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General and complete disarmament

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

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* A/74/50.



I. Introduction

1. In paragraph 4 of its resolution 73/39, entitled “Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control”, the General Assembly invited all Member States to communicate to the Secretary-General information on the measures that they had adopted to promote the objectives envisaged in the resolution and requested the Secretary-General to submit a report containing that information to the Assembly at its seventy-fourth session.

2. Pursuant to that request, a note verbale was sent to Member States on 5 February 2019 inviting them to provide information on the subject. The replies received are contained in section II below. Any replies received after 15 May 2019 will be posted on the website of the Office for Disarmament Affairs in the original language received. No addenda will be issued.

II. Replies received from Governments

Cuba

[Original: Spanish]
[25 April 2019]

The observance of environmental norms remains a relevant consideration in the drafting and implementation of agreements on disarmament and arms control.

The existence of weapons of mass destruction and their continuing development pose the greatest threat to international peace and security, to the fragile environmental balance of our planet and to sustainable development for all without distinction.

Cuba, which is a State party to, inter alia, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on Cluster Munitions and the Treaty on the Prohibition of Nuclear Weapons, ensures the strict observance of environmental norms and the other obligations arising from those instruments.

Protecting the environment is a priority for Cuba, as enshrined in the 2019 Constitution and Act No. 81 (the Environment Act) of 4 February 1997. The Cuban State protects the environment and natural resources, relying upon a solid legal framework that is enforced rigorously by the competent entities.

Article 75 of the Constitution of the Republic of Cuba provides that all persons have the right to enjoy a healthy and balanced environment. The State protects the environment and natural resources of the country. It recognizes the close link between the environment and the sustainable development of the economy and society in order to make human life more rational and to ensure the survival, well-being and security of present and future generations.

International peace and security, the fragile environmental balance of our planet and its sustainable development are seriously threatened by the continued refinement and latent possibility of the use of weapons of mass destruction. Their total elimination is the only truly effective way to avoid harmful consequences of the use of such weapons.

Forums for negotiation of international treaties and agreements on disarmament and arms limitation must take the relevant environmental norms fully into account.

Dominican Republic

[Original: Spanish]

[12 March 2019]

The Dominican Republic has a clear commitment to fulfilling all norms and including them in agreements on environmental protection. This is a constitutional obligation in our country, as it is enshrined in article 67 of the Constitution, which stipulates that “the State has a duty to prevent pollution and to protect and preserve the environment for the benefit of present and future generations”.

Regarding the call for these environmental norms and measures to be taken into account when drafting legal agreements and for the necessary actions to be taken in order to achieve the objectives contained therein, in this case, when drafting and implementing agreements on disarmament and arms control, paragraphs 1 and 2 of article 26 of our Constitution provide that the Dominican Republic is a State open to cooperation and attached to the norms of international law. Consequently, it recognizes and applies the norms of international, general and American law, to the extent that their public authorities have adopted them and that the norms in force under international conventions that have been ratified will apply domestically, once they have been officially published.

Attention is drawn in the resolution to the detrimental environmental effects of the use of nuclear weapons, which should be taken into account when States are negotiating treaties and agreements on disarmament and arms control, and it is reaffirmed that States should contribute fully to ensuring compliance with the norms contained in instruments to which they are a party. Our country has promoted, enacted, implemented and fully complied with laws, resolutions and other legislation aimed at protecting the environment and controlling nuclear, chemical and radiological agents and their link to arms control. These instruments include the following:

- The Constitution of the Dominican Republic, in article 66, paragraph 2, recognizes environmental protection as a collective and individual right.
- The Constitution of the Dominican Republic, in article 67, paragraph 2, stipulates that “the release, development, production, possession, commercialization, transport, stockpiling and use of chemical, biological, nuclear and agrochemical weapons that are internationally banned or of nuclear residues and toxic and dangerous waste are prohibited”.
- General Act No. 64-00 of 18 July 2000, on the environment and natural resources
- Act No. 3489 of 14 January 1953, establishing the customs regime
- General Act No. 125 of 19 July 2002, on electricity
- Act No. 42-01 of 8 March 2001, General Health Act;
- Act No. 496-06 of 28 December 2006, establishing the Ministry of Economic Affairs, Planning and Development
- Act No. 100-13 of 2 August 2013, establishing the Ministry of Energy and Mines
- Act No. 340-09 of 23 November 2009, on the control and regulation of pyrotechnic products

- Decree No. 244-95 of 18 October 1995, establishing radiation protection regulations
- National Energy Commission Decision CNE-AD-00-2013, approving regulations on the physical security of radioactive sources, including during their transport

Our country has demonstrated its firm commitment by ratifying such relevant international instruments as the Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty) and others more closely related to Security Council resolution 1540 (2004).

Through the Ministry of Environment and Natural Resources, the Dominican Republic develops, implements and monitors compliance with national policies on the environment and natural resources; promotes activities and measures to preserve, protect, restore and sustainably use those resources; and submits proposals to the executive branch regarding international negotiations on environmental issues and national participation in international conferences and conventions; in coordination with the Ministry of Foreign Affairs, and other State ministries or agencies, depending on the field, responsibilities and powers of each organ, under the guidance of the central Government.

We underscore that, through the entity responsible for implementing Act No. 64-00 (Ministry of Environment and Natural Resources), the Dominican Republic has instituted the Environmental Authorization System, which is a unified instrument for all types of authorization granted pursuant to Act No. 64-00.

The Ministry of the Interior and Police is a member of the inter-agency commission for the implementation of Security Council resolution 1540 (2004). The Ministry of Defence presides over the commission. Also, pursuant to Act No. 340-09, through the Pyrotechnic Department of the Office of the Deputy Minister of Public Safety, the Ministry of the Interior and Police, as the implementing body of Act No. 340-09, regulates the production, sale, transport, stockpiling, distribution, acquisition, use and handling of pyrotechnic items/fireworks, as well as of dual-use chemicals, performing the latter function in conjunction with the Ministry of Defence and the General Customs Directorate.

Iraq

[Original: Arabic]
[18 April 2019]

Iraq emphasizes the need for observance of environmental norms. In order to protect the environment of our planet, the international community must uphold that basic principle in accordance with the criteria adopted at the United Nations Conference on Environment and Development and the relevant international conventions.

The Iraqi Ministry of the Environment is implementing an investment project aimed at developing a radiation monitoring mechanism. The main purpose of the project is to provide early warning of radioactive pollution throughout Iraq by putting in place monitoring systems in every governorate, focusing particularly on border areas. The systems are among the most advanced in the world and give sophisticated and accurate readings and analysis.

Iraq complies with all conventions on disarmament and non-proliferation by implementing a range of legislation on environmental protection and the economic, social and environmental dimensions of sustainable development. The Government has adopted numerous measures and laws to enforce the environmental norms set

forth in disarmament agreements. Iraq complies with those environmental norms and does not possess or manufacture any weapons that have an impact on the environment.

Iraq is convinced of the need to foster cooperation and linkage between environmental agreements and international disarmament agreements. Such action should ensure that the latter are implemented in a manner consistent with environmental norms.

States, including Iraq, whose national territory has witnessed wars and armed conflict need technical assistance to eliminate the pollution resulting from war, which has affected the health of the population and caused extensive environmental damage. In cooperation with the relevant international organizations, studies should be conducted and solutions formulated with a view to cleaning the environment and containing the effects of pollution.

Mexico

[Original: Spanish]
[15 May 2019]

Mexico does not possess, nor has it ever possessed, weapons of mass destruction or weapons that produce inhuman and indiscriminate effects. It does not produce, nor has it ever produced such weapons; this underscores its active, constant and committed support for prohibiting such weapons and achieving general and complete disarmament, as Mexico is convinced that that is the only way to create a safer, more peaceful, equitable and inclusive world for present and future generations.

With regard to conventional arms control, through the Secretariat of National Defence, Mexico destroys conventional weapons using one of the following methods: fire, detonation, immersion, burial or other means, taking care at all times to generate zero environmental impact, in accordance with International Organization for Standardization (ISO) standard 14000, and seeking adequate environmental management by, inter alia, ensuring the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control.

When issuing general and/or special permits for the manufacture, repair, transport and sale of firearms, accessories, explosives and chemical substances, the Secretariat of National Defence ensures the observance of environmental norms by controlling and monitoring the transport, storage and use of those items, and complies with current regulations and the relevant recommendations of the United Nations group of experts.

In addition, Mexico will continue to support initiatives that recognize the complexity of and interrelationships between the immediate and medium- and long-term negative repercussions of the accidental or deliberate detonation of a nuclear weapon, among others, on the environment, food security, climate and development, which would be systemic and potentially irreversible for humanity as a whole.

Portugal

[Original: English]
[13 May 2019]

At its seventy-third session, the General Assembly, recalling the previous resolutions adopted on this issue, reaffirmed the importance of the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control, in particular in relation to nuclear weapons. In that context, the Assembly adopted resolution [73/39](#), in which it recognized the

importance of the adoption by States of measures ensuring environmental progress in the context of international security.

Portugal has adopted the highest standards of environmental protection and pollution prevention. Moreover, best-practice guidelines and recommendations from the relevant international organizations have been translated into national legislation, in particular the Environmental Directive for the Ministry of Defence, dated 19 April 2011. Furthermore, Portugal fully complies with European Union law concerning environmental norms.

In theatres of operations, the Portuguese Armed Forces comply with the most environmentally protective or favourable provisions enshrined either in the Portuguese or the host country legislation.

When drafting and implementing contracts for dismantling military equipment or demilitarizing ammunition, the Ministry of Defence requires contractors to have quality and environment management systems in place and to be certified according to ISO 9001: 2015 and ISO 14001: 2015 or an equivalent standard.

In this context, companies make a commitment to preventing pollution and complying with all applicable European and national legislation concerning the management of waste, in particular for its collection, transport, storage, treatment, recovery and disposal, in order to avoid the creation of hazards or damage to human health and the environment, and to avoid or reduce the release of emissions into the air, water and soil and the generation of waste, in particular through recycling or proper disposal.

When drafting and implementing contracts for the design and construction of military vessels, the Ministry of Defence requires that the provisions of the International Convention for the Prevention of Pollution from Ships of 1973, as modified by the Protocol of 1978 relating thereto, be observed.

In addition, Portugal is party to all major disarmament and non-proliferation conventions. In compliance with its international obligations under the Convention on Cluster Munitions and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, Portugal has disposed of or destroyed its stock of, inter alia, cluster munitions and landmines while fully respecting applicable environmental norms, which include standards agreed upon by the States members of the European Union (Council directive 94/67/EC on the incineration of hazardous waste).

Being party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction requires the adoption by Portugal of control measures, which are either fully in place or being implemented, thus contributing to environmental safety and security.

In addition, Portugal complies with those norms when destroying firearms that are found or seized by police forces. The procedures by which they are destroyed are described in more detail in the report of Portugal to the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons and the Organization for Security and Cooperation in Europe Document on Small Arms and Light Weapons.

Portugal is a State signatory to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (contained in the annex to General Assembly resolution [31/72](#)), which recalls the Declaration of the

United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and it remains ready to proceed with its ratification.

Qatar

[Original: Arabic]

[15 May 2019]

Qatar possesses only internationally sanctioned conventional weapons, and only as many of those weapons as are necessary to preserve national security in view of prevailing international and regional conditions. Qatar is working to increase the capacity of its existing arsenal through maintenance and training, thereby prolonging its use and obviating the need to amass additional weaponry.

Qatar established the Environment Directorate, an environmental body within its armed forces tasked with various duties related to the environment. The Directorate has comprehensive authority to monitor the application and implementation of environmental standards and requirements, including the observance of environmental norms in the drafting and implementation of agreements on disarmament, in relation to all military activities carried out by the Qatari armed forces. To that end, the Environment Directorate does the following:

- It develops environmental requirements and standards for the armed forces and oversees the implementation thereof.
- It participates in the work of all committees that oversee military exercises and manoeuvres to ensure compliance with environmental norms prior to, during and after said activities in order to avoid damaging the environment or affecting its elements or natural characteristics.
- It monitors the disposal of various ammunition and missiles past their expiry date in order to ensure compliance with environmental norms. The disposal process takes place under the supervision of the Environment Directorate, which issues the environmental certification for the disposal site and guarantees that environmental safety standards and requirements are observed when disposing of ammunition and missiles. The Environment Directorate also collects samples from the disposal site, both before and after the disposal process. The samples are submitted for laboratory analysis in order to ensure that no environmental contamination has occurred.
- It oversees all firing exercises carried out by the various military units.
- It participates in drafting domestic laws and legislation concerning the implementation of international agreements, including the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

Spain

[Original: Spanish]

[15 May 2019]

In Spain, the environmental norms of the European Union, which have been incorporated into Spanish law and are consequently binding, serve as the benchmark for environmental management.

Spain continues to follow the procedures described in previous reports for the destruction of weapons or ammunition in implementation of the main disarmament

and arms control agreements to which it is a party. The most significant aspects of each procedure are summarized below:

Destruction of anti-personnel mines:

The destruction of anti-personnel mines in Spain was carried out by the Spanish company Fabricaciones Extremenas (FAEX), which guaranteed maximum security and no environmental impact whatsoever, in keeping with International Organization for Standardization (ISO) standard 14000 and Council Directive 94/67/EC on the incineration of hazardous waste. In all, 849,365 mines were destroyed in a record period of 28 months.

Destruction of conventional weapons: Treaty on Conventional Armed Forces in Europe.

In the case of Spain, 371 battle tanks and 87 artillery pieces had to be disposed of, a process that was completed on 16 November 1995.

The reductions have continued in order to offset the new materiel being brought into service and ensure that the limits laid down in the Treaty on Conventional Armed Forces in Europe are not exceeded.

Destruction of small arms and light weapons:

As with the above, Spain complies with environmental norms governing the destruction of small arms and light weapons, in line with the Organization for Security and Co-operation in Europe document on that category of weapons.

Destruction of fragmentation weapons:

Spain has destroyed all cluster munitions supplied to its Armed Forces, in accordance with the ISO 14001: 2004 standard and Council Directive 94/67/EC for the incineration of hazardous waste, with the exception of those retained for development and training, in line with article 3, paragraph 6, of the Convention on Cluster Munitions (currently 2 BME-330 bombs and 2 CBU-100 bombs).

The company Instalaza, S.A. had begun the full demilitarization process prior to the time frame established in article 3, paragraph 2 of the Convention.

Ukraine

[Original: English]
[15 May 2019]

Ukraine is taking action in accordance with the implementation agreement between the Cabinet of Ministers of Ukraine and the NATO Maintenance and Supply Organization on the disposal of small arms, light weapons, conventional ammunition and anti-personnel landmines of the PFM-1 type, and the agreement between Ukraine and the United States of America on assistance to Ukraine in the elimination of strategic nuclear arms and the prevention of proliferation of weapons of mass destruction.

The production activity of the Pavlograd chemical plant, a State-owned research and industrial complex, is carried out in accordance with the requirements of Ukrainian and international law. The enterprise is certified according to international standard ISO 14001: 2015 on environmental management systems.

As a result, the following measures have been implemented by the enterprise:

- Introducing uniform requirements for environmental safety for all workers and subcontractors at the enterprise

- Periodically informing and maintaining an open dialogue with all parties concerned on the activities of the enterprise in the field of environmental safety
- Reporting the results of the impact assessment of the enterprise's business activity on the environment
- Publicly reporting on the activities of the enterprise in the field of environmental management and maintaining strong public relationships

For the disposal of solid rocket propellant from SS-24 intercontinental ballistic missiles at the enterprise, the most environmentally friendly method worldwide is used, namely, the hydromechanical extraction of the propellant through the use of propellant-processing products in order to produce emulsion explosives. Such technology allows for the use of propellant products as secondary raw materials in emulsion explosives. The technology also meets international requirements. The emulsion explosives have all the required certificates approving their use, including those from State sanitary and environmental inspection authorities. At the same time, emulsion explosives can replace environmentally hazardous TNT-based explosives during blasting operations at mining facilities.

PFM-1 anti-personnel mines and wastes generated during the disposal of solid rocket propellant are being destroyed at a specially equipped plant through a high-temperature treatment with the use of a multistage combustion products cleaning system. The plant has special equipment for the afterburning, filtration and neutralization of combustion products using advanced methods in order to prevent the release of harmful substances into the environment. To eliminate the waste generated during the disposal of solid rocket propellant, the equipment designed by the German company Eisenmann and manufactured and installed with the assistance of the United States of America is also used.

The hazard category of solid substances formed as a result of the disposal of solid rocket propellant and PFM-1 anti-personnel mines allows for the use of these substances both in the construction of industrial facilities and in the maintenance of highways.
