'Affaires a.i. of the Permanent Mission of the Islamic Republic of Iran transmitting the "Report of the Specialists appointed by the Secretary-General to Investigate Allegations by the Islamic Republic of Iran concerning the Use of Chemical Weapons"'
- CD/619, dated 23 July 1985, submitted by Japan, entitled 'Application of (Nuclear) Safeguards Remote Verification Technology to verification of a chemical weapons convention'
- CD/620, dated 23 July, submitted by the German Democratic Republic, entitled 'National Verification Measures to Implement the Convention on the Prohibition of Chemical Weapons' (also issued as CD/CW/WP.119)
- CD/623, dated 26 July 1985, submitted by the Islamic Republic of Iran, entitled 'Letter dated 18 July 1985 addressed to the President of the Conference on Disarmament from the Chargé d'Affaires of the Permanent Mission of the Islamic Republic of Iran'
- CD/627, dated 1 August 1985, submitted by the Federal Republic of Germany, entitled 'Verification of the Non-Production of Chemical Warfare Agents by means of Inspections in the Civilian Chemical Industry'
- CD/630, dated 5 August 1985, submitted by France, entitled 'Elimination of Stocks of Chemical Weapons: Irreversible Neutralization of Means of Production'
- CD/632, dated 20 August 1985, submitted by Sweden, entitled 'A comprehensive approach for elaborating régimes for chemicals in a future chemical weapons convention'

"7. In addition, the following Working Papers were presented to the Ad Hoc Committee:

- CD/CW/WP.98, dated 27 February 1985, submitted by the Chairman of the Ad Hoc Committee on Chemical Weapons, entitled 'Outline for the organization of work during the 1985 session'
- CD/CW/WP.99, dated 4 March 1985, submitted by the Chairman of Working Group A, entitled 'Chairman's Basic Working Paper'
- CD/CW/WP.100, dated 6 March 1985, submitted by the United Kingdom of Great Britain and Northern Ireland, entitled 'Verification of Non-Production of Chemical Weapons: Proposals for Inspection Procedures and Data Exchange' (also issued as CD/575)
- CD/CW/WP.101, dated 13 March 1985, submitted by the Chairman of Working Group C, entitled 'Chairman's Working Paper on the programme of work; exploration of problems through identification of various positions and viewpoints relating to compliance'
- CD/CW/WP.102, dated 20 March 1985, submitted by the Chairman of Working Group B, entitled 'Chairman's Working Paper on the Agenda for the meetings on 20 March and 27 March'
- CD/CW/WP.103, dated 22 March 1985, submitted by the Chairman of Working Group A entitled 'Chairman's basic document'
- CD/CW/WP.104, dated 4 April 1985, submitted by the Chairman of Working Group A, entitled 'Chairman's basic document'
- CD/CW/WP.105, dated 12 April 1985, submitted by the Chairman of Working Group A, entitled 'Chairman's Basic Working Paper'
- CD/CW/WP.106, dated 12 April 1985, submitted by the Chairman of Working Group C
- CD/CW/WP.107, dated 22 April 1985, entitled 'Report of the Chairman of the Open-ended Consultations of the Ad Hoc Committee on Chemical Weapons'
- CD/CW/WP.108, dated 22 April 1985, entitled 'Report of the Chairman of Working Group B'
- CD/CW/WP.109, dated 22 April 1985, entitled 'Report of the Chairman of Working Group A'
- CD/CW/WP.110, dated 22 April 1985, entitled 'Report of the Chairman of Working Group C'
- CD/CW/WP.111, dated 14 June 1985, entitled 'Indicative Programme of Work for the second part of the 1985 session'
- CD/CW/WP.112, dated 19 June 1985, submitted by Pakistan, entitled 'Chemical Weapons Convention: The Question of Decision-taking'
- CD/CW/WP.113, dated 25 June 1985, submitted by the Federal Republic of Germany, entitled 'Verification of Non-Production of Chemical Weapons'
- CD/CW/WP.114, dated 4 July 1985, submitted by China, entitled 'Destruction of Chemical Weapons' (also issued as CD/605)

- CD/CW/WP.115, dated 10 July 1985, submitted by Yugoslavia, entitled 'Permitted Activities: Verification Measures' (also issued as CD/613)
- CD/CW/WP.116, dated 12 July 1985, submitted by the Chairman of Working Group C, entitled 'Article VII: National Implementation Measures'
- CD/CW/WP.116/Rev.1, dated 2 August 1985, submitted by the Chairman of Working Group C, entitled 'Article VII: National Implementation Measures'
- CD/CW/WP.117, dated 16 July 1985, submitted by China, entitled 'Explanations on Document CD/605 (CD/CW/WP.114)'
- CD/CW/WP.118, dated 22 July 1985, submitted by Pakistan, entitled 'Prohibition on the Use of Herbicides'
- CD/CW/WP.119, dated 23 July 1985, submitted by the German Democratic Republic, entitled 'National Verification Measures to Implement the Convention on the Prohibition of Chemical Weapons' (also issued as CD/620)
- CD/CW/WP.120, dated 31 July 1985, submitted by Poland, entitled 'Criteria for a request for on-site verification and for the explanation of a refusal of the request (to be considered as part of Article IX)'
- CD/CW/WP.121, dated 31 July 1985, submitted by Australia, entitled 'Verification of Non-Production - Development of Criteria for Monitoring Non-Diversion'
- CD/CW/WP.122, dated 2 August 1985, submitted by the Chairman of Working Group C, entitled 'Article VIII: Consultative Committee'
- CD/CW/WP.123, dated 5 August 1985, entitled 'Report of the Chairman of the Open-ended Consultations of the Ad Hoc Committee on Chemical Weapons'
- CD/CW/WP.123/Corr.1, dated 12 August 1985, entitled 'Report of the Chairman of the Open-ended Consultations of the Ad Hoc Committee on Chemical Weapons'
- CD/CW/WP.124, dated 7 August 1985, entitled 'Report of Working Group B'
- CD/CW/WP.125, dated 7 August 1985, entitled 'Report of Working Group A'
- CD/CW/WP.126, dated 9 August 1985, entitled 'Report of Working Group C'
- CD/CW/WP.127, dated 12 August 1985, entitled 'Draft Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament'

### " III. SUBSTANTIVE WORK DURING THE 1985 SESSION

"8. In accordance with its mandate, the Ad Hoc Committee continued the negotiation and further elaboration of the Convention, utilizing Annex I and Annex II of CD/539 as well as other existing and new proposals presented by delegations. To this effect, it retained the basic structure that was established by the Committee in 1984, and accepted the Chairman's proposal to

set up three Working Groups which dealt with specific aspects of the Convention as follows:

- "(a) Working Group A: Scope, Definitions, Non-Production, Permitted Activities (Chairman: Mr. Petar Poptchev, Bulgaria)
- "(b) Working Group B: Elimination of stocks and production facilities (Chairman: Mrs. Elisabet Bonnier, Sweden)
- "(c) Working Group C: Compliance (Chairman: Mr. Frank Elbe, Federal Republic of Germany)

In addition, the prohibition of use of chemical weapons and the problem of herbicides were considered at Open-ended Consultations of the Ad Hoc Committee under the Chairmanship of Mr. Noegroho Wisnoemoerti (Indonesia).

"9. In accordance with the outline for the organization of work during the 1985 session (CD/CW/WP.98) and on the basis of the results achieved in the Working Groups, at the Open-ended Consultations as well as in some cases on proposals put forward by the Chairman, preliminary formulations of provisions of the future Convention were assembled in Appendix I, following the preliminary structure of the Convention.

"The reports of the Working Groups and of the Chairman of the Open-ended Consultations constitute Appendix II.

#### "IV. CONCLUSIONS AND RECOMMENDATIONS

"10. Appendix I reflects the present stage of negotiations on a Chemical Weapons Convention; however the draft texts contained therein do not bind delegations who retain the right to revert to these texts.

"11. The Ad Hoc Committee recommends to the Conference on Disarmament:

"(a) that Appendix I be used as a basis for further negotiation and drafting of the Convention;

"(b) that the reports of the Working Groups and of the Chairman of the Open-ended Consultations as contained in Appendix II, including the proposed draft formulations, together with other relevant existing and future documents of the Conference be equally utilized in the further elaboration of the Convention;

"(c) that the Ad Hoc Committee resume its work under the Chairmanship of Ambassador Stanislaw Turbanski (Poland) and under its present mandate, for a session of limited duration during the period 13-31 January 1986; that the work cover issues under Articles IV, VI, including the relevant parts of Article II, and Article IX; furthermore that informal consultations be undertaken on these issues by the Chairman in the meantime in preparation for the resumed session and that the Committee present to the Conference on Disarmament a report on its work during that period;

"(d) that the Ad Hoc Committee be re-established before the end of the second week of the 1986 session with its 1985 mandate, and that Ambassador R.I.T. Cromartie (United Kingdom) be appointed as its Chairman.

" APPENDIX I



" Preliminary structure of a Convention on chemical weapons \*/

"Preamble

- I. General provisions on scope
  - II. Definitions and Criteria
  - III. Declarations
  - IV. Measures on chemical weapons
  - V. Measures on chemical weapons production facilities
  - VI. Permitted activities
  - VII. National implementation measures
  - VIII. Consultative Committee
  - IX. Consultations, co-operation and fact finding
  - X. Assistance
  - XI. Economic and technological development
  - XII. Relation to other international agreements
  - XIII. Amendments
  - XIV. Duration, withdrawal
  - XV. Signature, ratification, entry into force
  - XVI. Languages
- Annexes and other documents

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"/ Discussions are still continuing on where different issues like verification measures are to be placed under this structure.

"Preamble \*/

"The States Parties to this Convention

"Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction,

"Desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations,

"Recalling that the General Assembly of the United Nations Organization has repeatedly condemned all actions contrary to the principles and objectives of the Protocol for 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,

"Recognizing that the Convention reaffirms principles and objectives of and obligations assumed under the Geneva Protocol of 17 June 1925, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction signed at London, Moscow and Washington on 10 April 1972,

"Bearing in mind the objective contained in Article IX of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction,

"Determined for the sake of all mankind, to completely exclude the possibility of the use of chemical weapons, through the implementation of the provisions of this Convention, thereby complementing the obligations assumed under the Geneva Protocol of June 1925,

"Considering that the achievements in the field of chemistry should be used exclusively for the benefit of mankind,

"Convinced that the complete and effective prohibition of the development, production and stockpiling of chemical weapons, and their destruction, represents a necessary step towards the achievement of these common objectives.

"Have agreed as follows:

"I. GENERAL PROVISIONS ON SCOPE

"1. Each State Party undertakes not to:

- develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone.

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\*/ Some delegations consider that the texts contained in the Preamble require further consideration.

"2. Each State Party undertakes not to:

- assist, encourage or induce, in any way, anyone to engage in activities prohibited to Parties under this Convention.

"3. Each State Party undertakes not to use chemical weapons. \*/ \*\*/

"4. [Each State Party undertakes not to [conduct other activities in preparation for use of chemical weapons] [engage in any military preparations for use of chemical weapons].]

"5. Each State Party undertakes to [destroy] [destroy or divert for permitted purposes] chemical weapons which are in its possession or under its [jurisdiction or] control. \*\*\*/

"6. Each State Party undertakes to [destroy] [destroy or dismantle] chemical weapons production facilities which are in its possession or under its [jurisdiction or] control. \*\*\*\*/

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\*\*/ It is understood that this provision is closely linked to the definition of chemical weapons in another part of the Convention, the final formulation of which is yet to be agreed upon. It is also understood that this provision does not apply to the use of toxic chemicals and their precursors for permitted purposes still to be defined and to be provided for in the Convention. This provision is also closely linked to a provision in the Convention to be agreed upon relating to reservations.

\*\*\*/ The question of herbicides is subject to ongoing consultations. The Chairman of these open-ended consultations has suggested the following formulation for a provision on herbicides: 'Each State Party undertakes not to use herbicides as a method of warfare, such a prohibition should not preclude any other use of herbicides'.

\*\*\*\*/ An alternative formulation and placement of this undertaking is given under 'Measures on chemical weapons'.

\*\*\*\*\*/ An alternative formulation and placement of this undertaking is given under 'Measures on chemical weapons production facilities'.

## "II. DEFINITIONS AND CRITERIA

"For the purposes of this Convention:

"1.\*/ The term 'chemical weapons' shall apply to the following, together or separately: \*\*/

- "(i) toxic chemicals, including super-toxic lethal chemicals, other lethal chemicals, other harmful chemicals and their precursors, including key precursors [and key components of binary and/or multicomponent chemical systems for chemical weapons], \*\*\*/ except such chemicals intended for permitted purposes as long as the types and quantities involved are consistent with such purposes; \*\*\*\*/
- "(ii) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals, as referred to above, which would be released as a result of the employment of such munitions and devices;
- "(iii) any equipment specifically designed for use directly in connection with the employment of such munitions or devices;

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\*\*/ The definitions of chemical weapons are presented on the understanding that problems related to irritants used for law enforcement and riot control, and also to chemicals intended to enhance the effect of the use of chemical weapons if their inclusion in the Convention is agreed could be handled outside the definitions of chemical weapons if this will result in a more clear and understandable definition. Preliminary suggestions to solve these problems are given below and consultations on them will be continued.

\*\*\*/ One delegation expressed its reservation on the present formulation of the definition of chemical weapons and on the terminology used in (i) that failed to reflect the general purpose criterion.

\*\*\*\*/. Some delegations consider that further deliberation is required in order to clarify at a later stage of the negotiations the implications of this definition for other parts of the Convention. This applies to other relevant parts of Appendix I. Other delegations consider that key component of binary and/or multicomponent chemical system for chemical weapons means: a component which poses a special risk to the objectives of the Convention as it can be an integral part in a chemical weapons munition or device and can form toxic chemicals at the moment of their employment and possesses the following characteristics: (a) reacts (interacts) rapidly with other component(s) of binary and/or multicomponent chemical system during the munition's flight to the target and gives a high yield of final toxic chemical; (b) plays an important role in determining the toxic properties of the final product; (c) may not be used, or be used only in minimal quantities, for permitted purposes; (d) possesses the stability necessary for long-term storage.

\*\*\*\*\*/ One delegation suggests that the term 'permitted purposes' should be substituted, where it occurs throughout the Convention, with the term 'purposes not prohibited by the Convention'.

"- [The term 'chemical weapons' shall not apply to those chemicals which are not super-toxic lethal, or other lethal chemicals and which are approved by the Consultative Committee for use by a Party for domestic law enforcement and domestic riot control purposes.]

"- [States Parties agree not to [develop, produce, stockpile or] utilize for chemical weapons chemicals intended to enhance the effect of the use of such weapons.]

"[2. 'Toxic chemicals' means:

chemicals [however or wherever they are produced], [whether produced in plants, munitions or elsewhere] [regardless of the method and pattern of production] whose toxic properties can be utilized to cause death or temporary or permanent harm, to man or animals involving:]

"[2. 'Toxic chemicals' means:

any chemical, regardless of its origin or method of production which through its chemical action on life processes can cause death, temporary incapacitation, or permanent harm to man or animals

"Toxic chemicals are divided into the following categories:]

"(a) 'super-toxic lethal chemicals', which have a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation) when measured by an agreed method \*/ set forth in ...

"(b) 'other lethal chemicals', which have a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation) and less than or equal to 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation) when measured by an agreed method set forth in ...

"[(c) 'other harmful chemicals', being any [toxic] chemicals not covered by (a) or (b) above, [including toxic chemicals which normally cause temporary incapacitation rather than death] [at similar doses to those at which super-toxic lethal chemicals cause death].]

"[and 'other harmful chemicals' has a median lethal dose which is greater than 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation).]

"3. [Permitted purposes] [Purposes not prohibited by the Convention]

[Non-hostile purposes] means:

"(a) industrial, agricultural, research, medical or other peaceful purposes, domestic law enforcement purposes; and military purposes not connected with the use of chemical weapons;

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"/ It was noted that after such measurements had actually been performed, the figures mentioned in this and the following section might be subject to slight changes in order to cover sulphur mustard gas under the first category.

"(b) protective purposes, namely those purposes directly related to protection against chemical weapons; \*/

"4. 'Precursor' means:

a chemical reagent which takes part in the production of a toxic chemical.

"(a) 'Key Precursor' means:

a precursor which poses a significant risk to the objectives of the Convention by virtue of its importance in the production of a toxic chemical.

"It may possess [possesses] the following characteristics:

"(i) it may play [plays] an important role in determining the toxic properties of a [toxic chemicals prohibited by the Convention] [super-toxic lethal chemical].

"(ii) it may be used in one of the chemical reactions at the final stage of formation of the [toxic chemicals prohibited by the Convention] [super-toxic lethal chemical].

"[(iii) it may [is] not be used, or [is] used only in minimal quantities, for permitted purposes.] \*\*/

"Key precursors are listed in ...

"For the purpose of the relevant provisions in a Chemical Weapons Convention key precursors should be listed and subject to revisions according to [characteristics] [guidelines].

"Chemicals which are not key precursors but are deemed to pose a [threat] [particular risk] with regard to a Chemical Weapons Convention should be included in a list.

"[(b) Key component of binary and/or multicomponent chemical systems for chemical weapons means:]

"[a key precursor which forms a toxic chemical in the binary or multicomponent weapons munition or device and which has the following additional characteristics (to be elaborated):]

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"/ The suggestion that such permitted protective purposes should relate only to 'an adversary's use of' chemical weapons was removed pending a decision on whether in the Convention the question of prohibiting other military preparations for use of chemical weapons than those mentioned under scope should be dealt with.

"/ One delegation considers that this particular characteristic has primary importance and should be placed first.

"5. 'Chemical weapons production facility' means:

"- Chemical weapons production facility means [any building or equipment designed, constructed or used [in any degree] for the production of chemical weapons] or for filling chemical weapons.

"- Chemical weapons production facility means [any building or any equipment which in any degree was designed, constructed or used since 1 January 1946, for:

"(a) the production for chemical weapons of any toxic chemical, except for those listed in (schedule B), or the production for chemical weapons of any key precursors;] or

"(b) the filling of chemical weapons.

### "III. DECLARATIONS

#### "Declarations of chemical weapons 1/ and plans for their elimination 2/ 3/

"1. Each State Party undertakes to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, declarations stating

"(a) whether it possesses or does not possess any chemical weapons on its territory or elsewhere under its jurisdiction or control,

"(b) whether it has on its territory any chemical weapons under the jurisdiction or control of anyone else,

"(c) whether it has transferred control of chemical weapons since ... or has received such weapons since that date. 4/

"2. Each State Party possessing chemical weapons undertakes to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, declarations stating the aggregate quantity and detailed composition of its chemical weapons.

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"1/ In accordance with agreed definitions.

"2/ In accordance with the provisions in Article IV.

"3/ The question of old unknown weapons or stocks which have been left by others without the knowledge of the State Party is not addressed in this Article. It is understood that this question will be dealt with at a later stage of the negotiations at which time the placement in the Convention of the relevant provisions will also be decided.

"4/ The view was expressed that past transfers should not be included in the Convention.

"3. Each State Party possessing chemical weapons undertakes to submit to the Consultative Committee not later than ... months 1/ after the Convention's entry into force for it, general plans for the elimination of its chemical weapons based on the Principles for the Order of Elimination laid down in Annex IV.

"4. Each State Party possessing chemical weapons undertakes to submit to the Consultative Committee declarations stating the locations and detailed inventories of their chemical weapons stocks as well as detailed plans for their elimination. These declarations and plans shall be submitted not later than three months before the commencement of each elimination period 2/ specified in the Principles for the Order of Elimination in Annex IV, and shall encompass all stocks to be eliminated during the next coming such period.

"5. State Parties shall consult among themselves and through the Consultative Committee, as soon as possible after the declarations made in accordance with paragraph 2 of this Article, with the view to co-ordinating their plans.

"6. The declarations and plans under Article III, paragraphs 1 through 4, shall be made in accordance with Annex III.

"7. Each State Party undertakes to submit to the Consultative Committee annual progress reports on the implementation of the plans for the elimination of chemical weapons and a notification of the completion of the elimination within 30 days thereafter.

"8. Annex III and Annex IV constitute integral parts of the Convention.

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"Declarations of chemicals which could be used for chemical weapons purposes but which are intended for permitted purposes 3/

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"Declarations of chemical weapons production facilities  
(To be elaborated)

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"Verification of declarations  
(To be elaborated)

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"1/ Three and six months have been proposed.

"2/ Some delegations held the view that overall declarations should be made within 30 days after the Convention's entry into force for a State Party.

"3/ In accordance with the organization of work (WP.98) these provisions are to be elaborated in the context of Article VI taking into account inter alia some harmful chemicals, to be elaborated.



"ANNEX III

"I. DECLARATIONS OF CHEMICAL WEAPONS

"A. Possession or non-possession

"1. Possession of chemical weapons on own territory.

Yes .....

No .....

"2. Possession, jurisdiction or control over chemical weapons elsewhere.

Yes .....

No .....

If yes, information about location(s), expressed by name(s) of State(s).

"B. Existence on the territory of any chemical weapons under the jurisdiction or control of anyone else

Yes .....

No .....

If yes, information about ownership, expressed by name(s) of State(s).

"C. Past transfers 1/

If there has been transfer of control of chemical weapons since ....., or reception of such weapons since that date, the following information shall be provided. To be elaborated.

"D. Aggregate quantity and detailed composition of chemical weapons

"1. Chemicals

"1.1 Toxic chemicals 2/

In cases involving mixtures of two or more toxic chemicals all such components should be specified as well as the percentage of the mixtures.

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"1/ The view was expressed that past transfers should not be included in the Convention.

"2/ In accordance with agreed definition.

"1.1.1 Super-toxic lethal chemicals 1/

Scientific chemical name <u>2/</u> / Structural formula <u>3/</u> and Toxicity (of pure substance)	Bulk			Filled in munition Quantity (metric tons)	Total quantity (metric tons)
	Purity <u>4/</u> %	Quantity (metric tons)	Number and size of containers		
Chemical A					
Chemical B					
etc.					

"1.1.2 Other lethal chemicals 1/

Scientific chemical name <u>2/</u> / Structural formula <u>3/</u> and Toxicity (of pure substance)	Bulk			Filled in munition Quantity (metric tons)	Total quantity (metric tons)
	Purity <u>4/</u> %	Quantity (metric tons)	Number and size of containers		

"1.1.3 Other harmful chemicals 5/

Scientific chemical name <u>2/</u> / Structural formula <u>3/</u> and Toxicity (of pure substance) if applicable	Bulk			Filled in munition Quantity (metric tons)	Total quantity (metric tons)
	Purity <u>4/</u> %	Quantity (metric tons)	Number and size of containers		

"1/ In accordance with agreed definition.

"2/ In accordance with the IUPAC (International Union of Pure and Applied Chemistry) Nomenclature.

"3/ Different views exist whether it is necessary to state both the scientific chemical name and the structural formula in order for the declarations to be unambiguous.

"4/ Three different approaches were taken by delegations: 1) Initial purity,  
2) Purity of the compound as stored with an approximation of some 10 per cent.  
3) That declaration of purity was not necessary.

"5/ In accordance with agreed definition, but pending such a definition it is unclear which chemicals to declare in this table.

"1.2 1/

Scientific chemical name <u>2/</u> / Structural formula <u>3/</u>	Quantity (metric tons)	Number and size of containers
<u>Key precursors for unitary systems 4/</u>		

Scientific chemical name <u>2/</u> / Structural formula <u>3/</u>	Bulk		Filled in munition/ submunition (metric tons)	Total quantity (metric tons)
	Quantity (metric tons)	Number and size of containers		
<u>[Key components] [Key precursors] for multi- component systems 4/5/6/</u>				

"1/ The view was expressed that these two tables were not necessary and the key precursors and key components could be declared under points 1.1.1, 1.1.2 and 1.1.3 as applicable.

"2/ In accordance with the IUPAC (International Union of Pure and Applied Chemistry) Nomenclature.

"3/ Different views exist whether it is necessary to state both the scientific chemical name and the structural formula in order for the declarations to be unambiguous.

"4/ To be declared separately for super-toxic lethal, other lethal and other harmful chemicals.

"5/ Identified in accordance with approaches to be worked out in the context of Article II.

"6/ Some delegations suggested that multicomponent chemical weapons should not be declared as a special category in a separate table.

"1.3 Precursors 1/ in bulk 2/

Scientific chemical name <u>3/</u> / Structural formula <u>4/</u>	Quantity (metric tons)	Number and size of containers
<u>Precursors for unitary systems</u>  <u>Components for multicomponent systems 5/</u>		

"1/ Identified in accordance with approaches to be worked out in the context of Article II.

"2/ Some delegations did not consider this table necessary.

"3/ In accordance with the IUPAC (International Union of Pure and Applied Chemistry) Nomenclature.

"4/ Different views exist whether it is necessary to state both the scientific chemical name and the structural formula in order for the declarations to be unambiguous.

"5/ Some delegations suggested that multicomponent chemical weapons should not be declared as a special category in a separate table.

## " 2. Munitions

Type	Calibre (if applicable)	Quantity of unfilled munition/submunition (number of pieces) <sup>1/</sup>	Filled munition/submunition	
			Quantity (number of pieces)	Chemical fill (in kg per piece of munition/submunition)
<u>Unitary chemical type</u> <u>Examples:</u> Shell Cartridge Rocket warhead	155 mm 120 mm	22.000 500 warhead bodies 1.500 submunitions	13.000 8.000 1.000 warheads 100 submunitions	2.82 kg of chemical x 1.12 kg of chemical y 50 kg of chemical Z (50 x 1 kg submunitions)
<u>Multicomponent chemical type</u> <u>Examples:</u> Binary shells for ... (=name of final reactive product)	155 mm	100 shell bodies 200 cannisters A 300 cannisters B	500 (completed shells, components stored separately) 100 cannisters A 150 cannisters B	3 kg chemical A + B 2 kg chemical A 1 kg chemical C

## "3. Other Devices

Type	Quantity of unfilled devices (number of pieces)	Filled devices	
		Quantity (number of pieces)	Chemical fill (in kg/piece)
(Example: spraytanks)			

"1/ Some delegations did not consider this column necessary.

"4. Equipment specifically designed for use directly in connection with the employment of munitions and other devices under points D:2 and 3.  
(Example: single purpose rocket launchers).

"5. Chemicals specifically designed for use directly in connection with the employment of munitions and other devices under points D:2 and 3.  
(Example: thickeners). 1/

"E. Locations and detailed inventories of chemical weapons stocks to be declared before the commencement of each elimination period 2/

For each stock the following shall be declared:

"1. Location

Geographical location expressed by ...

"2. Detailed inventory

Composition and quantities of the chemical weapons shall be declared in accordance with paragraph D of this Annex.

## "II. PLANS FOR THE ELIMINATION OF CHEMICAL WEAPONS

"A. General plans

The following chemical weapons shall be eliminated during Elimination Period I: 2/ 3/

The following chemical weapons shall be eliminated during Elimination Period II: 2/ 3/

etc.

"B. Detailed plans

They shall include:

- schedules indicating detailed timeframes, quantities and types of chemical weapons to be destroyed or diverted to permitted purposes 4/ in accordance with the Principles for the Elimination laid down in Annex IV,

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"1/ Different views exist concerning, if or to what extent such chemicals should be declared. Furthermore, it appears that this question will have to be decided in the light of the final definition of chemical weapons.

"2/ Some delegations held the view that overall declarations should be made within 30 days after the Convention's entry into force for a State Party.

"3/ Chemical weapons shall be described and amounts indicated in a manner identical to that of the declarations.

"4/ One delegation stated that it was unconvinced that diversion was either a practical or economical method for elimination. It may be prepared, however, to review its position in the event a practical system for diversion can be devised, preserving the requirement for effective verification.

- location of facilities to be used for destruction or diversion 1/ and information confirming that the facilities can consume the quantities to be eliminated within the elimination period,
- methods to be used for the destruction or diversion, 1/ as well as the end products,
- plans for verification of the destruction and diversion 1/ processes based on the Principles and Methods for the Verification of the Elimination of Chemical Weapons laid down in Annex IV.

#### "IV. MEASURES ON CHEMICAL WEAPONS

##### ELIMINATION OF CHEMICAL WEAPONS 2/

"1. Each State Party possessing chemical weapons undertakes to eliminate through destruction or diversion, 1/ as rapidly as possible, all chemical weapons under its jurisdiction or control in accordance with the Principles for the Elimination of Chemical Weapons laid down in Annex IV.

"2. The elimination shall commence within ... 3/ months and be completed within 10 years after the Convention's entry into force for a State Party, and shall be carried out in accordance with the Principles for the Order of Elimination laid down in Annex IV and the plans submitted under Article III.

"3. The elimination process shall be carried out in such a way that the end products are unsuitable for chemical weapons purposes.

"4. Each State Party possessing chemical weapons undertakes to facilitate and not to hinder in any way the application of the Principles and Methods for the Verification of the Elimination of Chemical Weapons, laid down in Annex IV.

"5. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

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"1/ One delegation stated that it was unconvinced that diversion was either a practical or economical method for elimination. It may be prepared, however, to review its position in the event a practical system for diversion can be devised, preserving the requirement for effective verification.

"2/ The question of old unknown weapons or stocks which have been left by others without the knowledge of the State Party, is not addressed in this Article. It is understood that this question will be dealt with at a later stage of the negotiations at which time the placement in the Convention of the relevant provisions will also be decided.

"3/ The figure to be inserted here depends on a later decision as regards the Principles for the Order of Elimination in Annex IV.

## "ANNEX IV

A State Party shall decide for itself which methods, processes and techniques to use for the elimination of its chemical weapon, if any, in accordance with the principles laid down in this Annex.

### "I. PRINCIPLES FOR THE ELIMINATION OF CHEMICAL WEAPONS

All chemical weapons shall be eliminated through destruction or diversion. Limited quantities of chemicals may be retained as specified in Article VI.

#### "A. Destruction of chemical weapons

Destruction of chemical weapons means a process by which chemicals are converted in an essentially irreversible way to a form unsuitable for production of chemical weapons, and which in an irreversible manner renders munitions and other devices unusable as such.

Elimination through destruction shall apply to all chemical weapons except those which may be diverted.

#### "B. Diversion of chemical weapons

Diversion of chemical weapons means a process by which chemical weapons are converted in an essentially irreversible way into end products that may only be used for purposes other than those related to chemical weapons.

Elimination through diversion may not apply to supertoxic lethal chemicals or key components of multi-component systems (as well as other types of chemicals to be agreed upon).

### "II. PRINCIPLES FOR THE ORDER OF ELIMINATION

"A. The elaboration of Principles for the Order of Elimination could build on the following:

- undiminished security for all States during the entire elimination stage,
- confidence building in the early part of the elimination stage,
- applicability irrespective of the actual composition of the stockpiles, and
- applicability irrespective of the methods chosen for the elimination of the chemical weapons.

"B. The elaboration of Principles for the Order of Elimination is in a very early stage of the negotiations. The preliminary approach has so far been based on the following:

- that the entire elimination stage be divided into x number of elimination periods,
- that the chemical weapons to be eliminated be divided into groups,



- that certain percentages of the initial aggregate amount of each group of chemical weapons be eliminated during each elimination period, and
- that methods for comparing stockpiles of different composition be elaborated.

This approach could be illustrated as follows:

Group of chemical weapons	Elimination period		
	I	II	III
	1-4 years after entry into force	4-7 years after entry into force	7-10 years after entry into force
Group A	40%	30%	30%
Group B	40%	30%	30%
Group C	100%	0%	0%
Group D	30%	40%	30%
Group E	30%	30%	40%

(It should be noted that the number and length of the elimination periods, the various percentages and the number of Groups are intended only as examples).

### "III. PRINCIPLES AND METHODS FOR THE VERIFICATION OF THE ELIMINATION OF CHEMICAL WEAPONS

The detailed arrangements for the actual verification of the elimination shall be worked out in collaboration between the State Party and the Consultative Committee (or its subsidiary organs, as appropriate) in accordance with the following principles:

#### "A. Principles and methods for the verification of destruction of chemical weapons

"The principles summarized in CD/CW/WP.108 are to be further elaborated. They read:

- that the aim of the verification procedures should be
  - to confirm the identity and quantity of the materials to be destroyed, and
  - to confirm that the materials have actually and completely been destroyed,

- that a combination of human inspection and monitoring with instruments would be necessary for effective verification, but that the exact combination of instruments and inspectors would have to be tailored after the specific destruction processes to be monitored,
- that inspection would be continuous during periods in which destruction operations are under way for destruction of supertoxic lethal chemicals, draining of filled munitions as well as during destruction of filled and drained munition. As regards other chemicals there were different views on whether inspection should be continuous or on a quota basis or limited to certain key stages,
- that international inspectors would have to be qualified and impartial personnel, and that they should be able to make independent judgements,
- that the inspectors should have an up-to-date knowledge of the design and operation of the destruction facility and that they would need to make a detailed engineering review of the facility, including on-site inspection, before the destruction operations begin,
- that in order to minimize intrusion and ensure confidence, the data used for verification should be as closely linked as possible to the actual destruction step and the verification procedures designed so that they do not unnecessarily interfere with the operations of the facility,
- that, to the extent consistent with the needs, the verification procedures should make use of information from routine facility operations, and that the same verification procedures should, to the extent possible, be used for different processes within one and the same facility,
- that close co-operation between international verification personnel and host State operating personnel was important for effective international verification, and
- that, while the decisions as regards destruction methods etc. lies with the sovereign State Party, the Technical Secretariat could have some role to play. It could, inter alia, assist States Parties with experts for the designing of destruction facilities, and give suggestions on how to facilitate the verification tasks. It seemed, however, to be agreed that such assistance should be given by the Technical Secretariat, only upon request from a State Party."

"B. Principles and methods for the verification of diversion of chemical weapons for permitted purposes

(To be elaborated).

"V. MEASURES ON CHEMICAL WEAPONS PRODUCTION FACILITIES 1/2/

"DECLARATIONS 3/4/

"Declarations of chemical weapons production facilities and plans for their elimination

"1. (An undertaking by States Parties) to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, declarations stating:

"(a) whether it possesses or does not possess any chemical weapons production facilities on its territory or elsewhere under its jurisdiction or control,

"(b) whether it has on its territory any chemical weapons production facilities under the jurisdiction or control of anyone else,

"(c) whether it has transferred equipment or technical documentation 5/ relevant for production of chemical weapons since ... or has received such equipment or documentation 5/ since that date. 6/

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"1/ The text of this Article and its Annex is in an early stage of negotiations.

"2/ In accordance with definitions still to be worked out in the context of Article II. It is understood that the definition will encompass also filling facilities.

"3/ The provisions on Declarations (plus relevant part of Annex V) will presumably be moved to Article III and its Annex, once they have been further negotiated.

"4/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"5/ The view was expressed that technical documentation should not be included.

"6/ The view was expressed that past transfers should not be included in the Convention.

"2. (An undertaking by State Parties possessing chemical weapons production facilities) to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, initial declarations stating their total production capacity. 1/2/

"3. (An undertaking by States Parties possessing chemical weapons production facilities) to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, a declaration that all activities related to production of chemical weapons have ceased. 3/

"4. (An undertaking by States Parties possessing chemical weapons production facilities) to submit not later than ... 4/ plans for the closure, 3/ plans for temporary conversion into chemical weapons destruction facilities, if any, and general plans for the elimination of their production facilities, as well as plans, if any, for the conversion into facilities for production for permitted purposes. 5/

---

"1/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"2/ Some delegations held the view that all States Parties should declare their total production capacity. Other delegations felt that it was not necessary in this context to declare the total production capacity, and therefore that the entire paragraph was not necessary.

"3/ Some delegations expressed the view that ceasing of production and closing of production facilities should be simultaneous. However, other delegations had doubts about the feasibility of this from the point of view of verification of the closure as well as from the point of view of possible temporary conversions of such facilities into facilities for destruction of chemical weapons.

"4/ The view was expressed that an early date should be set.

"5/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

"5. (An undertaking by State Parties possessing chemical weapons production facilities) to submit to the Consultative Committee detailed declarations stating the locations and detailed information on their chemical weapons production facilities as well as detailed plans for the elimination. These declarations and plans shall be submitted not later than three months before the commencement of the elimination, 1/ as specified in the Principles for the Order of Elimination of Chemical Weapons Production Facilities laid down in Annex V.

"6. The declarations and plans to be submitted under paragraphs 1 through 5 shall be made in accordance with Annex V.

"7. State Parties shall consult among themselves and through the Consultative Committee, as soon as possible after the declarations made in accordance with paragraph 2 with a view to co-ordinating their elimination plans. 2/

"8. (An undertaking by each State Party possessing chemical weapons production facilities) to submit to the Consultative Committee annual progress reports on the implementation of the plans for the elimination of chemical weapons production facilities and a notification of the completion of the elimination within 30 days thereafter.

"Declarations of other facilities producing chemicals which can be used for chemical weapons purposes 3/

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"1/ The view was expressed that declaration of location should be made in the context of declarations that production have ceased.

"2/ The view was expressed that as regards elimination of chemical weapons production facilities such an obligation was not necessary.

"3/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

## "ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"9. (An undertaking by each State Party possessing chemical weapons production facilities) to cease all activities at its chemical weapons production facilities relating to the production of chemical weapons, immediately after the Convention's entry into force for it, and to close each production facility not later than ... 1/ after the Convention's entry into force for it, in a manner that renders it inoperable for chemical weapons production.

"10. (An undertaking by each State Party possessing chemical weapons production facilities) to eliminate through destruction or dismantling, 2/ the chemical weapons production facilities under its jurisdiction or control in accordance with the Principles for the Elimination of Chemical Weapons Production Facilities laid down in Annex V.

"11. The elimination shall commence within ... months and be completed as soon as possible and in any case not later than 10 years after the Convention's entry into force for a State Party.

"12. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

"13. (An undertaking by State Parties) not in any way to acquire any new chemical weapons production facilities. 3/

"14. (An undertaking by States Parties possessing chemical weapons production facilities) to facilitate and not to hinder in any way the application of the Principles and Methods for the Verification of the Closure and Elimination of Chemical Weapons Production Facilities, laid down in Annex V.

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"1/ Some delegations expressed the view that ceasing of production and closing of production facilities should be simultaneous. However, other delegations had doubts about the feasibility of this from the point of view of verification of the closure as well as from the point of view of possible temporary conversions of such facilities into facilities for destruction of chemical weapons.

"2/ The view was expressed that pending the definition of chemical weapons production facilities, the possibility for other ways of elimination should be kept open.

"3/ Some delegations did not consider this paragraph necessary.

"ANNEX V

"1. DECLARATIONS OF CHEMICAL WEAPONS PRODUCTION FACILITIES 1/

"A. Possession or non-possession 2/

"1. Possession of chemical weapons production facilities on own territory.

Yes ....

No ....

"2. Possession, jurisdiction or control over chemical weapons production facilities elsewhere.

Yes ....

No ....

If yes, information about location(s), expressed by names(s) of State(s).

"B. Existence on the territory of any chemical weapons production facilities under the jurisdiction or control of anyone else

Yes ....

No ....

If yes, information about ownership, expressed by name(s) of State(s).

---

"1/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"2/ Some delegations held the view that all States Parties should declare their total production capacity. Other delegations felt that it was not necessary in this context to declare the total production capacity, and therefore that the entire paragraph was not necessary.

"C. Past transfers 1/

"If there has been transfer of equipment or technical documentation 2/ relevant for production of chemical weapons since ..., or reception of such equipment or documentation 2/ since that date, the following information shall be provided.

(To be elaborated.)

"D. Initial declarations of chemical weapons production facilities

"They shall contain the following information:

"(1) production, stating products by ...

"(2) capacity expressed as ... 3/

"(3)

"(4)

"E. Declarations that all activities related to production of chemical weapons have ceased

"F. Detailed declarations of chemical weapons production facilities

"They shall contain the following information:

"(1) Geographical location expressed by ... 4/

"(2) Chemical names of products produced

"(3) Manufacturing/filling capacity for each substance expressed as ... 3/

"(4)

"(5)

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"1/ The view was expressed that past transfers should not be included in the Convention.

"2/ The view was expressed that technical documentation should not be included.

"3/ It was suggested that capacity be expressed as maximum hourly capacity.

"4/ The view was expressed that declaration of location should be made in the context of declarations that production have ceased.



"II. PLANS FOR THE CLOSURE, ELIMINATION AND CONVERSION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"A. Plans for closure 1/ of chemical weapons production facilities

"B. Plans for temporary conversion of chemical weapons production facilities into chemical weapons destruction facilities

"C. Plans for the elimination of chemical weapons production capacities

"1. General plans

They shall include:

"2. Detailed plans

They shall include:

"D. Plans for elimination of chemical weapons production facilities which have temporarily been converted into chemical weapons destruction facilities

"E. Plans for conversion of chemical weapons production facilities into facilities for production for permitted purposes 2/

"III. DECLARATIONS OF OTHER FACILITIES PRODUCING CHEMICALS WHICH CAN BE USED FOR CHEMICAL WEAPONS PURPOSES 3/

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"1/ Some delegations expressed the view that ceasing of production and closing of production facilities should be simultaneous. However, other delegations had doubts about the feasibility of this from the point of view of verification of the closure as well as from the point of view of possible temporary conversions of such facilities into facilities for destruction of chemical weapons.

"2/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

"3/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading "Declarations of chemical weapons production facilities and plans for their elimination" refers only to production facilities with a production for chemical weapons purposes. A separate heading "Declarations of other facilities producing chemicals which can be used for chemical weapons purposes" has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

#### "IV. ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"A State party shall decide for itself which methods, processes and techniques to use for the elimination of its chemical weapons production facility, if any, in accordance with the principles laid down in this Annex.

##### "A. PRINCIPLES FOR THE ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"All chemical weapons production facilities shall be eliminated through destruction or dismantling. 1/ Chemical weapons production facilities may be temporarily converted into chemical weapons destruction facilities.

##### "1. Destruction of chemical weapons production facilities

Destruction of chemical weapons production facilities means ...

Elimination through destruction shall apply to ...

##### "2. Dismantling of chemical weapons production facilities

Dismantling of chemical weapons production facilities means ...

Elimination through dismantling may apply to ...

##### "3. Elimination of chemical weapons production facilities temporarily converted into chemical weapons destruction facilities

##### "4. Elimination of chemical weapons production facilities through conversion into facilities for production for permitted purposes 2/

##### "B. PRINCIPLES FOR THE ORDER OF ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

(To be elaborated.)

##### "C. PRINCIPLES AND METHODS FOR THE VERIFICATION OF THE CLOSURE AND ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"The detailed arrangements for the actual verification of the elimination shall be worked out in collaboration between the State party and the Consultative Committee (or its subsidiary organs, as appropriate) in accordance with the following principles:

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"1/ The view was expressed that pending the definition of chemical weapons production facilities, the possibility for other ways of elimination should be kept open.

"2/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

"1. Principles and methods for the verification of closure of chemical weapons production facilities

(To be elaborated.)

"2. Principles and methods for the verification of destruction of chemical weapons production facilities

(To be elaborated.)

"3. Principles and methods for the verification of dismantling of chemical weapons production facilities

(To be elaborated.)

"4. Principles and methods for the verification of elimination of chemical weapons production facilities which have temporarily been converted into chemical weapons destruction facilities

"5. Principles and methods for the verification of elimination of chemical weapons production facilities through conversion into facilities for production for permitted purposes 1/

"VI. PERMITTED ACTIVITIES \*/ \*\*/

"Each State party has the right, in accordance with the provisions of this Convention, to develop, \*\*\*/ produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for permitted purposes, in types and quantities consistent with such purposes, subject to the following:

---

"1/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

"\*/ One delegation suggests that the title be changed to read "Activities not prohibited by the Convention", and the term "permitted purposes" be changed to read "purposes not prohibited by the Convention".

"\*\*/ Some delegations stated that Article VI was elaborated on the basis of the understanding that the key components of binary chemical systems should be especially singled out. But, because of the fact that this basis has been breached, Article VI, as a whole, requires radical revision. The division of chemicals into chemicals with use as chemical weapons and with no use as chemical weapons is of a preliminary character since the criteria for such a division have not been found yet. Some delegations believe that the aggregate quantity of supertoxic lethal chemicals for permitted purposes should not exceed 1 tonne per year for each State party and that the production of such chemicals for permitted purposes should be concentrated at a single small-scale facility.

"\*\*\*\*/ One delegation considers that the languages in regard to this term should be further elaborated.

"1. Each State party shall, within 30 days of the entry into force of the Convention, for itself, declare the possession for permitted purposes of chemicals, posing a special danger from the viewpoint of their possible diversion to chemical weapons purposes, within its territory and anywhere under its jurisdiction or control, indicating the scientific names, [the structural formula] and the quantities for each individual category:

"(a) supertoxic lethal chemicals;

"(b) [key components of binary and/or multicomponent chemical systems for chemical weapons], listed in ...;

"(c) other lethal chemicals, listed in ...;

"(d) harmful chemicals, listed in ...;

"(e) key precursors, listed in ...;

"(f) other chemicals posing special risk, listed in ... .

"2. Each State party shall declare annually, for its territory, anywhere under its jurisdiction or control, \*/ the quantity \*\*/ of:

"(a) supertoxic lethal chemicals, chemicals with use as [key components of binary and/or multicomponent chemical systems for chemical weapons], other lethal chemicals and other harmful chemicals, [key precursors], produced, otherwise acquired, possessed or retained from chemical weapon stocks for protective purposes, indicating the scientific chemical names [and structural formula] of such chemicals.

"(b) supertoxic lethal chemicals, as well as chemicals with use as [key components of binary and/or multicomponent chemical systems for chemical weapons], other lethal chemicals, other harmful chemicals key precursors and other chemicals posing special risk, listed in ..., produced, retained, otherwise acquired or possessed for industrial, agricultural, research, medical and/or other peaceful purposes, indicating the scientific chemical names [structural formula] of such chemicals.

"3. Each State party undertakes to apply and accept, in regard to supertoxic lethal chemicals and [key components of binary and/or multicomponent chemical systems for chemical weapons], the following measures:

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\*\*/ It was understood that this formulation covers the operations of transnational corporations.

\*\*\*/ The level of quantity to be declared and the question of the necessity to declare the location of facilities in regard to paragraphs 1 and 2 will be agreed upon for each category at a later stage.

**"A. Supertoxic lethal chemicals with use as chemical weapons**

- "(i) The restriction and requirements of this paragraph shall be applicable to the supertoxic lethal chemicals with use as chemical weapons [and other toxic chemicals, as listed in ... Chemicals can be added to or removed from this list according to procedure]. \*/
- "(ii) Each State party shall prohibit all production and use of such chemicals, except for production and use for protective purposes [or in laboratory quantities for research or medical purposes].
- "(iii) Each State party may retain, produce, acquire, transfer to another State party or use such chemicals for protective, [research and medical] purposes, subject to the following:
- The retention, production, acquisition and use of such chemicals for protective purposes shall be strictly limited to those amounts which can be justified for such purposes.
  - The amount of supertoxic lethal chemicals possessed by a party for protective purposes or acquired for protective purposes by any party in any calendar year shall be included in the 1 tonne aggregate limit [for all permitted purposes] for the following chemicals:

supertoxic lethal chemicals

[key component of binary and/or multicomponent chemical systems for chemical weapons] \*\*/

key precursors \*\*/

- Each State party which produces such chemicals for protective purposes shall carry out the production at a single small-scale production facility, \*\*\*/ the capacity of which shall not exceed ... metric tonne per year. The location and a detailed description of the facility shall be provided to the Consultative Committee no less than 30 days before operations commence, and the facility shall be subject to monitoring by the National Authority and the Consultative Committee through annual submission of data, on-site instruments, on-site national inspections and systematic international on-site inspections. Further information on the facility, its monitoring and operations is provided in ...

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\*\*/ The ways for chemicals to be included in or excluded from this category remain to be elaborated.

\*\*\*/ The amounts of key component of binary and/or multicomponent chemical systems for chemical weapons and key precursors will be measured in accordance with the amount of final supertoxic lethal chemicals produced by these compounds.

\*\*\*\*/ This does not prejudice the position of one group of delegations about the functions of the single small-scale production facility.

[ - Any establishment possessing, producing or using laboratory quantities of such chemicals shall be approved by the State party. The establishments will be monitored by the National Authority and by the Consultative Committee through annual data reporting.]

- Each State party may transfer such chemicals only to another State party for protective purposes, subject to the quantity limitations specified in paragraph 3 A (iii) above, [or for research or medical purposes]. Thirty days prior to any transfer or reception greater than ... the transferring party shall report the transfer or reception to the Consultative Committee, as specified in ... . Items transferred may not be retransferred to another State.

**"B. Super-toxic lethal chemicals with no use as chemical weapons \*/**

"(i) The restrictions and requirements of this paragraph shall be applicable to the super-toxic lethal chemicals with no use as chemical weapons. \*\*/

- The retention, production, acquisition and use of these chemicals shall be strictly limited to those amounts which can be justified for such purposes;
- The amount of super-toxic lethal chemicals possessed by a party for protective purposes or acquired for protective purposes by any party in any calendar year shall be included in the one tonne aggregate limit [for all permitted purposes] for the following chemicals:
  - super-toxic lethal chemicals
  - [key component of binary and/or multicomponent chemical systems for chemical weapons] \*\*\*/
  - key precursors \*\*\*/
- Each State party which produces these chemicals shall carry the production at [a single small-scale production facility] [facilities approved by the State party in quantities consistent with such purposes] the capacity of which shall not exceed ... metric tonne per year.

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\*\*/ One delegation considers that the title of this paragraph and the concept contained below is subject to further clarification.

\*\*\*/ The ways for chemicals to be included in or excluded from this category remains to be elaborated.

\*\*\*\*/ The amounts of key component of binary and/or multicomponent chemical systems for chemical weapons and key precursors will be measured in accordance with the amount of final super-toxic lethal chemicals produced by these compounds.

- The location and a detailed description of the facility [facilities] shall be provided to the Consultative Committee not later than 30 days before operations commence, and the facility [facilities] shall be subject to monitoring by the National Authority and the Consultative Committee through annual submission of data [on-site instruments,] on-site national inspections and systematic international on-site inspections. Further information on the facility, [facilities] its monitoring and operations is provided in ...
- Each State party may transfer these chemicals only to another party in quantities consistent with permitted purposes [subject to the limitations specified in ...]. [These chemicals may be transferred to a State not party to the Convention for research and medical purposes.] Thirty days prior to any transfer or reception greater than ... the transferring party shall report the transfer or reception to the Consultative Committee, as specified in ... Items transferred may not be retransferred to another State.

**"C. Chemicals with use as [key components of binary and/or multicomponent chemical systems for chemical weapons]**

"(i) The restrictions and requirements of this paragraph shall be applicable to chemicals with use as [key components of binary and/or multicomponent systems for chemical weapons], listed in ... Chemicals may be added to this list according to ... procedure.

"(ii) Each State party shall prohibit all production and use of such chemicals except [for production of super-toxic lethal chemicals as end products for use for protective purposes] [research and medical purposes].

"(iii) Each State party may retain, produce or use such chemicals [for protective] [research and medical] purposes subject to the following:

- At no time shall the aggregate amount of such (in terms of the weight of end products) chemicals possessed, produced or retained for protective purposes [together with chemicals for all permitted purposes] shall, by all means, by any party in any calendar year, exceed one metric tonne as a general quantity limitation [laboratory quantities].
- Each State party which produces such chemicals for protective purposes shall carry out the production at a single small-scale production facility, the capacity of which shall not exceed ... metric tonne per year. The location and a detailed description of the facility shall be provided to the Consultative Committee no less than 30 days before operations commence, and the facility shall be subject to monitoring by the National Authority and the Consultative Committee through annual submission of data, on-site instruments, on-site national inspections and systematic international on-site inspections. Further information on the facility and its operations is provided in ...

[Any establishment possessing, producing or using laboratory quantities of such chemicals shall be approved by the State Party. The establishments will be monitored by the National Authority and by the Consultative Committee through annual data reporting.]

\*/ Each State party undertakes not to transfer such chemicals, directly or indirectly, to anyone.

\*/ Each State party may transfer such chemicals only to another Party for protective purposes, subject to the quantity limitations specified in paragraph 3 A (iii) above, [or for research or medical purposes]. Thirty days prior to any transfer or reception greater than ... the transferring Party shall report the transfer to the Consultative Committee, as specified in ... Items transferred may not be retransferred to another State.

"4. Other lethal chemicals with use as chemical weapons and with no use as chemical weapons.

(to be elaborated)

"5. Other harmful chemicals

(to be elaborated)

"6. Key precursors

(to be elaborated)

"7. Other chemicals posing special risk

(to be elaborated)

"8. Precursors

(to be elaborated)<sup>\*\*/</sup>

#### "VII. NATIONAL IMPLEMENTATION MEASURES

"Each State party to this Convention shall adopt any measures it considers necessary in accordance with its constitutional processes to implement this Convention and, in particular, to prohibit and prevent anywhere under its jurisdiction or control any activity that a State party to this Convention is prohibited from conducting by this Convention.

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<sup>\*\*/</sup> These two texts represent two different alternatives in regard to the transfer régime.

<sup>\*\*\*/</sup> The régimes under paragraphs 3 - 8 are of a preliminary character and are subject to further simplification and elaboration.



"In order to implement these obligations, each State party shall, according to its needs and specific conditions, designate or establish a national authority. \*/

"Each State party undertakes to inform the Consultative Committee concerning the national authority and other legislative and administrative measures taken to implement the Convention.

"Each State party undertakes to co-operate with the Consultative Committee in the exercise of all its functions and in particular to provide assistance to the Consultative Committee including data reporting, assistance for international on-site inspections, provided for in this Convention, and a response to all its requests for the provision of expertise, information and laboratory support.

"National Technical Means—<sup>\*\*/</sup>

#### "VIII. CONSULTATIVE COMMITTEE

"1. The State parties to this Convention shall establish a Consultative Committee [upon] [within 30 days after the] entry into force of this Convention. Each State party to this Convention shall be entitled to appoint a representative to the Consultative Committee.

"2. The first session of the Consultative Committee shall be convened by the Depositary at [venue] not later than 30 days after the entry into force of the Convention.

"3. The Consultative Committee shall [oversee] [review] the implementation of the Convention, consider any questions or matters relevant to the Convention or relating to the powers and functions of any organs established under the Convention, foster international consultations and co-operation among States parties to the Convention, and promote the verification of compliance with this Convention.

"4. For the purposes of this Convention the Consultative Committee shall be responsible for: \*\*\*/

• "(a) establishing, and revising as necessary, procedures for exchange of information, for declarations and for technical matters related to the implementation of this Convention;

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\*\*/ It was suggested that guidelines for the functioning of the national authority for the implementation of the Convention be elaborated.

\*\*\*/ It was suggested that no reference to National Technical Means is needed in a future Convention.

\*\*\*\*/ The enumeration of responsibilities listed in paragraph 3 was not considered to be exhausted.

"(b) receiving, keeping [and making available to States parties] declarations, plans and notifications presented by States parties in accordance with Articles ..;

"(c) carrying out all activities relating to the execution of measures of verification as specified in this Convention; further specifying procedures for the conduct of systematic international on-site inspection; overseeing and carrying out systematic international on-site verification in accordance with Articles ..; receiving and considering requests for fact-finding procedures and to conduct such procedures in accordance with Article ..;

"(d) co-operating with the national authorities of States parties in the implementation of the Convention;

"(e) facilitating consultations and co-operation among States parties at their request by means of rendering services to them;

"(f) reviewing scientific and technical developments which could affect the operation of this Convention;

"(g) encouraging international scientific and technical co-operation in the chemical field for peaceful purposes.

"5. The Consultative Committee shall establish an Executive Council [within 45 days after entry into force of the Convention]. The Council shall be composed of representatives of [15] States parties on the basis of an appropriate geographic [and political] balance. [In addition, those permanent members of the Security Council of the United Nations who are Parties to the Convention should be represented.] The [elected] members of the Executive Council shall serve for [two] [three] year period, with [five] of the members replaced or re-elected each year.

"6. [The Executive Council shall have delegated authority to carry out the functions of the Consultative Committee when it is not in session.] \*/ The Executive Council shall report to the Consultative Committee about the exercise of the functions delegated to it.

"7. The Consultative Committee shall meet in regular session annually; it shall hold extraordinary sessions at the request of the majority of States parties to this Convention.

"8. Any decision of substance of the Consultative Committee and the Executive Council requires a [two-third majority] [consensus], any other decision requires a simple majority. \*\*/ [All decisions in the Consultative Committee and in the Executive Council shall be taken by a two-third majority.]

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\*/ The division of responsibility between the Consultative Committee and the Executive Council and the detailed functions of the latter remain to be elaborated.

\*/ An opinion was expressed that the concept of consensus encompasses that in case the Executive Council is unable to reach a consensus on a given subject matter, all views expressed should be made known to the States parties of the Convention.

"9. The States parties to this Convention shall establish a Technical Secretariat that shall provide administrative support to the Consultative Committee and the Executive Council and render technical assistance to States parties and the Executive Council.

"10. Further functions and the organization of the Consultative Committee and its subsidiary organs are specified in Annex ...

#### "IX. CONSULTATION, CO-OPERATION AND FACT-FINDING

"1. State parties shall consult and co-operate, directly among themselves, or through the Consultative Committee or other appropriate international procedures, including procedures within the framework of the United Nations and in accordance with its Charter, on any matter which may be raised relating to the objectives or the implementation of the provisions of this Convention.

"2. States parties to the Convention shall make every possible effort to clarify and resolve, through exchange of information and consultations among them, any matter which may cause doubt about compliance with this Convention, or which gives rise to concerns about a related matter which may be considered ambiguous. [A Party which receives a request from another Party for clarification of any matter which the requesting Party believes causes such doubts or concerns shall provide the requesting Party, within ... days of the request, with information sufficient to answer the doubts or concerns raised along with an explanation on how the information provided resolves the matter.] Nothing in this Convention affects the right of any two or more States parties to this Convention to arrange by mutual consent for inspections or any other procedures among themselves to clarify and resolve any matter which may cause doubts about compliance or gives rise to concerns about a related matter which may be considered ambiguous. Such arrangements shall not affect the rights and obligations of any State party under other provisions of this Convention.

"The further contents of Article IX remain to be elaborated."<sup>\*/</sup>

#### "X. ASSISTANCE

#### "XI. ECONOMIC AND TECHNOLOGICAL DEVELOPMENT

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"\*/ Some delegations expressed the opinion that material on fact-finding and challenge inspection can be found in documents CD/294, CD/334, CD/416, CD/443, CD/500, CD/539, CD/CW/WP.106 and CD/CW/WP.120. Some delegations expressed their support for the approach for Article IX contained in Alternative I of CD/CW/WP.106 of 12 April 1985 and suggested that it be taken as the basis for further work on this Article. Other delegations consider that on-challenge on-site inspections should be carried out only with the consent of a State party in regard to which the request is made.

"XII. RELATION TO OTHER INTERNATIONAL AGREEMENTS<sup>\*/</sup>

"Nothing in this Convention will be interpreted as in any way impairing the obligations assumed under 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 and in the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed at London, Moscow and Washington on 10 April 1972.

"XIII. AMENDMENTS

"XIV. DURATION, WITHDRAWAL<sup>\*/</sup>

...

"The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law, particularly the Geneva Protocol of 17 June 1925.

"XV. SIGNATURE, RATIFICATION, ENTRY INTO FORCE

"XVI. LANGUAGES

"Annexes and other documents

"Preparatory Commission

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<sup>\*/</sup> Some delegations consider that the texts contained above require further consideration.

## **"APPENDIX II**

### **Contents**

**"Report of Working Group A**

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**"Report of the Chairman of the Open-ended Consultations of the Ad Hoc Committee  
on Chemical Weapons**

## "Report of Working Group A

"Working Group A held 17 meetings between 4 March and 7 August 1985.

"In accordance with the terms of reference for this Working Group, as indicated in document CD/CW/WP.98 of 27 February 1985, the Group dealt with the following broad topics:

- "1. Permitted activities regarding various categories of chemicals.
- "2. Laboratories, small-scale production facilities, industrial production facilities, their role in the permitted activities.
- "3. Definitions to be included in the Convention.
- "4. Principles and methods of declarations and verification with regard to the activities of the small-scale production facility.
- "5. Principles and methods of declarations and verification with regard to the activities of the industrial production facilities.

"The consideration of the most important aspects of these five issues was scheduled on the basis of an adopted programme of work. The negotiations were based on document CD/539 and other relevant documents. To structure the work the Chairman introduced in addition a number of basic working papers: CD/CW/WP.99; WP.103, WP.104, WP.105, and papers on the régimes for various categories of chemicals, including the definitions of chemical weapons, key components of binary and/or multicomponent weapons and key precursors.

"The Chairman also held a number of consultations, including with technical experts, which proved very useful for creating the basis for the understandings reached at the end of the session.

"The issue of Scope, though appearing in the title of the terms of reference, was not among the five main topics and therefore was not given particular attention.

"The Group succeeded in significantly improving the definition on chemical weapons, agreeing on all elements which constitute toxic chemicals (reference: Article II, 1 (i)). Agreement was also reached in regard to the contents of the definition of 'Permitted Activities', though differences remain as to the title of that paragraph (reference: Article II, 3).

"The Group failed to agree completely on one of the fundamental issues - the approach for identifying the various categories of chemicals. Nevertheless, due to the in-depth exchange of views on this subject and other relevant issues, it was possible to enlarge the general idea on the restrictions, the place of production and the monitoring procedures in regard to the permitted activities. This new development is reflected in Article VI, paragraphs 1, 2 and 3, where an understanding about the contents and the structure of régimes in regard to the super-toxic lethal chemicals and key components of binary and/or multicomponent chemical systems for chemical weapons is contained.

"In accordance with the mandate for the Ad Hoc Committee on Chemical Weapons (CD/551) the texts agreed upon are of a preliminary nature and not binding any delegation at this stage of the negotiations.

"The contribution of the Working Group is reflected in the attached two draft articles:

- Article II: Definitions and Criteria;
- Article VI: Permitted Activities.

## "Article II

### "DEFINITIONS AND CRITERIA

"For the purposes of this Convention:

"1. \*/ The term 'chemical weapons' shall apply to the following, together or separately: \*\*/

- "(i) toxic chemicals, including super-toxic lethal chemicals, other lethal chemicals, other harmful chemicals and their precursors, including key precursors and key components of binary and/or multicomponent chemical systems for chemical weapons, except such chemicals intended for permitted purposes \*\*\*/ as long as the types and quantities involved are consistent with such purposes;
- "(ii) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals, as referred to above, which would be released as a result of the employment of such munitions and devices;
- "(iii) any equipment specifically designed for use directly in connection with the employment of such munitions or devices;

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\*\*/ The definitions of chemical weapons are presented on the understanding that problems related to irritants used for law enforcement and riot control, and also to chemicals intended to enhance the effect of the use of chemical weapons if their inclusion in the Convention is agreed could be handled outside the definitions of chemical weapons if this will result in a more clear and understandable definition. Preliminary suggestions to solve these problems are given below and consultations on them will be continued.

\*\*\*/ One delegation expressed its reservation on the present formulation of the definition of chemical weapons and on the terminology used in (i) that failed to reflect the general purpose criterion.

\*\*\*\*/ One delegation suggests that the term 'permitted purposes' should be substituted, where it occurs throughout the Convention, with the term 'purposes not prohibited by the Convention'.

"- [The term 'chemical weapons' shall not apply to those chemicals which are not super-toxic lethal, or other lethal chemicals and which are approved by the Consultative Committee for use by a Party for domestic law enforcement and domestic riot control purposes.]

"- [States Parties agree not to [develop, produce, stockpile or] utilize for chemical weapons chemicals intended to enhance the effect of the use of such weapons.]

"[2. 'Toxic chemicals' means:

chemicals [however or wherever they are produced], [whether produced in plants, munitions or elsewhere] [regardless of the method and pattern of production] whose toxic properties can be utilized to cause death or temporary or permanent harm, to man or animals involving:]

"[2. 'Toxic chemicals' means:

any chemical, regardless of its origin or method of production which through its chemical action on life processes can cause death, temporary incapacitation, or permanent harm to man or animals

"Toxic chemicals are divided into the following categories:]

"(a) 'super-toxic lethal chemicals', which have a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation) when measured by an agreed method \*/ set forth in ...

"(b) 'other lethal chemicals', which have a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation) and, less than or equal to 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation) when measured by an agreed method set forth in ...

"[(c) 'other harmful chemicals', being any [toxic] chemicals not covered by (a) or (b) above, [including toxic chemicals which normally cause temporary incapacitation rather than death] [at similar doses to those at which super-toxic lethal chemicals cause death].]

"[and 'other harmful chemicals' has a median lethal dose which is greater than 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation).]

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"\*/ It was noted that after such measurements had actually been performed, the figures mentioned in this and the following section might be subject to slight changes in order to cover sulphur mustard gas under the first category.



"3. [Permitted purposes] [Purposes not prohibited by the Convention]  
[Non-hostile purposes] means:

"(a) industrial, agricultural, research, medical or other peaceful purposes, domestic law enforcement purposes; and military purposes not connected with the use of chemical weapons.

"(b) protective purposes, namely those purposes directly related to protection against chemical weapons; \*/

"4. 'Precursor' means:

a chemical reagent which takes part in the production of a toxic chemical.

"(a) 'Key Precursor' means:

a precursor which poses a significant risk to the objectives of the Convention by virtue of its importance in the production of a toxic chemical.

"It may possess [possesses] the following characteristics:

"(i) it may play [plays] an important role in determining the toxic properties of a [toxic chemicals prohibited by the Convention] [super-toxic lethal chemical].

"(ii) it may be used in one of the chemical reactions at the final stage of formation of the [toxic chemicals prohibited by the Convention] [super-toxic lethal chemical].

"[(iii) it may [is] not be used, or [is] used only in minimal quantities, for permitted purposes.] \*\*/

"Key precursors are listed in ...

"For the purpose of the relevant provisions in a Chemical Weapons Convention key precursors should be listed and subject to revisions according to [characteristics] [guidelines].

"Chemicals which are not key precursors but are deemed to pose a [threat] [particular risk] with regard to a Chemical Weapons Convention should be included in a list.

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\*\*/ The suggestion that such permitted protective purposes should relate only to 'an adversary's use of' chemical weapons was removed pending a decision on whether in the Convention the question of prohibiting other military preparations for use of chemical weapons than those mentioned under scope should be dealt with.

\*\*\*/ One delegation considers that this particular characteristic has primary importance and should be placed first.

"(b) Key component of binary and/or multicomponent chemical systems for chemical weapons means:

"[a key precursor which forms a toxic chemical in the binary or multicomponent weapons munition or device and which has the following additional characteristics (to be elaborated):]

"5. 'Chemical weapons production facility' means:

- Chemical weapons production facility means [any building or equipment designed, constructed or used [in any degree] for the production of chemical weapons] or for filling chemical weapons.
- Chemical weapons production facility means [any building or any equipment which in any degree was designed, constructed or used since 1 January 1946, for:

"(a) the production for chemical weapons of any toxic chemical, except for those listed in (schedule B), or the production for chemical weapons of any key precursors;] or

"(b) the filling of chemical weapons.

#### "Article VI

#### "PERMITTED ACTIVITIES\*/

"Each State Party has the right, in accordance with the provisions of this Convention, to develop, \*\*/ produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for permitted purposes, in types and quantities consistent with such purposes, subject to the following:

"1. Each State Party shall, within 30 days of the entry into force of the Convention for itself, declare the possession for permitted purposes of chemicals, posing a special danger from the viewpoint of their possible diversion to chemical weapons purposes, within its territory and anywhere under its jurisdiction or control, indicating the scientific names, [the structural formula] and the quantities for each individual category:

"(a) super-toxic lethal chemicals;

"(b) key components of binary and/or multicomponent chemical systems for chemical weapons, listed in ...;

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\*\*/ One delegation suggests that the title be changed to read 'Activities not prohibited by the Convention', and the term 'permitted purposes' be changed to read 'purposes not prohibited by the Convention'.

\*\*\*/ One delegation considers that the language in regard to this term should be further elaborated.

"(c) other lethal chemicals, listed in ...;

"(d) harmful chemicals, listed in ...;

"(e) key precursors, listed in ...;

"(f) other chemicals posing special risk, listed in ....

"2. Each State Party shall declare annually, for its territory, anywhere under its jurisdiction or control, \*/ the quantity \*\*/ of:

"(a) super-toxic lethal chemicals, chemicals with use as key components of binary and/or multicomponent chemical systems for chemical weapons, other lethal chemicals and other harmful chemicals [key precursors], produced, otherwise acquired, possessed or retained from chemical weapon stocks for protective purposes, indicating the scientific chemical names [and structural formula] of such chemicals.

"(b) super-toxic lethal chemicals, as well as chemicals with use as key components of binary and/or multicomponent chemical systems for chemical weapons, other lethal chemicals, other harmful chemicals key precursors and other chemicals posing special risk, listed in ..., produced retained, otherwise acquired or possessed for industrial, agricultural research, medical and/or other peaceful purposes, indicating the scientific chemical names [structural formula] of such chemicals.

"3. Each State Party undertakes to apply and accept, in regard to super-toxic lethal chemicals and key components of binary and/or multicomponent chemical systems for chemical weapons, the following measures:

"A. Super-toxic lethal chemicals with use as chemical weapons

"(i) The restrictions and requirements of this paragraph shall be applicable to the super-toxic lethal chemicals with use as chemical weapons [and other toxic chemicals, as listed in .... Chemicals can be added to or removed from this list according to procedure.] \*\*\*/

"(ii) Each State party shall prohibit all production and use of such chemicals, except for production and use for protective purposes [or in laboratory quantities for research or medical purposes].

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"/ It was understood that this formulation covers the operations of transnational corporations.

"/ The level of quantity to be declared and the question of the necessity to declare the location of facilities in regard to paragraphs 1 and 2 will be agreed upon for each category at a later stage.

"/ The ways for chemicals to be included in or excluded from this category remains to be elaborated.

"(iii) Each State Party may retain, produce, acquire, transfer to another State Party or use such chemicals for protective, [research and medical] purposes, subject to the following:

- the retention, production, acquisition and use of such chemicals for protective purposes shall be strictly limited to those amounts which can be justified for such purposes.
- the amount of super-toxic lethal chemicals possessed by a Party for protective purposes or acquired for protective purposes by any Party in any calendar year shall be included in the one tonne aggregate [for all permitted purposes] for the following chemicals:
  - super-toxic lethal chemicals
  - key component of binary and/or multicomponent chemical systems for chemicals weapons \*/
  - key precursors \*/
- Each State Party which produces such chemicals for protective purposes shall carry out the production at a single small-scale production facility, \*\*/ the capacity of which shall not exceed ... metric tonne per year. The location and a detailed description of the facility shall be provided to the Consultative Committee no less than 30 days before operations commence, and the facility shall be subject to monitoring by the National Authority and the Consultative Committee through annual submission of data, on-site instruments, on-site national inspections and systematic international on-site inspections. Further information on the facility, its monitoring and operations is provided in ...
- [- Any establishment possessing, producing or using laboratory quantities of such chemicals shall be approved by the State Party. The establishments will be monitored by the National Authority and by the Consultative Committee through annual data reporting.]
- Each State Party may transfer such chemicals only to another State Party for protective purposes, subject to the quantity limitations specified in paragraph 3 A (iii) above, [or for research or medical purposes]. Thirty days prior to any transfer or reception greater than ... the transferring Party shall report the transfer or reception to the Consultative Committee, as specified in ... Items transferred may not be retransferred to another State.

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"/ The amounts of key component of binary and/or multicomponent chemical systems for chemical weapons and key precursors will be measured in accordance with the amount of final super-toxic lethal chemicals produced by these compounds.

"/ This does not prejudice the position of one group of delegations about the functions of the single small-scale production facility.

**"B. Super-toxic lethal chemicals with no use as chemical weapons \*/**

**"(i) The restrictions and requirements of this paragraph shall be applicable to the super-toxic lethal chemicals with no use as chemical weapons. \*\*/**

- The retention, production, acquisition and use of these chemicals shall be strictly limited to those amounts which can be justified for such purposes;
- The amount of super-toxic lethal chemicals possessed by a Party for protective purposes or acquired for protective purposes by any Party in any calendar year shall be included in the one tonne aggregate limit [for all permitted purposes] for the following chemicals:
  - super-toxic lethal chemicals
  - key component of binary and/or multicomponent chemical systems for chemical weapons \*\*\*/
  - key precursors \*\*\*/
- Each State Party which produces these chemicals shall carry out the production at [a single small-scale production facility] [facilities approved by the State Party in quantities consistent with such purposes] the capacity of which shall not exceed ... metric tonne per year.
- The location and a detailed description of the facility [facilities] shall be provided to the Consultative Committee not later than 30 days before operations commence, and the facility [facilities] shall be subject to monitoring by the National Authority and the Consultative Committee through annual submission of data, [on-site instruments], on-site national inspections and systematic international on-site inspections. Further information on the facility, [facilities] its monitoring and operations is provided in ....

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**"\*\*/ One delegation considers that the title of this paragraph and the concept contained below is subject to further clarification.**

**"\*\*\*/ The ways for chemicals to be included in or excluded from this category remain to be elaborated.**

**"\*\*\*\*/ The amounts of key component of binary and/or multicomponent chemical systems for chemical weapons and key precursors will be measured in accordance with the amount of final super-toxic lethal chemicals produced by these compounds.**

- Each State Party may transfer these chemicals only to another Party in quantities consistent with permitted purposes [subject to the limitations specified in ...]. [These chemicals may be transferred to a State not Party to the Convention for research and medical purposes.] Thirty days prior to any transfer or reception greater than ... the transferring Party shall report the transfer or reception to the Consultative Committee, as specified in .... Items transferred may not be retransferred to another State.

"C. Chemicals with use as key components of binary and/or multicomponent chemical systems for chemical weapons

- "(i) The restrictions and requirements of this paragraph shall be applicable to chemicals with use as key components of binary and/or multicomponent systems for chemical weapons, listed in .... Chemicals may be added to this list according to ... procedure.
- "(ii) Each State Party shall prohibit all production and use of such chemicals except [for production of super-toxic lethal chemicals as end products for use for protective purposes] [research and medical purposes].
- "(iii) Each State Party may retain, produce or use such chemicals [for protective] [research and medical] purposes subject to the following:
  - At no time shall the aggregate amount of such (in terms of the weight of end products) chemicals possessed, produced or retained for protective purposes [together with chemicals for all permitted purposes] shall, by all means, by any Party in any calendar year, exceed one metric tonne as a general quantity limitation [laboratory quantities].
  - Each State Party which produces such chemicals for protective purposes shall carry out the production at a single small-scale production facility, the capacity of which shall not exceed ... metric tonne per year. The location and a detailed description of the facility shall be provided to the Consultative Committee no less than 30 days before operations commence, and the facility shall be subject to monitoring by the National Authority and the Consultative Committee through annual submission of data, on-site instruments, on-site national inspections and systematic international on-site inspections. Further information on the facility and its operations is provided in ....

[Any establishment possessing, producing or using laboratory quantities of such chemicals shall be approved by the State Party. The establishments will be monitored by the National Authority and by the Consultative Committee through annual data reporting.]
- \* / - Each State Party undertakes not to transfer such chemicals, directly or indirectly, to anyone.

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\*\*/ These two texts represent two different alternatives in regard to the transfer régime.

\*/ - Each State Party may transfer such chemicals only to another Party for protective purposes, subject to the quantity limitations specified in paragraph 3 A (iii) above, [or for research or medical purposes]. Thirty days prior to any transfer or reception greater than ... the transferring Party shall report the transfer to the Consultative Committee, as specified in .... Items transferred may not be retransferred to another State.

"4. Other lethal chemicals with use as chemical weapons and with no use as chemical weapons

(to be elaborated).

"5. Other harmful chemicals

(to be elaborated).

"6. Key precursors

(to be elaborated).

"7. Other chemicals posing special risk

(to be elaborated).

"8. Precursors

(to be elaborated). \*\*/

#### "REPORT OF WORKING GROUP B

"1. Working Group B held 12 meetings from 15 March to 7 August 1985. In addition the Chairman held a number of informal consultations with delegations.

"2. In accordance with the terms of reference (CD/CW/WP.98), the Working Group dealt with the questions of declarations and elimination of chemical weapons and chemical weapons production facilities.

"3. The result of the work is presented below in the form of draft texts for

- Article III on Declarations, and its Annex (Annex III),
- Article IV on Elimination of Chemical Weapons, and its Annex (Annex IV), and
- Article V on Measures on Chemical Weapons Production Facilities, and its Annex (Annex V).

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\*\*/ These two texts represent two different alternatives in regard to the transfer régime.

\*\*\*/ The régimes under paragraphs 3-8 are of a preliminary character and are subject to further simplification and elaboration.

"4. In accordance with the mandate for the Ad Hoc Committee on Chemical Weapons (CD/551) the texts are not binding for any delegation at this stage of the negotiations. Bearing this in mind, Working Group B recommends that the texts presented in this report be used as the basis for future work on these issues.

### "ARTICLE III

### "DECLARATIONS

#### "Declarations of chemical weapons 1/ and plans for their elimination 2/ 3/

"1. Each State Party undertakes to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, declarations stating

"(a) whether it possesses or does not possess any chemical weapons on its territory or elsewhere under its jurisdiction or control,

"(b) whether it has on its territory any chemical weapons under the jurisdiction or control of anyone else,

"(c) whether it has transferred control of chemical weapons since ... or has received such weapons since that date. 4/

"2. Each State Party possessing chemical weapons undertakes to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, declarations stating the aggregate quantity and detailed composition of its chemical weapons.

"3. Each State Party possessing chemical weapons undertakes to submit to the Consultative Committee not later than ... months 5/ after the Convention's entry into force for it, general plans for the elimination of its chemical weapons based on the Principles for the Order of Elimination laid down in Annex IV.

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"1/ In accordance with agreed definitions.

"2/ In accordance with the provisions in Article IV.

"3/ The question of old unknown weapons or stocks which have been left by others without the knowledge of the State Party is not addressed in this Article. It is understood that this question will be dealt with at a later stage of the negotiations at which time the placement in the Convention of the relevant provisions will also be decided.

"4/ The view was expressed that past transfers should not be included in the Convention.

"5/ Three and six months have been proposed.



"4. Each State Party possessing chemical weapons undertakes to submit to the Consultative Committee declarations stating the locations and detailed inventories of their chemical weapons stocks as well as detailed plans for their elimination. These declarations and plans shall be submitted not later than three months before the commencement of each elimination period 1/ specified in the Principles for the Order of Elimination in Annex IV, and shall encompass all stocks to be eliminated during the next coming such period.

"5. State Parties shall consult among themselves and through the Consultative Committee, as soon as possible after the declarations made in accordance with paragraph 2 of this Article, with the view to co-ordinating their plans.

"6. The declarations and plans under Article III, paragraphs 1 through 4, shall be made in accordance with Annex III.

"7. Each State Party undertakes to submit to the Consultative Committee annual progress reports on the implementation of the plans for the elimination of chemical weapons and a notification of the completion of the elimination within 30 days thereafter.

"8. Annex III and Annex IV constitute integral parts of the Convention.

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"Declarations of chemicals which could be used for chemical weapons purposes but which are intended for permitted purposes 2/

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"Declarations of chemical weapons production facilities  
(To be elaborated)

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"Verification of declarations  
(To be elaborated)

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"1/ Some delegations held the view that overall declarations should be made within 30 days after the Convention's entry into force for a State Party.

"2/ In accordance with the organization of work (WP.98) these provisions are to be elaborated in the context of Article VI taking into account inter alia some harmful chemicals, to be elaborated.

"ANNEX III

"I. DECLARATIONS OF CHEMICAL WEAPONS

"A. Possession or non-possession

"1. Possession of chemical weapons on own territory.

Yes .....

No .....

"2. Possession, jurisdiction or control over chemical weapons elsewhere.

Yes .....

No .....

If yes, information about location(s), expressed by name(s) of State(s).

"B. Existence on the territory of any chemical weapons under the jurisdiction or control of anyone else

Yes .....

No .....

If yes, information about ownership, expressed by name(s) of State(s).

"C. Past transfers 1/

"If there has been transfer of control of chemical weapons since ....., or reception of such weapons since that date, the following information shall be provided. To be elaborated.

"D. Aggregate quantity and detailed composition of chemical weapons

"1. Chemicals

"1.1 Toxic chemicals 2/

"In cases involving mixtures of two or more toxic chemicals all such components should be specified as well as the percentage of the mixtures.

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"1/ The view was expressed that past transfers should not be included in the Convention.

"2/ In accordance with agreed definition.

"1.1.1 Super-toxic lethal chemicals<sup>1/</sup>

Scientific chemical name <sup>2/</sup> Structural formula <sup>3/</sup> and Toxicity (of pure substance)	Bulk			Filled in munition Quantity (metric tons)	Total quantity (metric tons)
	Purity <sup>4/</sup> %	Quantity (metric tons)	Number and size of containers		
Chemical A Chemical B etc.					

"1.1.2 Other lethal chemicals<sup>1/</sup>

Scientific chemical name <sup>2/</sup> Structural formula <sup>3/</sup> and Toxicity (of pure substance)	Bulk			Filled in munition Quantity (metric tons)	Total quantity (metric tons)
	Purity <sup>4/</sup> %	Quantity (metric tons)	Number and size of containers		

"1.1.3 Other harmful chemicals<sup>5/</sup>

Scientific chemical name <sup>2/</sup> Structural formula <sup>3/</sup> and Toxicity (of pure substance) if applicable	Bulk			Filled in munition Quantity (metric tons)	Total quantity (metric tons)
	Purity <sup>4/</sup> %	Quantity (metric tons)	Number and size of containers		

"1/ In accordance with agreed definition.

"2/ In accordance with the IUPAC (International Union of Pure and Applied Chemistry) Nomenclature.

"3/ Different views exist whether it is necessary to state both the scientific chemical name and the structural formula in order for the declarations to be unambiguous.

"4/ Three different approaches were taken by delegations: 1) Initial purity, 2) Purity of the compound as stored with an approximation of some 10 per cent. 3) That declaration of purity was not necessary.

"5/ In accordance with agreed definition, but pending such a definition it is unclear which chemicals to declare in this table.

"1.2<sup>1/</sup>

Scientific chemical name <sup>2/</sup> / Structural formula <sup>3/</sup>	Quantity (metric tons)	Number and size of containers
<u>Key precursors for unitary systems</u> 4/		

Scientific chemical name <sup>2/</sup> / Structural formula <sup>3/</sup>	Bulk		Filled in munition/ submunition (metric tons)	Total quantity (metric tons)
	Quantity (metric tons)	Number and size of containers		
[ <u>Key components</u> ] [ <u>Key precursors</u> ] for multi-component systems 4/5/6/				

"1/ The view was expressed that these two tables were not necessary and the key precursors and key components could be declared under points 1.1.1, 1.1.2 and 1.1.3 as applicable.

"2/ In accordance with the IUPAC (International Union of Pure and Applied Chemistry) Nomenclature.

"3/ Different views exist whether it is necessary to state both the scientific chemical name and the structural formula in order for the declarations to be unambiguous.

"4/ To be declared separately for super-toxic lethal, other lethal and other harmful chemicals.

"5/ Identified in accordance with approaches to be worked out in the context of Article II.

"6/ Some delegations suggested that multicomponent chemical weapons should not be declared as a special category in a separate table.

"1.3 Precursors<sup>1/</sup> in bulk<sup>2/</sup>

Scientific chemical name <sup>3/</sup> / Structural formula <sup>4/</sup>	Quantity (metric tons)	Number and size of containers
<u>Precursors for unitary systems</u>  <u>Components for multicomponent systems <sup>5/</sup></u>		

"1/ Identified in accordance with approaches to be worked out in the context of Article II.

"2/ Some delegations did not consider this table necessary.

"3/ In accordance with the IUPAC (International Union of Pure and Applied Chemistry) Nomenclature.

"4/ Different views exist whether it is necessary to state both the scientific chemical name and the structural formula in order for the declarations to be unambiguous.

"5/ Some delegations suggested that multicomponent chemical weapons should not be declared as a special category in a separate table.

## "2. Munitions

Type	Calibre (if applicable)	Quantity of unfilled munition/submunition (number of pieces) <sup>1/</sup>	Filled munition/submunition	
			Quantity (number of pieces)	Chemical fill (in kg per piece of munition/submunition)
<u>Unitary chemical type</u>				
Examples:				
Shell	155 mm	22.000	13.000	2.82 kg of chemical x
Cartridge	120 mm		8.000	1.12 kg of chemical y
Rocket warhead		500 warhead bodies	1.000 warheads	50 kg of chemical Z
		1.500 submunitions	100 submunitions	(50 x 1 kg submunitions)
<u>Multicomponent chemical type</u>				
Examples:				
Binary shells for ... (name of final reactive product)	155 mm	100 shell bodies	500 (completed shells, components stored separately)	3 kg chemical A + B
		200 cannisters A 300 cannisters B	100 cannisters A 150 cannisters B	2 kg chemical A 1 kg chemical C

## "3. Other Devices

Type	Quantity of unfilled devices (number of pieces)	Filled devices	
		Quantity (number of pieces)	Chemical fill (in kg/piece)
(Example: spraytanks)			

<sup>1/</sup> Some delegations did not consider this column necessary.

"4. Equipment specifically designed for use directly in connection with the employment of munitions and other devices under points D:2 and 3. (Example: single purpose rocket launchers).

"5. Chemicals specifically designed for use directly in connection with the employment of munitions and other devices under points D:2 and 3. (Example: thickeners). 1/

"E. Locations and detailed inventories of chemical weapons stocks to be declared before the commencement of each elimination period 2/

For each stock the following shall be declared:

"1. Location

Geographical location expressed by ...

"2. Detailed inventory

Composition and quantities of the chemical weapons shall be declared in accordance with paragraph D of this Annex.

## "II. PLANS FOR THE ELIMINATION OF CHEMICAL WEAPONS

"A. General plans

The following chemical weapons shall be eliminated during Elimination Period I: 2/ 3/

The following chemical weapons shall be eliminated during Elimination Period II: 2/ 3/

etc.

"B. Detailed plans

They shall include:

- schedules indicating detailed timeframes, quantities and types of chemical weapons to be destroyed or diverted to permitted purposes 4/ in accordance with the Principles for the Elimination laid down in Annex IV,

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"1/ Different views exist concerning, if or to what extent such chemicals should be declared. Furthermore, it appears that this question will have to be decided in the light of the final definition of chemical weapons.

"2/ Some delegations held the view that overall declarations should be made within 30 days after the Convention's entry into force for a State Party.

"3/ Chemical weapons shall be described and amounts indicated in a manner identical to that of the declarations.

"4/ One delegation stated that it was unconvinced that diversion was either a practical or economical method for elimination. It may be prepared, however, to review its position in the event a practical system for diversion can be devised, preserving the requirement for effective verification.

- location of facilities to be used for destruction or diversion 1/ and information confirming that the facilities can consume the quantities to be eliminated within the elimination period,
- methods to be used for the destruction or diversion, 1/ as well as the end products,
- plans for verification of the destruction and diversion 1/ processes based on the Principles and Methods for the Verification of the Elimination of Chemical Weapons laid down in Annex IV.

#### "ARTICLE IV

#### "ELIMINATION OF CHEMICAL WEAPONS 2/

"1. Each State Party possessing chemical weapons undertakes to eliminate through destruction or diversion, 1/ as rapidly as possible, all chemical weapons under its jurisdiction or control in accordance with the Principles for the Elimination of Chemical Weapons laid down in Annex IV.

"2. The elimination shall commence within ... 3/ months and be completed within 10 years after the Convention's entry into force for a State Party, and shall be carried out in accordance with the Principles for the Order of Elimination laid down in Annex IV and the plans submitted under Article III.

"3. The elimination process shall be carried out in such a way that the end products are unsuitable for chemical weapons purposes.

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"1/ One delegation stated that it was unconvinced that diversion was either a practical or economical method for elimination. It may be prepared, however, to review its position in the event a practical system for diversion can be devised, preserving the requirement for effective verification.

"2/ The question of old unknown weapons or stocks which have been left by others without the knowledge of the State Party, is not addressed in this Article. It is understood that this question will be dealt with at a later stage of the negotiations at which time the placement in the Convention of the relevant provisions will also be decided.

"3/ The figure to be inserted here depends on a later decision as regards the Principles for the Order of Elimination in Annex IV.



"4. Each State Party possessing chemical weapons undertakes to facilitate and not to hinder in any way the application of the Principles and Methods for the Verification of the Elimination of Chemical Weapons, laid down in Annex IV.

"5. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

#### "ANNEX IV

"A State Party shall decide for itself which methods, processes and techniques to use for the elimination of its chemical weapon, if any, in accordance with the principles laid down in this Annex.

#### "I. PRINCIPLES FOR THE ELIMINATION OF CHEMICAL WEAPONS

All chemical weapons shall be eliminated through destruction or diversion. Limited quantities of chemicals may be retained as specified in Article VI.

##### "A. Destruction of chemical weapons

Destruction of chemical weapons means a process by which chemicals are converted in an essentially irreversible way to a form unsuitable for production of chemical weapons, and which in an irreversible manner renders munitions and other devices unusable as such.

Elimination through destruction shall apply to all chemical weapons except those which may be diverted.

##### "B. Diversion of chemical weapons

Diversion of chemical weapons means a process by which chemical weapons are converted in an essentially irreversible way into end products that may only be used for purposes other than those related to chemical weapons.

Elimination through diversion may not apply to supertoxic lethal chemicals or key components of multi-component systems.

Elimination through diversion may apply to ... (To be elaborated).

#### "II. PRINCIPLES FOR THE ORDER OF ELIMINATION

"A. The elaboration of Principles for the Order of Elimination could build on the following:

- undiminished security for all States during the entire elimination stage,
- confidence building in the early part of the elimination stage,
- applicability irrespective of the actual composition of the stockpiles, and
- applicability irrespective of the methods chosen for the elimination of the chemical weapons.

"B. The elaboration of Principles for the Order of Elimination is in a very early stage of the negotiations. The preliminary approach has so far been based on the following:

- that the entire elimination stage be divided into x number of elimination periods,
- that the chemical weapons to be eliminated be divided into groups,
- that certain percentages of the initial aggregate amount of each group of chemical weapons be eliminated during each elimination period, and
- that methods for comparing stockpiles of different composition be elaborated. This approach could be illustrated as follows:

Group of chemical weapons	Elimination period		
	I	II	III
	1-4 years after entry into force	4-7 years after entry into force	7-10 years after entry into force
Group A	40%	30%	30%
Group B	40%	30%	30%
Group C	100%	0%	0%
Group D	30%	40%	30%
Group E	30%	30%	40%

(It should be noted that the number and length of the elimination periods, the various percentages and the number of Groups are intended only as examples).

### "III. PRINCIPLES AND METHODS FOR THE VERIFICATION OF THE ELIMINATION OF CHEMICAL WEAPONS

"The detailed arrangements for the actual verification of the elimination shall be worked out in collaboration between the State Party and the Consultative Committee (or its subsidiary organs, as appropriate) in accordance with the following principles:

#### "A. Principles and methods for the verification of destruction of chemical weapons

"The principles summarized in CD/CW/WP.108 are to be further elaborated. They read:

- " - that the aim of the verification procedures should be
  - to confirm the identity and quantity of the materials to be destroyed, and

- to confirm that the materials have actually and completely been destroyed,
- that a combination of human inspection and monitoring with instruments would be necessary for effective verification, but that the exact combination of instruments and inspectors would have to be tailored after the specific destruction processes to be monitored,
- that inspection would be continuous during periods in which destruction operations are under way for destruction of supertoxic lethal chemicals, draining of filled munitions as well as during destruction of filled and drained munition. As regards other chemicals there were different views on whether inspection should be continuous or on a quota basis or limited to certain key stages,
- that international inspectors would have to be qualified and impartial personnel, and that they should be able to make independent judgements,
- that the inspectors should have an up-to-date knowledge of the design and operation of the destruction facility and that they would need to make a detailed engineering review of the facility, including on-site inspection, before the destruction operations begin,
- that in order to minimize intrusion and ensure confidence, the data used for verification should be as closely linked as possible to the actual destruction step and the verification procedures designed so that they do not unnecessarily interfere with the operations of the facility,
- that, to the extent consistent with the needs, the verification procedures should make use of information from routine facility operations, and that the same verification procedures should, to the extent possible, be used for different processes within one and the same facility,
- that close co-operation between international verification personnel and host State operating personnel was important for effective international verification, and
- that, while the decisions as regards destruction methods etc. lies with the sovereign State Party, the Technical Secretariat could have some role to play. It could, inter alia, assist States Parties with experts for the designing of destruction facilities, and give suggestions on how to facilitate the verification tasks. It seemed, however, to be agreed that such assistance should be given by the Technical Secretariat, only upon request from a State Party."

Principles and methods for the verification of diversion of chemical weapons for permitted purposes

(To be elaborated).

"ARTICLE V 1/

"MEASURES ON CHEMICAL WEAPONS PRODUCTION FACILITIES 2/

"DECLARATIONS 3/ 4/

"Declarations of chemical weapons production facilities and plans for their elimination"

"1. (An undertaking by States Parties) to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, declarations stating:

"(a) whether it possesses or does not possess any chemical weapons production facilities on its territory or elsewhere under its jurisdiction or control,

"(b) whether it has on its territory any chemical weapons production facilities under the jurisdiction or control of anyone else,

"(c) whether it has transferred equipment or technical documentation 5/ relevant for production of chemical weapons since ... or has received such equipment or documentation 5/ since that date. 6/

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"1/ The text of this Article and its Annex is in an early stage of negotiations.

"2/ In accordance with definitions still to be worked out in the context of Article II. It is understood that the definition will encompass also filling facilities.

"3/ The provisions on Declarations (plus relevant part of Annex V) will presumably be moved to Article III and its Annex, once they have been further negotiated.

"4/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"5/ The view was expressed that technical documentation should not be included.

"6/ The view was expressed that past transfers should not be included in the Convention.

"2. (An undertaking by State Parties possessing chemical weapons production facilities) to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, initial declarations stating their total production capacity. 1/ 2/

"3. (An undertaking by States Parties possessing chemical weapons production facilities) to submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, a declaration that all activities related to production of chemical weapons have ceased. 3/

"4. (An undertaking by States Parties possessing chemical weapons production facilities) to submit not later than ... 4/ plans for the closure, 3/ plans for temporary conversion into chemical weapons destruction facilities, if any, and general plans for the elimination of their production facilities, as well as plans, if any, for conversion into facilities for production for permitted purposes. 5/

"5. (An undertaking by State Parties possessing chemical weapons production facilities) to submit to the Consultative Committee detailed declarations stating the locations and detailed information on their chemical weapons production facilities as well as detailed plans for the elimination. These

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"1/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"2/ Some delegations held the view that all States Parties should declare their total production capacity. Other delegations felt that it was not necessary in this context to declare the total production capacity, and therefore that the entire paragraph was not necessary.

"3/ Some delegations expressed the view that ceasing of production and closing of production facilities should be simultaneous. However, other delegations had doubts about the feasibility of this from the point of view of verification of the closure as well as from the point of view of possible temporary conversions of such facilities into facilities for destruction of chemical weapons.

"4/ The view was expressed that an early date should be set.

"5/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

declarations and plans shall be submitted not later than three months before the commencement of the elimination, 1/ as specified in the Principles for the Order of Elimination of Chemical Weapons Production Facilities laid down in Annex V.

"6. The declarations and plans to be submitted under paragraphs 1 through 5 shall be made in accordance with Annex V.

"7. State Parties shall consult among themselves and through the Consultative Committee, as soon as possible after the declarations made in accordance with paragraph 2 with the view to co-ordinating their elimination plans. 2/

"8. (An undertaking by each State Party possessing chemical weapons production facilities) to submit to the Consultative Committee annual progress reports on the implementation of the plans for the elimination of chemical weapons production facilities and a notification of the completion of the elimination within 30 days thereafter.

"Declarations of other facilities producing chemicals which can be used for chemical weapons purposes 3/

#### "ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"9. (An undertaking by each State Party possessing chemical weapons production facilities) to cease all activities at its chemical weapons production facilities relating to the production of chemical weapons, immediately after the Convention's entry into force for it, and to close each production facility not later than ... 4/ after the Convention's entry into force for it, in a manner that renders it inoperable for chemical weapons production.

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"1/ The view was expressed that declaration of location should be made in the context of declarations that production have ceased.

"2/ The view was expressed that as regards elimination of chemical weapons production facilities such an obligation was not necessary.

"3/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"4/ Some delegations expressed the view that ceasing of production and closing of production facilities should be simultaneous. However, other delegations had doubts about the feasibility of this from the point of view of verification of the closure as well as from the point of view of possible temporary conversions of such facilities into facilities for destruction of chemical weapons.

"10. (An undertaking by each State Party possessing chemical weapons production facilities) to eliminate through destruction or dismantling, 1/ the chemical weapons production facilities under its jurisdiction or control in accordance with the Principles for the Elimination of Chemical Weapons Production Facilities laid down in Annex V.

"11. The elimination shall commence within ... months and be completed as soon as possible and in any case not later than 10 years after the Convention's entry into force for a State Party.

"12. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

"13. (An undertaking by States Parties) not in any way to acquire any new chemical weapons production facilities. 2/

"14. (An undertaking by States Parties possessing chemical weapons production facilities) to facilitate and not to hinder in any way the application of the Principles and Methods for the Verification of the Closure and Elimination of Chemical Weapons Production Facilities, laid down in Annex V.

#### "ANNEX V

#### "I. DECLARATIONS OF CHEMICAL WEAPONS PRODUCTION FACILITIES 3/

##### "A. Possession or non-possession 4/

"1. Possession of chemical weapons production facilities on own territory.

Yes ...

No ...

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"1/ The view was expressed that pending the definitions of chemical weapons production facilities, the possibility for other ways of elimination should be kept open.

"2/ Some delegations did not consider this paragraph necessary.

"3/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"4/ Some delegations held the view that all States Parties should declare their total production capacity. Other delegations felt that it was not necessary in this context to declare the total production capacity, and therefore that the entire paragraph was not necessary.

"2. Possession, jurisdiction or control over chemical weapons production facilities elsewhere.

Yes ...

No ...

If yes, information about location(s), expressed by name(s) of State(s).

"B. Existence on the territory of any chemical weapons production facilities under the jurisdiction or control of anyone else

Yes ...

No ...

If yes, information about ownership, expressed by name(s) of State(s).

"C. Past transfers 1/

"If there has been transfer of equipment or technical documentation 2/ relevant for production of chemical weapons since ..., or reception of such equipment or documentation 2/ since that date, the following information shall be provided.

(To be elaborated.)

"D. Initial declarations of chemical weapons production facilities

"They shall contain the following information:

"(1) production, stating products by ...

"(2) capacity expressed as ... 3/

"(3)

"(4)

"E. Declarations that all activities related to production of chemical weapons have ceased

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"1/ The view was expressed that past transfers should not be included in the Convention.

"2/ The view was expressed that technical documentation should not be included.

"3/ It was suggested that capacity be expressed as maximum hourly capacity.



"F. Detailed declarations of chemical weapons production facilities

"They shall contain the following information:

"(1) Geographical location expressed by ... 1/

"(2) Chemical names of products produced

"(3) Manufacturing/filling capacity for each substance expressed as ... 2/

"(4)

"(5)

"II. PLANS FOR THE CLOSURE, ELIMINATION AND CONVERSION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"A. Plans for closure 3/ of chemical weapons production facilities

"B. Plans for temporary conversion of chemical weapons production facilities into chemical weapons destruction facilities

"C. Plans for the elimination of chemical weapons production capacities

"1. General plans

They shall include:

"2. Detailed plans

They shall include:

"D. Plans for elimination of chemical weapons production facilities which have temporarily been converted into chemical weapons destruction facilities

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"1/ The view was expressed that declaration of location should be made in the context of declarations that production have ceased.

"2/ It was suggested that capacity be expressed as maximum hourly capacity.

"3/ Some delegations expressed the view that ceasing of production and closing of production facilities should be simultaneous. However, other delegations had doubts about the feasibility of this from the point of view of verification of the closure as well as from the point of view of possible temporary conversions of such facilities into facilities for destruction of chemical weapons.

"7. Plans for conversion of chemical weapons production facilities into facilities for production for permitted purposes 1/

"III. DECLARATIONS OF OTHER FACILITIES PRODUCING CHEMICALS WHICH CAN BE USED FOR CHEMICAL WEAPONS PURPOSES 2/

"IV. ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

A State Party shall decide for itself which methods, processes and techniques to use for the elimination of its chemical weapons production facility, if any, in accordance with the principles laid down in this Annex.

"A. PRINCIPLES FOR THE ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"All chemical weapons production facilities shall be eliminated through destruction or dismantling. 3/ Chemical weapons production facilities may be temporarily converted into chemical weapons destruction facilities.

"1. Destruction of chemical weapons production facilities

Destruction of chemical weapons production facilities means ...

Elimination through destruction shall apply to ...

"2. Dismantling of chemical weapons production facilities

Dismantling of chemical weapons production facilities means ...

Elimination through dismantling may apply to ...

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"1/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

"2/ Some delegations stressed that overall declarations should encompass not only production facilities with a production for chemical weapons purposes but also other facilities producing chemicals which can be used for chemical weapons purposes. It is understood that for the time being the paragraphs under the heading 'Declarations of chemical weapons production facilities and plans for their elimination' refers only to production facilities with a production for chemical weapons purposes. A separate heading 'Declarations of other facilities producing chemicals which can be used for chemical weapons purposes' has been inserted to indicate that the question of declaration of such facilities will need to be worked on.

"3/ The view was expressed that pending the definition of chemical weapons production facilities, the possibility for other ways of elimination should be kept open.

- "3. Elimination of chemical weapons production facilities temporarily converted into chemical weapons destruction facilities
- "4. Elimination of chemical weapons production facilities through conversion into facilities for production for permitted purposes 1/

"B. PRINCIPLES FOR THE ORDER OF ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

(To be elaborated.)

"C. PRINCIPLES AND METHODS FOR THE VERIFICATION OF THE CLOSURE AND ELIMINATION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

"The detailed arrangements for the actual verification of the elimination shall be worked out in collaboration between the State Party and the Consultative Committee (or its subsidiary organs, as appropriate) in accordance with the following principles

- "1. Principles and methods for the verification of closure of chemical weapons production facilities

(To be elaborated.)

- "2. Principles and methods for the verification of destruction of chemical weapons production facilities

(To be elaborated.)

- "3. Principles and methods for the verification of dismantling of chemical weapons production facilities

(To be elaborated.)

- "4. Principles and methods for the verification of elimination of chemical weapons production facilities which have temporarily been converted into chemical weapons destruction facilities

- "5. Principles and methods for the verification of elimination of chemical weapons production facilities through conversion into facilities for production for permitted purposes 2/

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"1/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

"2/ Some delegations held the view that conversion of chemical weapons production facilities into facilities for production for permitted purposes should not take place.

## "Report of Working Group C

"1. Working Group C held 14 meetings from 6 March to 9 August 1985. In addition the Chairman held five open-ended consultations with delegations.

"2. In accordance with the terms of reference for Working Group C (CD/CW/WP.98) it attempted to draft the following articles:

Article VII - National Implementation Measures

Article VIII - Consultative Committee

Article IX - Consultation, Co-operation and Fact-finding

Working Group C used document CD/CW/WP.106, Alternative I, tabled by the Chairman on 12 April 1985, as a technical basis for the drafting exercise.

"3. Working Group C was able to agree on texts of drafts of Article VII and Article VIII, the texts of which are attached to this report. In the context of Article VII it was suggested that guidelines for the functioning of the national authority for the implementation of the Convention be elaborated. Working Group C was only able to agree on paragraphs 1 and 2 of Article IX. Further work is required to bring Article IX to the same stage of development as Article VII and Article VIII.

"4. In accordance with the mandate for the Ad Hoc Committee on Chemical Weapons (CD/551) the texts agreed upon are of a preliminary nature and not binding on any delegation at this stage of the negotiations.

### "Article VII

#### "National Implementation Measures

"Each State Party to this Convention shall adopt any measures it considers necessary in accordance with its constitutional processes to implement this Convention and, in particular, to prohibit and prevent anywhere under its jurisdiction or control any activity that a State party to this Convention is prohibited from conducting by this Convention.

"In order to implement these obligations, each State Party shall, according to its needs and specific conditions, designate or establish a national authority. \*/

"Each State Party undertakes to inform the Consultative Committee concerning the national authority and other legislative and administrative measures taken to implement the Convention.

"Each State Party undertakes to co-operate with the Consultative Committee in the exercise of all its functions and in particular to provide assistance to

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\*/ It was suggested that guidelines for the functioning of the national authority for the implementation of the Convention be elaborated.

the Consultative Committee including data reporting, assistance for international on-site inspections, provided for in this Convention, and a response to all its requests for the provision of expertise, information and laboratory support.

National Technical Means \*/

"Article VIII

"Consultative Committee

"1. The States Parties to this Convention shall establish a Consultative Committee [upon] [within 30 days after the] entry into force of this Convention. Each State party to this Convention shall be entitled to appoint a representative to the Consultative Committee.

"2. The first session of the Consultative Committee shall be convened by the Depositary at [venue] not later than 30 days after the entry into force of the Convention.

"3. The Consultative Committee shall [oversee] [review] the implementation of the Convention, consider any questions or matters relevant to the Convention or relating to the powers and functions of any organs established under the Convention, foster international consultations and co-operation among States Parties to the Convention, and promote the verification of compliance with this Convention.

"4. For the purposes of this Convention the Consultative Committee shall be responsible for: \*\*/

"(a) establishing, and revising as necessary, procedures for exchange of information, for declarations and for technical matters related to the implementation of this Convention;

"(b) receiving, keeping [and making available to States Parties] declarations, plans and notifications presented by States Parties in accordance with Articles ...;

"(c) carrying out all activities relating to the execution of measures of verification as specified in this Convention; further specifying procedures for the conduct of systematic international on-site inspection; overseeing and carrying out systematic international on-site verification in accordance with Articles ...; receiving and considering requests for fact-finding procedures and to conduct such procedures in accordance with Article ...;

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"\*/ It was suggested that no reference to National Technical Means is needed in a future Convention.

"\*\*/ The enumeration of responsibilities listed in paragraph 3 was not considered to be exhausted.

"(d) co-operating with the national authorities of States Parties in the implementation of the Convention;

"(e) facilitating consultations and co-operation among States Parties at their request by means of rendering services to them;

"(f) reviewing scientific and technical developments which could affect the operation of this Convention;

"(g) encouraging international scientific and technical co-operation in the chemical field for peaceful purposes.

"5. The Consultative Committee shall establish an Executive Council [within 45 days after entry into force of the Convention]. The Council shall be composed of representatives of [15] States Parties on the basis of an appropriate geographic [and political] balance. [In addition, those permanent members of the Security Council of the United Nations who are Parties to the Convention should be represented.] The [elected] members of the Executive Council shall serve for [two] [three] year period, with [five] of the members replaced or re-elected each year.

"6. [The Executive Council shall have delegated authority to carry out the functions of the Consultative Committee when it is not in session.] \*/ The Executive Council shall report to the Consultative Committee about the exercise of the functions delegated to it.

"7. The Consultative Committee shall meet in regular session annually; it shall hold extraordinary sessions at the request of the majority of States Parties to this Convention.

"8. Any decision of substance of the Consultative Committee and the Executive Council requires a [two-third majority] [consensus], any other decision requires a simple majority. \*\*/ [All decisions in the Consultative Committee and in the Executive Council shall be taken by a two-third majority.]

"9. The States Parties to this Convention shall establish a Technical Secretariat that shall provide administrative support to the Consultative Committee and the Executive Council and render technical assistance to States Parties and the Executive Council.

"10. Further functions and the organization of the Consultative Committee and its subsidiary organs are specified in Annex ...

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\*/ The division of responsibility between the Consultative Committee and the Executive Council and the detailed functions of the latter remain to be elaborated.

\*/ An opinion was expressed that the concept of consensus encompasses that in case the Executive Council is unable to reach a consensus on a given subject matter, all views expressed should be made known to the States Parties of the Convention.

## "Article IX

### "Consultation, Co-operation and Fact-Finding

"1. States Parties shall consult and co-operate, directly among themselves, or through the Consultative Committee or other appropriate international procedures, including procedures within the framework of the United Nations and in accordance with its Charter, on any matter which may be raised relating to the objectives or the implementation of the provisions of this Convention.

"2. States Parties to the Convention shall make every possible effort to clarify and resolve, through exchange of information and consultations among them, any matter which may cause doubt about compliance with this Convention, or which gives rise to concerns about a related matter which may be considered ambiguous. [A Party which receives a request from another Party for clarification of any matter which the requesting Party believes causes such doubts or concerns shall provide the requesting Party, within ... days of the request, with information sufficient to answer the doubts or concerns raised along with an explanation on how the information provided resolves the matter.] Nothing in this Convention affects the right of any two or more States Parties to this Convention to arrange by mutual consent for inspections or any other procedures among themselves to clarify and resolve any matter which may cause doubts about compliance or gives rise to concerns about a related matter which may be considered ambiguous. Such arrangements shall not affect the rights and obligations of any State Party under other provisions of this Convention.

The further contents of Article IX remain to be elaborated.

### "Report of the Chairman of the Open-ended Consultations of the Ad Hoc Committee on Chemical Weapons

"1. In accordance with the terms of reference outlined by the Chairman of the Ad Hoc Committee on Chemical Weapons in document CD/CW/WP.98 dated 27 February 1985, the Open-ended Consultations considered the question of the prohibition of the use of chemical weapons and the question of herbicides.

"2. It was agreed at the first Open-ended Consultations in spring that within the terms of reference, the Open-ended Consultations would deal with the following four elements:

"(a) the prohibition of the use of chemical weapons;

"(b) the link of the prohibition of the use of chemical weapons to the 1925 Geneva Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare;

"(c) the prohibition of the use of herbicides as a method of warfare;

"(d) the verification of the prohibition of the use of chemical weapons and of the prohibition of the use of herbicides as a method of warfare.

"3. As reported in document CD/CW/WP.107 dated 22 April 1985, in the spring session of the Conference on Disarmament the Open-ended Consultations dealt with the first two elements, i.e. the prohibition of the use of chemical weapons and the link of the prohibition of the use of chemical weapons to the 1925 Geneva Protocol. A convergence of views has emerged from the consultations on a set of

provisions dealing with the two elements as contained in the Annex of document CD/CW/WP.107, which in the view of the Chairman constitutes a basis for consensus to be reached after further consultations.

"4. In the second part of the session, the Open-ended Consultations considered the two remaining elements, i.e. the question of the prohibition of the use of herbicides as a method of warfare and the question of verification of the use of chemical weapons and of the prohibition of the use of herbicides.

"5. Seven meetings of the Open-ended Consultations were held from 18 June to 5 August 1985.

"Prohibition of the use of herbicides as a method of warfare  
and its verification"

"6. The Open-ended Consultations discussed the problem concerning the prohibition of the use of herbicides as a method of warfare and had considered the formulation of such a prohibition contained in the annex of document CD/539 and the informal proposal of the Delegation of Sweden submitted in January 1985.

"7. In the course of the discussions, the Open-ended Consultations also considered the informal proposals on the prohibition of the use of herbicides submitted by the delegations of China, Iran, Pakistan, Sri Lanka and USSR, as well as the informal working papers submitted by the delegation of the Netherlands and by the delegation of Sweden on 15 July 1985 and the working paper submitted by the delegation of Pakistan in document CD/CW/WP.118 dated 22 July 1985.

"8. There is a general understanding that the use of herbicides as a method of warfare should be prohibited; obviously such a prohibition should not preclude any other use of herbicides. It is also generally understood that herbicides are not to be considered as chemical weapons.

"9. Several delegations were of the view that such a prohibition should be provided in the convention banning chemical weapons, while several other delegations took the view that it could be incorporated in a separate legal instrument such as a protocol to be attached to the convention. Some delegations who considered the possibility of a separate instrument dealing specifically with the prohibition of the use of herbicides attached to the convention were of the opinion that the convention must expressly provide that the separate instrument constitutes an integral part of the convention. Suggestion was also made that the separate instrument would not be attached to the convention; there could be provisions in both instruments providing for their simultaneous signature and ratification.

"10. Delegations were generally of the view that a provision banning the use of herbicides as a method of warfare should be complemented with a clear understanding that herbicides mean chemical substances which, due to their purpose and direct effects, interfere with life processes of plants.

"11. Delegations felt that future provisions prohibiting the use of herbicides as a method of warfare should not be interpreted as in any way applicable rules of international law pertaining to the use of herbicides.



"12. In this connection, certain delegations were of the view that the existing legal instruments relating to the use of herbicides should be examined to determine their adequacy in prohibiting the use of herbicides. Several other delegations took the view that those existing legal instruments do not adequately deal with the use of herbicides.

"13. A few delegations referred to another aspect of the problem, namely the question of verification of the prohibition of the use of herbicides. However, the question was not discussed for lack of time and needs to be fully addressed at the next session.

"14. Chairman's informal suggestions on a possible wording:

"In view of the progress made in the discussions in the Open-ended Consultations, the Chairman believes that in order to facilitate further progress, an attempt should be made to reflect the main trends of the discussions so far in a set of wording which does not constitute a final draft. For that purpose, and without prejudice to the position of delegations, the Chairman suggested the following wording which shall not bind any delegations:

- "(1) Each State party undertakes not to use herbicides as a method of warfare; such a prohibition should not preclude any other use of herbicides.
- "(2) For the purpose of this Convention, herbicides mean chemical substances which, due to their purpose and direct effects, interfere with life processes of plants.
- "(3) The provision of paragraph (1) shall not be interpreted as in any way impairing the applicable rules of international law pertaining to the use of herbicides.

"Verification of the prohibition of the use of chemical weapons

"15. Open-ended consultations on the question of verification of the prohibition of the use of chemical weapons were held, in which the report of the Co-ordinator of the consultations on the prohibition of the use of chemical weapons on the criteria for the objective and impartial verification of a prohibition of use of chemical weapons contained in annex II of CD/416 dated 22 August 1983 and the informal Working Paper of the Chairman of the Open-ended Consultations dated 8 July 1985 were used as basis for discussions.

"16. There was an exchange of general views on certain aspects relating to the subject. In the course of the discussions, the Observer Delegation of Norway made a statement on its Working Paper contained in document CD/601 dated 20 June 1985. Substantive discussions had, however, hardly begun.

"17. It is generally understood that provisions in the Convention for international verification by means of challenge procedure shall apply equally to complaints of the use of chemical weapons in violation of the Convention.

"18. In view of the specific nature of the situations where chemical weapons are alleged to be or to have been used, several delegations were of the view that specific provisions in the Convention dealing with international verification of

complaints on the use of chemical weapons were deemed appropriate. Such specific provisions should however be elaborated in close conjunction with the elaboration of provisions on verification as a whole, as some of those provisions might be equally applicable to the verification of the prohibition of the use of chemical weapons.

"19. In discussing such specific provisions on verification of the prohibition of the use of chemical weapons - to constitute a part of a general régime of verification - several elements were mentioned:

"(a) the need for a short time limit for the commencement of an on-site investigation requested by a State party, carried out by the Consultative Committee.

"(b) the need for the State party lodging the complaint and requesting an on-site investigation to provide relevant information concerning the alleged use of chemical weapons.

"(c) the need for all States Parties to give access to the team of experts assigned by the appropriate organ of the Consultative Committee to conduct an on-site investigation.

"(d) the need for the State Party in whose territory the team of experts is to conduct its activities to endeavour to ensure the safety of the members of the team of experts.

"(e) the need for the Consultative Committee to draw up inter alia:

- a list of experts;
- a list of laboratories;
- a list of equipment needed;
- a guideline for the collection and analysis of information and samples.

"20. In-depth discussions on the question of verification of the prohibition of the use of chemical weapons, and in particular discussions on the possible elements of specific provisions on the subject, are required."

#### E. Prevention of an Arms Race in Outer Space

97. The item on the agenda entitled "Prevention of an arms race in outer space" was considered by the Conference, in accordance with its programme of work, during the periods 4-15 March and 1-5 July 1985.

98. The list of documents presented to the Conference during its 1985 session under the agenda item is contained in the Report submitted by the Ad Hoc Committee referred to in the following paragraph.

99. At its 334th plenary meeting, on 29 August 1985, the Conference adopted the Report of the Ad Hoc Committee established by the Conference under the agenda item at its 304th plenary meeting (see paragraph 13 above). That Report (CD/641) is an integral part of this Report and reads as follows:

## "1. Introduction

"1. At its 304th plenary meeting on 29 March 1985, the Conference on Disarmament adopted the following decision:

"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 Conference on Disarmament decides to establish an Ad Hoc Committee under item 5 of its agenda entitled "Prevention of an arms race in outer space".

"The Conference requests the Ad Hoc Committee, in discharging that responsibility, to examine, as a first step at this stage, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space.

"The Ad Hoc Committee will take into account all existing agreements, e existing proposals and future initiatives and report on the progress of its work to the Conference on Disarmament before the end of its 1985 session.

## "II. Organization of work and documents

"2. At its 314th plenary meeting on 20 June 1985, the Conference on Disarmament appointed Ambassador Saad Alfarargi (Egypt) as Chairman of the Ad Hoc Committee. Miss Aida Luisa Levin, United Nations Department of Disarmament Affairs, served as the Committee's Secretary.

"3. The Ad Hoc Committee held 20 meetings between 24 June and 26 August 1985.

"4. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee: Austria, Denmark, Finland, Greece, Ireland, New Zealand, Norway and Spain.

"5. The Ad Hoc Committee had before it the following documents relating to the agenda item submitted to the Conference on Disarmament during the 1985 session:

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|--------|--|
| CD/579 | China's Basic Position on the Prevention of an Arms Race in Outer Space;   |
| CD/584 | Decision on the establishment of an <u>Ad Hoc</u> Committee on Item 5 of the Agenda entitled: "Prevention of an Arms Race in Outer Space";   |
| CD/606 | Letter dated 2 July 1985 from the Permanent Representative of Canada transmitting a two volume compendium of CD Verbatim Records and Working Papers submitted to the Conference on the subject of the Prevention of an Arms Race in Outer Space; |
| CD/607 | "Prevention of an Arms Race in Outer Space", Working paper of a group of socialist countries (also issued as CD/OS/WP.3);  |

- CD/611 Letter dated 9 July 1985 addressed to the President of the Conference on Disarmament from the Representative of the USSR transmitting the text of the reply of the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mr. Mikhail Gorbachev, to the Union of Concerned Scientists, published on 6 July 1985;
- CD/618 "Survey of International Law Relevant to Arms Control and Outer Space", submitted by Canada (also issued as CD/OS/WP.6);
- CD/637 "Principal international agreements which apply or otherwise relate directly or indirectly to outer space", working paper submitted by the United Kingdom (also issued as CD/OS/WP.7);
- CD/639 Letter dated 21 August 1985 addressed to the President of the Conference on Disarmament by the Representative of the Union of Soviet Socialist Republics transmitting the texts of Documents connected with the USSR proposal "The basic directions and principles of international co-operation in peaceful exploration of outer space under conditions of its non militarization".

"In addition, the Committee had before it the following working papers:

- CD/OS/WP.1 List of documents of the Conference on Disarmament relating to agenda item 5: "Prevention of an Arms Race in Outer Space";
- CD/OS/WP.2 List of General Assembly resolutions relating to agenda item 5 transmitted to the Secretary-General of the United Nations to the Conference on Disarmament;
- CD/OS/WP.3 Prevention of an Arms Race in Outer Space, Working Paper of a group of socialist countries (also issued as CD/607);
- CD/OS/WP.4 Programme of work for the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, proposed by a group of socialist countries;
- CD/OS/WP.5 1985 Programme of Work;
- CD/OS/WP.6 "Survey of International Law Relevant to Arms Control and Outer Space", submitted by Canada (also issued as CD/618);
- CD/OS/WP.7 "Principal international agreements which apply or otherwise relate directly or indirectly to outer space", working paper submitted by the United Kingdom (also issued as CD/637);
- CD/OS/WP.8 Proposals of Sweden relating to prevention of an arms race in outer space;
- CD/OS/WP.9 Conclusions drawn by a group of socialist countries from the consideration by the Ad Hoc Committee of the issues included in its programme of work.

### "III. Substantive work during the 1985 Session

"6. Following an initial exchange of views, the Ad Hoc Committee, at its sixth meeting, adopted a programme of work for the 1985 Session (CD/OS/WP.5) containing the following points:

"(a) Consideration of issues relevant to the prevention of an arms race in outer space;

"(b) existing agreements relevant to the prevention of an arms race in outer space;

"(c) proposals and future initiatives on the prevention of an arms race in outer space.

In order to give equal treatment to those subjects, the Committee further decided to allocate three meetings to each.

"7. In accordance with the programme of work, delegations exchanged views regarding issues relevant to the prevention of an arms race in outer space.

"8. Some delegations stressed that outer space was the common heritage of mankind and that, consequently, the exploration and exploitation of outer space should be preserved for exclusively peaceful purposes to promote the scientific, economic and social development of all countries. Some of the above delegations noted that up to the present, outer space had been an area free of weapons but that there was a growing threat of the emergence of 'active' space systems, mainly for anti-ballistic and anti-satellite warfare. In their view, such developments posed an imminent risk that the military competition between the two major nuclear-weapon States would extend into outer space. All the above delegations expressed concern at the extensive use of outer space for military purposes that was already taking place. They pointed out that the majority of space objects now in orbit, while not meant as weapons or as weapons platforms, served military functions and constituted integral parts of weapons systems on earth and of strategic doctrines associated with the use of nuclear weapons.

"9. Some delegations emphasized that the development of new space weapon systems will lead to an acceleration of the arms race, both horizontally and vertically, at the cost of existing legislation relating to outer space, arms limitation agreements and the disarmament process as a whole; amplify prevailing military asymmetries between the two major space Powers and their allies, on the one hand, and the non-aligned and neutral States, on the other; and will lead to the introduction of new weapon technologies into regions not directly concerned with either of the two major space Powers, further undermining their security.

"10. There was also criticism by some delegations concerning the use of reconnaissance and surveillance satellites by space Powers to monitor strategically-vital information about countries that have no way of controlling or having access to such information. Furthermore, the attention of the Committee was drawn to the fact that there had been instances where satellites had been used in support of military operations against developing countries. In this view, that situation, which had important implications for the security of most countries, did not reflect recognition of the common interest of all

mankind in the progress of the exploration and use of outer space for peaceful purposes, as stated in the preamble of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

"11. Delegations of the group of socialist countries fully shared the view that outer space is the common heritage of mankind and that, consequently, its exploration and use should be preserved for exclusively peaceful purposes in order to promote scientific, economic and social development of all countries. They noted that up to the present, outer space has been an area free of weapons and that urgent measures have to be taken in order to prevent the extension of the arms race to outer space.

"12. The same delegations emphasized that there was increasing concern at the threat of the spread of the arms race to outer space. In their view, this threat stemmed from the programme known as the "Strategic Defence Initiative", which is not a research programme as it is stated but aimed at the development and deployment in space of a new class of armament - attack space weapons.

"13. These delegations elaborated on the adverse political, military, economic and other consequences that, in their opinion, an arms race in space would have. These consequences included destabilization of the strategic situation; increased threat of the outbreak of nuclear war; acceleration of the arms race in all directions and growth of nuclear arsenals; undermining of existing treaties and of the prospects for arms limitation and reduction, and increase of military tension; vast unproductive expenditures; damage to the peaceful use of space and obstacles to international co-operation in the peaceful use of space.

"14. Some other delegations shared the view that outer space was the common heritage of mankind and that, consequently, the exploration and use of outer space should be preserved for exclusively peaceful purposes to promote the scientific, economic and social development of all countries. They also shared the genuine concerns expressed on the part of many countries on the subject of the prevention of an arms race in outer space. They noted, however, that outer space is presently not, in fact, an area free of weapons. They stressed that the first task of the Ad Hoc Committee was to clarify ambiguities surrounding the existing legal régimes in outer space in terms of what was permitted, what was prohibited, what grey areas might exist and what gaps required attention. They pointed out that there was no agreement on the meaning of such basic terms as 'peaceful purposes' or 'militarization'. It was noted that many activities in space, while of a military character, served a variety of functions that contributed to stability and to monitoring the implementation of disarmament agreements. In that context, these delegations mentioned the problem of the protection of satellites and pointed out that there were differing views regarding the protection already afforded by the existing legal régime, whether that protection needed to be strengthened and, if so, what scope it should be given. In their view, the consideration of proposals for additional measures to prevent an arms race in outer space presupposes that the Committee reaches a prior common understanding of what is permitted and what is prohibited.

"15. With respect to the question of whether there was a threat of an arms race in outer space, one delegation noted that it believed that outer space should only be used for peaceful purposes and to that end it was engaged in bilateral

negotiations. It was ready in the Ad Hoc Committee to discuss issues relating to outer space in a manner consistent with, and complementary to, the bilateral negotiations. It stressed that the Strategic Defence Initiative was only a research programme that was consistent with all international obligations of its country, including existing treaties. It pointed out that one country possessed currently operational capabilities in this area and, for many years, had been conducting research into advanced technologies for strategic defence.

"16. One delegation answered that its country had not been conducting research into advanced technologies for strategic defence.

"17. Some delegations stressed that the ambiguities surrounding the existing legal régime could only be resolved or clarified in the process of elaboration of new agreements, as none other than States Parties to existing treaties had the competence to interpret those legal instruments. Those delegations believed that as far as the international community was concerned, the calling into question of the meaning of the terms in international instruments by States Parties themselves, placed these instruments in jeopardy. Therefore, these delegations emphasized that reference to ambiguities in existing legal instruments would be devoid of meaning and even have the effect of diverting attention if made outside the framework of negotiations of further agreement or agreements to prevent an arms race in outer space. In this context they expressed the need to engage in the preliminary task of clarifying ambiguities surrounding weaponization of outer space and the 'state of art' in space weapons within the context of negotiation. In particular, the need to reach agreement on the meaning of such basic terms as 'peaceful purposes', 'militarization', or 'weapons of mass destruction', especially since recent developments in weapon technology have blurred the traditionally accepted interpretation of those terms among the space Powers.

"18. All delegations welcomed the initiation of bilateral negotiations on space and nuclear arms and recognized their importance. At the same time, they stressed the importance of, and need for, a multilateral approach to issues relating to the prevention of an arms race in outer space.

"19. Many delegations considered that the two negotiating parties should bear constantly in mind that not only their national interests but also the vital interests of all the peoples of the world are at stake and, accordingly, should keep the General Assembly and the Conference on Disarmament duly informed of the progress of their negotiations, without prejudice to the progress of the negotiations. These delegations further believed that bilateral negotiations do not in any way diminish the urgent need to initiate multilateral negotiations in the Conference on Disarmament on the prevention of an arms race in outer space.

"20. With respect to existing agreements, multilateral as well as bilateral, relevant to the prevention of an arms race in outer space, the Group of Socialist delegations emphasized that there exists already an international legal régime which places certain limitations on various arms and military activities in outer space. In their view, however, all the agreements are not sufficient to put an effective barrier against the extension of the arms race into space, as they leave open certain channels, such as the development and deployment in outer space of weapons or systems of weapons not defined as weapons of mass destruction, or the deployment of certain weapons-systems to be used against

objects in space, or used from space against objects on Earth. They have concluded, therefore, that concrete measures are needed urgently to prevent such developments as they would entail dangerously destabilizing consequences.

"21. Some delegations answered that there already exists a substantial body of law - both customary and treaty law - that is applicable to activities in space. Adherence to this body of law provides assurance that outer space will only be used for peaceful purposes.

"22. With respect to the legal régime applicable to outer space, it was stressed that, as affirmed in the 1967 Outer Space Treaty, activities in the exploration and use of outer space should be carried out in accordance with international law, including the Charter of the United Nations. In this connection, some delegations noted the relevance of the provisions of Article 2 (4) of the United Nations Charter concerning the non-use of force.

"23. Some delegations considered that those provisions constituted a central element of the legal régime in outer space. They noted that the prohibition of the use of force was subject to Article 51 of the Charter, which recognizes the inherent right of individual and collective self-defence in case of armed attack. They expressed the view that Article 2 (4) of the Charter already afforded protection to space objects and that, therefore, this should be taken into account when considering the need for additional measures for the protection of satellites against the use of force.

"24. Other delegations, while recognizing the importance of the general principle on the non-use of force, as laid down in the United Nations Charter, noted that it did not preclude the militarization of outer space, as evidenced by the conclusion of international agreements specifically relating to outer space, inter alia, the 1967 Outer Space Treaty. It was also noted that Article 2 (4) did not prohibit the development, testing and deployment of strike space weapons. Furthermore, in regard to the reference to Article 51 of the Charter, they reiterated that this Article could not be invoked to justify the use or threat of use of force from outer space.

"25. In the consideration of existing agreements, delegations discussed a number of multilateral and bilateral instruments, inter alia, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (1963), the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (1967), the Convention on Registration of Objects Launched into Outer Space (1975), the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (1977), the Agreement Governing the Activities of States on the Moon and other Celestial Bodies (1979) and the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (1972). In this connection, reference was made to documents CD/OS/WP.6 and CD/OS/WP.7.

"26. Considerable attention focused on the 1967 Outer Space Treaty and the significance of the Treaty was generally underlined. At the same time, various delegations stated that the Treaty contained terms that lent themselves to different interpretations. In addition, a number of delegations believed that, because of its limited scope, the Treaty was not sufficient to prevent an arms



race in outer space. They pointed out that, while the Treaty, together with the Moon Treaty, provided for the complete demilitarization of the moon and other celestial bodies, as well as for their orbits and trajectories, as far as the orbit around the Earth was concerned, it only prohibited the placement there of any object carrying nuclear weapons or any other kind of weapons of mass destruction, or the stationing of such weapons in outer space in any other manner. In their view, therefore, there was a risk that the Treaty could be considered by some to leave open a number of options for the military use of outer space. This, however, in the judgement of these delegations, would run counter to the spirit of the Treaty, since its Preamble sets down that outer space should be used for peaceful purposes. Two delegations held that the arms control régime applicable to outer space was far more comprehensive than the arms control régime on Earth. In this view, the Outer Space Treaty, together with the Partial Test Ban Treaty which, inter alia, prohibited nuclear explosions in outer space, had the effect of making outer space a nuclear-weapon-free zone.

"27. Various delegations referred to the 1975 Registration Convention requiring States of registry to furnish to the Secretary-General of the United Nations information concerning space objects, including their general function. Those delegations felt that this Convention, if adequately implemented, could serve as a valuable confidence-building measure in that it would give greater transparency to outer space activities.

"28. Some delegations held that the examination of the existing legal régime undertaken by the Ad Hoc Committee had confirmed the need to clarify ambiguities and arrive at consensus interpretations of what was permitted and what was prohibited. Many delegations held that the work of the Committee would be most successful if it proceeded by undertaking a complete examination of the present legal régime aimed at a common understanding of that régime. Other delegations believed that the discussion had shown that the existing body of international law applicable to outer space contained many loopholes to prevent effectively an arms race in outer space. Therefore, they believed that it was imperative to commence negotiations immediately with a view to arriving at agreement or agreements that will prevent such an arms race in outer space. Many other delegations pointed out that the Committee should instead direct its work towards practical measures preventing an arms race in outer space in all its aspects as recommended by United Nations General Assembly resolution 39/59.

"29. A number of views and proposals were brought to the attention of the Committee (CD/274, CD/476, A/39/243, CD/607; CD/357, CD/PV.263, CD/540, para. 109; CD/540, para. 110; CD/579; CD/PV.252, CD/PV.301, CD/OS/WP.8; CD/PV.279; CD/PV.318; CD/PV.325).

"30. Stressing the need to block all channels for the extension of the arms race into outer space, delegations of the group of socialist countries drew attention to the draft treaties on the prohibition of the stationing of weapons of any kind in outer space, submitted in 1981, contained in document CD/274, and on the prohibition of the use of force in outer space and from space against the Earth, submitted in 1983, contained in document CD/476, and to the proposal on the use of outer space exclusively for peaceful purposes for the benefit of all mankind, submitted in 1984. They also referred to their proposal, which called for an agreement on the prohibition and elimination of an entire class

of weapons, namely, attack space systems of any kind - conventional, nuclear, laser, particle-beam or any other form - whether manned or unmanned. Such space systems could not be developed, tested or deployed, either for anti-missile defence or as anti-satellite systems, or for use against targets on Earth or in the air and systems that had already been developed should be destroyed. In their view, all these proposals provided a constructive basis for working out an agreement or agreements for the prevention of an arms race in outer space. In their opinion, which was shared by other delegations, a first step in that direction would be for other States to join in the unilateral moratorium already declared by one State on the launching of anti-satellite weapons in outer space, which would be in force as long as other States acted in the same way. These delegations were of the view that the 1983 draft treaty submitted to the Conference in document CD/476 was a good basis for conducting negotiations on the problem under consideration.

"31. In connection with the latter proposal, some delegations observed that the text concerned had serious deficiencies, inter alia, because of its unequal approach, the imprecision of its definitions, and its lack of effective verification proposals.

"32. Some other delegations rejected those assertions and pointed out that, if such preliminary observations had any ground at all, they could be considered in the course of the negotiations with a view to elaborating a generally agreed comprehensive agreement to prevent an arms race in outer space.

"33. Various delegations referred to suggestions or proposals concerning the prohibition of anti-satellite systems and the protection of satellites. The view was expressed that the main task should be to negotiate an international treaty banning all space weapons, including weapons directed against targets in space. Such a ban should cover the development, testing and deployment of ASAT weapons on Earth, in the atmosphere and in outer space and should include the destruction of existing ASAT systems. Furthermore, in this view, damage, disturbance and harmful interference in the normal functioning of permitted space objects should be forbidden in international agreements in order to strengthen the Outer Space Treaty and confirm the International Telecommunications Convention.

"34. Some delegations noted that there were a number of questions that would have to be addressed in the consideration of a ban on ASAT systems, inter alia, the definition of anti-satellite weapons, the problem of dual-purpose space craft and the problems posed by the fact that ABM and ASAT technologies shared common elements. It was suggested that, taking into account the need to assure the verifiability of eventual treaty commitments, the first objective should be to prohibit untested anti-satellite systems, i.e., systems capable of hitting satellites in high orbit. The desirability of a ban on such systems was stressed on the grounds that high altitude satellites performed a number of stabilizing functions. The view was expressed that an agreement banning the development, testing and deployment of high-altitude ASAT systems should be regarded as a first step towards more comprehensive agreements to prevent an arms race in outer space.

"35. Various delegations noted that bilateral agreements, such as the 1972 ABM Treaty and the two SALT agreements, provided protection for satellites of

the parties that served as national technical means of verification and suggested the desirability of multilateralizing that immunity to cover the satellites of third countries.

"36. On this question, the view was also expressed that the Conference on Disarmament should, in its exploration of issues relevant to arms control in outer space, consider the possibility of the protection from attack of all satellites which contributed to the preservation of strategic stability and which were instrumental in monitoring arms control and disarmament agreements. Furthermore, this same protection should be extended to the ground stations essential for the operation of those satellites.

"37. One delegation, recalling that nuclear-weapon States had used military satellites in support of military actions against developing countries, held that this was a major consideration to be taken into account in connection with the question of the protection of satellites. It further stated that international peace and security could not be allowed to depend on such concepts as strategic stability for they lay at the heart of the action/reaction process that perpetuated the nuclear arms race and with it the danger of the annihilation of mankind.

"38. In connection with the statement in the paragraph above, some delegations pointed out that strategic stability is an objectively important factor in maintaining and strengthening peace and international security, and that they continued to strive to maintain military balance at the lowest possible level.

"39. Other delegations added that the concept of strategic stability and the means of its implementation employed by their countries were fully consistent with the obligations of all States to settle international disputes by peaceful means and to refrain from the use or threat of use of force against the territorial integrity or political independence of any State.

"40. Some delegations were of the opinion that all aspects of the arms race in outer space should be dealt with in order to achieve a comprehensive régime to prevent an arms race in outer space. In their view, the principles of demilitarization should be extended to encompass outer space as a whole.

"41. Various delegations held that verifiability was a fundamental criterion that should be applied in the consideration of proposals relating to the prevention of an arms race in outer space. They pointed out that, as discussed in document CD/OS/WP.7, in the case of most existing agreements, for example, the ENMOD Convention and the Outer Space Treaty, verification provisions were limited. They suggested that, at the present stage of technical development, some sort of international direct inspection should be applied, including on-site inspection, whenever feasible. Some delegations believed that consideration should be given to the establishment of an international agency to verify compliance so that all Parties may have access to the results of verification. In that connection, a number of delegations referred to the proposal for the establishment of an international satellite monitoring agency. Many delegations supporting the proposal for the establishment of an international satellite monitoring agency, pointed out that it would, inter alia, overcome the credibility gap that besets the existing national technical means

of verification. They, however, held that an imposition of verifiability as a fundamental criterion would have the effect of creating an insurmountable obstacle to all attempts at negotiating agreements to prevent an arms race in outer space. They alluded in this context to the relevant paragraphs of the Final Document of the first special session of the General Assembly devoted to disarmament. Other delegations noted in the same context that one relevant paragraph of the Final Document of the first special session of the General Assembly of the United Nations devoted to disarmament (paragraph 31) states that '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'.

"42. Some delegations, noting the inadequacy of the information furnished to the Secretary-General of the United Nations under the 1975 Convention on the Registration of Objects Launched into Outer Space, suggested the need to consider ways and means of improving the implementation and, as appropriate, augmenting the provisions of the Convention so that the international community may have detailed information on the nature and purposes of space activities. They believed that this would be a valuable confidence-building measure and would facilitate verification.

"43. Some delegations also mentioned suggestions concerning the possibility of developing, as a confidence-building measure, 'rules of the road' for space objects.

"44. Some delegations believed that, in view of the advanced technology involved in the exploration and use of outer space, and the fact that only a few States were in a position to benefit therefrom, it was necessary in the consideration of proposals to contemplate ways and means of strengthening international co-operation in the peaceful uses of outer space, so that all States would have access to all areas of space technology without discrimination to promote their economic and social development according to their needs, interests and priorities. It was also suggested that surveillance and reconnaissance activities by satellite should be entrusted to an international body that could set up data banks from which any country would be able to obtain information relevant to its needs. Such a body could also be used to provide advance information on crisis situations, so as to enhance the crisis management role of the United Nations.

"45. Some delegations, outlining their general approach to the consideration of proposals relating to the prevention of an arms race in outer space, stated that, in their view, a proposal should meet three criteria. First, the proposal should apply equally to all parties. Second, it should be verifiable. Third, there was the question whether the proposal, even if it applied equally and was verifiable, would, if implemented, enhance stability and security. These delegations were of the opinion that all of the proposals on this subject must meet those criteria.

"46. Some delegations questioned the validity of the notion of stability put forward by nuclear-weapon States and their allies as a criterion to assess the need for and desirability of measures to prevent an arms race in outer space. In their view, it was an integral element of strategic concepts and doctrines that reflected the narrow security perceptions of the two alliances vis-à-vis each other. These delegations believed that questions relating to the prevention of an arms race in outer space should be considered in a much broader perspective taking full account of the concerns and interests of non-aligned and neutral countries.

"47. In connection with this statement, some delegations recalled that their position concerning the prevention of an arms race in outer space takes fully into account the interests of all countries and peoples and had nothing to do with the 'narrow security perceptions' mentioned above.

"48. Other delegations reiterated that the criteria used by them in implementing their efforts for the prevention of an arms race in outer space were as follows:

- that outer space is the common heritage of all mankind;
- that the exploration and use of outer space should be preserved for exclusively peaceful purposes in order to promote the scientific, economic and social development of all countries.

Furthermore, in their view, none of their strategic concepts or doctrines were at variance with these criteria.

"49. In the opinion of many delegations, the consideration of the proposals put forward before the Ad Hoc Committee had shown that there were areas of agreement on a number of major aspects of the problem and that, consequently, there was a good basis for pursuing the elaboration of an agreement or agreements to prevent an arms race in outer space. Many other delegations were of the view that the discussion, while useful, had been general and preliminary in nature. Some pointed out that for future discussions proposals should be elaborated and refined.

"50. A number of delegations emphasized the need for the space powers to demonstrate the necessary political will, not only to avoid further militarization of outer space, but also to recognize that the pursuit of their interests in this sphere cannot take precedence over the interests of the international community.

"51. Various delegations believed that, in view of the complexity and technical nature of the subject, the work of the Ad Hoc Committee would benefit greatly from the participation of experts. Accordingly, they suggested that at an early stage during the next session consideration should be given to ways and means of organizing that participation.

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"52. Many delegations stressed that they had accepted the mandate because it expressly indicated that there would be a first exploratory stage and that 'as a first step at this stage', it would be necessary to examine, 'through substantive and general consideration, issues relevant to the prevention of an arms race in outer space'. In their view, it was clear from the explicit reference in the last line in the mandate, that the stage referred to must end at the same time as the 1985 session of the Ad Hoc Committee and that next year negotiations should begin with a view to the 'conclusion of an agreement or agreements', as appropriate, to prevent an arms race in outer space, as specifically stated in resolution 39/59 approved by 150 votes in favour and none against.

"53. Other delegations stressed that in their view, the accepted mandate was a relevant and realistic one that permitted a considerable amount of concrete work which would not interfere, undercut or in any way prejudice the bilateral negotiations under way between the United States of America and the USSR on this issue. Furthermore, those delegations made clear their hope that the mandate would not expire at the end of the 1985 session should the Committee not have completed the kind of exploratory work envisaged by those delegations in the mandate.

"54. Delegations of the socialist countries, fully sharing the opinion expressed in paragraph 52 above, upheld the view that the Conference on Disarmament should re-establish the Ad Hoc Committee at the beginning of its 1986 session with an appropriate mandate enabling it to start negotiations on concrete practical measures urgently needed to prevent an arms race in all its aspects in outer space, as recommended by the relevant resolution of the United Nations General Assembly. Furthermore, the group of socialist countries proposed that Ambassador L. Bayart (Mongolia) be appointed as Chairman of the Ad Hoc Committee on Prevention of an Arms Race in Outer Space for its 1986 session.

"55. Other delegations, taking note of the above-mentioned proposal of the socialist countries, stated that further consultations would be necessary in order to examine this matter.

#### "IV. Conclusion

"56. The Ad Hoc Committee had a wide-ranging discussion that contributed to clarifying the complexity of a number of problems and to a better understanding of positions. The importance and urgency of preventing an arms race in outer space was recognized by the Committee and, consequently, all efforts should be made to assure that substantive work on the agenda item entitled 'Prevention of an Arms Race in Outer Space' will continue at the next session of the Conference."

#### F. Effective International Arrangements to Assure Non-nuclear-weapon States Against the Use or Threat of Use of Nuclear Weapons

100. The item on the agenda entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" was considered by the Conference, in accordance with its programme of work during the periods 8-12 April and 29 July-2 August 1985.

101. At its 334th plenary meeting on 29 August 1985, the Conference adopted the Report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 326th plenary meeting (see paragraph 13 above). That Report (CD/640), is an integral part of this Report and reads as follows:

### "I. Introduction

"1. At its 326th plenary meeting on 1 August 1985, the Conference on Disarmament decided to re-establish for the remainder of its 1985 session, an ad hoc committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Conference further decided that the ad hoc committee would report to the Conference on the progress of its work before the conclusion of the 1985 session (document CD/628).

### "II. Organization of work and documents

"2. Also at its 326th plenary meeting, the Conference on Disarmament appointed Ambassador Mansur Ahmad (Pakistan) as Chairman of the Ad Hoc Committee. Mr. M. Cassandra, United Nations Department for Disarmament Affairs, served as Secretary to the Ad Hoc Committee.

"3. The Ad Hoc Committee held 3 meetings between 12 and 22 August 1985.

"4. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee during the 1985 session: Austria, Bangladesh, Cameroon, Finland, Greece, Norway, Senegal and Spain.

"5. The Committee had before it the documents of previous sessions related to the item. 1/

### "III. Substantive work

"6. Owing to the time constraint imposed by the late establishment of the Ad Hoc Committee, the Chairman held informal consultations with delegations with a view to determining the most efficacious manner to address the item during the remaining part of the session. As a result of his informal consultations, the Chairman concluded that the positions espoused by the nuclear-weapon States during previous years had not changed. However, an overwhelming number of delegations, including those of the nuclear-weapon States, stressed the importance of the agenda item and their readiness to engage in a substantive dialogue on the issue. Those delegations believed that nuclear disarmament and the complete elimination of nuclear weapons was the most effective guarantee against the use or threat of use of nuclear weapons. They believed

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"1/ The list of documents of previous sessions up to and including the 1982 session is contained in the report of the Ad Hoc Working Group on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons to the Committee on Disarmament, in view of the second special session of the General Assembly devoted to disarmament (CD/285). The list of documents submitted to the 1983 session is contained in the report of the Ad Hoc Working Group to the Committee on Disarmament (CD/417). The list of documents submitted to the 1984 session is contained in the report of the Ad Hoc Committee to the Conference on Disarmament (CD/536 and Corr.1).

that until nuclear disarmament was achieved on a universal basis, it was imperative for the international community to develop effective measures to assure the security of non-nuclear-weapon States against the use of threat of use of nuclear weapons from any quarter. Those delegations reaffirmed the need to find a common approach, acceptable to all, which could be included in an international instrument of a legally binding character.

"7. During the course of consultations, several delegations observed that in their view in the absence of a nuclear disarmament process, no useful purpose could be served by a substantive consideration of the item and that the most effective assurance of security against the use or threat of use of nuclear weapons is nuclear disarmament and prohibition of the use of nuclear weapons. In addition, some delegations recalled the statements of the Group of 21, contained in documents CD/280 and CD/407 and said that until the nuclear-weapon States were ready to change their positions, there would be no prospects of reaching agreements on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons and that further negotiations in the Ad Hoc Committee on this item were unlikely to be fruitful so long as the nuclear-weapon States do not exhibit a genuine political will to reach a satisfactory agreement. Other delegations said that in their view the earlier re-establishment of an Ad Hoc Committee on the subject might have permitted some progress.

#### "IV. Conclusions and Recommendations

"8. Against the afore-mentioned background the Ad Hoc Committee recommends to the Conference on Disarmament that ways and means should continue to be explored to overcome the difficulties encountered in its work in carrying out negotiations on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Ad Hoc Committee generally agreed that the Conference on Disarmament should keep this item under active consideration at the 1986 session taking into account the mandate of the Ad Hoc Committee as well as present and future relevant recommendations of the General Assembly."

##### G. New Types of Weapons of Mass Destruction and New Systems of Such Weapons; Radiological Weapons

102. The item on the agenda entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons" was considered by the Conference, in accordance with its programme of work, during the periods 15-19 April and 5-9 August 1985.

103. The list of documents presented to the Conference during its 1985 session under the agenda item is contained in the Report submitted by the Ad Hoc Committee referred to in the following paragraph.

104. At its 334th plenary meeting on 29 August 1985, the Conference adopted the Report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 289th plenary meeting (see paragraph 13 above). That Report (CD/635), is an integral part of this Report and reads as follows:



## "I. INTRODUCTION

"1. In accordance with the decision taken by the Conference on Disarmament at its 299th plenary meeting held on 14 March 1985, as contained in document CD/577, the Ad Hoc Committee on Radiological Weapons was re-established, for the duration of the 1985 session, with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. The Conference further decided that the Ad Hoc Committee would report to it on the progress of its work before the conclusion of the 1985 session.

## "II. ORGANIZATION OF WORK AND DOCUMENTATION

"2. At its 306th plenary meeting on 4 April 1985, the Conference on Disarmament appointed Ambassador Richard Butler of Australia as Chairman of the Ad Hoc Committee. Mr. Victor Slipchenko, United Nations Department for Disarmament Affairs, served as Secretary of the Ad Hoc Committee.

"3. The Ad Hoc Committee held 16 meetings from 19 April to 16 August 1985. In addition, the Chairman held a number of informal consultations with delegations.

"4. At their request, the representatives of the following States not members of the Conference on Disarmament participated in the work of the Ad Hoc Committee: Finland, Norway, Portugal, Spain and Switzerland.

"5. In carrying out its mandate, the Ad Hoc Committee took into account paragraph 76 of the Final Document of the first special session of the United Nations 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 Ad Hoc Committee took into account in particular resolution 39/151 J of the General Assembly of 17 December 1984. Paragraphs 1 and 2 of that resolution read as follows:

"1. Takes note of that part of the report of the Conference on Disarmament that deals with the question of radiological weapons, in particular the report of the Ad Hoc Committee on Radiological Weapons and its recommendation that, in view of the fact that the Committee's mandate was not fulfilled, the Conference on Disarmament should re-establish the Ad Hoc Committee on Radiological Weapons at the beginning of its 1985 session;

"2. Requests the Conference on Disarmament to continue its negotiations on the subject with a view to a prompt conclusion of its work, taking into account all proposals presented to the Conference to this end, the result of which should be submitted to the General Assembly at its fortieth session;"

"6. In addition to the documents of previous sessions, the Ad Hoc Committee had before it the following new documents for consideration:

- CD/590, dated 17 April 1985, submitted by Canada, entitled "Letter dated 15 April 1985 addressed to the Secretary-General of the Conference on Disarmament by the Permanent Representative of Canada, transmitting a compendium of CD Verbatim Records and working papers on radiological weapons"

- CD/594, dated 12 June 1985, submitted by a group of Socialist States, entitled "Prohibition of radiological weapons and prohibition of attacks against nuclear facilities"
- CD/RW/WP.59, dated 19 June 1985, entitled "Programme of Work of the Ad Hoc Committee on Radiological Weapons"
- CD/RW/WP.60, dated 19 June 1985, entitled "Time-table"
- CD/RW/WP.61, dated 2 July 1985, submitted by China, entitled "Some Views on the Scope of Nuclear Facilities"
- CD/RW/WP.62, dated 16 July 1985, submitted by China, entitled "Some Opinions on the Definition and Criterion of Radiological Weapons"
- CD/RW/WP.63 and Rev. 1, dated 16 July and 5 August 1985, submitted by the Chairman, entitled "Chairman's Suggestions for Draft Elements on Scope, Definitions and Criteria"
- CD/RW/WP.64 and Rev. 1, dated 1 and 6 August 1985 submitted by the Chairman, entitled "Chairman's Suggestions for an Element on 'Peaceful Uses'"
- CD/RW/WP.65 and Rev. 1, dated 8 and 12 August 1985, submitted by the Chairman, entitled "Chairman's Suggestions for an Element on 'Nuclear Disarmament'"
- CD/RW/WP.66, dated 8 August 1985, entitled "Draft Report of the Ad Hoc Committee on Radiological Weapons"
- CD/RW/WP.67, dated 12 August 1985, submitted by the Chairman, entitled "Chairman's Suggestions for Draft Elements of an Annex relating to Article II (b)".

### "III. WORK DURING THE 1985 SESSION

"7. At its 2nd meeting on 14 June, the Ad Hoc Committee decided at the suggestion of the Chairman, to proceed on the basis of a "unitary" approach to the two major questions before it, i.e. the prohibition of radiological weapons in the "traditional" sense and the prohibition of attacks against nuclear facilities. Accordingly, it agreed to allocate equal time for the consideration of both questions without, however, procedurally dividing the work of the Committee into two separate "tracks" or giving priority to either of them. It further agreed that this decision was without prejudice to: the final positions of delegations on a treaty or treaties as such; the "link" between the above two questions; delegations' position on the appropriate manner of dealing with them.

"8. At its 3rd meeting, on 18 June, the Ad Hoc Committee adopted the following programme of work for its 1985 session:

"Within the questions of the prohibition of radiological weapons in the 'traditional' sense and the prohibition of attacks against nuclear facilities,

the following problems should be discussed without prejudging the final position of delegations as regards the "link" between the two aspects of the issue:

- Definitions and Criteria
- Scope
- Peaceful uses
- Cessation of the nuclear arms race and nuclear disarmament
- Compliance and verification".

"9. The Chairman submitted a number of suggestions for draft treaty elements which provided the basis for discussion during the meetings of the Ad Hoc Committee and resulted in the compilation of draft provisions, undertaken by the Chairman, to reflect the state of deliberations on the two major questions before the Ad Hoc Committee. This compilation is contained in the Annex to this report. It is understood that the Annex is not binding on any delegation. Furthermore, the issue of compliance and verification was only briefly touched upon.

#### "IV. CONCLUSIONS AND RECOMMENDATIONS

"10. It was recognized that the work accomplished by the Ad Hoc Committee in 1985 made a further contribution to the solution of the issues entrusted to it. It is therefore recommended that the Conference on Disarmament should re-establish the Ad Hoc Committee on Radiological Weapons at the beginning of its 1986 session and that the Annex to this report be considered as a basis for further work.

#### "ANNEX

#### "SCOPE

"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.

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

"[3. Each State Party further undertakes never under any circumstances to release or disseminate radioactive material causing destruction, damage or injury, by means of the radiation produced by the decay of such material, by attacking nuclear facilities as they are defined in Article ... of this Treaty.]

"[Each State Party to this Treaty undertakes never under any circumstances to attack nuclear facilities.]

"[3. bis This prohibition against attack shall not apply to nuclear facilities giving regular significant and direct support to military operations in time of war if such attack is the only feasible way of terminating such support and providing that such attacks do not lead to the release of radioactivity.]

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

"5. 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, 2 and 3 of this Article.

#### "DEFINITIONS

"For the purposes of this Treaty:

"(a) the term "radiological weapon" means:

"(i) 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;

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

"[(b) The term "nuclear facilities" means nuclear facilities [for peaceful purposes] on land which are:

"(i) nuclear reactors;

"(ii) intermediate spent fuel storages; [facilities for transport and storage of nuclear fuel];

"(iii) reprocessing plants;

"(iv) waste deposits and

"[(v) enrichment facilities.]]

"[[and which are under IAEA safeguards] [and which in accordance with Annex ... are included in a Register maintained by the Depositary. Annex ... constitutes an integral part of the Treaty.]] 1/

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"1/ In this context, CD/RW/WP.67 contains Chairman's suggestions for draft elements of an Annex relating to Article II (b).

## "PEACEFUL USES

"[1. Nothing in this Treaty should be interpreted as affecting the inalienable rights of all States Parties to apply and develop their programmes for the [peaceful] uses of nuclear energy for economic and social development [as well as for the use of sources of radiation from radioactive decay for peaceful purposes] [consistent with the need to prevent the [vertical, horizontal and geographic] proliferation of nuclear weapons] [in all its aspects], [with the need to achieve measures of nuclear disarmament] [with the overriding need of nuclear disarmament measures], and in conformity with their priorities, interests and needs [consistent with the provisions of the present Treaty].]

"[2. Each State Party undertakes [to contribute] [to promote] [to the fullest possible extent to the strengthening of international] co-operation in the peaceful uses of nuclear energy [radioactive materials] taking into account the particular needs of the developing countries.]

"[3. Each State Party undertakes to contribute to the fullest possible extent to the development of adequate measures of protection for all States against the harmful effects of radiation.]

## "CESSATION OF THE NUCLEAR ARMS RACE AND NUCLEAR DISARMAMENT

"[1. 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.]

"[2. Nothing in this Treaty shall be interpreted as in any way limiting or detracting from existing rules of international law applicable in armed conflict or limiting or detracting from obligations assumed by the States Parties under any other international agreement. Nor shall it be interpreted as in any way affecting existing international law relating to nuclear weapons or detracting from obligations to prevent the use or threat of use of such weapons and the achievement of nuclear disarmament.]"

105. The Conference considered the question of new types and systems of weapons of mass destruction at its plenary and informal meetings.

106. One member of the group of Socialist countries proposed that all States Members of the Conference on Disarmament should pledge, either in a joint declaration or in unilateral declarations, to immediately start negotiations on the prohibition of any new type of weapon of mass destruction, once it had been identified. Simultaneously a moratorium should be introduced on the practical development of such a weapon. It further proposed that a group of qualified experts, meeting on a periodical basis within or outside the framework of the Conference on Disarmament, should be entrusted with the task of detecting and identifying new types of weapons of mass destruction. This group would keep the issue under constant review and, as necessary, would make recommendations on questions that required concrete negotiations. The delegation sponsor of this proposal indicated that other delegations belonging to different groups of States had made similar proposals in the near past.

107. A number of delegations supported the above-mentioned initiative and expressed their readiness to further pursue the proposals contained therein. They also expressed the view that the experience gained through the establishment and working of the ad hoc Group of seismic experts should prove helpful in this regard. Some delegations while supporting the initiative, particularly highlighted its preventive character which, in their view, was of special significance for the developing world.

108. The Western delegations pointed out that they were also desirous of preventing the emergence of any new type of weapon of mass destruction. However, to the best of their knowledge no new types of such weapons had been identified since existing types of weapons of mass destruction had been categorized in 1948 as nuclear, lethal chemical, biological and radiological, nor in their view was the existence of such weapons imminent. As a consequence these delegations felt that no new activities were presently needed and that the practice followed thus far - i.e. informal meetings of the Conference from time to time, with the participation of experts as appropriate, would be the most practical way of enabling the Conference to adequately monitor this question.

109. The members of the Conference agreed to continue to consider the question of new types of weapons of mass destruction and new systems of such weapons, including all relevant proposals.

#### H. Comprehensive Programme of Disarmament

110. The item on the agenda entitled "Comprehensive programme of disarmament" was considered by the Conference, in accordance with its programme of work, during the periods 8-12 April and 29 July-2 August 1985.

111. At its 334th plenary meeting on 29 August 1985, the Conference adopted the Report of the Ad Hoc Committee, which resumed its work in accordance with the provisions of its existing mandate (see paragraph 13 above). That Report (CD/634), is an integral part of this Report and reads as follows:

#### "I. Organization of work and documents

"1. In accordance with the provisions of its mandate, as adopted by the Conference on Disarmament at its 245th plenary meeting, on 28 February 1984, the Ad Hoc Committee on the Comprehensive Programme of Disarmament resumed its work on 7 March 1985 under the Chairmanship of Ambassador Alfonso García Robles (Mexico). Miss Aida Luisa Levin, United Nations Department of Disarmament Affairs served as the Committee's Secretary.

"2. The Ad Hoc Committee held 25 meetings between 7 March and 15 August 1985.

"3. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee: Bangladesh, Burundi, Cameroon, Finland, Norway, Portugal, Senegal, Spain and Turkey.

"4. In addition to the documents of previous sessions relating to the agenda item, 1/ the Ad Hoc Committee had before it the following documents submitted by member States in the course of the 1985 session:

CD/CPD/WP.72

Working paper by a group of socialist countries on item 8 of the agenda of the Conference on Disarmament, entitled "Comprehensive Programme of Disarmament"

CD/CPD/WP.73

Proposal by the United States of America for paragraphs 5 and 6 of Section V. A. of CD/415

CD/CPD/WP.74

Proposal by the delegation of the Union of Soviet Socialist Republics concerning the text of a paragraph of the draft Comprehensive Programme of Disarmament relating to bilateral Soviet-United States negotiations

CD/CPD/WP.75

Proposal by the delegation of Argentina concerning the paragraph of the Comprehensive Programme of Disarmament relating to negotiations between the United States of America and the Union of Soviet Socialist Republics on nuclear and space weapons

CD/CPD/WP.76

Proposal by the delegation of Argentina for the paragraph of the Comprehensive Programme of Disarmament relating to the prevention of an arms race in outer space

CD/CPD/WP.77

Proposed amendment by the delegation of France to the draft text submitted by the delegations of the United States and of the Union of Soviet Socialist Republics concerning chapter V, section A, paragraphs 5 and 6, of the Annex to document CD/415 (CD/CPD/WP.73 and 74)

CD/CPD/WP.78

Proposal by the delegation of France for the paragraph of the Comprehensive Programme of Disarmament relating to multilateral negotiations on nuclear disarmament

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"1/ The list of documents may be found in the reports of the previous Ad Hoc Working Group on the Comprehensive Programme of Disarmament which are an integral part of the reports of the Committee on Disarmament (CD/139, CD/228, CD/292 and CD/335).

CD/CPD/WP.79

Text for the Comprehensive Programme of Disarmament submitted by France, Germany, Federal Republic of, Norway, United Kingdom of Great Britain and Northern Ireland and United States of America

CD/CPD/WP.80

Proposal by the delegation of Yugoslavia for paragraph 4 (c) of Section E, of Chapter V. of the Comprehensive Programme of Disarmament, relating to the establishment of zone of peace in the Mediterranean

CD/CPD/WP.82

Proposal of the delegation of the Kingdom of Morocco for paragraph 4 (c) of Section E, of Chapter V of the Comprehensive Programme of Disarmament, relating to the establishment of zone of peace in the Mediterranean

In addition, the secretariat prepared a document containing the results of the examination of texts for the Comprehensive Programme of Disarmament (CD/CPD/WP.81).

## "II. Substantive work during the 1985 session

"5. In pursuing the elaboration of the Comprehensive Programme of Disarmament, the Ad Hoc Committee took as the basis of its work the text annexed to the 1983 report of the previous ad hoc Working Group to the Committee on Disarmament (CD/415), which was an integral part of the Committee's report to the thirty-eighth session of the General Assembly (CD/421).

"6. The Ad Hoc Committee concentrated its work on the resolution of various outstanding questions. Contact Groups, open to all interested delegations, were established to elaborate pending texts in chapter V, "Measures and stages of implementation". A Contact Group was also set up to deal with paragraph 6 of the Introduction and paragraph 5 of chapter VI, "Machinery and Procedures". In addition, consultations were held among concerned delegations with a view to reconciling differences on certain points.

"7. The Ad Hoc Committee had an initial discussion of the draft of the Introduction, which had been prepared by the Chairman of the Ad Hoc Committee 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 during that session, and which had not yet been considered. Different views of a preliminary nature were expressed in the course of the discussion and, therefore, no conclusion was reached. As noted above, paragraph 6 was considered in a Contact Group in conjunction with paragraph 5 of the chapter on Machinery and Procedures.

"8. Intensive efforts were made in the Contact Groups and in consultations among concerned delegations, to reach agreement on the text of the respective paragraphs of the Programme. In some cases, it was possible to arrive at agreed texts. In others, the relevant texts reflect points of difference or remain pending. The results of the work are contained in the annex to this report. It was understood that delegations could not take final positions until agreement was reached on outstanding points of difficulty and until the document was complete.



### "III. Conclusion

"9. Early in the work of the Ad Hoc Committee, the Chairman suggested the desirability of concluding the elaboration of the Comprehensive Programme of Disarmament during the 1985 session so that the Conference might be in a position to submit the Programme to the General Assembly on the occasion of the fortieth anniversary of the United Nations. However, in view of the fact that during the 1985 session, despite intensive efforts, only modest progress was achieved, the prospects for realizing that objective do not seem very encouraging. If, unfortunately, that ultimately turned out to be so, it seems imperative that the work on the elaboration of the Programme be resumed at the beginning of the 1986 session with the firm intention of discharging the Committee's mandate and enabling the Conference to submit a complete draft of the Comprehensive Programme of Disarmament to the General Assembly "not later than at its forty-first session".

### "Annex

"[Draft Comprehensive Programme of Disarmament]

"[Texts for the Comprehensive Programme of Disarmament]

### "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.

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"/ Draft prepared by the Chairman of the Ad Hoc Committee 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. No conclusions regarding this draft were reached by the Ad Hoc Committee.

"(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. The 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.

"(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.]

"[This Programme is adopted by consensus by the United Nations General Assembly. Through the adoption of the Programme all Member States of the United Nations express their willingness to make every effort possible to implement the measures contained in the Programme and to work toward the realization as soon as possible of general and complete disarmament under effective international control.]

"[It has been recommended that possible adoption of a declaration expressing Member States' determination to observe the Programme in good faith shall be considered at the third special session of the General Assembly devoted to disarmament in ( ) after formal adoption of the Programme by the General Assembly.]

## "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.

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"\*/ 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 corrective 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 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.

"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.

"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:

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"/ 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.

"(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.] [Therefore, it is necessary to make all efforts for the elaboration of a multilateral treaty on a nuclear test ban at the earliest possible date.] [Therefore, negotiations should be immediately initiated for the urgent conclusion of a nuclear test ban treaty.] [It is necessary to undertake all possible efforts and immediately hold negotiations for the urgent elaboration of a treaty on the complete and general prohibition of nuclear weapon tests; before the conclusion of such a treaty all nuclear-weapon States should declare a moratorium on all nuclear explosions.] [It is therefore necessary as an important part of the process of nuclear disarmament to make every effort to achieve an effective and verifiable multilateral treaty on a nuclear test ban at the earliest practical 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.

"[5-6.] Negotiations between the United States of America and the Union of Soviet Socialist Republics on nuclear and space arms

"[The subject of the negotiations between the United States of America and the Union of Soviet Socialist Republics is a complex of questions concerning space and nuclear arms - both strategic and intermediate range - with all these questions considered and resolved in their interrelationship.

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

"The objective of the negotiations will be to work out effective agreements aimed at preventing an arms race in space and terminating it on Earth, at limiting and reducing nuclear arms, and at strengthening strategic stability. The negotiations are being conducted by a delegation from each side divided into three groups.

"Ultimately these negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear arms everywhere.]

"[The above reflects the views of the United States of America and of the Union of Soviet Socialist Republics on the negotiations they are conducting on their nuclear and space arms.]

"[The two negotiating parties should bear constantly in mind that not only their national interests but also the vital interests of all the peoples of the world are at stake and, accordingly, should keep the General Assembly and the Conference on Disarmament duly informed of the progress of their negotiations, without prejudice to the progress of the negotiations.

"Bilateral negotiations do not in any way diminish the urgent need to initiate multilateral negotiations in the Conference on Disarmament on the cessation of the nuclear-arms race and nuclear disarmament and on the prevention of an arms race in outer space.]

"[The two negotiating parties should pursue their negotiations in earnest and reach an early agreement on substantial reductions of their nuclear weapons.]

"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 weapon and their means of delivery and for the reduction of stockpiles of nuclear weapons and their means of delivery.

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"\*/ One delegation reserved its position on the text of paragraph 7 pending the preparation of the text of paragraphs 5-6. Another delegation reserved its position on the text of paragraph 7.

"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 overall 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.

"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. Specific agreements could be concluded on particular types of new weapons of mass destruction which may be identified. \*/ This question should be kept under continuing review.

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"/ Since this sentence was proposed late in the work of the Ad Hoc Committee, some delegations reserved their position on its inclusion in the draft Comprehensive Programme of Disarmament.

### "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. \*\*/ In view of the present situation, when Europe faces the highest concentration of military potential among all regions of the world [and the manifest preponderance of one military alliance in respect of conventional forces and armaments] [and the stationing of first-strike medium range nuclear weapons by one military alliance, which also takes measures to undermine the existing approximate equality of conventional forces and armaments and to gain a manifest preponderance], the achievement of a more stable situation in Europe at a lower level of military potential on the basis of approximate equality and parity by agreements on appropriate mutual reductions and limitations and the elaboration of effective confidence and security building measures would contribute to the strengthening of security in Europe and constitute a significant step towards enhancing international peace and security. Such steps should ensure undiminished security of all States with full respect for the security interests and independence of all States, including those who are outside military alliances.

"[Thus progress in the negotiations on mutual reduction of forces and armaments and associated measures in Central Europe or in the negotiations on the mutual and balanced force reductions in Central Europe, as they are called by Western delegations,] [Thus agreement in the negotiations on mutual reduction of forces and armaments and associated measures in Central Europe] [by mutual, [balanced and effectively verifiable] agreements] [on mutual reduction of forces and armaments and associated measures in Central Europe] would [according to the States parties to the negotiations] be a tangible contribution to reducing tensions and the strengthening of peace in the region.

"Of great significance would be the successful completion of the Conference on Confidence- and Security-Building Measures and Disarmament in Europe, the first stage of which is being held in Stockholm and devoted to the negotiation and adoption of a set of mutually complimentary confidence- and security-building measures designed to reduce the risk of military confrontation in Europe. On the basis of equality of rights, balance and reciprocity, equal respect for the security interests of all CSCE participating States, and of their respective obligations concerning confidence- and security-building measures and disarmament in Europe, these confidence- and security-building measures will cover the whole

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\*\*\*/ The mentioning of Vienna negotiations and the Stockholm Conference under the heading "Conventional weapons and armed forces" is without prejudice to the content of the talks in those fora.



of Europe as well as the adjoining sea area \*/ and air space. They will be of military significance and politically binding and will be provided with adequate forms of verification which correspond to their content. As far as the adjoining sea area \*/ and air space is concerned, the measures will be applicable to the military activities of all the participating States taking place there whenever these activities affect security in Europe as well as constitute a part of activities taking place within the whole of Europe as referred to above, which they will agree to notify. \*\*/

"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.

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"/ In this context, the notion of adjoining sea area is understood to refer also to ocean areas adjoining Europe.

"/ Since this sentence was proposed late in the work of the Ad Hoc Committee, some delegations reserved their position on its inclusion in the draft Comprehensive Programme of Disarmament.

"(b) Broadening of the prohibition 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, as appropriate, 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.

"All States, in particular those with major space capabilities, should contribute actively to the objective of the peaceful use of outer space [and take immediate measures] to prevent an arms race in outer space in the interest of maintaining international peace and security and promoting international co-operation and understanding.

"To this end,

[negotiations should be undertaken with a view to the conclusion of an agreement or agreements] as appropriate on the prevention of an arms race in all its aspects in outer space.

[an agreement on the prohibition and elimination of an entire class of weapons, namely, space attack systems, including space based anti-missile systems and anti-satellite systems should be concluded. The exclusion of space from the sphere of the arms race must be a strict norm in the policy of States and a universally recognized international obligation.]

[all efforts should be made, both bilaterally and multilaterally.]]\*\*/

"4. The establishment of zones of peace [and the strengthening of peace and security in various regions]:

"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.

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

\*\*\*/ Many delegations consider that the first paragraph, which reproduces paragraph 80 of the final document of the first special session of the General Assembly devoted to disarmament, should be supplemented to reflect that present urgency and importance of the subject. They further consider that it should occupy a more prominent place in the Programme and, to that end, propose that it be included as subsection B in the section "Disarmament measures", under the heading "Space arms". Other delegations are considering the placement of this paragraph pending the balance of the overall document.

"(a) South-East Asia:

In the interest of the promotion of peace, stability and co-operation in South-East Asia, steps should be taken by all States of the region, primarily those States most directly interested, through consultations and dialogue among themselves, towards the early establishment of a zone of peace, freedom and neutrality in South-East Asia, which would be consistent with the Political Declaration of the Seventh Summit Conference of the Non-Aligned Countries in New Delhi, held in March 1983. \*/

"(b) Indian Ocean:

"Achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace would be a substantial contribution to the strengthening of international peace and security.

"There is agreement within the United Nations for practical steps to be taken to establish a Zone of Peace in the Indian Ocean region.

"Practical steps should be taken within the United Nations Ad Hoc Committee on the Indian Ocean to prepare for an early Conference, as a necessary step towards establishing a zone of peace.

"Taking into account the political and security climate in the region, the Ad Hoc Committee should complete its preparatory work relating to the Conference on the Indian Ocean to enable the Conference to be opened in the first half of 1986, at a date to be decided by the Committee in consultation with the host country. Such preparatory work would comprise organizational matters and substantive issues, including the provisional agenda for the Conference, rules of procedure, participation, stages of conference, level of representation, documentation, consideration of appropriate arrangements for any international agreements that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace and the preparation of the draft final document of the Conference.

"The Ad Hoc Committee should, at the same time, seek the necessary harmonization of views on remaining relevant issues.

"The creation of a zone of peace requires the active participation of and full co-operation among the littoral and hinterland States, the permanent members of the Security Council and the major maritime users to ensure conditions of peace and security based on the purposes and principles of the Charter, as well as the general principles of international law.

"The creation of a zone of peace also requires respect for the independence, sovereignty and territorial integrity of the littoral and hinterland States.

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\*/ One delegation reserved its position on this text pending the receipt of instructions.

"(c) Mediterranean:

"[Bearing in mind that security in the Mediterranean region is closely linked with European security and with international peace and security, positive steps should be taken by all States concerned to ensure peace, security and co-operation in the Mediterranean region.

"To this end further efforts are necessary for the reduction of tensions and of armaments; for strengthening of confidence; for the creation of conditions of security and fruitful co-operation in all fields for all countries and peoples of the Mediterranean, on the basis of the principles of sovereignty, independence, territorial integrity, security, non-intervention and non-interference, non-violation of international borders, non-use of force or threat of use of force, the inadmissibility of the acquisition of territory by force, peaceful settlement of disputes and respect for permanent sovereignty over natural resources; for the promotion of just and viable solutions of existing problems and crisis in the area on the basis of the provisions of the Charter and of relevant resolutions of the United Nations, the withdrawal of foreign forces of occupation and the right of peoples under colonial or foreign domination to self-determination and independence.

"All States of the Mediterranean region and other concerned States should co-operate to define and implement, as appropriate, such steps and measures which should be conducive for creating conditions of peace, security and co-operation in the Mediterranean region in accordance with the purposes and principles of the Charter of the United Nations and with the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

"In this connection note is taken of the commitments assumed by the participants of the meeting of the Mediterranean members of the Movement of the Non-Aligned Countries held at Valletta, Malta, in 1984, with the objective of contributing to peace and security in the region.]

"[Bearing in mind that security in the Mediterranean region is closely linked with security in Europe and in the other adjacent regions, and with international peace and security, positive steps should be taken by all States concerned to ensure peace, security and co-operation in the Mediterranean region.

"To this end, further efforts are necessary to reduce tensions and reverse the arms race, particularly the nuclear arms race, to strengthen mutual confidence and to find just and lasting solutions to crises, in order to create conditions of security and peace and to promote co-operation in all fields of mutual interest to all countries and peoples of the Mediterranean, on the basis of the provisions of the Charter, the relevant resolutions of the United Nations and the principles of international law.

"All States of the Mediterranean region and other concerned States should co-operate to define and implement, as appropriate, measures conducive to the creation of a zone of peace, security and co-operation in the Mediterranean.

"In this connection, note is taken of the commitments assumed by the participants in the meeting of the Mediterranean members of the Movement of the Non-Aligned Countries held at Valletta, Malta, in 1984.]

## "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 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 issue 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.

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

#### "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.] \*\*/

"[(a) Adequate and effective international verification and means to ensure compliance with disarmament agreements are significant factors in making progress towards general and complete disarmament under effective international control.

"(b) Verification measures should be designed to not only ensure that specific agreements are being complied with, but also to contribute to confidence among States. States must be assured that obligations contained in disarmament agreements are being fulfilled.

"(c) 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.

"(d) 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.

"(e) The importance of adequate and effective verification in the process of general and complete disarmament is threefold: as an indispensable foundation of legal commitments that are not only complied with but are seen by all parties to be complied with; as one of the essential principles upon which ongoing progress towards disarmament is based; and as an indispensable part of specific agreements to be negotiated or which are being negotiated as highlighted in the Comprehensive Programme.]

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"/ Some delegations held that in view of the fundamental importance of this subject the paragraphs under this heading should be placed either as an introduction to Chapter V or as a new section E following 'D. Military budgets'. Other delegations held that since verification does not constitute a disarmament measure this subject should be covered, as appropriate, in the chapter on Principles. Still other delegations believed that the subject of verification had been adequately covered by paragraph 25 of the chapter on Principles. 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 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.

## "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.

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

"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.

"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.] \*/

"[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 under effective international control, as described in the Comprehensive Programme. In order to assure continued progress towards the full realization of this ultimate goal, the implementation of the measures included in the Comprehensive Programme shall be periodically reviewed at special sessions of the General Assembly devoted to disarmament. The first review of this kind should take place not later than five years after the adoption of the Programme and will:

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\*/ One delegation felt that the Comprehensive Programme of Disarmament should not institutionalize holding a future special session of the General Assembly in order to review its implementation.

"(a) review the progress made in the implementation of measures 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 further measures which may be necessary as part 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 date for the next special session to review the further implementation of the Comprehensive Programme, with the understanding that such a further review would be undertaken not later than six years after the first.]

\*/ [The programme has three stages; the first stage, the intermediate stage and the last stage. The objective of the last stage is to achieve the goal of general and complete disarmament under effective international control.

"The first stage would be as comprehensive as possible and contain as many disarmament measures as can be envisaged within the foreseeable future.

"Those measures which would not have been implemented at the end of the first stage will be included in the intermediate stage. All States should make maximum efforts with a view to implementing as many of the initial disarmament measures as possible by the end of the first stage.]

\*/ [The Programme has three stages: the first stage, the intermediate stage and the last stage. Each stage, as well as the Programme as a whole, is to be implemented in its respective time frame, it being understood that, as provided for above, such time frames are indicative and may be adjusted as necessary by the General Assembly at the special sessions convened at the end of each stage to review the implementation of the Programme.

"The first stage, as described in the Programme, comprises certain priority measures that must be implemented before the end of the stage, such as Nuclear Test Ban Treaty, appropriate and practical measures for the prevention of nuclear war, measures for the cessation of the nuclear arms race to be followed immediately by substantial reductions of nuclear weapons, agreement or agreements, as appropriate, for the prevention of an arms race in outer space in all its aspects and a convention on the prohibition of chemical weapons.

"The intermediate stage comprises the measures necessary to prepare for the last stage, in particular, measures for the complete elimination of nuclear weapons. The last stage comprises the measures necessary to assure that, by the end of the stage, general and complete disarmament will have been achieved and that States will only have at their disposal those non-nuclear forces, armaments, facilities and establishments as are agreed to be necessary to maintain internal order and protect the personal security of its citizens and to support and provide agreed manpower for a United Nations peace force.]

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\*\*/ This text has not been discussed and, therefore, the issues dealt with therein remain open. Its placement in the Programme will be considered later.

"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."

I. Consideration of Other Areas Dealing with the  
Cessation of the Arms Race and Disarmament and  
Other Relevant Measures

112. During its 1985 session, the Conference considered the question of further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof, keeping in mind the request addressed to it by the General Assembly in paragraphs 5 and 7 of resolution 38/188 B.

113. During the consideration of this subject the view was expressed that the scope of 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 should be broadened, that its provisions governing procedures for verification and compliance should be improved and that access to information on relevant technological developments should be facilitated. In this context, it was pointed out that the continuing deployment of nuclear weapons throughout the seas was a threat to all coastal States and regions involved and that, consequently, it was essential to begin negotiations on this question. It was stated by the delegation of a depositary State that the above-mentioned Treaty was fulfilling its objectives and that the very lack of controversy attested to its success. That Treaty was, in its view, of the greatest importance to the security of all nations. One delegation belonging to another depositary State recalled that it attached great significance to further measures to prevent an arms race on the sea-bed and the ocean floor and confirmed its readiness to conduct appropriate negotiations in order to achieve an international agreement or agreements on the full demilitarization of the sea-bed.

J. Consideration and Adoption of the Annual Report of  
the Conference and any other Report as appropriate  
to the General Assembly of the United Nations

114. The item on the agenda entitled "Consideration and adoption of the Annual Report of the Conference and any other Report as appropriate to the General Assembly of the United Nations" was considered by the Conference, in accordance with its programme of work, from 12 to 30 August 1985.

115. The present Report, as adopted by the Conference on 30 August 1985, is transmitted by the President on behalf of the Conference on Disarmament.

Mario Cámpora,  
Argentina  
President of the Conference

Appendix I

CONSOLIDATED LIST OF PARTICIPANTS IN THE WORK OF THE CONFERENCE

(1985 Session)

<u>President of the Conference for February:</u>	Ambassador Donald Lowitz (United States of America)
<u>President of the Conference for March:</u>	Ambassador Adolfo R. Taylhardat (Venezuela)
<u>President of the Conference for April:</u>	Ambassador Kazimir Vidas (Yugoslavia)
<u>President of the Conference for June:</u>	Ambassador Bagbeni Adeito Nzengeya (Zaire)
<u>President of the Conference for July:</u>	Ambassador Bachir Ould Rouis (Algeria)
<u>President of the Conference for August:</u>	Ambassador Mario Cámpora (Argentina)
<u>Secretary-General of the Conference and Personal Representative of the Secretary-General:</u>	Mr. Miljan Komatina
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Mr. Abd-El-Naceur Belaid	Secretary Permanent Mission of Algeria to the United Nations Office at Geneva
Mr. Abdelkader Benguerine	Counsellor Ministry of Foreign Affairs
Mr. Hassane Rabehi	Secretary Ministry of Foreign Affairs
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Miss Jill Courtney	Third Secretary Permanent Mission of Australia to the United Nations Office at Geneva
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Mr. M. C. Hamblin	Adviser
Mr. R. Sutherland	Adviser
Mr. P. Basham	Adviser
Mr. R. North	Adviser
Mr. G. K. Vachon	Adviser
Mr. R. Vanier	Adviser
Mr. A. Crawford	Adviser
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Mr. Shi Jinkun	Officer Ministry of National Defence Representative
Mr. Lin Cheng	First Secretary Permanent Mission of China at Geneva Representative
Mr. Ye Ruan	Deputy Chief Division for International Politics Institute of International Studies Alternate Representative
Mr. Pan Jusheng	Officer Ministry of National Defence Alternate Representative
Mr. Yu Zhongzhou	Official Ministry of National Defence Alternate Representative
Ms. Zhou Yunhua	Official Ministry of National Defence Alternate Representative
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Mr. Angel Victor González Pérez	Third Secretary Permanent Mission of the Republic of Cuba to the United Nations Office at Geneva Adviser
Mr. Humberto Rivero Rosario	Ministry of Foreign Affairs Adviser
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Ms. Wafaa Bassim	Second Secretary Permanent Mission of Egypt to the United Nations Office at Geneva
*Mr. Ahmed Maher Abbas	Second Secretary Permanent Mission of Egypt to the United Nations Office at Geneva
Mr. Farid Monib	Third Secretary Permanent Mission of Egypt to the United Nations Office at Geneva

Delegation of Socialist Ethiopia

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Mr. Fesseha Yohannes	First Secretary Permanent Mission of Socialist Ethiopia to the United Nations Office at Geneva Alternate Representative
*Mr. Negash Kebret	Second Secretary Permanent Mission of Socialist Ethiopia to the United Nations Office at Geneva Alternate Representative

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Delegation of France

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*Mr. Jacques Jessel	Ambassador Representative of France to the Conference on Disarmament (from 1 June 1985)
*Mr. François de la Gorce	Ambassador Representative of France to the Conference on Disarmament (until 31 May 1985)
*Mr. Gérard Montassier	First Counsellor Deputy Representative
*Mr. Hubert Renie	First Secretary
Mr. Benoit d'Aboville	Deputy Director of Disarmament Ministry of External Relations, Paris
Col. Gesbert	Ministry of Defence, Paris
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Delegation of the German Democratic Republic

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Col. Dr. Friedrich Sayatz	Ministry of National Defence
Dr. Manfred Schneider	Adviser Academy of Sciences of the German Democratic Republic
Mr. Lutz Mueller	Adviser Ministry of Foreign Affairs
Professor Dieter Felske	Adviser Academy of Sciences of the German Democratic Republic
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Delegation of the Federal Republic of Germany

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*Mr. Frank Elbe	Counsellor Alternate Representative Delegation of the Federal Republic of Germany to the Conference on Disarmament
Dr. Wilhelm-Nikolai Germann	Colonel Military Adviser Delegation of the Federal Republic of Germany to the Conference on Disarmament
Mr. Wolf-Eberhard von dem Hagen	Colonel Military Adviser Delegation of the Federal Republic of Germany to the Conference on Disarmament
Mr. Michael Gerdts	Second Secretary Delegation of the Federal Republic of Germany to the Conference
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*Mr. Ferenc Gajda	Counsellor Permanent Mission of the Hungarian People's Republic to the United Nations Office at Geneva. Deputy Head of Delegation
*Mr. Tibor Tóth	Third Secretary Permanent Mission of the Hungarian People's Republic to the United Nations Office at Geneva
Dr. Ede Bisztricsány	Professor of Seismology Head of the Seismological Observatory of the Hungarian Academy of Sciences
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Deputy Head of Delegation

\*Mr. Jayant Prasad

First Secretary  
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to the United Nations Office at Geneva  
Representative

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Official  
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Department of Foreign Affairs, Jakarta  
Representative

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First Secretary  
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Mrs. Raziaty Tanzil

Third Secretary,  
Permanent Mission of the Republic of Indonesia  
to the United Nations Office at Geneva

Mr. Ali Masbar Akbar

Attaché  
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Delegation of the Republic of Indonesia (continued)

Mr. Rezlan Ishar Jenie	Attaché Permanent Mission of the Republic of Indonesia to the United Nations Office at Geneva Representative
Brigadier General Haryo Mataram	Department of Defence and Security, Jakarta Adviser
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Mr. Ataollah Shafii	Second Secretary Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva
Mr. Mohammad Djavad Kamalian	Delegate
Mr. Seyed Djamaledine Kazzazi	Member of Delegation
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Delegation of Italy

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Mr. Giovanni Adorni Braccesi	First Secretary Permanent Mission of Italy to the United Nations Office at Geneva
Mr. Marcello Celio	Admiral Military Counsellor, Ministry of Defence
Prof. Luigi Ferrari Bravo	Legal Advisor
*Mr. Michele Pavese	Brigadier General Military Counsellor, Ministry of Defence
Mr. Roberto Di Carlo	Major Expert (Chemical Weapons) Ministry of Defence

Delegation of Japan

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*Mr. Masaki Konishi	Counsellor Deputy Head of Delegation Delegation of Japan to the Conference on Disarmament
*Mr. Teruo Kawakita	Counsellor Delegation of Japan to the Conference on Disarmament
*Mr. Kimiaki Kudo	First Secretary Delegation of Japan to the Conference on Disarmament
*Mr. Masabumi Sato	First Secretary Delegation of Japan to the Conference on Disarmament

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\* Spouse present

Delegation of Japan (continued)

\*Mr. Tsutomu Ishiguri

Second Secretary  
Delegation of Japan to the Conference on  
Disarmament

Mr. Tadashi Okada

Expert (28 June to 23 July)  
Defense Agency, Tokyo

Mr. Ichiro Akiyama

Expert (11 March to 6 April)  
Defence Agency, Tokyo

Mr. Shigeo Mori

Expert (24 to 30 March)  
Meteorological Agency  
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Delegation of Kenya

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Mr. H.B. Gicheru

Under Secretary  
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Mr. Paul N. Mwaura

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Counsellor  
Alternate Representative

Ms. María de los Angeles Romero

Second Secretary  
Adviser

Mr. Pablo Macedo Riba

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United Nations Office at Geneva  
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Mr. Such-Ochir Bold

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\*Mr. Omar Hilale

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\*Mr. Jaap Ramaker

Counsellor  
Permanent Mission of the Kingdom of the  
Netherlands to the United Nations  
Office at Geneva  
Deputy Head of Delegation

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Delegation of the Kingdom of the Netherlands (continued)

Mr. Robert Jan Akkerman	First Secretary (until 1 August) Permanent Mission of the Kingdom of the Netherlands to the United Nations Office at Geneva
*Mr. Robert Milders	First Secretary (from 1 July 1985) Permanent Mission of the Kingdom of the Netherlands to the United Nations Office at Geneva
Dr. A.J.J. Ooms	Expert (Chemical Weapons) Director of the Prins Maurits Laboratory, TNO, Delft
Mr. B. ter Haar	Ministry of Foreign Affairs, Non-Nuclear Arms Control and Disarmament Section, The Hague
Dr. A.R. Ritsema	Expert (Seismologist) Royal Netherlands Meteorological Institute, De Bilt
Mr. G. Houtgast	Expert (Seismologist) Royal Netherlands Meteorological Institute, De Bilt
Mr. J.A. van Bodegraven	Expert (Seismologist) Royal Netherlands Meteorological Institute, De Bilt

Delegation of the Federal Republic of Nigeria

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Mr. B.A. Adeyemi	Ambassador Deputy Permanent Representative Permanent Mission of the Federal Republic of Nigeria to the United Nations Office at Geneva Alternate Delegate
Mr. Olufemi O. George	Minister Counsellor Permanent Mission of the Federal Republic of Nigeria to the United Nations Office at Geneva Alternate Delegate
Mr. Chuka V. Udedibia	Second Secretary Permanent Mission of the Federal Republic of Nigeria to the United Nations Office at Geneva Alternate Delegate

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*Mr. Kamran Niaz	First Secretary Permanent Mission of Pakistan to the United Nations Office at Geneva
*Mr. Zamir Akram	Second Secretary Permanent Mission of Pakistan to the United Nations Office at Geneva

Delegation of Peru

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Mr. Javier Gonzáles Terrones	Minister Deputy Permanent Representative of Peru to the United Nations Office at Geneva
Mr. César Castillo Ramirez	Counsellor Permanent Mission of Peru to the United Nations Office at Geneva
Mr. Julio Muñoz Deacon	First Secretary Permanent Delegation of Peru to the United Nations Office at Geneva
Mr. Augusto Thornberry	Second Secretary Permanent Mission of Peru to the United Nations Office at Geneva
Mr. Jorge Félix Rubio	Third Secretary Permanent Mission of Peru to the United Nations Office at Geneva

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*Mr. Janusz Rychlak	Counsellor Permanent Representation of Poland to the United Nations Office at Geneva
Mr. Janusz Cialowicz	Colonel Ministry of Defence, Warsaw
*Mr. Gromoslaw Czempinski	First Secretary Permanent Representation of Poland to the United Nations Office at Geneva
Mr. Antoni Czerkawski	Adviser Ministry of Foreign Affairs, Warsaw
Dr. Andrzej Karkoszka	Adviser Ministry of Foreign Affairs, Warsaw

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Mr. Teodor Melescanu	Counsellor Permanent Mission of the Socialist Republic of Romania to the United Nations Office at Geneva Alternate Head of Delegation
Mr. Petre Baloiu	First Secretary Permanent Mission of the Socialist Republic of Romania to the United Nations Office at Geneva
Mr. Sabin Pop	First Secretary, Ministry of Foreign Affairs of the Socialist Republic of Romania
Mr. Virgiliu Faur	First Secretary Permanent Mission of the Socialist Republic of Romania to the United Nations Office at Geneva
Lt. Col. Ing. Aurel Popescu	Expert Ministry of National Defence, Romania

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Delegation of the Democratic Socialist Republic of Sri Lanka

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Mr. H.M.G.S. Palihakkara	Second Secretary Permanent Mission of Sri Lanka to the United Nations Office at Geneva
Mr. Prasad Kariyadasam	Second Secretary Permanent Mission of Sri Lanka to the United Nations Office at Geneva

Delegation of Sweden

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*Mr. Rolf-Ekéus	Ambassador Head of Delegation
*Mr. Lars-Erik Wingren	Counsellor Deputy Head of Delegation
*Mrs. Elizabet Bonnier	First Secretary
*Mr. Hans Berglund	Colonel Military Adviser
Mrs. Ann Mari Lau	Scientific Adviser National Defence Research Institute
Dr. Jan Prawitz	Scientific Adviser Ministry of Defence
Dr. Ola Dahlman	Director of Research Scientific Adviser National Defence Research Institute
Mr. Ove Bring	Legal Adviser Ministry for Foreign Affairs
Mr. Stig Alemyr	Member of Parliament
Mrs. Anita Bråkenhielm	Member of Parliament
Mr. Sture Ericsson	Member of Parliament
Mrs. Gunnel Jonäng	Member of Parliament
Mr. Rune Ångström	Member of Parliament

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Delegation of the Union of Soviet Socialist Republics

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*Mr. Boris P. Prokofiev	Deputy Head of Delegation Envoy Deputy Director, Department of International Organizations Ministry of Foreign Affairs
Mr. Yuri K. Nazarkin	Deputy Head of Delegation Envoy Deputy Director, Department of International Organizations, Ministry of Foreign Affairs
Mr. Dmitri N. Kolesnik (30 July-10 August 1985)	Deputy Head of Delegation (International legal questions) Envoy Plenipotentiary, Permanent Mission of the USSR to the United Nations Office at Geneva
Mr. Mikhail E. Kokeyev	Adviser Ministry of Foreign Affairs
Mr. Nikolai V. Neiland	Adviser Ministry of Foreign Affairs
*Mr. Lev A. Naumov	Adviser Ministry of Foreign Affairs
*Mr. Vladimir I. Ustinov	Adviser Ministry of Foreign Affairs
*Mr. Alexander N. Kashirin	Adviser Ministry of Foreign Affairs
*Mr. Grigory V. Berdennikov	Adviser Permanent Representation of the USSR to the Office of the United Nations and other International Organizations in Geneva
Mr. Edward D. Zaitzev	Expert Ministry of Foreign Affairs

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Delegation of the Union of Soviet Socialist Republics (continued)

Mr. Timur G. Alasania	Expert Ministry of Foreign Affairs
Mr. Sergei V. Kobysli	Expert Ministry of Foreign Affairs
Mr. Arlen F. Kuznetsov	Expert Ministry of Defence
Mr. Vitaly Leplinsky	Expert Ministry of Foreign Affairs
*Mr. Alexei A. Nikolaev	Expert Ministry of Foreign Affairs
Mr. Yuri M. Novosadov	Expert Ministry of Defence
Mr. Vladimir F. Priakhin	Expert Ministry of Foreign Affairs
Mr. Igor N. Scherbak	Expert Ministry of Foreign Affairs
Mr. Evgeny N. Golovko	Expert Ministry of Foreign Affairs
Mr. Avtandil A. Gorgiladze	Expert Ministry of Foreign Affairs
Mr. Sergei V. Nagradov	Expert Ministry of Foreign Affairs
Mr. Alexander M. Shmatov	Expert Ministry of Foreign Affairs
*Mr. Gennady V. Antsiferov	Expert Permanent Representation of the USSR to the Office of the United Nations and other International Organizations in Geneva
Mr. Alexander P. Koutepov	Expert
Mr. Oleg V. Kuzmin	Expert

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*Dr. R. Ian T. Cromartie CMG	Ambassador Leader of the United Kingdom Delegation to the Conference on Disarmament
*Mr. Richard J. S. Edis	Counsellor
*Mr. Ian P. Chalmers	Counsellor Permanent Mission of the United Kingdom to the United Nations Office at Geneva
*Mr. Keith I. Malin	First Secretary Permanent Mission of the United Kingdom to the United Nations Office at Geneva
*Mr. Jean François Gordon	First Secretary Permanent Mission of the United Kingdom to the United Nations Office at Geneva
Dr. Graham H. Cooper	Ministry of Defence
Dr. Frank H. Grover	Seismological Research Centre
*Mr. David A. Slinn	Third Secretary Permanent Mission of the United Kingdom to the United Nations Office at Geneva

Delegation of the United States of America  
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Mr. Thomas Barthelemy	Bureau of Multilateral Affairs Arms Control and Disarmament Agency Alternate Representative
*Mr. Leonard Belgard	Second Secretary Permanent Mission of the United States to the United Nations Office at Geneva Adviser
*Mr. Pierce S. Corden	Bureau of Multilateral Affairs Arms Control and Disarmament Agency Adviser
Ms. Catherine C. Crittenberger	Bureau of Multilateral Affairs Arms Control and Disarmament Agency, Adviser
Mr. Harold Davidson	Department of State Adviser

\* Spouse Present

United States of America (continued)

*Mr. David Dorn	Office of International Security Affairs Department of Energy, Adviser
Mr. Robert Mikulak	Bureau of Multilateral Affairs Arms Control and Disarmament Agency, Adviser
Mr. Byron Morton	Office of Theater Military Policy Bureau of Politico-Military Affairs Department of State, Adviser
*Mr. Robert Norman	Office of United Nations Political and Multilateral Affairs Bureau of International Organization Affairs Department of State, Adviser
*Mr. Roger Scott	Colonel, United States Marine Corps Joint Chiefs of Staff Representative Department of Defense, Adviser
*Mr. John Woodworth	Office of the Secretary of Defense Department of Defense, Adviser
Ms. Sheila Buckley	Office of the Secretary of Defense Department of Defense, Adviser
Mr. David Stephens	Office of the Secretary of Defense Department of Defence, Adviser
Ms. Karen White (11 March - 19 April)	Joint Chiefs of Staff Department of Defense, Adviser
Mr. Sherman Garnett	Office of the Secretary of Defense Department of Defense, Adviser
Mr. Robert Gough	Sandia National Laboratory Department of Energy Albuquerque, New Mexico, Adviser
Mr. Paul Gardner	Adviser Colonel, Joint Chiefs of Staff Department of Defense
Mr. Joseph Englehart	Major, USA Bureau of Multilateral Affairs Arms Control and Disarmament Agency, Adviser

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United States of America (continued)

Mr. David Lambert	Office of Theater Military Policy Bureau of Politico-Military Affairs Department of State, Adviser
Mr. Alexander Liebowitz	Office of United Nations Political and Multilateral Affairs Bureau of International Organization Affairs Department of State, Adviser
Mr. Robert Levine	Bureau of Politico-Military Affairs, Department of State, Adviser
Ms. Marianne Winston	Bureau of Multilateral Affairs Arms Control and Disarmament Agency, Adviser
Mr. Thomas Graham Jr.	General Counsel Arms Control and Disarmament Agency, Adviser
Mr. James Granger	Colonel, US Marine Corps Joint Chiefs of Staff Department of Defense Adviser
Mr. Paul Lembesis	Office of the General Counsel Arms Control and Disarmament Agency Adviser
Mr. Robert Mikulak (22-26 July)	Bureau of Multilateral Affairs Arms Control and Disarmament Agency
Ms. Sherry Stetson-Mannix (22 July-16 August)	Bureau of Multilateral Affairs Arms Control and Disarmament Agency Adviser
Mr. Thomas Snitch (6-23 August)	Bureau of Nuclear Weapons and Control Arms Control and Disarmament Agency Adviser
Mr. Ronald R. Nelson (12-23 August)	Representative of the Secretary of Defense Department of Defense Adviser

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Mr. Alberto Dominguez Roche	Minister Counsellor Permanent Mission of the Republic of Venezuela to the United Nations Office at Geneva
Mr. Oscar Garcia	Second Secretary Permanent Mission of the Republic of Venezuela to the United Nations Office at Geneva Adviser
Mrs. Marianella Russo de Rauscher	Delegate

Delegation of the Socialist Federal Republic of Yugoslavia

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*Mr. Kazimir Vidas	Ambassador Permanent Representative of the Socialist Federal Republic of Yugoslavia to the United Nations Office at Geneva Head of Delegation
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Mr. Dimitrije Culafić	Special Adviser at the Federal Secretariat for Foreign Affairs Member of Delegation

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\* Spouse present

Delegation of the Socialist Federal Republic of Yugoslavia (continued)

Miss Mira Stjepanović

Adviser at the Federal Secretariat for  
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Prof. Dr. Dušan Minić

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Prof. Dr. Milorad Radotić

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First Counsellor  
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Mr. Nvendo Iyagwi Kath

Second Counsellor  
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