

SBT/CONF.III/15

UNITED NATIONS  
DEPARTMENT FOR DISARMAMENT AFFAIRS  
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Third Review Conference 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

**FINAL DOCUMENT**

Geneva, 1989

**Third Review Conference  
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**

SBT/CONF.III/15  
5 October 1989

Original: ENGLISH

Geneva, September 1989

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Final Document of the Third Review Conference 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

The Final Document of the Third Review Conference 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 consists of three parts and two Annexes as follows:

- I. Organization and Work of the Conference (SBT/CONF.III/15, Part I)
- II. Final Declaration (SBT/CONF.III/15, Part II)
- III. Summary Records of Plenary Meetings (SBT/CONF.III/15, Part III)

Annex I: List of Documents  
Annex II: List of Participants

Third Review Conference 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

Final Document

PART I

Organization and Work of the Conference

Final Document of the Third Review Conference 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

I. ORGANIZATION AND WORK OF THE CONFERENCE

Introduction

1. The Final Declaration of the Second Review Conference 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, in the section dealing with the review of article VII of the Treaty, contains the following decision:

"The Conference, recognizing the importance of the review mechanism provided in article VII, decides that a third Review Conference shall be held in Geneva at the request of a majority of States Parties not earlier than 1988 and, in any case, not later than 1990. The next conference shall determine in accordance with the views of a majority of those States Parties attending whether and when an additional review conference shall be convened." 1/

2. At an informal meeting of States Parties, held during the forty-third session of the General Assembly of the United Nations, it was agreed that the third Review Conference should be held in 1989. At that session, the General Assembly adopted resolution 43/75 M. In its preambular part, the General Assembly recalled resolution 2660 (XXV) of 7 December 1970, in which it had commended the Treaty, noted the provisions of its article VII concerning the holding of review conferences, bore in mind that in its Final Declaration the Second Review Conference had decided that a third review conference should be held at Geneva at the request of a majority of States Parties not earlier than 1988 and not later than 1990, recalled also resolution 38/188 B of 20 December 1983, in which it made an assessment of the outcome of the Second Review Conference, and bore in mind all the relevant paragraphs of the Final Document of the tenth special session of the General Assembly. The operative part of resolution 43/75 M reads as follows:

"1. Notes that, following appropriate consultations, a preparatory committee for the third Review Conference 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 is to be established prior to holding a further review conference in 1989;

2. Requests the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Review Conference and its preparation;

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1/ SBT/CONF.II/20/II.

3. Recalls its expressed hope for the widest possible adherence to the Treaty."

3. The Preparatory Committee held one session at Geneva from 24 to 27 April 1989. The following States Parties to the Treaty participated in the Preparatory Committee: Afghanistan, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian SSR, Canada, Cuba, Czechoslovakia, Denmark, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Malta, Mexico, Mongolia, Morocco, the Netherlands, New Zealand, Norway, Poland, Portugal, Qatar, Republic of Korea, Romania, Spain, Sweden, Switzerland, Turkey, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

4. At its second meeting on 24 April 1989, the Preparatory Committee elected Mr. Fernando José Moura Fagundes of Brazil as its Chairman. At the same meeting, the Committee elected Ambassador Dimitar Kostov of Bulgaria and Mr. Torbjorn Aalbu of Norway as its Vice-Chairmen.

5. The Secretary-General of the United Nations was represented by Mr. Arpad Prandler, Director and Deputy to the Under-Secretary-General for Disarmament Affairs, who opened the session of the Preparatory Committee. Mr. Lin Kuo-Chung, Senior Political Affairs Officer, Department for Disarmament Affairs, served as Secretary of the Committee.

6. The Committee, taking note of its written request, decided to invite the representative of a signatory State of the Treaty, the Sudan, to participate in its discussions without the right to take part in the making of decisions.

7. The Preparatory Committee, taking note of their written requests, decided to invite the following non-States Parties which have not signed the Treaty: Egypt, Peru, the Philippines, Sri Lanka and Venezuela, to appoint officials to attend meetings of the Preparatory Committee, to receive documents of the Preparatory Committee as well as to submit documents to participants of the Preparatory Committee.

8. In the course of its session, the Committee considered the following questions relating to the organization of work of the Conference:

- (a) Date and duration
- (b) Provisional agenda
- (c) Composition of the Bureau
- (d) Rules of Procedure
- (e) Background documentation and date of submission
- (f) Final document(s).

9. At its last meeting, on 27 April 1989, the Preparatory Committee adopted its report, which was issued as a pre-session document of the Conference (SBT/CONF.III/1). The report contained, inter alia, the Provisional Agenda and the Draft Rules of Procedure for the Conference.

10. The Committee decided to request the Secretariat to circulate a revised estimate of the cost of the Conference reflecting the actual cost of the session of the Preparatory Committee, which is contained in document SBT/CONF.III/2 and Add.1.

11. The Committee decided to request that the following two background papers be issued as pre-session documentation for the Conference:

- (1) Developments Relating 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 (1977-1989) (SBT/CONF.III/3 and Add.1 and Corr.1);
- (2) A document containing the information requested in section b (i) and (ii) of paragraph 20 of the Preparatory Committee's Report, namely:
  - (i) A compilation of official communications with regard to the implementation of the objectives and provisions of the Treaty, which the Secretary-General might have received, and
  - (ii) A compilation of papers on technological developments (military as well as peaceful) relevant to the Treaty, which Parties may wish to provide, or which were otherwise available to the Secretary-General from Governments (SBT/CONF.III/4 and Add. 1-3).

12. In its Report, the Preparatory Committee, recalling the request in the Final Document of the Second Review Conference with respect to article V, decided to invite the Conference on Disarmament to proceed promptly with consideration 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. In that connection, the Conference on Disarmament, in accordance with the decision taken at its 513th plenary meeting, on 29 June 1989, held an informal meeting on 18 July to consider 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. The delegations that participated in the discussion at that informal meeting provided summaries of their statements for the information of the Review Conference, which were circulated in document SBT/CONF.III/3/Add.1.

#### Organization of the Conference

13. In accordance with the decision of the Preparatory Committee, the Conference was convened on 19 September 1989 at the Palais des Nations in Geneva.

14. At its 1st meeting, on 19 September, the Conference elected by acclamation as its President, Mr. Sergio de Queiroz Duarte, Ambassador of Brazil to Nicaragua.

15. At the same meeting, a message from the Secretary-General of the United Nations, Mr. Javier Pérez de Cuéllar, was delivered by the Special Representative of the Secretary-General, Mr. Yasushi Akashi, Under-Secretary-General of the United Nations for Disarmament Affairs. Mr. Arpad Prandler served as Representative of the Secretary-General to the Conference.

16. The Conference took note with appreciation of the Report of the Preparatory Committee (SBT/CONF.III/1).

17. The Conference adopted its Rules of Procedure as recommended by the Preparatory Committee (SBT/CONF.III/5). The Rules of Procedure provided for (a) a General Committee, chaired by the President of the Conference and composed of the Chairman of the Drafting Committee and the Chairman of the Credentials Committee, as well as the 17 Vice-Presidents of the Conference; (b) a Drafting Committee, composed of representatives of the same States Parties represented on the General Committee; (c) a Credentials Committee, composed of a Chairman and Vice-Chairman elected by the Conference, and five other members appointed by the Conference on the proposal of the President.

18. The Conference confirmed by acclamation the nomination of Mr. Lin Kuo-Chung as Secretary-General of the Conference. The nomination had been made by the Secretary-General of the United Nations, following an invitation by the Preparatory Committee.

19. Also, at the same meeting, the Conference adopted its agenda as recommended by the Preparatory Committee (SBT/CONF.III/6).

20. At its 2nd meeting on 19 September, the Conference adopted its programme of work (SBT/CONF.III/7).

21. At its 3rd, 5th and 8th meetings on 20, 21 and 25 September, the Conference elected by acclamation 16 Vice-Presidents from the following States Parties: Australia, Ethiopia, German Democratic Republic, Ghana, Hungary, India, Japan, Jordan, Mongolia, Morocco, Nicaragua, Norway, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and the United States of America. The Conference elected by acclamation the Chairman and the Vice-Chairman of the Drafting Committee, as follows:

Chairman: Ambassador Dimitar Kostov (Bulgaria)

Vice-Chairman: Mr. Rüdiger Lüdeking (Germany, Federal Republic of)

The Conference also elected by acclamation the Chairman and the Vice-Chairman of the Credentials Committee, as follows:

Chairman: Ambassador Eduardo Ibañez y García de Velasco (Spain)

Vice-Chairman: Ms. Magda L. Bauta Solés (Cuba)

The Conference also appointed the following five States Parties as members of the Credentials Committee: Austria, Côte d'Ivoire, Cyprus, Czechoslovakia and Mexico.

#### Participation at the Conference

22. Fifty-three States Parties to the Treaty participated in the Conference as follows: Afghanistan, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cote d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, Iceland, India, Iraq, Ireland, Italy, Japan, Jordan, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway,

Panama, Poland, Portugal, Qatar, Republic of Korea, Romania, Spain, Sweden, Switzerland, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

23. In addition, two States, Bolivia and Colombia, which have signed the Treaty but have not yet ratified it, participated in the Conference without taking part in its decisions, as provided in Rule 43, paragraph 1, of the Rules of Procedure.

24. Thirteen additional States, neither Party to nor Signatory of the Treaty, were granted by the Conference, upon their application, Observer status in accordance with rule 43, paragraph 2 of the Rules of Procedure: Algeria, Angola, Bangladesh, Burkina Faso, Ecuador, Egypt, Kenya, Nigeria, Peru, Philippines, Sri Lanka, Syrian Arab Republic and Venezuela.

25. A list of participants in the Conference, including States Parties, Signatories and Observer States is contained in Annex II.

26. The Credentials Committee met on 26 and 27 September and reported on the credentials of representatives of States Parties (SBT/CONF.III/12 and Corr.1). At its 9th plenary meeting on 28 September the Conference took note of the report.

#### Work of the Conference

27. The Conference held nine plenary meetings between 19 and 28 September when it concluded its work.

28. The general debate in plenary, in which 28 States Parties made statements, took place from 20 to 22 September. The Conference, at its 7th and 8th plenary meetings, on 25 September, reviewed the provisions of the Treaty article by article, followed by the preamble and purposes of the Treaty. The plenary had before it the following proposals formally submitted by delegations:

- (1) Proposal for inclusion in the Final Declaration submitted by the delegation of Sweden (SBT/CONF.III/8);
- (2) Proposal for inclusion in the Final Declaration submitted by the delegation of Turkey (SBT/CONF.III/10).

29. At a series of meetings held from 26 to 27 September, the Drafting Committee considered the preliminary text referred to it by the Conference, and submitted its report to the Conference on 28 September (SBT/CONF.III/14 and Corr.1). The Conference, at its 9th plenary meeting, on 28 September, took note of the report.



Documentation

30. A list of the documents of the Conference is attached in Annex I.

Conclusion of the Conference

31. At its 9th and final plenary meeting, on 28 September, the Conference adopted its Final Document as recommended by the Drafting Committee in document SBT/CONF.III/14 and Corr.1). The Final Document consists of three Parts: I. Organization and work of the Conference; II. Final Declaration; and III. Summary Records of Plenary Meetings of the Conference.

## II. FINAL DECLARATION

### PREAMBLE

The States 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 which met in Geneva in September 1989 in accordance with the provisions of article VII to review the operation of the Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized:

Recognizing the continuing importance of the Treaty and its objectives,

Recalling the Final Declaration of the First Review Conference 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 held in Geneva from 20 June to 1 July 1977, as well as the Final Declaration of the Second Review Conference of the Parties to the Treaty held in Geneva from 12 to 23 September 1983,

Affirming their belief that universal adherence to the Treaty and particularly adherence by those States possessing nuclear weapons or any other weapons of mass destruction would enhance international peace and security,

Recognizing that an arms race in nuclear weapons or any other types of weapons of mass destruction on the sea-bed would present a grave threat to international security,

Recognizing also the importance of negotiations concerning 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,

Considering that a continuation of the trend towards a relaxation of tension and an increase of mutual trust in international relations would provide a favourable climate in which further progress can be made towards the cessation of the arms race and towards disarmament,

Reaffirming their conviction that the Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race, and towards a treaty on general and complete disarmament under strict and effective international control,

Emphasizing the interest of all States, including specifically the interest of developing States, in the progress of the exploration and use of the sea-bed and the ocean floor and its resources for peaceful purposes,

Affirming that nothing contained in the Convention on the Law of the Sea of 10 December 1982 affects the rights and obligations assumed by States Parties under the Treaty,

Taking note of the information concerning the informal meeting held in 1989 under the auspices of the Conference on Disarmament 1/ as well as the communications from the Depositary Governments and other States, 2/

Appealing to States to refrain from any action which might lead to the extension of the arms race to the sea-bed and ocean floor, and might impede the exploration and exploitation by States of the natural resources of the sea-bed and ocean floor for their economic development,

Declare as follows:

#### PURPOSES

The States Parties to the Treaty reaffirm their strong common interest in avoiding an arms race on the sea-bed in nuclear weapons or any other types of weapons of mass destruction. They reaffirm their strong support for the Treaty, their continued dedication to its principles and objectives and their commitment to implement effectively its provisions.

#### Article I

The review undertaken by the Conference confirms that the obligations assumed under article I of the Treaty have been faithfully observed by the States Parties. The Conference is convinced that the continued observance of this article remains essential to the objective which all States Parties share of avoiding an arms race in nuclear weapons or any other types of weapons of mass destruction on the sea-bed.

#### Article II

The Conference reaffirms its support for the provisions of article II which define the zone covered by the Treaty. The Conference agrees that the zone covered by the Treaty reflects the right balance between the need to prevent an arms race in nuclear weapons and any other types of weapons of mass destruction on the sea-bed and the right of States to control verification activities close to their own coasts. All States Parties to the Treaty confirm that they have not emplaced any nuclear weapons or other weapons of mass destruction on the sea-bed outside the zone of application of the Treaty as defined by its article II and have no intention to do so.

#### Article III

The Conference notes with satisfaction that no State Party has found it necessary to invoke the provisions of article III, paragraphs 2, 3, 4 and 5, dealing with international complaints and verification procedures. The Conference considers that the provisions for consultation and co-operation contained in paragraphs 2, 3 and 5 include the right of interested States Parties to agree to resort to various international consultative procedures. These procedures could include ad hoc consultative groups of experts in which

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1/ SBT/CONF.III/3/Add.1.

2/ SBT/CONF.III/4 and Adds 1-3.

all States Parties could participate, and other procedures. The Conference stresses the importance of co-operation between States Parties with a view to ensuring effective implementation of the international consultative procedures provided for in article III of the Treaty, having regard also for the concerns expressed by some States Parties that they lack the technical means to carry out the verification procedures unaided.

The Conference reaffirms in the framework of article III and article IV that nothing in the verification provisions of this Treaty should be interpreted as affecting or limiting, and notes with satisfaction that nothing in these provisions has been identified as affecting or limiting, the rights of States Parties recognized under international law and consistent with their obligations under the Treaty, including the freedom of the high seas and the rights of coastal States.

The Conference reaffirms that States Parties should exercise their rights under article III with due regard for the sovereign rights of coastal States as recognized under international law.

#### Article IV

The Conference notes the importance of article IV which provides that nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coast, including, inter alia, territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves. The Conference also noted that obligations assumed by States Parties to the Treaty arising from other international instruments continue to apply.

#### Article V

The Conference reaffirms the commitment undertaken in article V to continue negotiations in good faith concerning 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.

The Conference notes that negotiations aimed primarily at such measures have not yet taken place. Consequently, the Conference again requests that the Conference on Disarmament, in consultation with the States Parties to the Treaty, taking into account existing proposals and any relevant technological developments, proceed promptly with consideration 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.

At the same time, the Conference notes that other arms limitation and disarmament negotiations on measures with wider application that will contribute to the general objectives of the Treaty have been completed, are under way or are contemplated, and will, when successfully implemented, contribute to the effectiveness of the Treaty.

#### Article VI

The Conference notes that over the 17 years of the operation of the Treaty no State Party proposed any amendments to this Treaty according to the procedure laid down in this article.

#### Article VII

The Conference notes with satisfaction the spirit of co-operation in which the Third Review Conference was held.

The Conference, recognizing the importance of the review mechanism provided in article VII, and having considered the question of the timing of the next Review Conference and the necessary preparations thereto, decides that the Fourth Review Conference shall be convened in Geneva, in principle not earlier than 1996, at the request to the Depositary Governments of a majority of States Parties to the Treaty, if they consider that relevant developments make this advisable. If the Fourth Review Conference is not convened in 1996, the Depositary Governments shall solicit the views of all States Parties to this Treaty on the holding of the Conference in 1997. If 10 States Parties so request, the Depositary Governments shall take immediate steps to convene the Conference. If there is no such request, the Depositary Governments shall resolicit the views of States Parties at three-year intervals thereafter.

The Conference takes note of the fact that no information has been presented to it indicating that major technological developments have taken place since 1983 which affect the operation of the Treaty. The Conference, nevertheless, recognizes the need to keep such developments under continuing review, and the importance of relevant information in assisting States Parties to decide on the timing of the Fourth Review Conference.

To this end the Conference requests the Secretary-General of the United Nations to report by 1992, and every three years thereafter until the Fourth Review Conference is convened, on technological developments relevant to the Treaty and to the verification of compliance with the Treaty, including dual purpose technologies for peaceful and specified military ends. In carrying out this task the Secretary-General should draw from official sources and from contributions by States Parties to the Sea-Bed Treaty, and could use the assistance of appropriate expertise. The Review Conference urges all States Parties to the Treaty to assist the Secretary-General by providing information and drawing his attention to suitable sources.

#### Article VIII

The Conference notes with satisfaction that no State Party has exercised its rights to withdraw from the Treaty under article VIII.

#### Article IX

The Conference reaffirms its conviction that nothing in the Treaty affects the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

Article X

The Conference stresses that the 17 years that have elapsed since the date of entry of the Treaty into force have demonstrated its effectiveness. At the same time, the Conference notes with concern that the goal of the Parties that the Treaty should enjoy universal acceptance has not yet been achieved.

The Conference welcomes the adherence of 10 States to the Treaty since the Second Review Conference, thus bringing the total number of Parties to 82. The Conference calls upon the States that have not yet become Parties, particularly those possessing nuclear weapons or any other types of weapons of mass destruction, to do so at the earliest possible date. Such adherence would be a further significant contribution to international confidence.

Third Review Conference 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

Final Document

PART III

Summary Records of Plenary Meetings

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Corrigendum to Summary Records of the 1st to 9th meetings

SUMMARY RECORDS OF THE PLENARY MEETINGS

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Election of the President

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Adoption of the rules of procedure

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Credentials of representatives to the Conference

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A. General debate (continued)



5th meeting

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Credentials of representatives to the Conference

(a) Appointment of the Credentials Committee

Review of the operation of the Treaty as provided for in its article VII

A. General debate (continued)

6th meeting

Review of the operation of the Treaty as provided for in its article VII

A. General debate (continued)

7th meeting

Review of the operation of the Treaty as provided for in its article VII  
(continued)

B. Articles I-XI

C. Preambular paragraphs and purposes of the Treaty

8th meeting

Credentials of representatives to the Conference

(a) Appointment of the Credentials Committee

Review of the operation of the Treaty as provided for in its article VII  
(continued)

B. Articles I-XI

C. Preambular paragraphs and purposes of the Treaty

9th meeting

Adoption of arrangements for meeting the costs of the Conference

Report of the Credentials Committee

Report of the Drafting Committee

Adoption of Final Document(s)

Closure of the Conference

**Third Review Conference  
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**

**Geneva, September 1989**

Distr.  
GENERAL

SBT/CONF.III/SR.1-9/Corrigendum  
24 November 1989

ENGLISH

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**SUMMARY RECORDS OF THE 1st TO 9th MEETINGS**

**Held at the Palais des Nations, Geneva,  
from 19 to 28 September 1989**

**Corrigendum**

The present document contains the corrections received from the participants and the Secretariat applying to the English text of the summary records of the meetings of the Third Review Conference 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 (SBT/CONF.III/SR.1-9)

With the issuance of the present corrigendum, the summary records of the meetings held by the Third Review Conference are to be considered as final.

1st to 9th meetings

For "Mr. DUARTE" read "Mr. de QUEIROZ DUARTE" throughout.

3rd meeting

Paragraph 8

In the first sentence, for "Ms. Bauta" read "Ms. Bauta Soles".

Paragraph 23

In the first sentence, the symbol should read "(SBT/CONF.III/4/Add.2)".

4th meeting

Page 2

Third paragraph

After the second sentence, delete the remainder of the paragraph and replace by the following text:

The right to verify the activities of other States Parties through observation was fully in conformity with the Law of the Sea. Any attempt at limiting existing rights or constituting new rights inconsistent with international law was considered as unacceptable. It was important that the right of verification through observation be granted without exception and be applied to the whole area beyond the outer limits of the sea-bed zone as defined in article II of the Treaty.

Paragraph 6

Replace the paragraph by the following text:

Consistent with the common interest to ensure that the Treaty continues to effectively prevent the emplacement of any weapons of mass destruction on the sea-bed, moves which might harm or jeopardize the Treaty should be refrained from. He hoped that this would be kept in mind when, in accordance with article V, further measures for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof would be considered. If such measures were identified in future deliberations to be conducted in the Conference on Disarmament, and if they should prove to be meaningful and acceptable, separate legal instruments should perhaps be aimed at, rather than amendments to the existing Sea-Bed Treaty.

6th meeting

Page 5

Fourth paragraph

The name of the speaker should read "Mr. COUNINIOTIS".

7th meeting

Paragraph 12

In the third line, replace "complex" by "a complex issue".

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SBT/CONF.III/SR.1  
11 October 1989

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# SUMMARY RECORD OF THE 1st MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 19 September 1989, at 10 a.m.

Temporary President: Mr. AKASHI (Secretariat)  
President: Mr. DUARTE (Brazil)

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Opening of the Conference

Submission of the Final Report of the Preparatory Committee

Election of the President

Message addressed to the Conference by the Secretary-General of the  
United Nations

Adoption of the agenda

Adoption of the Rules of Procedure

Confirmation of the nomination of the Secretary-General of the Conference

Election of Vice-Presidents, Chairmen and Vice-Chairmen of the Drafting  
Committee and the Credentials Committee

Appointment of the Credentials Committee

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This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.55 a.m.

The TEMPORARY PRESIDENT welcomed participants to the Third Review Conference and proposed that items 1 and 3 of the provisional agenda should be considered together.

It was so decided.

OPENING OF THE CONFERENCE (item 1 of the provisional agenda)

SUBMISSION OF THE FINAL REPORT OF THE PREPARATORY COMMITTEE (item 3 of the provisional agenda)

Mr. DUARTE (Brazil), speaking on behalf of the Chairman of the Preparatory Committee, declared open the Third Review Conference 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, and submitted the final report of the Preparatory Committee (SBT/CONF.III/1), which gave an account of the session held by the Committee from 24 to 27 April 1989. All of the Committee's decisions and recommendations had been taken by consensus as a result of the spirit of good will and co-operation displayed by all the delegations participating in its work. He paid tribute to the invaluable contribution made to the work of the Committee by the other members of the Bureau, Mr. D. Kostov (Bulgaria) and Mr. T. Aalbu (Norway). He also expressed his appreciation to the Secretary-General of the United Nations for his assistance to the Committee under General Assembly resolution 43/75 M, and especially for the effective co-operation the Committee had received from his Special Representative, Mr. A. Prandler, as well as from the Secretary to the Committee, Mr. Lin Kuo-Chung, and his colleagues of the Secretariat.

In addition to the Preparatory Committee's report, the Conference had before it a note on the revised estimated cost of the Third Review Conference (SBT/CONF.III/2); a document entitled "Developments relating to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and in the Subsoil Thereof (1977-1989)" (SBT/CONF.III/3); and a note by the Secretariat (SBT/CONF.III/4 and Add.1-2) containing a compilation of official communications concerning the implementation of the objectives and provisions of the Treaty received by the Secretary-General as well as papers on technological developments relevant to the Treaty which the Parties had provided or the Secretary-General had obtained from Governments.

Lastly, in paragraph 23 of its final report, the Committee had invited the Conference on Disarmament to undertake appropriate 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. The Conference on Disarmament had held an informal meeting on 29 June 1989 to exchange views on the measures in question; summaries of the statements made by the participants at that meeting had been circulated as an addendum to document SBT/CONF.III/3.

The TEMPORARY PRESIDENT proposed that the Conference should take note with appreciation of the report by the Preparatory Committee (SBT/CONF.III/1).

It was so decided.

ELECTION OF THE PRESIDENT (item 2 of the provisional agenda)

The TEMPORARY PRESIDENT invited nominations for the office of President of the Third Review Conference.

Mr. HUSLID (Norway) nominated Mr. Duarte (Brazil).

Mr. KOSTOV (Bulgaria), Mr. GROSSI (Argentina) and Mr. VARGAS (Nicaragua) supported the nomination.

Mr. Duarte (Brazil) was elected President of the Conference by acclamation.

Mr. Duarte (Brazil) took the Chair.

The PRESIDENT thanked delegations for the confidence placed in him and expressed the hope that, with their help, he would be able to contribute to the successful conclusion of the Conference's task within the allotted time.

Seventeen years had elapsed since the entry into force of the Sea-Bed Treaty and there was good reason to believe that it had proved to be an effective instrument. The obligations set forth in article I had been complied with and, as a consequence, the provisions of article III had never been invoked. Moreover, the previous Review Conferences had been characterized by a remarkable spirit of co-operation.

Nevertheless, there were different assessments on some points. Some considered that there had not been enough information on scientific and technological developments of possible relevance to the purposes of the Treaty. Others, on the contrary, held that that absence of information only reflected the lack of relevant facts to report on. That important question was one of the main reasons for convening the Review Conference, in conformity with article VII of the Treaty.

Assessments also diverged on questions relating to article V. It had been suggested, for example, that the scope of the Treaty should be extended to encompass the entire sea-bed environment "from shore to shore"; another suggestion had been to widen the scope of the present prohibition so as to cover other kinds of weapons. The Third Review Conference thus provided an opportunity to hear arguments for and against those proposals or initiatives.

Actually, those issues did not so much divide as differentiate the participants, and difference was a sine qua non of dialogue; the States Parties all appeared to agree that the elaboration of the Sea-Bed Treaty had been a worthy endeavour and that its implementation had not up to now encountered any difficulties. The Brazilian Government, for its part, held the Sea-Bed Treaty to be a constructive measure in the field of disarmament. Disarmament efforts had also to be preventive and, to that end, had to be imaginative, so as to ban new military applications of technology even before they came to be considered for actual development and deployment.

MESSAGE ADDRESSED TO THE CONFERENCE BY THE SECRETARY-GENERAL OF THE UNITED NATIONS

Mr. AKASHI (Special Representative of the Secretary-General, Under-Secretary-General for Disarmament Affairs) conveyed to the participants the following message from the Secretary-General of the United Nations:

"It is a great pleasure to extend my greetings and best wishes to all representatives participating in the Third Review Conference 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.

"The Treaty is an important preventive measure in the field of arms limitation and disarmament. It expresses the awareness of the international community that the extension of the arms race to two thirds of the surface of our planet would only add new dangers to the threats to international peace and security. The Treaty calls for continued negotiations on further measures for the prevention of an arms race on the sea-bed and the ocean floor and in the subsoil thereof. This commitment was reaffirmed by the General Assembly in the Final Document of its first special session devoted to disarmament as well as by the First and the Second Review Conferences of the Treaty.

"The Treaty recognizes that scientific and technological advances could open possibilities for new military uses of the sea-bed, the ocean floor and the subsoil thereof. Any activity that could undermine the objectives and purposes of the Treaty is naturally a concern of the international community. That is why one of the main tasks of this Conference is to conduct a thorough review of the current situation, taking into account relevant technological developments. I am sure that the Conference will further benefit from the discussion of this issue which took place in the Conference on Disarmament in July this year.

"It is encouraging to note that eight additional States have acceded to the Treaty since the Second Review Conference, held in 1983, and that today 81 States are parties to the Treaty, including the two major Powers and some of the most significant maritime Powers. I continue to share the belief expressed by the two previous Review Conferences that universal adherence to the Treaty would enhance international security and confidence. It is my sincere hope that this third review of the operation of the Treaty will contribute to further progress in winning its eventual acceptance by all States.

"The current improvement in international relations and the recent achievement of some progress in nuclear disarmament between the two Powers with the largest stockpiles of nuclear weapons are extremely encouraging. We now need to further other aspects of arms limitation and disarmament by bilateral, regional and multilateral forums working in a complementary manner. The conclusion of the Sea-Bed Treaty and its effective operation during the past 17 years serve as important examples of such efforts.



"As expressed in the preamble of the Treaty and reaffirmed in the Final Declarations of the two previous Review Conferences, the Treaty constitutes an important step towards the exclusion of the sea-bed, the ocean floor and its subsoil from the arms race. It also represents important progress towards the ultimate goal of general and complete disarmament under strict and effective international control. It is my conviction that, as before, this Review Conference will produce a sense of renewed commitment and dedication to that objective. I wish you all success in your deliberations."

The PRESIDENT thanked the Special Representative for the statement made on behalf of the Secretary-General of the United Nations.

ADOPTION OF THE AGENDA (item 8 of the provisional agenda)

The PRESIDENT invited participants to consider the provisional agenda recommended by the Preparatory Committee (SBT/CONF.III/1, annex I). If he heard no objection, he would take it that the Conference decided to adopt that agenda.

It was so decided.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 4)

The PRESIDENT drew the attention of participants to the draft rules of procedure proposed by the Preparatory Committee (SBT/CONF.III/1, annex II). If he heard no objection, he would take it that the Conference decided to adopt those rules of procedure.

It was so decided.

CONFIRMATION OF THE NOMINATION OF THE SECRETARY-GENERAL OF THE CONFERENCE (agenda item 7)

The PRESIDENT said that the Secretary-General of the United Nations had nominated Mr. Lin Kuo-Chung, Senior Political Affairs Officer at the Department for Disarmament Affairs, for the post of Secretary-General of the Conference, pursuant to rule 10 of the rules of procedure and in conformity with paragraph 25 of the report of the Preparatory Committee. If he heard no objection, he would take it that the Conference decided to confirm that nomination.

It was so decided.

ELECTION OF VICE-PRESIDENTS, CHAIRMEN AND VICE-CHAIRMEN OF THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 6 (a))

The PRESIDENT suggested that agenda items 5 and 6 (a), for which consultations were still necessary, should be postponed until the next meeting.

It was so decided.

The meeting rose at 11.25 a.m.

Distr.  
GENERAL

SBT/CONF.III/SR.2  
21 September 1989

Original: ENGLISH

# SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 19 September 1989, at 3 p.m.

President: Mr. DUARTE (Brazil)

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Organization of work

Programme of work

Applications for observer status

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The meeting was called to order at 3.45 p.m.

#### ORGANIZATION OF WORK

1. The PRESIDENT said that, pending the outcome of consultations among the regional groups in connection with the elections of officers, an informal meeting of the Conference would be held to consider the programme of work for the Third Review Conference.

The meeting was suspended at 3.50 p.m. and resumed at 4.10 p.m.

#### PROGRAMME OF WORK (agenda item 9) (SBT/CONF.III/CRP.1)

2. The PRESIDENT proposed that the programme of work set out in document SBT/CONF.III/CRP.1 should be adopted with some minor adjustments and on the understanding that endeavours would be made to expedite the work of the Conference with a view to completing it ahead of schedule.

3. It was so decided.

#### APPLICATIONS FOR OBSERVER STATUS

4. The PRESIDENT announced that applications for observer status had been received, in the order of their reception, from the following countries: Ecuador, Burkina Faso, Syrian Arab Republic, Bangladesh, Angola, Kenya, Venezuela, Nigeria, Sri Lanka, Philippines, Peru and Algeria. If he heard no objection, he would take it that the Conference wished to accept those applications.

5. It was so decided.

The meeting rose at 4.15 p.m.

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GENERAL

SBT/CONF.III/SR.3  
28 September 1989

Original: ENGLISH

### SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 20 September 1989, at 3 p.m.

President: Mr. DUARTE (Brazil)

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Election of Vice-Presidents, Chairmen and Vice-Chairmen of the Drafting Committee and the Credentials Committee

Credentials of representatives to the Conference:

(a) Appointment of the Credentials Committee

Adoption of arrangements for meeting the costs of the Conference

Review of the operation of the Treaty as provided for in its article VII:

A. General debate

Granting of observer status to Egypt

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Any corrections to the records of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3.20 p.m.

ELECTION OF VICE-PRESIDENTS, CHAIRMEN AND VICE-CHAIRMEN OF THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 5)

1. The PRESIDENT drew attention to rule 5 of the rules of procedure, concerning the election of officers, and rule 8, on the composition of the General Committee.
2. As noted in its report (SBT/CONF.III/1, para. 17), the Preparatory Committee had agreed that the geographical distribution of the posts in the General Committee would be: Africa 4, Asia 4, Latin America and the Caribbean 2, Western Europe and Other States 6 (including the Depositary Governments), and Eastern Europe 4 (including the Depositary Government). Together with the President of the Conference, the 17 Vice-Presidents, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee would form the General Committee.
3. In accordance with rule 5 of the rules of procedure, 17 Vice-Presidents had to be elected. The consultations which had been held in the regional groups had led to agreement on the following nominations: for Africa: Ghana and Morocco; for Asia: India, Japan and Mongolia; for Latin America and the Caribbean: Nicaragua; for Western Europe and Other States: Australia, Norway, Sweden, United Kingdom and United States; for Eastern Europe: German Democratic Republic, Hungary and the Union of Soviet Socialist Republics.
4. If he heard no objection, he would take it that the Conference agreed to elect the representatives of those States as Vice-Presidents, on the understanding that the remaining vacancies would be filled later.
5. It was so decided.
6. The PRESIDENT invited the Conference to elect the Chairmen of the Drafting Committee and the Credentials Committee. He understood that, in consultations within and among the groups, it had been agreed that Mr. Kostov (Bulgaria) was to be nominated as Chairman of the Drafting Committee and Mr. Ibañez (Spain) as Chairman of the Credentials Committee. If he heard no objection, he would take it that the Conference agreed to elect them by acclamation.
7. It was so decided.
8. The PRESIDENT said that, following consultations, it had been agreed that Mr. Lüdeking (Federal Republic of Germany) should be nominated as Vice-Chairman of the Drafting Committee and Ms. Bauta (Cuba) as Vice-Chairman of the Credentials Committee. If he heard no objection, he would take it that the Conference agreed to elect them by acclamation.
9. It was so decided.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE:

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE (agenda item 6 (a))

10. The PRESIDENT drew attention to rule 3 of the rules of procedure, which specified that, in addition to the Chairman of the Credentials Committee, the Conference had to appoint five further members of the Credentials Committee on the proposal of the President. Since consultations on that point had not yet been completed, he suggested that the matter should be deferred.

11. It was so decided.

12. The PRESIDENT said that, notwithstanding that deferral, he would urge those delegations which had not already done so to submit their credentials to the Secretary-General of the Conference as soon as possible. The Credentials Committee, as soon as it was appointed, would thus be able to examine the credentials without delay in accordance with rule 3 of the rules of procedure.

ADOPTION OF ARRANGEMENTS FOR MEETING THE COSTS OF THE CONFERENCE (agenda item 10)

13. The PRESIDENT recalled that in its report (SBT/CONF.III/1, para. 10) the Preparatory Committee had requested the Secretariat to circulate, before the opening of the Review Conference, a revised estimate of the cost of the Conference reflecting the actual costs of the session of the Preparatory Committee. That information had been circulated to all delegations in document SBT/CONF.III/2. Financial arrangements for meeting the costs of the Conference were contained in rule 12 of the rules of procedure.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VII:

A. GENERAL DEBATE (agenda item 11 A)

14. Mr. SALANDER (Sweden) said that the Sea-Bed Treaty, which had now been in force for 17 years, had well served its overall objectives. Despite its modest impact on arms limitation and disarmament, it represented an initial step towards the limitation of naval armaments. It had shown that it was possible to agree on multilateral restrictions in that area and, at the same time, safeguard the freedom of the high seas.

15. When the Sea-Bed Treaty had been concluded, the aim had been to check a potential arms race within one restricted sector of military technology and the immediate value had been to rule out any future possibility of emplacing nuclear weapons on the sea-bed and the ocean floor. Many States would have been in favour of more far-reaching provisions, but the Treaty had been designed only to cover an area extending beyond 12 nautical miles from the coasts of States Parties. Moreover, the functional scope of the Treaty had been limited to nuclear weapons and other weapons of mass destruction.

16. When it had decided to join the Treaty, Sweden had seen it as a means of paving the way for further disarmament negotiations. In the first place, the Treaty represented an initial contribution by nuclear-weapon States to the fulfilment of their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament".

17. Again, the third and fourth preambular paragraphs, as well as articles V and VII, of the Sea-Bed Treaty indicated that further measures could be agreed. The preamble stated that the Parties to the Treaty were convinced "that this Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race". In article V the Parties undertook "to continue negotiations in good faith concerning 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". Those words implied a clear commitment to the process of more comprehensive disarmament measures. It was therefore appropriate for the Conference to examine a possible extension of the scope of the Treaty.

18. With regard to the Treaty's functional scope, it should of course be noted that limitation of offensive weapons was a long-standing priority in arms limitation and disarmament. Consequently, the Treaty prohibited the emplacement of weapons of mass destruction on the sea-bed and the ocean floor. However, every State had the right to provide for its military defence, and weapons systems and installations deployed on the sea-bed and the ocean floor for early warning, surveillance and self-defence were of a purely defensive nature. Every sovereign State had the right to install and deploy weapon systems in order to protect its territory from outside aggression. Against that background, the Swedish Government was not prepared to support proposals aimed at including conventional weapons in the weapons categories covered by the Sea-Bed Treaty, which should be limited to weapons of mass destruction for the foreseeable future. That standpoint did not imply that conventional weapons were beyond the scope of international legal regulation. In that connection, he drew attention to the Swedish proposal for a modernization of the protocol on the use of naval mines and torpedoes submitted to the United Nations Conference on Disarmament.

19. His delegation had no specific proposal for any amendment, but felt that the Conference should discuss the pros and cons of a possible extension of the Treaty's geographical scope. For example, a "shore-to-shore" scope would exclude the entire sea-bed and ocean floor from the nuclear arms race, a measure that would be a concrete contribution towards nuclear disarmament in accordance with article VI of the Non-Proliferation Treaty. Extending the scope to cover the water space above the sea-bed, however, would not be consistent with the terms of the Treaty. The issue of verification, which involved delicate aspects as well as questions of principle, also required thorough consideration in the light of experience gained in other fields.

20. Many important changes had created a partly new environment as far as the Treaty was concerned. Mention could be made in that connection of the Biological Weapons Convention and of the negotiations on a chemical weapons convention in progress in Geneva. There were also bilateral negotiations on substantial reductions of strategic nuclear arms and announcements had been recently made about unilateral withdrawals of sea-based tactical nuclear weapons. Although those conventions and negotiations were not of immediate relevance to the Sea-Bed Treaty, it could be maintained that the Treaty had become part of a wider régime relating to the peaceful uses of the oceans. One of the most important developments in that regard had been the adoption of the 1982 Convention on the Law of the Sea, which codified many long-standing rules of customary law, while introducing new refined concepts that were pertinent to the implementation of the Sea-Bed Treaty. Since some of those concepts had not yet been legally established when the Sea-Bed Treaty had been

concluded, it was appropriate to consider to what extent certain provisions of the Treaty were affected by the 1982 Convention. Concepts like exclusive economic zones or new rules concerning the continental shelf did not interfere with the provisions of the Sea-Bed Treaty. For example, the right to verify through observation, which was laid down in article III of the Treaty, could in no way be circumscribed by the establishment of exclusive economic zones. The rights enjoyed by coastal States in such zones related exclusively to economic activities and to scientific maritime research.

21. In that context, it had been argued that observations under article III of the Treaty referred only to observations that were "incidental to the normal course of navigation". His delegation rejected such an interpretation, for which there was no support either in the wording of article III or in customary international law. It was essential to prevent tendencies towards "creeping jurisdiction" which went further than the 1982 Convention tendencies that could well have an adverse effect on compliance with the Treaty. The principle of the freedom of the high seas had to be maintained and the terms of the Treaty and its control mechanisms must be unequivocally upheld.

22. The Conference was called upon to consider recent technological developments relevant to the Sea-Bed Treaty. It had received communications from the Depositary States (SBT/CONF.III/4) on the subject, but the scarcity and generality of the information provided was disappointing. The best course would perhaps be to assign the task of assembling relevant information to an internationally respected expert.

23. Sweden had submitted a background paper on technological developments (SBT/CONF.III/4), one which focused on the continued development and emergence of technologies for underwater use that made the sea-bed and the ocean floor more accessible for civilian and military purposes. The potential for effective verification of the treaty could also be enhanced. There were continuing improvements in the technology for manned underwater activities and more advanced operations could now be performed at greater depths. Remotely operated vehicles (ROVs) could be used for various purposes, including inspection and repair and for such military purposes as mine detection. Again improvements in energy sources and techniques for underwater navigation could be expected to extend the range of autonomous underwater vehicles (AUVs) to several thousand kilometres. The potentially military application of AUVs included reconnaissance, surveillance, mine detection and emplacement of sensors and weapons. Thus, both AUVs and ROVs could be used to emplace weapons of mass destruction on the sea-bed and the ocean floor, yet, they also provided increased verification capabilities. The question of mapping the sea-bed and the ocean floor was a technical issue closely related to the provisions of the Sea-Bed Treaty. The most important method in that connection was the use of sound waves. Recent improvements stemmed primarily from progress in the computer field, which made for improved signal and image processing and interpretation of data. Clearly, such examples pointed to interesting technological developments relevant to the compliance with the Sea-Bed Treaty and progress in those fields should be followed closely. Naturally, the Sea-Bed Treaty did not, and could not, interfere with the scientific and economic exploration of the sea-bed and the ocean floor.

24. Lastly, it still seemed reasonable to assume that it would not at present be militarily advantageous to emplace nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor. The Treaty prohibited such action, even if military advantages were conceivable. In his opinion, the



Treaty could successfully continue to serve its objectives, and in the period leading up to the next Review Conference, consideration should be given to the possibility of extending the geographical scope of the Treaty. The development of relevant off-shore and submarine technology should be followed closely. His delegation proposed that the present Conference should take a decision on how best to promote that end.

25. Mr. NEGROTTO CAMBIASO (Italy) said that more than 17 years had elapsed since 18 May 1972, the date on which the Sea-Bed Treaty had entered into force. On that date, the international community had committed itself to preventing nuclear weapons from being placed in a vast geographical area which up until then had been free of them. Although such an objective might be regarded as limited, it was of the utmost importance that all the parties, by faithfully complying with the Treaty's requirements over the past 17 years, had helped to prevent a nuclear arms race on the sea-bed and to foster international confidence and security. The Conference had been convened, in accordance with article VII, to ensure that the purposes of the preamble and the provisions of the Treaty were being realized, and also to assess and possibly strengthen the Treaty's effectiveness. If those important objectives were to be attained, the Conference should solemnly reaffirm the continued commitment of all the parties. No effort should be spared to enlarge participation in the treaty, beginning with those countries which possessed nuclear weapons. Universal adherence to the terms of the Treaty in the shortest possible time would significantly help to strengthen of international peace and security.

26. His Government, in accordance with the policy it had consistently pursued, was ready to consider any measure likely to promote concrete progress in the field of disarmament. It had accordingly welcomed the Treaty as an effective instrument for attaining general and complete disarmament, although he agreed with the suggestion by the Secretary-General in his message the previous day that it was an instrument which could be further improved.

27. His delegation would be prepared to consider any measure that other parties considered useful and pertinent. As just indicated by the Swedish representative, agreement on such a measure seemed to be becoming more feasible both from the political and the technological point of view in the framework of the current rapid pace of developments on the international scene. In that connection, it was interesting to note a suggestion made at the informal session of the Conference on Disarmament for a possible extension of the terms of the Treaty to areas including territorial waters - an area where it could be useful to explore carefully a possible extension of the régime of the Treaty.

28. He continued to believe that the basic principles set out in articles I and II remained valid. The verification régime provided for under article III had not revealed any shortcomings, and it could be hazardous to attempt to alter it. However, his delegation would be prepared to consider whether the régime could be improved by including further forms of co-operation.

29. It was gratifying to hear from all the depositaries that none of the technological advances made so far had been identified as affecting the purposes or implementation of the Treaty. However, with a view to promoting greater confidence and transparency in such an important field, there was room for a wider distribution of information on technological developments with a potential bearing on the Treaty. It could be done on a voluntary basis, and would not affect the security requirements of any State Party.

30. Mr. DIETZE (German Democratic Republic) said the Conference was dealing with a significant system of treaties, one to which his country attached the highest importance. The Secretary-General, in his message, had rightly described the Sea-Bed Treaty as an important preventive measure against the arms race in two thirds of the globe. It represented an essential element in the system of agreements providing for arms limitation and disarmament. Since its entry into force 17 years ago, the Treaty had been an effective instrument against the proliferation of nuclear weapons and other weapons of mass destruction, and also against the spread of the arms race to the sea-bed. His delegation had come to the Conference with the intention of strengthening the Treaty and of pressing for the conclusion of agreements designed to halt and eventually terminate the arms race in seas and oceans. The recent fiftieth anniversary of the start of the Second World War by Hitler's invasion of Poland had been a vivid reminder that war, whether nuclear or conventional, must never recur. On 1 September 1989 his country's parliament had reaffirmed that never again would war spring from German soil, and that had been the credo of the German Democratic Republic from the very first day of its existence.

31. The time had come to give up striving for superiority, and to stop clinging to doctrines of nuclear deterrence. The disarmament process initiated by the INF Treaty should be continued, and should be followed by further treaties. His country, together with other member countries of the Warsaw Pact, had played its part in promoting that process and would continue to do so in future. It was crucial for all mankind to rid large areas of the globe of nuclear and other weapons of mass destruction. Besides the Sea-Bed Treaty, other instruments which had helped to achieve that end had been the Antarctic Treaty, the Outer Space Treaty, the Treaty on the Non-Proliferation of Nuclear Weapons, and the Treaties of Tlatelolco and Rarotonga. His country welcomed those accords, and would work to strengthen them. Together with Czechoslovakia, it had declared its support for establishing a nuclear-weapon-free corridor and a chemical-weapon-free zone in central Europe.

32. The Sea-Bed Treaty's significance consisted, firstly, in having banned from large areas of the Earth's surface an arms race involving perilous weapons; secondly, in having provided possibilities for wide-ranging verification; and thirdly, in having helped to improve the climate for negotiations on further arms limitation and disarmament, particularly in the nuclear field. The Treaty had lost none of its relevance. Indeed, new developments in armaments technology and the stepping-up of the naval arms race meant that it had become all the more necessary to make determined efforts to maintain and reinforce it. Sweden's proposal to establish an ad hoc expert group to keep technological developments affecting the Treaty's operation under review was of interest and called for serious consideration. It would be of great political significance if more States - especially those possessing nuclear weapons - acceded to the Treaty. His country advocated complete demilitarization of the sea-bed, and accordingly supported proposals for further measures in the context of article V. The Geneva Conference on Disarmament would be a suitable forum for addressing that issue. In view of the increased technological possibilities for exploitation of the sea-bed, both for economic and scientific and for military purposes, effective means of verification would need to be provided for. The United Nations should play a more important part in endeavours in that connection. Despite its significance, the Treaty covered only one aspect of the arms race in maritime matters. The current escalation of naval armaments posed serious risks for

international and regional security, and the issue had rightly become a focus of attention within the United Nations, as well as in a bilateral and regional framework.

33. In regard to the Soviet/United States negotiations on strategic offensive weapons, his country was in favour of an effective limitation of submarine-launched ballistic missiles, and a prohibition or limitation on sea-going cruise missiles under strict verification. It was imperative for naval armaments to be included in the disarmament process, and notably in negotiations between the Soviet Union and the United States and members of the Warsaw Pact and the North Atlantic Treaty Organization (NATO) on naval forces. Proposals by the non-aligned States for the establishment of zones of peace in the Indian Ocean and the South Atlantic clearly deserved support. At the Third Special Session of the General Assembly, his country had put forward comprehensive suggestions for the limitation and reduction of naval armaments. They had included the conclusion of agreements on such confidence-building measures as the notification of movements and manoeuvres by naval forces, the invitation of observers to naval exercises and manoeuvres and limitations on the number and scale of such exercises; the conclusion of a multilateral agreement on the prevention of incidents on the high seas; the establishment of United Nations naval forces; the limitation and reduction of sea-based tactical nuclear weapons; and the withdrawal of specific types of naval armaments from specific regions of the seas and oceans. Obviously, a reliable system of verification would need to be envisaged in that connection.

34. The sea-bed and ocean floor and the subsoil were rich in resources, and the Sea-Bed Treaty was an important landmark on the road to ensuring that they were exploited for peaceful purposes. The 1982 Convention on the Law of the Sea required those resources to be used for the benefit of all mankind. His delegation was working towards that end in the Preparatory Commission for the International Sea-Bed Authority. Measures guaranteeing the complete demilitarization of the sea-bed would further encourage peaceful exploitation of the seas and oceans. He supported the views of all those who had urged in the course of the debate that effective steps be taken to strengthen the Treaty. With that aim in mind, the final document to be adopted by the Conference should include a number of essential points. It should emphasize the importance of the Treaty and urge that it be strengthened; call upon further countries, notably nuclear-weapon States, to accede to it; endorse the convening of negotiations on measures for the complete demilitarization of the sea-bed; advocate exploitation of the seas and oceans for exclusively peaceful purposes under international law; and encourage the trend towards the limitation and reduction of naval armaments.

35. Ms. SOLESBY (United Kingdom) congratulating the President on his unanimous election, said that the accession to the treaty of a country with such significance and standing as Brazil had considerably enhanced the significance of the Treaty itself. The Treaty had been negotiated at a time when there was a danger that nuclear missiles might be encapsulated for emplacement on the sea-bed or in its subsoil. Such missiles promised to match the accuracy of land-based systems, while enjoying the higher degree of protection afforded by the presence of water on all sides. By pre-empting such developments, the Treaty had acted as a stabilizing factor during a period of intense competition for the extraction of mineral resources from the sea-bed. Its success had been confirmed by the fact that all States parties

had adopted the Final Declarations at both the First and the Second Review Conferences by consensus. Since the Second Review Conference, in 1983, seven more States had acceded to the Treaty and no State party had felt its national interest was so much at stake as to require withdrawal. Her delegation urged all States, and in particular the two nuclear-weapon States which had not yet done so, to accede as soon as possible to the Treaty.

36. It was a matter for general satisfaction that there had been no observed infringement of the Treaty and no need to invoke the verification procedures in article III. The Treaty had thus been a quiet success in the area of nuclear arms control and had contributed effectively to international security.

37. A central issue at the present Conference would no doubt be the question of technological developments which might affect the operation of the Treaty. As requested by the Preparatory Committee, her Government had already presented to the Secretary-General of the United Nations a background paper on technological developments relevant to the Treaty. The paper, which affirmed that the United Kingdom did not believe any technological developments since 1977 required revision of the Treaty, centred on the questions whether any technological developments would make it militarily advantageous to emplace nuclear weapons on the sea-bed and whether such developments made it easier to emplace such weapons on the sea-bed or to detect their emplacement. On the first question her Government had concluded that improvements in submarine navigation eroded any advantage to be gained from fixed missile installations on the sea-bed, and on the second question it had come to the conclusion that any advantages conferred by greater capability of working on the sea-bed were outweighed by enhanced facilities for inspection and detection. As at the previous Review Conferences, her delegation welcomed the opportunity to exchange views on that aspect of the Treaty.

38. In the past, some delegations had drawn attention to the Treaty's limited scope. Two main possibilities were available for change under the terms of article V, which called for negotiations on further measures, namely an extension of the scope of the Treaty to include weapons other than nuclear weapons and other weapons of mass destruction, and an extension of the Treaty zone. Her Government's views on the matter had been made clear at earlier Review Conferences and at the informal plenary session of the Conference on Disarmament held in July 1989 to discuss the Sea-Bed Treaty. It did not think that further measures in the field of disarmament for the prevention of an arms race on the sea-bed were currently necessary or practicable.

39. Again, the technology for effective verification of less visible conventional military equipment on the sea-bed was not yet available. Among other problems to which it would give rise, a suitable régime would require an enormous world-wide verification process on a scale which could not be considered realistic. Her delegation would agree with those who argued that an effective régime of that kind, even if restricted to certain activities such as submarines bottoming in the regional territorial seas or adjacent to continental shelves of other States, might be worthwhile in terms of confidence-building and the reduction of tension. From the standpoint of verification, however, such measures might not currently be practicable. For example, while her Government would in principle support any proposal to ban hostile mine-laying in the vicinity of other countries, and while detection of laid mines was feasible, identification of their owner was much more difficult, and perhaps indeed impossible. Even an approach based simply on

confidence-building would not work, since measures such as declarations of stockpiles would simply engender suspicion in the absence of effective verification, and would thus be destabilizing.

40. If, in fact, any aspect of sea-bed arms control were to be considered ripe for development, it should be brought before the Conference on Disarmament, and should take the form of new arms control treaties.

41. The other possible extension to the existing provisions of the Treaty was an expansion of the Treaty zone to include territorial waters. In that connection, the First and Second Review Conferences had agreed that the zone covered by the Treaty reflected the right balance between the need to prevent an arms race involving nuclear weapons and other weapons of mass destruction on the sea-bed, and the rights of States within their own coastal waters. That view, her delegation believed, remained valid. She saw no need to revise the provisions in that area of the Treaty, which continued to serve the interests of States parties. As her delegation had made clear at the informal session of the Conference on Disarmament, her Government had no intention of emplacing nuclear weapons or any weapons of mass destruction on the sea-bed, whether outside or within the territorial waters of the United Kingdom. While her Government thus had no objections to applying the principles embodied in article I to the territorial sea, it foresaw major difficulties in extending the scope of the Treaty in that way, and the verification régime in particular.

42. Her delegation looked forward to discussing that and other aspects of the Treaty in the course of the Conference. It also welcomed the opportunity to review the functioning of the Sea-Bed Treaty and to learn of any developments since the last Review Conference which might influence its operation. Preliminary discussion in the Preparatory Committee suggested that the majority of the States parties saw little or no need for adjustment. Actually, the Sea-Bed Treaty had proved itself an effective measure of arms control, and there was every reason to believe that it would continue to serve the international community as effectively in the years to come. She trusted that the Third Review Conference, like its predecessor, would reaffirm in unambiguous terms the strong support of all States parties for the Treaty, their continued dedication to its principles and objectives, and their commitment to implementing its provisions.

43. Mr. LAMAZIERE (Brazil) said that his delegation could on the whole agree with the assertion that only a few States parties currently possessed technology capable of monitoring possible violations of the Treaty - those very States which theoretically possessed the technology to develop and emplace nuclear weapons or other weapons of mass destruction in the areas covered by the Treaty. Nevertheless, the fact that no violation had ever been reported could be considered as a reliable indication that the obligations assumed under article I had until now been fulfilled by all parties. To that extent, the Treaty had proved effective, in that it had achieved the goals - albeit limited - for which it had been devised. In his view, its preventive character did not detract from its relevance. Brazil had played an active part in negotiations for the conclusion of the Treaty, both in the 18-Nation Disarmament Committee (ENDC) and its successor, the Conference of the Committee on Disarmament, as well as in the United Nations General Assembly. The Treaty represented a significant step in the long and painstaking road toward general and complete disarmament under effective international control.

44. Brazil's contribution to those negotiations had been designed to ensure that in the search for adequate procedures for verification, the legitimate interests of coastal States would not be harmed or left unprotected. That was all the more important since it was mainly within the framework of the verification process that the majority of States parties to the Treaty would eventually be called upon to play a more active role. It was for that reason that, throughout the negotiations, his delegation had stressed that Brazil understood the word "observation" in paragraph 1 of article III to refer only to observation incidental to the normal course of navigation, in accordance with international law. Another issue of great importance to his Government, and one which it considered to be satisfactorily reflected in the final text of the Treaty, was the issue of the right of the coastal State to be previously notified of, and to participate in, any verification activity carried out in areas adjacent to its coasts. That right was embodied in paragraphs 2 and 3 of article III, which took into account the direct and vital economic and security interests of the coastal State.

45. In addition to securing disarmament, another aim of the Brazilian delegation since the inception of negotiations had been to avoid any unnecessary prejudice to parallel but distinct questions of the law of the sea currently being negotiated in other forums. In that connection, his delegation had made the following statement upon deposit of the instrument of ratification: "The Brazilian Government wishes to state that nothing in the present Treaty shall be interpreted as in any way prejudicing the sovereign rights of Brazil in the area of the sea, the sea-bed and its subsoil adjacent to the Brazilian coast, in accordance with the United Nations Convention on the Law of the Sea."

46. Brazil considered the Sea-Bed Treaty to be a constructive addition to collateral measures of non-armament. He hoped that the Review Conference would not only confirm the Treaty's effectiveness hitherto, but would also consider in the context of article V measures to widen its application.

47. Mr. KORNEENKO (Ukrainian Soviet Socialist Republic) congratulated the President on his election and went on to say that recent events and the rapid pace of scientific and technological developments clearly showed that there was no alternative to a peaceful international order based on the new political thinking, on the pre-eminence of universal human values and on the primacy of law over force. The beginnings of genuine nuclear disarmament had already been established, and a whole class of nuclear weapons was being eliminated. However, it should be borne in mind that the historic significance of that event could only be fully realized if it was followed by additional measures. Unfortunately, there had not so far been any crucial turning-point in that respect, and military and nuclear confrontation remained at a high level. It was therefore more necessary than ever to take specific steps to eliminate the threat of war and to reduce stockpiles of weapons. It should also be borne in mind that an uncontrolled naval arms race was continuing, and that, thanks to advanced modern technology, naval forces now possessed a devastating strike potential. There were enormous concentrations of such forces in various parts of the world, constituting a threat to security, and it was therefore perfectly obvious that all the States concerned, and particularly those with a large navy, should enter into negotiations on that specific issue.

48. His delegation considered that the Sea-Bed Treaty played an important part in the régime of international instruments aimed at decelerating the arms race and at strengthening peace and international security. As already pointed out, there had been no violation of the Treaty's provisions for 17 years, and the verification procedures had never had to be invoked.

49. His delegation was strongly in favour of putting an end once and for all to the deployment of any kind of weapons on the sea-bed. Article V of the Treaty made it binding for States to hold further talks with that aim in view, and his country was ready to undertake such negotiations. In that connection, there were long-term prospects of expanding the scope of the Treaty, for example by a ban on the emplacement on the sea-bed not only of weapons of mass destruction but also of other types of weapons, and also a ban on the establishment of military bases and any other military installations, provided of course that there was appropriate monitoring machinery. Measures of that kind had already been proposed and it was important that they did not merely remain on paper but served as a stimulus for discussion and detailed study. He took a positive view of the proposals to establish an organizational structure to evaluate developments and science and technology relating to the Treaty's scope of application and to consider questions with regard to the monitoring of its implementation.

50. In his message to the Review Conference, the Secretary-General of the United Nations emphasized that the Treaty was an important step towards universal and complete disarmament, and that the Conference would help to reaffirm commitment to that goal. His delegation urged all States to do what they could to ensure that the world's oceans become a zone of peace and co-operation rather than a focus of military confrontation.

51. As to the final document of the Conference, he favoured the adoption by consensus of a final declaration reflecting the agreed positions of the States parties to the Treaty. It would be appropriate for the declaration to contain a reaffirmation of the continuing importance of the Treaty and its objectives in the task of strengthening peace and international security and in averting the arms race, particularly in relation to nuclear weapons on the sea-bed. It would also be useful to urge the Conference on Disarmament once again to give consideration, as a matter of priority, to any further measures that might be taken in that area. It was gratifying that the number of accessions to the Treaty since the previous Review Conference had risen to 81, but regrettable that not all the nuclear-weapon States had as yet acceded to the Treaty or ratified it.

52. Mr. HUSLID (Norway) said the Conference was taking place at a time of encouraging developments in the field of arms control and disarmament, of which the INF Treaty was a major example. Talks between the United States and the Soviet Union in the field of arms control and disarmament were continuing, with good prospects of further progress. The Vienna negotiations held out the promise of significant reductions in conventional forces in Europe and of the development of additional confidence-building measures. Moreover, negotiations in the Conference on Disarmament on a chemical weapons convention were advancing slowly but steadily.

53. It was his delegation's hope that all those negotiations would prove successful and would contribute to the long-term objective of securing peace and stability at the lowest possible level of forces. That had been the spirit in which the Sea-Bed Treaty itself had been drafted and concluded.

54. His Government was well satisfied with the operation of the Treaty, which the United Kingdom representative had rightly described as "a quiet success". Within the framework of its scope and purpose, the Treaty had proved a useful instrument. Accordingly, one of the chief aims of the conference should be to reaffirm the strong support of the Treaty by States parties, along the lines agreed at the two previous review conferences. No State party had yet found any reason to invoke the provisions of article III concerning international complaints and verification procedures, and in that respect the situation was the same as it had been six years ago. In his view, that showed that the Treaty had been successful in contributing to the exclusion the arms race from its area of application.

55. The Treaty applied to an area of the globe which had been the scene of rapid technological developments over the last few decades, and the Conference was required under article VII of the Treaty to take into account any such developments. Norway was actively involved in off-shore oil and gas activities and to its knowledge, all technological developments had so far been channelled towards peaceful applications in the form of exploitation of the resources of the sea-bed and of its subsoil. Advances in sonar technology, for example, now made it feasible to monitor developments on the sea-bed, and that technology, which was freely available on a commercial basis, had enlarged the range of verification techniques.

56. The verification provisions in article III of the Treaty were complex, but in his delegation's view that complexity had not hampered effective implementation of the Treaty. Norway continued to believe that the 1982 Convention on the Law of the Sea would have no direct effect on the continued operation of the Sea-Bed Treaty. On the contrary, Governments should be on guard against any tendency to restrict the enjoyment by all members of the international community of the rights and freedoms exercisable by all States, both on the high seas and within maritime areas, in which coastal States exercised jurisdiction in conformity with international law.

57. His delegation remained flexible on the question of whether and at what time a further review conference should be convened. In the past, review conferences had been valuable both in terms of attracting attention and support for the treaties concerned, and in terms of providing a useful forum for an exchange of views between States parties. He believed another review conference should be held, but had no fixed views as to when it should be convened.

58. Unfortunately, a considerable number of countries were still not parties to the Treaty. He would support a strong appeal from the Conference to non-party States, including non-party States possessing nuclear weapons, to accede to the Treaty.

#### GRANTING OF OBSERVER STATUS TO EGYPT

59. The PRESIDENT said he had been informed that Egypt had applied to participate in the Conference as an observer. If he heard no objection, he would take it that the Conference agreed to grant Egypt observer status.

60. It was so decided.

The meeting rose at 4.55 p.m.



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#### SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 21 September 1989, at 10 a.m.

President: Mr. Duarte (Brazil)

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Review of the operation of the Treaty as provided for in its article VII

A. General debate (continued)

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The meeting was called to order at 10.20 a.m.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VII  
(agenda item 11)

A. GENERAL DEBATE (continued)

Mr. LUDEKING (Federal Republic of Germany) said that, in the 17 years the Treaty had been in force, it had demonstrated its effectiveness, as evidenced by the Final Documents of the two previous Review Conferences. As far as it was in a position to judge the present situation, his delegation drew the same conclusion about the period since the 1983 Conference, namely that there was no evidence of any violation of the Treaty. Besides, the fact that the provisions of article III had not been invoked could be taken as an indication that the article had operated smoothly.

That assessment was also valid for article VII of the Treaty and the question of technological developments. The Federal Republic of Germany had carefully studied the situation and had not identified any new technological developments that affected the purposes or specific provisions of the Treaty.

Furthermore, technological progress could also strengthen the effectiveness of the Treaty, since it could help to improve verification methods. In that connection, his country considered that the measures and procedures provided for in article III of the Treaty were adequate. The right to verify the activities of other States Parties through observation was fully in conformity with the law of the sea and any attempt to limit the exercise of those rights or to constitute new rights was unacceptable because it was inconsistent with international law. It was therefore important to emphasize the need fully to respect the right of verification through observation, a right that should be applied in the sea-bed zone defined in articles I and II of the Treaty.

The Federal Republic of Germany fully subscribed to the articles IV and IX and hoped that the Third Review Conference would reaffirm their validity, as had the first two Conferences.

Since the previous Review Conference, seven more countries had joined the Treaty, thus increasing the total number of States Parties to 81; he hoped that the present Conference would provide an incentive to States that had not already done so to accede to the Treaty without delay, in order that that instrument of international law – the importance of which was unfortunately sometimes underestimated – could become truly universal.

In order to ensure that the Treaty continued in the common interest to prevent the emplacement of any weapons of mass destruction on the sea-bed, any attempt to weaken its effectiveness should be stopped and he hoped that participants in the Conference would bear that in mind when, in accordance with article V, they came to consider the question of new measures for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof. If such measures were identified deliberations conducted in the Conference on Disarmament and if they should prove to be meaningful and acceptable, separate legal instruments should perhaps be aimed at rather than amendments to the existing Sea-Bed Treaty.

Lastly, he hoped that on completion of its review, the Conference would reach the conclusion that, during the period in question, the purposes of the preamble and the provisions of the Treaty had been achieved.

Mr. CLINARD (United States of America) said that, at the First Review Conference, in 1977, the States Parties had confirmed in a final declaration adopted by consensus, that the basic prohibitions of the Treaty had been faithfully observed by the States Parties. At the Second Review Conference, in 1983, the States Parties had confirmed, in a final declaration also adopted by consensus, that the basic prohibitions of the Treaty contained in article 1 continued to be faithfully observed by the States Parties.

Since the Second Conference, the United States had received no indication of concern with regard to compliance with any provision of the Treaty. The United States, for its part, was unaware of any evidence to indicate non-compliance with any provision of the Treaty by States Parties and was therefore prepared to join with all other parties participating in the Review Conference to confirm once again that the basic prohibitions of the Treaty continued to be faithfully observed by all States Parties.

In short, the Treaty was in good health and the United States saw no need at present to amend or modify it. If any amendments were to be proposed, they should be studied separately from the review mechanism.

The Government of the United States did not favour the proposal to extend the zone of application of the Sea-Bed Treaty. The limits of the zone covered by the prohibitions contained in the Treaty were defined in article II in the interest of the security of States Parties, a consideration that was just as valid in 1989 as it had been in 1972. The United States, like many other States Parties, could not agree that the verification régime currently provided for should be extended to territorial waters. However, it had not emplaced any nuclear weapons or any other weapons of mass destruction on the bed of its territorial waters nor had it any intention of doing so.

Furthermore, it was gratifying to report that, in the talks between the United States and the USSR on strategic arms reduction (START), both parties had agreed, inter alia, to prohibit the emplacement on or tethering of ballistic or cruise missile launchers to the ocean floor or to the beds of internal waters or the subsoil thereof. When that obligation became effective, it would apply to all areas of the ocean floor and the sea-bed, including the sea-bed zone referred to in articles I and II of the Treaty.

With respect to article V, his delegation felt that the "further measures" did not apply exclusively to the sea-bed area. Thus, for example, the major reductions in strategic nuclear weapons envisaged under the START treaty could contribute to the achievement of the Sea-Bed Treaty's objectives. Similarly, the negotiations on banning chemical and radiological weapons would also contribute to the sea-bed arms control régime of the Treaty.

Since the Second Review Conference, scientific research and interest in the sea-bed and ocean floor has continued to grow. However, it was worth noting that nothing in the literature or data from that research suggested that any activities contrary to the provisions of the Treaty were under way. Such scientific activity would certainly continue to increase and would help to build confidence or point up any possible areas of concern. For its part,

the United States, which had conducted a full research into the question, could categorically state that there was no arms race on the sea-bed and no evidence of one in the offing. Military activity involving the sea-bed had to be consistent with the Treaty for all States Parties and consistent with customary international law for all States. For the present, the United States Government had no reason to believe that such was not the case.

It was clear that the Sea-Bed Treaty was functioning well and that its prospects for the future were excellent. He was particularly pleased at the number of new parties to the Treaty since the Second Review Conference, and hoped that States which had indicated an interest in joining the Treaty by participating in the Conference as observers would also accede.

Lastly, he proposed that the Conference should request those States that were not parties to the Treaty, including those which had significant maritime interests, to become parties and that the Conference should urge those States which had signed the Treaty but had not yet ratified it to do so before the next Review Conference.

Mr. VARGA (Hungary) said that the Third Review Conference had started its work under favourable conditions: internationally, military confrontation was diminishing, political considerations were gradually taking priority over military considerations in the settlement of issues of international and national security, and rivalry was yielding to dialogue, as could be seen in the fruitful dialogue between the USSR and the United States. Any conference on disarmament matters should contribute, however modestly, to furthering that trend.

Hungary was a party to all the multilateral agreements in the field of disarmament and had contributed to the elaboration of several of them, including the one under review. Being a land-locked country it was not a significant maritime power, but its interest in the Treaty was obvious in the wider political context, through its decision actively to support any serious effort made at the international level to limit weapons and to achieve disarmament. Hungary wished all the results obtained in that area to be preserved and strengthened and hoped that the Third Review Conference would constructively review the operation of the Sea-Bed Treaty and adopt a substantive final declaration on it.

His Government maintained the view that the Sea-Bed Treaty had been operating effectively since its entry into force. The parties had completely fulfilled their basic obligations laid down in article I and no allegations of violation had been made nor had there been any necessity to invoke the provisions of article III. The Treaty had undoubtedly fulfilled its fundamental role by limiting the military uses of the sea-bed. The Government of Hungary therefore continued fully to support the Treaty, its principles and objectives and was interested in further strengthening it in its present form. It was to be hoped that the present Conference would yield positive results and therefore gain universal acceptance for the Treaty, to which an overwhelming majority of States had already acceded.

It would be remembered that, in the negotiations that had led to the adoption of the Treaty, a considerable number of States, including Hungary, had been in favour of complete demilitarization of the sea-bed. In the end those countries had none the less accepted a compromise text that was in all

respects much more limited in scope, a fact which had frequently given rise to justified criticism but which also explained the obligation contained in article V to continue negotiations on further measures for the prevention of an arms race on the sea-bed and the ocean floor. The Government of Hungary, for its part, was prepared to take part in such negotiations and would entertain any suggestions to that effect. The least that the Conference could do was to renew the undertaking given in article V and perhaps draw up concrete suggestions for its application.

At the two previous Review Conferences, a number of States had claimed difficulties of a technical nature in implementing the provisions for verifying compliance. It was significant in that respect, to note that one of the Depositary States (SBT/CONF.III/4) had stated that, as a result of the related peaceful, scientific research "the effective technical facilities for monitoring compliance with the provisions of the Sea-Bed Treaty" were at hand.

His delegation would do everything in its power to ensure that the Review Conference adopted a final document where States Parties would unequivocally voice their positive assessment of the operation of the Treaty, reaffirm their support for it and, above all, pledge their commitment to fulfil the obligations undertaken in it, including the appropriate implementation of article V. A strong appeal should be made to all those States that were not yet parties, particularly the nuclear-weapon States, to accede to the Sea-Bed Treaty without further delay.

Mr. VAJNAR (Czechoslovakia) said that Czechoslovakia supported all measures to reduce the risk of nuclear war and had therefore actively participated in drafting and adopting the Sea-Bed Treaty. His Government had been one of the first to sign and ratify the Treaty, which contributed to the economic and scientific exploration of the sea-bed and ocean floor for peaceful purposes. Since its adoption, the Treaty had proved a useful and effective international instrument within the framework of the policy of the non-proliferation of nuclear weapons and the first two Review Conferences had confirmed that its purposes had been fully respected. Six years had elapsed since the Second Conference and his delegation considered that there had been no cases of violation of the Treaty. It welcomed the fact that an ever increasing number of States was acceding to it and hoped that the two nuclear-weapon States that had not yet signed the Treaty did not look on their non-participation as a permanent option.

The present Conference should confirm that the provisions of article I had been faithfully respected by all States Parties and that article II, which defined the zone of application of the Treaty, reconciled both the interests of the Treaty itself and the rights of the coastal States. With respect to article III, his delegation noted with pleasure that no State Party had had to invoke the consultation provisions, but it was prepared to consider any proposal for more effective co-operation in implementing the Treaty. Article IV continued to ensure that no provision of the Treaty was in conflict with other existing international conventions, customary international law or the rights of the coastal States. Concerning article V, his delegation noted as it had in 1983, that no negotiations on further measures had yet taken place. Czechoslovakia would welcome any constructive proposals in that regard and pointed out that the Soviet Union and the other socialist countries were willing to start specific negotiations on complete demilitarization, including

the elimination of military bases and other military facilities from the sea-bed. The Conference on Disarmament would be the most suitable setting for such negotiations.

Complete elimination of nuclear weapons, which was the wish of the whole of the international community and the subject of several specific proposals, including those put forward by the socialist countries would constitute the strongest possible guarantee that the Sea-Bed Treaty was fully respected. His delegation reaffirmed its willingness to participate actively in the work of the Conference and in drafting a balanced and constructive final document.

Mr. CHIRILA (Romania) said that the work of the Conference had opened in a complex and serious international climate, as indicated by the fact that there were still huge stockpiles of nuclear weapons in the world. The destructive capacity of those weapons had only been slightly changed by the Treaty between the USSR and the United States on the Elimination of Their Intermediate-Range and Shorter-Range Missiles and even ran the risk of increasing because nuclear forces were being modernized. At the same time, there were large stocks of chemical weapons and the armoury was growing greater with the production of binary weapons. In various international forums Romania had always spoken in favour of a comprehensive approach to disarmament. It had neither nuclear nor chemical weapons and since 1986 it had undertaken unilateral measures to reduce its weapons, troops and military expenditure. The Sea-Bed Treaty, despite its limited scope, objectives and the number of States that had acceded to it, was an important international instrument in the efforts to halt the arms race, especially in the nuclear field. The Conference was required to examine the implementation of the provisions of the Treaty as well as the conclusions of the first two Review Conferences as set out in their Final Documents. For its part, Romania had fulfilled all the obligations that it had assumed in acceding to the Treaty.

One of the Treaty's most important provisions was article V, under which States Parties undertook to pursue negotiations in good faith on further disarmament measures, in order to prevent the arms race from spreading to the sea-bed and ocean floor and the subsoil thereof. Unfortunately, however, since the Treaty's entry into force, the arms race, in particular the nuclear arms race, had continued and had taken on a wider dimension, especially in naval affairs. In view of the objectives of the Treaty and given the present international situation, the Conference should take specific and effective measures to speed up the disarmament process. To that end, Romania wished to see first of all complete demilitarization of the sea-bed and the ocean floor and the maritime spaces in general, and with that in mind, an extension of the Treaty so as to prohibit the emplacement on the sea-bed of any system of weapons of mass destruction including nuclear sea-mines and other military installations. Romania also advocated a halt to the nuclear arms race beginning with the complete reduction of all nuclear weapons in maritime areas.

Furthermore, Romania deplored the fact that there had been so many accidents involving military surface vessels and submarines carrying nuclear weapons and devices which subsequently found their way to the sea-bed and the ocean floor. In order to prevent accidents of that kind, the number of exercises carried out by surface vessels and submarines equipped with nuclear weapons should be drastically reduced, as should the number of all military vessels on the high seas in general, and complete withdrawal of all of those

vessels from international waters should be envisaged over the long run. Furthermore, any State whose ships caused an accident should immediately advise the United Nations, which would in turn inform the other Member States. In that connection, his country considered that the United Nations should redouble its efforts to encourage the creation of nuclear-free zones in different parts of the world.

The majority of States Parties to the Treaty, especially the small- and medium-sized countries, had difficulty in obtaining information on the technical progress made in installing systems or devices on the sea-bed and ocean floor; consequently, a number of measures should also be envisaged to that end, such as the creation, possibly within the framework of the Conference on Disarmament, of a group of experts to review technological developments with military applications within the framework of the Treaty; the establishment through the United Nations, of an information system on the main technological developments that could be used for evaluating the implementation of the Treaty and the monitoring, by the United Nations and other competent organizations, of attempts by some States and non-governmental institutions to place toxic or radioactive waste or substances on the sea-bed. His delegation reaffirmed its support for any measure to strengthen the scope and effectiveness of the Treaty, as well as any negotiations to prevent any arms race in the seas and oceans.

Mr. WALKER (Australia) said that one of his country's deepest concerns was to see an end to the nuclear arms race and the achievement of nuclear disarmament; Australia worked actively to pursue that goal at the bilateral, multilateral and regional levels. The history of the arms race, both nuclear and conventional, was not a source of pride, but the recent developments in East-West relations, in arms control and disarmament and in the settlement of regional conflicts gave hope for a clear and enduring reversal of the trends of the past.

The Sea-Bed Treaty was one of a series of conventions designed to prevent the deployment of nuclear weapons in specific geographical areas. The Treaty on the Non-Proliferation of Nuclear Weapons, the most important and far-reaching of all the multilateral treaties against nuclear weapons, specifically commended regional treaties of that type. Such treaties included the Antarctic Treaty of 1961, the 1967 Outer Space Treaty, the 1979 Agreement governing the Activities of States on the Moon and Other Celestial Bodies and the Treaty for the Prohibition of Nuclear Weapons in Latin America, or Treaty of Tlatelolco, which had also been signed in 1967 and provided for the first denuclearized zone covering a populated region. Unfortunately, the latter treaty had not yet come into force in all the Latin American countries. Lastly, the South Pacific Nuclear Free Zone Treaty, or Treaty of Rarotonga, in which the aim of the States Parties was to make the maximum possible use of their sovereign powers as well as the pre-existing body of international law, had come into force in 1986. It stipulated that the Sea-Bed Treaty prohibitions applied to the South Pacific and extended those prohibitions to the territorial waters of the States Parties. The Treaty of Rarotonga, therefore, reflected the spirit of the Sea-Bed Treaty and took concrete steps to expand the principle that the sea-bed and ocean floor should be free of nuclear weapons and other weapons of mass destruction.

Australia therefore regarded the Sea-Bed Treaty not only as an important, if modest, part of the fabric of international law directed towards restraining the nuclear arms race but also as a "living" treaty that contributed to the expansion of that fabric. The Treaty had been in force for 17 years without any violation having taken place, something which meant that it had served its purpose well. It should not, however, be viewed as an immutable document. Indeed, the very purpose of the present Conference was both to review the implementation of the Treaty and to discuss possible improvements to it. Australia would support any moves to strengthen the Treaty's central purposes.

The question of adherence to the Treaty was of major concern to Australia and it noted with satisfaction that, since the latest Review Conference, eight countries had joined the community of State Parties and several others had signed the Treaty. A number of countries, however, continued to remain outside the Treaty and it was a source of particular concern that two nuclear-weapon States, France and China, had not yet acceded to it, although in practice they had complied with it. He hoped that both countries would promptly take the necessary steps to bring their international commitments into line with their practice and urged that the Conference should appeal to all countries which had not yet acceded to the Sea-Bed Treaty to do so without further delay.

Another point of concern to Australia was the interrelationship of evolving customary international law and the eventual entry into force of the Convention on the Law of the Sea and the application of the Sea-Bed Treaty. Australia wished to avoid interpretations that would unnecessarily diminish the protection afforded by the Sea-Bed Treaty. It was a matter of particular relevance to the archipelagic States, which had a particular interest in securing for themselves the benefits of the Sea-Bed Treaty, the more so because of the relatively shallow waters around their territory, where the risk of the emplacement or implantation of nuclear weapons might be greater than in deep oceanic waters. Relatively few States in that group were parties to the Treaty and it was to be hoped that that situation would be improved.

As to technological developments and their impact on the Treaty, Member States should keep each other well informed of such developments and, as appropriate, the Treaty should be broadened to take account of any developments harmful to the Treaty. In general, however, since the previous Review Conference, technical changes had been such as to render the implantation of nuclear weapons and other weapons of mass destruction on the ocean floor less useful and to increase the likelihood of such an action being discovered.

Lastly, Australia expressed its satisfaction at the Treaty's continuing viability and effectiveness and intended to participate actively in the present review, in order to reassert the valuable role that the Sea-Bed Treaty played in assisting the process of nuclear arms control.

Mr. WATANABE (Japan) said that the Treaty represented a partial but significant step towards eliminating nuclear weapons and other types of weapons of mass destruction. His delegation expressed the hope, as it had done on other occasions, that the negotiations on that subject would be sincerely pursued and accelerated with a view to achieving that ultimate goal, while maintaining the principle of deterrence and taking into account the overall balance among all weapons systems.



The Treaty's limited purpose and scope should not cause its importance to be underestimated. It was an important arms control measure to prevent a possible arms race, in particular a nuclear race, in a region that covered about two thirds of the earth's surface. Japan, as a maritime country, considered that the remarkable technical and scientific progress made in the exploration and use of the sea-bed had considerably enhanced and would continue to enhance the role of the Treaty. It would be desirable if the States Parties could agree to expand the scope of the Treaty's prohibitions, but the immediate goal of the Conference should be, first of all, to consolidate the agreement already achieved, so that it could serve as a stepping stone for the next stage.

With respect to the territorial scope of the Treaty, Japan hoped that, although the prohibitions of the present Treaty did not apply to coastal States within the 12-mile zone, the States Parties concerned would voluntarily refrain from implanting nuclear weapons on the sea-bed within that zone.

It was encouraging to note that since the Second Review Conference, there had been no notification of alleged violations of article I and that no State Party had found it necessary to invoke the provisions of article III. It was his delegation's hope that all States Parties would continue faithfully to observe the obligations set forth in those two articles. However, mere expression by the States Parties of their basic pledge to observe treaty provisions was not enough to ensure effective implementation of a disarmament and arms control agreement, unless it was accompanied by an international framework of verification that could be invoked as promptly as possible in the event of any alleged violation. His delegation would therefore consider carefully any useful and concrete proposal to improve the verification system provided for in article III of the Treaty.

Furthermore, the preamble of the Final Declaration of the Second Review Conference stated that nothing contained in the Convention on the Law of the Sea affected the rights and obligations assumed by States Parties under the Treaty. In that connection, Japan wished to stress its conviction that the Treaty should not be weakened by any action that would reduce the area covered by the Treaty.

The universality of the Treaty should be further promoted in order to enhance its effectiveness. His delegation welcomed the fact that eight more countries had become parties to the Treaty but strongly appealed to those that had not already done so, in particular the two nuclear-weapon States, to accede as soon as possible.

Lastly, Japan was pleased to note that the operation of the Treaty had not so far been affected by recent technological developments. However, in view of the development of technology with both peaceful and military applications, it was indispensable to keep under constant and careful review the question of keeping the nuclear arms race out of the sea-bed.

Mr. LEE (Republic of Korea) said that his Government attached special importance to the Sea-Bed Treaty, which it regarded as a constructive step towards the ultimate goal of general and complete disarmament under effective international control, as well as a useful instrument for promoting international peace and security and the use of the sea-bed for peaceful purposes. The Republic of Korea had faithfully observed the provisions of

the Treaty since ratifying it in June 1987 and would continue to honour the commitments that it had assumed by that decision. It welcomed the fact that the Treaty had so far been respected by all the States Parties and had proved its effectiveness by preventing an arms race on the sea-bed.

As to the relationship between articles II and IV of the Treaty and the 1982 United Nations Convention on the Law of the Sea, which had not yet entered into force, his delegation felt that the question should be examined in the future in order to harmonize both instruments.

On the subject of article III, he noted that an effective verification system was a key element of any disarmament agreement and would point out that only a small number of States Parties possessed the necessary technical means to detect and verify possible violations of the Treaty. It was therefore essential to devise the necessary procedures to provide international assistance to States without the technical and financial capacity, so as to ensure that equal rights were given to all parties under the Treaty.

With regard to article V, his delegation was of the opinion that the multilateral negotiations for the examination of further disarmament measures should be resumed with a view to keeping the nuclear arms race out of the sea-bed area.

With reference to article VII, it was essential at all times to ascertain whether the Treaty remained compatible with technological developments. The review mechanism provided for in the article was therefore very useful. His delegation welcomed the fact that the progress achieved so far in marine technology had not affected the operation of the Treaty. However, given the rapid development of underwater technology with both civilian and military applications, States Parties should receive adequate information.

His delegation was convinced that universal adherence to the Treaty would strengthen its effectiveness and it noted with satisfaction that eight more States, including his own, had become parties to the Treaty since the Second Review Conference. It felt, as did many other delegations, that the present Conference should make every effort to ensure that States that had not yet become parties should do so at the earliest possible date. Lastly, since the review process was a necessary mechanism to ensure the proper functioning of the Treaty, his delegation was prepared to support any suggestion to hold a fourth review conference.

Mr. BERDENNIKOV (Union of Soviet Socialist Republics) said that the international climate today was quite different from and more positive than in 1983, at the time of the Second Review Conference. In the meanwhile, the international community had succeeded in resuming the dialogue between States in all fields, in removing the threat of nuclear war and in making real progress towards disarmament. The 1987 Treaty between the USSR and the United States on the Elimination of Their Intermediate-Range and Shorter-Range Missiles had begun the process of nuclear disarmament. The Soviet Union was sparing no effort to conclude very promptly an agreement with the United States to reduce strategic nuclear weapons by 50 per cent. Both countries now seemed to be ready to sign new protocols on verification of the treaties signed in 1974 and 1976, limiting underground nuclear explosions. The USSR was doing everything possible to secure the adoption of a multilateral convention

banning chemical weapons and, at the regional level, within the framework of the Vienna negotiations, of arrangements on the limitation of conventional armed forces.

There was every reason to be satisfied with the operation of the Sea-Bed Treaty: no weapon of mass destruction, whether nuclear or otherwise, had been emplaced or implanted on the sea-bed since the Treaty had come into force. No State Party had been accused of violating its provisions nor had any resorted to the procedures provided for in article III, or denounced the Treaty. The number of States Parties or signatories was constantly increasing, which attested to the value the international community set on that instrument. The Treaty was, however, far from being universal and it would be useful for the Conference to urge all Member States that had not already done so, especially the nuclear-weapon States, to ratify or accede to it.

With respect to technological developments, it seemed that the Treaty was being strengthened as time went by. Like other countries, the Soviet Union held that those developments made it less useful from the military point of view to install weapons of mass destruction, whether nuclear or conventional, on the sea-bed. In particular, the development of some weapon systems such as submarines, was steadily cutting down the advantage that certain fixed nuclear missile launchers gave. Furthermore, the new generation of observation and monitoring systems - the MIR manned deep-water submersibles, for example - increased the chances of detection.

As to the implementation of the provisions of article V, the Soviet Union was prepared to begin negotiations on further disarmament measures in the area governed by the Treaty. It should not be forgotten that the USSR had wanted from the outset to ban all military uses of the sea-bed: it had agreed to reduce the scope of application of the instrument that was finally negotiated only because it believed that the Treaty would merely be a first step towards preventing the arms race on the sea-bed and that progress would continue in that direction. The Soviet Union felt therefore that the immediate need was to study the possibility of adopting measures to ban the emplacement of any base, construction or other military installation on the sea-bed. Naturally, such measures should be accompanied by adequate monitoring mechanisms. The USSR thought that it would be technically possible to verify whether such a ban was being respected and that States Parties, on the basis of reciprocity and for purposes of inspection, should have access to any installation or construction implanted on the sea-bed.

Other States proposed instead to extend the scope of the Treaty to territorial waters and to internal waters. The Soviet Union had no objection to such a suggestion and would be prepared to adopt it, provided there was an effective multilateral and verification system. It was, however, far from easy, because a system of that kind would go beyond the framework of the verification procedures provided for in the Treaty in its present form, the régime of territorial waters, and still more the régime of internal waters, because they were markedly different from the régime of the high seas. It would therefore be desirable if the advocates of that idea could make clearer their position on monitoring problems. In that connection, it would be useful to study the ideas advanced on other disarmament issues, in particular the idea of the mandatory inspection on demand, formulated within the framework of the INF Treaty and the negotiations for a convention banning chemical weapons.

In short, the Soviet Union had no objection to the Conference on Disarmament establishing a special group of experts to study technical developments affecting the Treaty and, if need be, any questions regarding compliance with its provisions.

The Soviet Union would work for the adoption of further measures to prevent the arms race on the sea-bed and ocean floor and the subsoil thereof, but it called for strict observance of provisions of the Treaty in all its aspects and repudiated any attempt to place a restrictive interpretation on some of its provisions such as article III, paragraph 1, because such interpretations would be completely unjustified.

The meeting rose at 12 noon

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# SUMMARY RECORD OF THE 5th MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 21 September 1989, at 3 p.m.

President: Mr. DUARTE (Brazil)

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The meeting was called to order at 3.25 p.m.

ELECTION OF VICE-PRESIDENTS (agenda item 5) (continued)

1. The PRESIDENT said that, as a result of consultations, the following States were to be nominated for the remaining posts of Vice-President of the Conference: from Africa, Ethiopia; and from Asia, Jordan. If he heard no objection, he would take it that the Conference wished to elect representatives of those countries as Vice-Presidents of the Conference by acclamation.

2. It was so decided.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE:

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE (agenda item 6 (a))

3. The PRESIDENT said that, under rule 3 of the rules of procedure, in addition to the Chairman and Vice-Chairman of the Credentials Committee, elected the previous day, the Conference was to appoint five more members of the Credentials Committee on the proposals of the President. Further to consultations, he wished to propose that representatives of the following States be appointed to the Credentials Committee: Austria, Cyprus, Czechoslovakia and Mexico. One more member remained to be appointed. If he heard no objection, he would take it that the representatives of the countries mentioned were appointed by acclamation.

4. It was so decided.

5. The PRESIDENT said that, under rule 3 of the rules of procedure, the Credentials Committee should examine the credentials of representatives and report to the Conference without delay. He would again urge delegations which had not yet done so to present their credentials to the Secretary-General of the Conference, so that the Committee could proceed with its work.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VII

A. GENERAL DEBATE (agenda item 11 A) (continued)

6. Mr. GROSSI (Argentina) said that any review of the operation of a multilateral agreement on disarmament such as the Sea-Bed Treaty required from those involved a clear decision to carry out a thoroughgoing examination of the terms of the agreement, scrutinizing the agreement in the light of developments in military technology which had occurred since the previous comprehensive review.

7. It was not superfluous to point out that only nuclear-weapon States were in a position to violate the provisions of an agreement prohibiting the emplacement of such weapons on the sea-bed and the ocean floor, and that they were largely the States which possessed the technological means of under-sea verification needed to detect a violation of the terms of the Treaty. For that reason, his country had welcomed with keen interest the information the Depositary States had made available as a contribution to the preparation of the Review Conference. However, his delegation felt obliged to reiterate the view, expressed by many other delegations on earlier occasions, that the

scantiness and brevity of the information provided was such that it did not offer a satisfactory basis for establishing beyond doubt, firstly, whether violations of the Treaty's provisions had taken place, and secondly, that no technical advances had been made which might affect, in whole or in part, the proper operation of the Treaty. In that respect, major developments had been noted with regard to underwater vehicles, whose fixed or mobile character was not easy to determine. From that fact it was clear that new elements had emerged and their real significance for the purposes of the Treaty should be carefully examined.

8. At the same time, to take a positive view, it should be pointed out that new and more precise means made for more exact and effective verification. Hence, at an informal meeting of the Conference on Disarmament his delegation had called for the establishment of a formal framework within which such facts could be channelled and evaluated through an independent, comprehensive and soundly-based procedure which would maintain the credibility of the Treaty. It had suggested the setting up of an ad hoc group of experts whose task would be to obtain and analyse all the available information relevant to the operation of the Treaty from official, business and any other sources. Otherwise, review conferences such as the present one would become no more than a superficial exercise, in which some parties expressed satisfaction with the operation of the agreement, while the majority still lacked even a minimum basis for forming any valid judgement on the degree to which the Treaty was being complied with. His delegation believed that there would be no insuperable difficulties in setting up such an expert group, which could be an ad hoc body, thereby avoiding the need for any administrative machinery or making any substantial allocations of resources.

9. Another question his delegation had deemed it appropriate to raise at the informal meeting of the Conference on Disarmament was the question of verification procedures under the Treaty. In his opinion, the provisions contained in paragraph 5 of article III had not been properly thought out. If it was assumed - as all the evidence indicated - that the majority of the States Parties lacked the technological expertise to verify whether the nuclear Powers strictly abided by the Treaty, it followed that it was essential to devise proper mechanisms for co-operation within the framework of the United Nations system to ensure compliance with that important provision. Such a step was essential in order to strengthen the Treaty's credibility, at least while the negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, referred to in article V, remained a commitment that was as yet unfulfilled by all the States Parties.

10. His delegation considered those points of some relevance in that, as he had already stated, it did not share the apparently unanimous opinion that the Treaty was operating impeccably. Although it was true that there had been no communications from any States indicating possible violations, it was still a valid argument that no international methods of verification had been developed which would turn that assumption into a proven fact. If that was a basic principle in any agreement on disarmament and arms limitation, it was all the more essential a principle when the object of the ban was the most dangerous type of weapons in the world, namely nuclear weapons and other weapons of mass destruction.

11. Another matter calling for careful examination was that of conventional weapons. Article I of the Treaty referred to structures, installations or other facilities "specifically" designed for storing, testing or using nuclear weapons, but the word "specifically" was not the same as "exclusively". Structures initially designed to support conventional weapons systems could well be converted to use for nuclear systems. That point was of particular relevance so far as laying mines on the sea-bed was concerned.

12. In addition, the question of nuclear submarine strategy presented some highly disquieting aspects, in view of the decision to make no distinction between submarines carrying nuclear weapons and submarines carrying conventional weapons. That inherent ambiguity in regard to anti-submarine warfare led to the conclusion that submarines carrying nuclear weapons could well be targets for both nuclear and conventional weapons, so that dual-purpose underwater installations - installations that could be converted to use either nuclear or conventional weapons - would take on a predominant role, and call into question the validity of the agreement on the denuclearization of the sea-bed as signed in 1971. Developments in the naval arms race, notably those in the area of submarine warfare, closely concerned the provisions of the Treaty, and gave little grounds for optimism. It was accordingly all the more vital to establish effective systems of verification, something which should not pose any insuperable technical problems in the light of recent advances in both manned and non-manned underwater vehicles and other types of remote detection systems capable of ensuring compliance with any further restrictions which might be agreed on.

13. Regarding possible further extension of the geographical area covered by the Treaty, he could only reiterate that, although it shared the desire to see the Treaty's scope extended as far as possible, Argentina adhered strictly to the provisions of article IV, and considered that the question of prevention of the arms race on the sea-bed and the ocean floor should not in any way affect or influence the rights of States under the law of the sea.

14. The points he had mentioned should be the focus of attention on the part of the international community if an effective régime for the protection of the sea-bed was to be developed. If that was done, the Treaty could become a far more significant instrument for achieving disarmament than had proved to be the case hitherto. Today, the seas and oceans presented a far from encouraging picture as far as armaments reduction both on and below the surface was concerned. There was evidence of a marked imbalance between negotiations on disarmament and arms limitation in regard to land forces, and negotiations on disarmament in other areas, such as the sea and outer space. Unfortunately, there was still support for a belief in uncontrolled accumulation of new systems of armaments as guarantees of a strategic balance which created more insecurities than those it claimed to remove.

15. He hoped that, the next time States Parties met to review the Treaty, they would assess the situation fully and systematically, avoiding a superficial approach which might suggest a wish to avoid a frank and open debate on matters which were of equal concern to the security of all.

16. Mr. HARKONEN (Finland) said that the conclusion of the Sea-Bed Treaty had been prompted by the efforts of the international community to prevent the militarization of the sea-bed. In his delegation's view, in the years since the Second Review Conference in 1983 the Treaty had continued adequately to



fulfil its objectives. Nor had any new developments emerged which would give rise to concern or cause the validity of the Treaty to be called into question. Indeed, discussion had mainly centred on themes which had already been discussed at the previous Review Conference.

17. A preambular paragraph of the Final Declaration of the Second Review Conference affirmed that nothing contained in the United Nations Convention on the Law of the Sea affected the rights and obligations assumed by States Parties under the Treaty. The form of language chosen appeared to reflect the fact that not all States were in agreement with the general view about the impact the then new Convention on the Law of the Sea had on the provisions of the Sea-Bed Treaty. The same disagreement was evident in the reservations made by a number of States upon signing or ratifying the Sea-Bed Treaty.

18. His delegation would hope that a general agreement could be reached on issues such as the status with respect to the Treaty, of the continental shelf and the economic zone, as well as the territorial sea of archipelago States, in particular for the purposes of the future entry into force of the Convention on the Law of the Sea. For his part, he was in principle in agreement with the statement he had quoted from in the preamble of the Final Declaration of the Second Review Conference.

19. An exchange of views concerning the scope of the Treaty had continued, reflecting the fact that many States Parties would have preferred a wider scope of application right from the start. His country was willing to consider proposals related to the geographical extent of the Treaty if that was deemed necessary by other States Parties.

20. One important task for the Conference was to evaluate whether developments in underwater technology had a bearing on matters related to the Treaty. In that respect, it was possible to conclude that future development might make an increasing military use of the sea-bed technically feasible. New technology and special materials might allow military applications which had previously been considered either beyond technical limits or simply too expensive. On the other hand, since the Second Review Conference considerable progress had been made in deep-sea research vehicles for oceanology. Finland was one of the countries where such research technology was at an advanced stage, and a Finnish company had developed deep-sea research vehicles and delivered them on a commercial basis. Technical information concerning those vehicles was in the public domain. Although experience in that field was still lacking, deep-sea research technology could in some circumstances prove suitable for verification purposes. Verification in general might be an area which deserved future attention, although there seemed to be no pressing need for new measures at the present time, since the existing verification procedures under article III of the Treaty had not been invoked.

21. The effectiveness of the Sea-Bed Treaty would be further enhanced if adherence to it were more universal. In welcoming the new States Parties that had joined since the Second Review Conference, his delegation considered that the Conference should also discuss the reasons for not acceding to it and should encourage further signatures and ratifications.

22. Mr. GOKCE (Turkey) said that the Review Conference was meeting at a time when the disarmament process had gained considerable momentum, and when its agenda offered new opportunities and challenges of global importance. In the

long chain of multilateral and bilateral arms control agreements, the Sea-Bed Treaty constituted a significant link, in that it aimed to prevent an arms race on the sea-bed, the ocean floor and the subsoil thereof. Although partial in scope, it was none the less a major arms control measure.

23. The first question the Review Conference must ask itself was whether the Sea-Bed Treaty had in practice lived up to its objectives. Had it actually succeeded in keeping the sea-bed and the ocean floor free of nuclear and other weapons of mass destruction? The answer lay in the fact that no State Party had found it necessary to invoke the provisions of the Treaty on international complaints and verification procedures, that no violation of the Treaty had been reported during the period under review, that there had been no withdrawals from the Treaty, and, finally, that there had been further accessions to it. It could thus be concluded that the Treaty had been faithfully observed and had lived up to expectations.

24. The Depositary States had not identified any technological developments since the Second Review Conference that would have a bearing on the operation and implementation of the Treaty and warrant changes in its provisions. Those States had provided the Conference with information related to the latest advances in deep-water exploration and exploitation technology, which indicated that more effective verification, facilitated by technological developments, would have a deterrent effect on any potential intention of replacing or implanting weapons on the sea-bed. Moreover, improved technology would cut down the advantages of fixed weapons systems over mobile ones, thereby creating yet another disincentive. It might logically be argued whether or not an inverse relationship existed between the technological advances made in the course of peaceful scientific uses and incentives to emplace nuclear and other weapons of mass destruction on the sea-bed.

25. His country saw no compelling need to make changes in the weapons scope of the Treaty, which covered nuclear and other weapons of mass destruction, including chemical, biological and radiological weapons. However, it would be willing to give favourable consideration to any proposal, provided the proposal would contribute to international peace and security. On the other hand, any change with regard to geographical scope should be consistent with the objectives of the Treaty. The Treaty's underlying purpose was to demilitarize the sea-bed and the ocean floor to the extent practicable, without diminishing any State Party's national security. He would therefore take a positive view of any proposal to extend the geographical scope as long as it was compatible with that goal. When the Conference addressed the issue of how further steps aimed at preventing an arms race on the sea-bed could be initiated, the States Parties also had to take into account the feasibility of measures relating to verification.

26. His delegation wished to point out that it saw no linkage between the Sea-Bed Treaty and the United Nations Convention on the Law of the Sea. The zone referred to in articles I and II of the Treaty was a functional or operational one, and its limits were defined solely for the purposes of arms control. It in no way entailed any endorsement of relevant provisions of the 1958 Convention. In fact, accession to a Treaty which was concluded solely for disarmament purposes could not confer on the States Parties the right to militarize zones already demilitarized under other international treaties. Such an attempt would not only violate international law, but would also be contrary to the underlying objective of a disarmament treaty. It

should not be forgotten that the Sea-Bed Treaty was a multilateral disarmament agreement. The Conference's Final Document should note that the obligations assumed by the States Parties to the Treaty under other international instruments continued to apply.

27. His delegation felt bound to re-state those points, so that their meaning would be sufficiently clear to pre-empt any possibility of misinterpretation. It did not wish to see the difficulties with which the law of the sea conventions had to contend recurring in the text of the Sea-Bed Treaty. Lastly, he wished to add his delegation's support to the plea addressed to nuclear weapons States and States possessing weapons of mass destruction to accede to the Sea-Bed Treaty in order to secure universal application.

28. Mr. WAGENMAKERS (Netherlands) said the high seas had always had a special significance for seafaring nations like the Netherlands, and his Government would be awaiting with keen interest the outcome of the Third Review Conference.

29. The Treaty had proved successful in that until now no serious violation of its provisions had been registered. As part of a broader legal régime governing the use or non-use of the seas and oceans for military purposes, it represented an essential link in a chain, and it was in that light that the review of its application should be undertaken. The fact that there had been no major differences of opinion concerning execution of the Treaty was a good sign, and showed that it was serving its purpose.

30. One of the priority tasks of the Conference should be to decide on what steps to take to induce non-member countries to accede to the Treaty. Some States might question the military value of the Treaty régime in the light of advances in technology, and it could well be that that value was not the same today as it had been originally. Despite the Treaty's limited scope, however, it was still important for the maximum number of countries to accede to it. The Treaty's effect would be significantly enhanced if all the nuclear powers - including specifically France and China - were to sign and ratify it. Although that would not in itself alter the current situation, namely that there were no nuclear weapons on the sea-bed, it would help to close one of the loopholes in the régime, i.e. not all States which possessed nuclear weapons or weapons of mass destruction had yet signed a treaty covering such sophisticated forms of nuclear technology.

31. Since the Treaty had served its purpose well, its régime should remain intact. However, the Conference should not overlook the possibility that newly-emerged technologies might one day jeopardize the Treaty's operation, or even its integrity. While it was possible to dispute the relevance of a treaty banning developments that were inherently unlikely, it made good sense to nip in the bud the development of any potentially destabilizing military technologies. Such technologies could well come into use almost overnight, and members should be on their guard against any which might have an impact on the Treaty. While peaceful uses of the sea-bed for commercial purposes should not be hindered, it was always possible that they might be followed by less peaceful forms of exploitation.

32. Now that previously inconceivable advances were being achieved in arms control and arms reduction, he hoped that a consensus might emerge in favour of extending the zone of application of the Treaty to include territorial

waters. However, he doubted whether extending the Treaty's scope to weapons other than those listed under article I would be advisable, since it would require a major adjustment of the present verification provisions contained in article III, and he could not at the moment envisage how such an adjustment could be made in practical terms. In military terms, priority should be given to measures to cover underwater strategic weapons. In that connection, the bilateral START negotiations between the United States and the Soviet Union were of the highest importance: the reduction in sea-launched missiles envisaged under those negotiations would help to enhance strategic stability in conformity with the purposes of the Treaty.

33. He urged members to be realistic in deciding on the timing of the next Review Conference. If it should emerge that there had been almost no technological developments that affected application of the Treaty, it might not be essential to hold a fourth Review Conference in five or six years time. If it was decided to hold the next Review Conference after a minimum period of, say, 10 years, there would be nothing to prevent a review at an earlier date if strategic or technological developments so warranted. States might follow a procedure similar to that envisaged under article VIII of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. The use of such a procedure would provide a certain measure of flexibility in fixing the date of the next Conference.

34. Mr. KOSTOV (Bulgaria) said that his delegation, as at the time of the Second Review Conference in 1983, once again had occasion to reaffirm the continuing importance of the Treaty for the international community of nations. It had proved to be an effective disarmament instrument, which had prevented an arms race involving the emplacement of nuclear or other weapons of mass destruction on the sea-bed or ocean floor. That preventive function had helped to maintain world peace, to reduce international tension, and to strengthen friendly relations among States, something that was clearly demonstrated by the fact that no State Party had proposed any amendment to the Treaty, nor had any State Party withdrawn from it. The steady increase in accessions to the Treaty was another illustration of the growing international commitment to the goal of securing universal adherence. Achievement of that goal would be a major contribution to the enhancement of international peace and security.

35. The Treaty also represented an advance in efforts to curb the naval arms race and to achieve a world free of nuclear weapons and the use of force, in which connection he shared the opinion expressed by the Swedish representative. Bulgaria's position was in full compliance with the commitment undertaken under article V, namely to continue negotiations concerning further disarmament measures for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof, with a view to complete demilitarization of that part of the maritime environment. Bulgaria also favoured negotiations on measures to cover the wider area of naval disarmament in general. The international community should begin to tackle that more ambitious task by working out appropriate confidence- and security-building measures.

36. It was gratifying to note that the current review was being held in a much more favourable international climate than had been the case in 1983. The atmosphere was one of dialogue and of mutual respect for the legitimate

security interests of nations, and collective action to eliminate international conflicts had proved successful. The process of true nuclear disarmament had begun, and important progress seemed to have been achieved at the Soviet/United States negotiations on a 50 per cent reduction in strategic weapons. A constructive spirit also prevailed at the Vienna talks, which might soon bear fruit in yet another series of measures to reduce conventional armed forces. The continuation of the current trend towards the creation of an atmosphere of mutual trust and complete absence of tension in international relations would undoubtedly favour progress towards the cessation of the arms race.

37. Bulgaria shared the view that States Parties still had a strong common interest in preventing an arms race on the sea-bed. His delegation wished to reaffirm Bulgaria's strong support for the continuing operation of the Treaty and its dedication to its principles and objectives. He welcomed the evidence that the obligations assumed under article I had been faithfully observed by States Parties. Compliance with that article would remain essential to the achievement of the common objective of avoidance of a nuclear arms race on the sea-bed.

38. Equally important was implementation of article II, which defined the Treaty's geographical scope. Interesting proposals had been made for the extension of that scope to cover the sea-bed environment "from shore to shore", thus including the territorial waters of States Parties. Such an extension could be a valuable contribution to implementation of article VI of the Non-Proliferation Treaty. On the other hand, many delegations were aware of the difficulties extension might involve. He suggested that an exchange of views on the availability and acceptability of methods of verification would be the best way of gaining support for the concept of extension: such an exchange of views could also take into account the fear that technological developments might one day pose a challenge to the smooth operation of the Treaty.

39. His delegation had studied with interest the highly informative and thought-provoking paper on article VII of the Treaty (SBT/CONF.III/4/Add.2). It showed that there had been a continuous improvement in technologies used for commercial purposes, technologies which could easily be employed for non-peaceful purposes. At the same time, improvements in methods for scanning the sea-bed, together with improved navigational techniques, had provided more accurate and less costly ways of scanning large underwater areas, which enhanced verification capabilities. Again, the communication by the Soviet Union (SBT/CONF.III/4) showed that effective technical facilities for monitoring compliance with the provisions of the Sea-Bed Treaty already existed. In the light of those considerations, any future advances in offshore and submarine technologies should be closely monitored. The Conference might also provide for a more organized system of assembling relevant information, with a view to enabling States Parties to take appropriate action should the need arise.

40. Lastly, since it could reasonably be assumed that it would still not be militarily advantageous to emplace nuclear or other weapons of mass destruction on the sea-bed or the ocean floor, he hoped that that understanding, which seemed to be widely shared, would enable the Conference to come to a successful end by adopting a substantive final document.

41. Mr. BAYART (Mongolia), said that, as the only multilateral treaty dealing exclusively with the prohibition of an arms race on the sea-bed and ocean floor and the subsoil thereof, the 1971 Treaty held a prominent place in efforts to prevent the arms race from spilling over into a new sector of the environment. As a preventive measure in arms limitation and disarmament, the Sea-Bed Treaty embodied the determination of States to exclude new areas from the arms race and keep them for peaceful uses for the benefit of all mankind. Since no occasion to invoke the complaints and verification provisions had arisen during the lifetime of the Treaty, there was every reason to rejoice in the evident fact that the obligations entered into under article I had been fully complied with. The Treaty's successful operation since its entry into force 17 years ago testified to its effectiveness and viability. However, that the Review Conference should not only reaffirm the Parties' undertaking to continue negotiations in accordance with article V but should also take certain steps towards that end.

42. The need for a continuing review of major technological developments which might affect the treaty provisions had been stressed as early as the First Review Conference, in 1977. The idea of setting up an ad hoc group of experts for that purpose had now emerged and his delegation was among those supporting it. Such a body would constitute an important instrument for enhancing the Treaty's effectiveness, not least because certain technological developments which could affect the operation of the Treaty might also offer new possibilities of verification. In that connection, the history of disarmament negotiations showed that, given the political will, verification problems could be resolved. For example, the Outer Space Treaty of 1967 had been signed at a time when neither side had been in possession of any real capability to verify it. Standards of contemporary international law governing the activities of States in the exploration and peaceful uses of outer space had emerged as the by-products of new technological developments. The same could be said of the law of the sea. Plainly, legal norms should not be allowed to lag behind or to be overtaken by new developments.

43. Both the 1967 Outer Space Treaty and 1971 Sea-Bed Treaty had prohibited the emplacement of nuclear and other weapons of mass destruction in the respective environment concerned. Nevertheless, the danger remained of the emergence of highly destructive conventional types of weapons not outlawed by those Treaties. As could be seen, in particular, from the communications from the Swedish Government (SBT/CONF.III/4/Add.2) and the Government of the USSR (SBT/CONF.III/4), there were indeed major technological developments that could have a direct bearing upon the Treaties' operation:

44. Noting the interest of all States, and especially of developing countries, in the progress of the exploration and use of the sea-bed and the ocean floor and its resources for peaceful purposes and the emphasis they placed upon the prevention of an arms race and the complete demilitarization of that area, he pointed out that fuller implementation of article V would increase the Treaty's value as an effective preventive instrument, especially in the light of the growing significance of naval disarmament issues. In that context, it was regrettable that the implementation of important provisions of key agreements in the disarmament field concerning the continuance of negotiations in good faith on further measures had remained far from satisfactory.

45. His delegation shared the view that universal adherence to the Treaty would enhance international security and confidence. For that reason, while whole-heartedly welcoming the fact that a number of States had acceded to the Treaty since the Second Review Conference, he wished to join in the appeal addressed to States which had not yet become parties to the Treaty, including in particular two nuclear-weapon States, to do so at the earliest possible date. He also wished to call on the Depositary Governments and the Secretary-General to step up, through appropriate channels, promotional and information activities in favour of the Treaty.

46. Mr. KOSIN (Yugoslavia) noted that significant events taking place in the six years since the Second Review Conference had established new positive trends in international relations. In a number of instances, conflicts and hostilities were giving way to negotiations, understanding and co-operation. Conditions today were more favourable to disarmament. The Ninth Summit Meeting of Heads of State or Government of the Non-Aligned Countries, held earlier that month in Belgrade, had emphasized the positive new international climate and the improved disarmament prospects.

47. The Sea-Bed Treaty, an important international instrument designed to preserve a vast part of the Earth's surface from the arms race, had survived periods of acute crisis in relations between the super-Powers and the military alliances. The number of States Parties, including signatory States which had not yet ratified the Treaty, had increased to over a 100 and the growing number of non-aligned States with observer status also reflected the Treaty's ever-increasing importance. He urged all States, and in particular the two nuclear power States, which had not yet done so, to accede to the Treaty at the earliest possible date.

48. In the period between the two Review Conferences, the Treaty had been strengthened by new instruments such as the Rarotonga Treaty and the Convention on the Law of the Sea. The fact that no complaint of violation of the Treaty had been submitted and no country had withdrawn from the Treaty proved that it was being satisfactorily implemented. Obviously, the Treaty's merits could be evaluated only in the context of the promotion of international relations as a whole and, in particular, of those in the field of international security and disarmament. The Treaty called not only for the establishment of more effective international control but also further disarmament negotiations. Moreover, positive development of international relations was a pre-condition for full and effective implementation of the Treaty's verification provisions.

49. No information concerning major new technological developments had been presented at the Second Review Conference, and the new generations of nuclear submarines and nuclear arms systems which had been created during the intervening period had considerably strained the naval arms race, which was an important component of the arms race as a whole. The Treaty therefore had to be viewed in the broader context of reduction or elimination of nuclear arsenals and other weapons of mass destruction. The problem of emplacing nuclear, chemical and biological waste and agents on the sea-bed and ocean floor also gave rise to serious environmental considerations.

50. The Secretary-General's role in gathering information on the implementation of the Treaty and - especially from the Depositary States - on military and technological developments relevant to the observance of the

Treaty was clearly a significant one. Bearing in mind that only a few States Parties had at present the necessary technical knowledge and means of ascertaining violations of the Treaty, and that the other States Parties could be certain of any violations only on the basis of full and reliable information, his delegation supported the idea that such information should be considered by a qualified group of experts. Such a mechanism might also facilitate the implementation of the provisions of article V, which, like the verification provisions in article III, pointed to the central role and primary responsibility of the United Nations in the field of disarmament.

51. Noting with concern that obligations under article V were not yet being honoured in practice, he urged that the negotiations provided for in that article should be instituted as soon as possible within the Conference on Disarmament or in any other appropriate forum. Yugoslavia was strongly interested in the Treaty's full implementation, not only as a maritime country but also as a Mediterranean State which regarded the Treaty as a significant contribution to efforts for the transformation of the Mediterranean region into a region of peace, security and co-operation.

52. Mr. VARGAS (Nicaragua) said that the Treaty, although limited in scope, represented a step towards the achievement of general and complete disarmament. The incalculable destructive power of nuclear weapons made it imperative for legal provisions in the military sphere to be strictly observed in practice if the survival of mankind was to be assured. The terrible effects of nuclear weapons affected military forces and the civilian population alike. In his delegation's view, the scope of the Treaty's application should be expanded, in terms of geography, i.e. an extension of the 12-mile limit, the types of weapons covered, as well as the matter of verification. In any event, the Swedish proposal for the establishment of an ad hoc group of experts to keep major technological developments which could affect the Treaty's operation under review deserved serious and objective consideration.

53. Noting with satisfaction that no State Party had found it necessary to exercise its right of withdrawal under article VIII, he appealed to States which had not yet done so, and especially to those in possession of nuclear weapons as well as to the sister nations of Central America, to accede to the Treaty as soon as possible with a view to the promotion and strengthening of peace. Lastly, he stressed that his Government favoured the complete denuclearization of the sea-bed and of outer space and looked forward to complete nuclear disarmament, a substantial reduction in conventional armaments, and the transfer of resources released by disarmament to the peaceful development of peoples. It should not be forgotten that, so long as nuclear weapons existed, so did the temptation to use them.

The meeting rose at 4.45 p.m.



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12 October 1989

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SUMMARY RECORD OF THE 6th MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 22 September 1989, at 10 a.m.

President: Mr. HUSLID (Norway)

CONTENTS

Review of the operation of the Treaty as provided for in its article VII:

A. General debate (continued)

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The meeting was called to order at 10.15 a.m.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VII:

A. GENERAL DEBATE (agenda item 11A) (continued)

Mr. TOWPIK (Poland) said that the Treaty had continued to realize its main objective: the prohibition contained in article I had been steadfastly observed. No violation of the Treaty had been reported, no major disputes related to its implementation had been registered, its provisions on international complaints and verification had not been invoked, and no country had withdrawn from the Treaty. More States had also become parties to the Treaty, thereby enhancing its universal significance. There were, however, some negative elements: the provisions of article V remained in the sphere of noble goals and a large number of countries, including two nuclear Powers, were still not parties to the Treaty.

Nevertheless, the Sea-Bed Treaty had become a key element of international law governing the peaceful uses of the seas and oceans and it had made a major contribution to preventing the nuclear arms race from spreading to that area of human activity. In common with the Antarctic Treaty, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, the Sea-Bed Treaty had shown the value of preventive measures applied to geographical areas or specific spheres, and that positive appraisal should add an additional stimulus to on-going negotiations aimed at preventing the arms race from spreading to other new fields of human activity.

As to technical developments relevant to the Treaty, the international community could be fully informed in that respect only if there was transparency and openness in the corresponding fields. Information submitted by the Depositary Governments and by Sweden indicated that the progress in underwater technology had made the sea-bed and the ocean floor more accessible but did not appear to have directly affected the operation of the Treaty. Furthermore, the potential for effective verification of the Treaty had improved. Consequently, there did not seem to be any imminent threat of a breach of the aims of the Treaty, although it was important for further technological developments to be followed closely.

The follow-up to the Conference still had to be decided, and he was open-minded on that matter. Delegations seemed to have no doubts about the desirability of a further review conference, for such conferences were a valuable additional tool for verifying the implementation of the Treaty provisions. As far as the institutional framework for monitoring technological developments was concerned, the establishment of a group of experts within the framework of the Conference on Disarmament had been proposed, as well as the appointment of an internationally respected expert - in other words a "special rapporteur" - entrusted with the task of gathering detailed data on specific technologies and related trends for the States Parties. Those ideas were worthy of note, although they should be studied carefully. After all, technological information was becoming more readily available, and it would perhaps also be possible to make use of existing bodies, such as the United Nations Institute for Disarmament Research, to gather the required information.

As regards the implementation of article V, Poland had always adopted the view that the Treaty was but a starting point for the complete demilitarization of the sea-bed and ocean floor, and it remained convinced of the need to pursue that ultimate objective, even though a definition of the scope of possible new prohibitions and verification of their observance constituted a complex task. Whatever was decided in that connections, the Conference should at least appeal to all States to refrain from any action that might lead to the extension of the arms race to the sea-bed and the ocean floor.

Poland was deeply convinced that States would consolidate the Sea-Bed Treaty in the future, not only by continued faithful observance of its provisions but also by additional disarmament and arms control measures. The substantial reduction of strategic weapons currently being negotiated by the Soviet Union and the United States was of particular importance in that respect.

Mr. MARTYNOV (Byelorussian Soviet Socialist Republic), referring to the preamble of the Treaty, said that the instrument was of two-fold importance - as a measure designed to exclude the arms race from a specific sphere of human activity, and as an essential piece in the mosaic of agreements that would one day lead to general and complete disarmament.

Further elements had been incorporated into that mosaic during the period under review. The new climate that characterized international relations had made possible, inter alia, the conclusion of the Treaty between the Soviet Union and the United States on the Elimination of Intermediate-Range and Short-Range Missiles, the adoption of the Final Stockholm Document of the Conference on Confidence - and Security-Building Measures and Disarmament in Europe and the opening of the Vienna negotiations on the limitation of conventional armed forces and weapons. The international community could henceforth prepare to broaden the scope of disarmament and take further initiatives, and it should above all ensure that the trend became irreversible.

In the same connection, it was vital, to consolidate the system brought into being by the Treaty and to agree on provisions aimed at preventing the arms race on the sea-bed and ocean floor, so as to facilitate the limitation of weapons deployed in the seas and oceans.

As far as the operation of the Treaty was concerned, it was reassuring to see that all the States Parties appeared to have scrupulously carried out their undertakings, and above all the obligations set out in paragraphs 1 and 3 of article I. Thus, for a period of nearly 20 years, the Treaty had effectively prevented the emplacement of weapons of mass destruction on the sea-bed and the ocean floor - which covered some two thirds of the planet - thereby providing mankind with an opportunity to exploit the enormous wealth contained in their subsoil in complete security. It could be inferred that the Treaty contributed to the maintenance of peace and security and curbed the geographical proliferation of nuclear and other weapons.

The slow but sure increase in the number of States Parties bore witness to the increasing authority of the Treaty. However, an instrument of such

scope should be universal, and the Conference should, in its final document, appeal to all States, and in particular to the nuclear Powers, to accede to the Treaty without further delay.

The Byelorussian Soviet Socialist Republic was convinced of the need to strive fully to demilitarize the sea-bed and the ocean floor. Such had been the aim of the first draft treaty which the Soviet Union had submitted to the Conference of the Eighteen-Nation Committee on Disarmament in 1969. Subsequently, in the Committee the socialist countries had frequently raised the issue of the negotiations provided for under article V. It was the duty of the present Review Conference to revive the issue. The Soviet Union had once again declared that it was prepared to initiate negotiations for the purpose of prohibiting, under effective control, any military bases, structures or other installations on the sea-bed.

Others had proposed that the scope of application of the Treaty should be extended to territorial waters. Provided it met with acceptance by States, the idea could in due course be incorporated into a protocol or amendment to the Treaty, which would also settle the problem of verification. It had also been suggested that the collection and analysis of information on technical developments relevant to the Treaty should be institutionalized. All those ideas deserved examination.

The information submitted by the Depositary Governments and by Sweden indicated that recent or forthcoming technical developments were equally capable of furthering or subverting the objectives of the Treaty. Consequently, it would remain a valuable instrument in the immediate future.

In the Conference's final document, which could take the form of a declaration, as in the case of the first two Review Conferences, it would be advisable to stress the significance and effectiveness of the Treaty, to underscore the observance of the commitments made by States Parties, but also to urge other States to join them, and to indicate what new measures could be negotiated pursuant to article V for the prevention of an arms race, of any kind, on the sea-bed and the ocean floor.

Mr. KHERAD (Afghanistan) said he hoped that the Third Review Conference would make a significant contribution to the effectiveness of the Treaty, thereby serving the cause of international détente, in which the decisive stages were arms limitation and disarmament, and above all an end to the nuclear-weapons race.

His delegation attached great importance to any practical and specific measures and proposals capable of halting, and ultimately ending, the arms race and beginning the process of disarmament. The Republic of Afghanistan had signed and ratified the Treaty as it considered that by preventing the proliferation of nuclear weapons and other weapons of mass destruction throughout a large part of the globe, the Treaty would contribute towards general and complete disarmament. The sea-bed, the ocean floor and the subsoil thereof beyond the limits of national jurisdiction, were part of the common heritage of mankind and should be used exclusively for peaceful purposes. For that reason, he supported any initiative aimed at preventing the arms race in those areas, and consequently at facilitating the exploration and exploitation of their resources by all countries.

The Treaty, which had been in force for 17 years, had unquestionably operated effectively and the Conference could take satisfaction in the fact that no violation of the provisions of the Treaty had been observed by the States Parties. It was also gratifying that the terms of article VIII, which gave States Parties the right to withdraw from the Treaty, had never been invoked.

Under article I, the Treaty instituted a régime for the non-nuclearization and demilitarization of the sea-bed and ocean floor that was applicable, pursuant to article II, to the area beyond the 12 mile limit under the national jurisdiction of coastal States. However, the Treaty was not in itself the final objective: it was merely a step towards the complete prohibition of the use of the sea-bed for military purposes. That ultimate goal had not been ruled out by the States Parties, as it was clearly expressed in article V, which provided for the continuation of negotiations in good faith concerning 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. Consequently, it was essential for article V to be implemented.

His delegation stood ready to consider any constructive proposal concerning the organization of a further review conference.

Mr. COUNTINIOTIS (Greece) said that his country was satisfied with the operation of the Sea-Bed Treaty and took note of the fact that no violation had been observed. It also understood that no need had arisen to apply the verification procedure referred to in article III, and, while it realized that attention should be paid to the technical progress made since the previous Review Conference, it did not consider that those developments called for any amendment to the Treaty.

Greece considered that the United Nations Convention on the Law of the Sea did not affect the rights and obligations set out in the Treaty. Furthermore, article II of the Treaty was in accordance with article 3 of the Convention, which stipulated the right of every State to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles.

With reference to articles I and II of the Treaty, his delegation requested that the following declaration should be reproduced in the final document of the Third Review Conference: "Nothing in these articles can be interpreted as prejudicing, in any way, the sovereign rights of the coastal State over its continental shelf, as it is determined in International Positive Law and International Practice. Consequently, we take it that no provision of the Sea-Bed Treaty can be interpreted as indicating that any State has the right to emplace nuclear weapons or other weapons of mass destruction in the gap-zone, between the outer limit of the territorial sea of a coastal State and the 12 nautical miles, in case the territorial sea of the State is less than 12 nautical miles. We also consider that no provision of the Sea-Bed Treaty can be interpreted as giving the right to any State to emplace conventional weapons on the continental shelf of a coastal State. Such activities could be conducted only with the express consent of and under the conditions set forth by the coastal State. Consequently, Greece reserves the right to verify, inspect, remove or destroy any form of the above-mentioned weapons, structures, installations, facilities, or equipment emplaced on the Greek Continental shelf in the South Adriatic, Ionian Sea, Aegean Sea and Mediterranean Sea. As far as the military use of a coastal

State's demilitarized zones by international treaties is concerned, we understand that such use can be made by the coastal State and be legitimate for purposes of self-defence. We consider that nothing in international law or in any treaty can curtail the right of self-defence in any way, a right which is confirmed by the Charter of the United Nations. Moreover, it is the understanding of this delegation that the observation which is referred to in paragraph 6 of article III of the Sea-Bed Treaty shall be conducted with due regard to the rights recognized by international law, including the freedoms of the high seas and the jurisdiction and sovereign rights of the coastal State, regarding the conduct of marine research and activities, in connection with the exploration and exploitation of its continental shelf, as it is determined in international Positive Law and international practice".

Lastly, he appealed to all States that were not parties to the Treaty, and particularly those nuclear-weapon States, to accede to it.

The meeting rose at 11.10 a.m.

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24 October 1989

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# SUMMARY RECORD OF THE 7th MEETING

Held at the Palais des Nations, Geneva,  
on Monday, 25 September 1989, at 10.30 a.m.

President: Mr. DUARTE (Brazil)

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Review of the Operation of the Treaty as provided for in its article VII

B. Articles I-XI

C. Preambular paragraphs and purposes of the Treaty

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Any corrections to the records of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.45 a.m.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VII  
(agenda item 11) (continued)

B. ARTICLES I-XI

1. The PRESIDENT said he welcomed the positive spirit in which the general debate had been held and suggested that delegations should take the text of the Final Declaration of the 1983 Review Conference (SBT/CONF.III/3, annex III) as a basis for preparing the final declaration of the Third Conference. It would be remembered that, under the rules of procedure, a preliminary text was to be formulated and then referred to the Drafting Committee.

Article I

2. The PRESIDENT said that, if he heard no objection, he would take it that the text of the Final Declaration of the Second Review Conference should be referred to the Drafting Committee.

3. It was so decided.

Article II

4. Mr. OZER (Turkey), introducing his country's proposals as contained in document SBT/CONF.III/10, said that the Sea-Bed Treaty had borrowed from the 1958 Geneva Convention the notion of a 12-mile contiguous zone to determine the limit of the sea-bed zone for the purposes of the application of the Treaty. However, since the zone defined in articles I and II of the Treaty was of a functional and operational nature, its adoption did not entail acceptance of the corresponding provisions of the 1958 Convention. He therefore proposed that the passage concerning article II in the Conference's final document should read: "The Conference reaffirms its support for the provisions of article II which define the zone covered by the Treaty. The zone defined therein is a functional and operational one set forth solely for arms control purposes. Therefore, no provisions of article II could be used in support of the claims of a State Party other than the rights and obligations related to disarmament. The Conference agrees that the zone covered by the Treaty reflects the right balance between the need to prevent an arms race in nuclear weapons and any other types of weapons of mass destruction on the sea-bed and the right of States to control verification activities close to their own coasts".

5. Mr. COUNINIOTIS (Greece) rejected the amendments proposed in document SBT/CONF.III/10 as contrary to customary international law and, in particular, to a rule of international law that had been adopted by almost all the coastal States. Moreover, the proposed amendments had political overtones that were inconsistent with the technical nature of the Conference and alien to the purpose of the Treaty; their only effect would be to give rise to further amendments.

6. Mr. BIRBAUM (Austria) pointed out that the nuclear-weapon States participating in the Conference had affirmed that they had not emplaced nuclear weapons in their territorial waters and did not intend to do so. The



final declaration should mention that affirmation. He therefore proposed that the following text should be added at the end of the passage relating to article II: "The Conference notes that the nuclear-weapon States Parties to the Treaty have stated that they have not emplaced nuclear weapons or other weapons of mass destruction on the sea-bed of their territorial waters and have no intention to do so".

7. Mr. CLINARD (United States of America) said that the disadvantage of the proposal by the representative of Austria was that it referred only to the nuclear-weapon States, whereas the Treaty applied to all weapons of mass destruction.

8. Ms. COURTNEY (Australia) said she supported the Austrian proposal, yet endorsing the comment by the representative of the United States. The Conference should agree on a text that reconciled the two positions. Moreover several delegations, including her own, had referred to the possible relationship between the United Nations Convention on the Law of the Sea and the Treaty and she expressed the hope that the final declaration would mention that matter in regard to the zones to which the Treaty applied under article II.

9. Mr. SALANDER (Sweden) said that, with regard to article II of the Treaty, the Final Declaration should indicate that many delegations had proposed that the geographical scope of the Treaty should be expanded, even though the debate on that question had been inconclusive.

10. The PRESIDENT said that the purpose of the final declaration of the Conference was to reflect the overall comments of the States Parties on each article of the Treaty. While he understood the point of view of the representative of Sweden concerning the comments made by delegations on an individual or joint basis, he thought that a distinction should be drawn, in the final document, between an expression of the opinion of the States Parties as a whole and a summary of the views of delegations.

11. Mr. BERDENNIKOV (Union of Soviet Socialist Republics) said that the President's comment, which he endorsed, also applied to the statement by the representative of Austria.

12. Mr. LUDEKING (Federal Republic of Germany), referring to the comment by the representative of Australia, said that the relationship between the Treaty and the Convention on the Law of the Sea was complex and he therefore reserved his position regarding the proposed amendments, the purpose of which did not seem entirely clear.

13. The PRESIDENT said that, with regard to article II of the Treaty, the Conference had before it two sets of proposals. One of them, based on the Turkish proposal, concerned the relationship between the Treaty and the Convention on the Law of the Sea, particularly the interpretation of the purpose of the zone created under the Treaty. In that connection, he proposed to enter into consultations with the delegations that had submitted proposals and those that had commented on them, so as to formulate a text that reflected the various views.

14. Mr. COUNINIOTIS (Greece) said he failed to see how it was possible to discuss matters that were contrary to customary law and international practice.

15. The PRESIDENT said that it was not unlikely that the consultations would lead simply to confirmation of the text of the Final Declaration of the Second Review Conference concerning article II.

16. Mr. COUNINIOTIS (Greece) said that he had made no proposal and would have no objection if the text of the 1983 Final Declaration, concerning article II, remained unchanged.

17. The PRESIDENT said that the other proposal, made by Austria, had also elicited various comments by delegations and he requested the delegations concerned to draft, in collaboration with the Austrian delegation, a text for submission at the next meeting of the Conference.

18. Mr. BIRBAUM (Austria) said that his country's proposal was very simple and straightforward and sought merely to incorporate in the Conference's final declaration an affirmation that had been made during the general debate, so that the declaration would be as informative as possible, not only for the States Parties but also for those that had not attended the debate. Since the Treaty on the Non-Proliferation of Nuclear Weapons made special provision for the nuclear-weapon States, he felt that that distinction, relating to the scope of article II of the Treaty, should be noted in the final declaration. However, he would endeavour to meet with the other delegations concerned, even though he would have preferred a more extensive exchange of views in plenary.

#### Article IV

19. Mr. OZER (Turkey), continuing his introduction of his country's proposals (SBT/CONF.III/10), indicated that the purpose of the Sea-Bed Treaty was to prevent an arms race in nuclear weapons and other weapons of mass destruction on the sea-bed, the ocean floor and the subsoil thereof, a stage that should lead to general disarmament. Accordingly, any change in the scope of the Treaty should be consistent with that fundamental purpose. Any other interpretation restricting the Treaty's geographical scope would run counter to its *raison d'être*. Moreover, it would be inconceivable for a treaty formulated for disarmament purposes to confer the right to militarize zones that had already been demilitarized under other international treaties. Turkey therefore proposed that the part of the final declaration concerning article IV should read: "The Conference notes the importance of article IV which provides that nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coast, including, *inter alia*, territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves. The Conference also reaffirmed that obligations assumed by State Parties to the Treaty arising from other international instruments, *inter alia*, the obligations

related to the territories under demilitarized status, continue to apply. No provision in this Treaty, which was done for disarmament purposes, confers on the States Parties the right to militarize the zones demilitarized by other international treaties".

20. Mr. COUNINIOTIS (Greece) said that the right of coastal States to use demilitarized zones for the purposes of self-defence was an inalienable right in that it was proclaimed in the Charter of the United Nations.

#### Article V

21. Mr. SALANDER (Sweden) said that he would be expressing reservations in the Drafting Committee on some interpretations of "further measures in the field of disarmament", more particularly by the delegation of the United States of America.

22. Mr. CLINARD (United States of America) said that the measures aimed at preventing an arms race on the sea-bed should not be regarded as restrictive, since they could well apply to chemical weapons and, of course, strategic nuclear weapons. His delegation would be raising that question again in the Drafting Committee.

#### Article VII

23. Mr. SALANDER (Sweden), introducing document SBT/CONF.III/8, which had been prepared by his country, said experience had shown that the information on technological developments that had been presented to Review Conferences was very general. In document SBT/CONF.III/4/Add.2, Sweden had endeavoured to remedy that shortcoming by describing a number of technologies that might be of interest in that field. Failing an overview of the most recent technology, it would be difficult to assess the operation of the Treaty, particularly since some underwater technologies could also have military applications.

24. Sweden's proposal for inclusion in the final declaration (SBT/CONF.III/8) was fairly flexible on the question of experts, although a geographically balanced group of five experts seemed to be an appropriate solution. If the Conference took a decision on that point, it would be advisable for the first expert report to be prepared for 1991 and submitted to all the States Parties, subsequent reports being presented on a biennial basis. However, everything would obviously depend on the decision about convening a fourth Review Conference. With regard to the costs, the Secretary-General would have to make an estimate. Sweden hoped that the Conference would adopt its proposal, which was designed to improve the assessment of technological developments relevant to the Treaty.

25. Mr. GROSSI (Argentina) said he supported the Swedish proposal, since regular facilities were needed to communicate information relevant to the Treaty.

26. Mr. CLINARD (United States of America), referring to the proposal made by the Netherlands during the general debate on the holding of the next Review Conference, said it would be advisable to organize the Conference at the request of the majority of the States Parties, but not before 1996. The

question of whether there were any technological developments relevant to the Treaty should be decided by the States Parties themselves and it was they, rather than a group of experts, which would obviously be costly, that should report on that subject. Until the next Review Conference was held, it would be helpful if the States Parties submitted reports, possibly on a triennial basis, which the Secretary-General would be requested to circulate.

27. Mr. LUDEKING (Federal Republic of Germany) endorsed the proposal of the Netherlands, which had been supported by the United States of America, and suggested that it would be helpful, as his delegation had already proposed at the First Review Conference (document SBT/CONF/22, of 28 June 1977), to follow the example set by article VIII of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

28. Mr. DEYANOV (Bulgaria) referred to the statement made by his delegation during the general debate and suggested that the Swedish proposal should be adopted and incorporated in the part of the Final Declaration of the Second Conference relating to article VII. He also added that article 35 of the rules of procedure, concerning the Drafting Committee, could be interpreted fairly flexibly.

29. Mr. PRANDLER (Representative of the Secretary-General) said that the reason why the United Nations Disarmament Yearbook had not reported any significant technological developments relevant to the Treaty was because no communication on that question had been submitted to the Secretary-General since 1983. He pointed out that, if the Conference adopted the Swedish proposal, the General Assembly would in turn have to examine it from the standpoint of its budgetary implications.

30. Ms. SOLESBY (United Kingdom of Great Britain and Northern Ireland), referring to the Swedish proposal, raised the question of the criteria for collecting data on technological developments relevant to the Treaty. First, the exercise should be proportional to the aim in view, which, according to article VII, was to help the States Parties to review the operation of the Treaty and meet the requirements of the situation. However, it had been generally acknowledged that the Treaty had so far operated effectively and that technological developments did not yet require any urgent measure. Second, the information in question should be confined to the amount indispensable for the purposes of prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and for the purposes of verification. Third, such information should be from authoritative sources, namely the communications States Parties addressed to the Secretary-General and official documents that could be brought to his attention.

31. Still on the subject of article VII, she had thought initially that the information should be disseminated in conjunction with the Review Conferences. However, if the States Parties decided to hold the conferences at less frequent intervals, as some had suggested, it might be necessary to provide for an interim report containing updated information on the situation.

32. Mr. KOSIN (Yugoslavia) suggested that it would be logical to combine the proposals by the Netherlands and by Sweden. It should not be forgotten that the States Parties, although under an obligation to ensure the full and

universal application of the Treaty, could do so only on the basis of analyses and assessments. Yet they required sophisticated means that many States did not possess and it was in that respect that the Review Conferences could be useful. By holding the conferences at longer intervals but arranging for periodic dissemination of information from reliable sources, it might be possible to achieve the same result at lower cost.

33. Mr. SALANDER (Sweden) supported the three criteria that had been suggested by the representative of the United Kingdom, which he regarded as very similar to the concepts underlying the Swedish proposal. However, one further consideration should not be disregarded: any collection of data should also meet the particular needs of the many countries that lacked the capabilities and the specialized know-how needed to monitor developments in underwater technologies without outside assistance.

34. The PRESIDENT said that delegations seemed willing to refrain from setting a date for the Fourth Review Conference. Although no one appeared to question the need to have information on technological developments relevant to the Treaty, either immediately before the Review Conferences or periodically in the meanwhile, there were apparently some differences of opinion about the sources of information and the way of collecting and disseminating it. He therefore suggested that delegations that had made proposals or comments on those two questions should enter into consultations to devise a formula that could be examined by the Conference before being referred to the Drafting Committee. Such a course of action would be in keeping with the provisions of article 35 of the rules of procedure.

#### Article VIII

35. The PRESIDENT said that, if he heard no objection, he would take it that the text of the Final Declaration of the Second Review Conference should be referred to the Drafting Committee.

36. It was so decided.

#### Article IX

37. The PRESIDENT said that, if he heard no objection, he would take it that the text of the Final Declaration of the Second Review Conference should be referred to the Drafting Committee.

38. It was so decided.

#### Article X

39. The PRESIDENT said that some editing changes should be made to the text of the Final Declaration of the Second Review Conference in order to reflect the passage of time and new accessions to the Treaty.

40. Mr. CLINARD (United States of America) suggested that the text should be made more positive in tone: the Conference could emphasize the number of States that had so far ratified or acceded to the Treaty, encourage the signatory countries to follow their example, and urge States that had not yet done so to become parties to the Treaty.

41. Ms. COURTNEY (Australia) said she, too, hoped that the Conference would make an explicit appeal for the ratification by the nuclear-weapon States that were not parties to the Treaty, since, after all, those countries would be capable of placing weapons of mass destruction on the sea-bed.

42. The PRESIDENT recalled that a number of delegations had expressed the same wish during the general debate.

43. Mr. DEYANOV (Bulgaria) inquired whether the representative of the United States had a text to propose.

44. Mr. CLINARD (United States of America) replied that, if necessary, he would be able to submit a text to the Drafting Committee.

45. The PRESIDENT said that it seemed to be the intention of the Conference to request the Drafting Committee to devise a formula that would take into account the suggestions and comments that had been made in that connection.

#### C. PREAMBULAR PARAGRAPHS AND PURPOSES OF THE TREATY

46. The PRESIDENT said that, in the absence of any comment, the first two preambular paragraphs of the Final Declaration of 1983 were referred to the Drafting Committee.

47. Mr. GYORFFY (Hungary) proposed that the third preambular paragraph ("Affirming their belief that universal adherence to the Treaty would enhance international peace and security") should be amended in such a way as to refer explicitly to the desirability of adhesion by the nuclear-weapon Powers that were not yet parties to the Treaty.

48. The PRESIDENT requested the Drafting Committee to reword the paragraph.

49. He said that, in the absence of any comment, the fourth and fifth preambular paragraphs of the Final Declaration of 1983 were referred to the Drafting Committee.

50. Mr. GROSSI (Argentina) proposed that the sixth paragraph ("Considering that a trend towards a relaxation of tension ...") should be replaced by the corresponding paragraph of the Final Declaration of the First Review Conference, which read: "Considering that the continuation of the trend towards a relaxation of tension in international relations provides a favourable climate in which more significant progress can be made towards the cessation of the arms race". Such wording gave a more appropriate indication of the current climate of international relations, which was better than it had been at the time of the Second Review Conference.

51. Mr. GYORFFY (Hungary) said he, too, was in favour of adopting wording that took account of the new international situation.

52. Mr. DEYANOV (Bulgaria) proposed that, while remaining faithful to the spirit of the Argentine proposal, the paragraph should be amended as follows: "Considering that a trend towards a relaxation of tension and mutual confidence in international relations would provide a favourable climate in

which further progress could be made towards the cessation of the arms race and in disarmament". His delegation believed that, since the present climate was actually better than in 1977, adoption of the text of the Final Declaration of the First Review Conference, as it stood, would be insufficient.

53. The PRESIDENT requested the Drafting Committee to propose a new wording, on the understanding that the underlying spirit of the paragraph should not be modified.

54. He said that, in the absence of any comment, the seventh and eighth preambular paragraphs of the Final Declaration of 1983 were referred to the Drafting Committee.

55. Mr. COUNINIOTIS (Greece) proposed that the ninth paragraph should be amended to read: "Noting that the United Nations Convention on the Law of the Sea of 10 December 1982 has already been signed by almost ... States and ratified by more than 40 States." The exact number of States that had signed the Convention would, of course, be indicated.

56. Mr. OZER (Turkey) said that the paragraph appearing in the preceding Final Declaration could be used as it stood and he was not in favour of lengthening it or placing greater emphasis on the Convention on the Law of the Sea, since he could see no direct link between the Conventions and the Treaty. Alteration of that paragraph, or the inclusion of a reference to the Convention on the Law of the Sea, would be out of keeping with the basic subject of the Treaty. The definitions contained in the 1982 Convention had a broader scope and extended the zone from which nuclear weapons and other weapons of mass destruction should be excluded.

57. Mr. COUNINIOTIS (Greece) said he had merely intended to make the paragraph more explicit by mentioning the fact that the Convention had now been signed.

58. Mr. LUDEKING (Federal Republic of Germany) pointed out that the Final Declaration of the Second Review Conference had been drafted only a year after the conclusion of the Third United Nations Conference on the Law of the Sea, which might partly explain the presence of that paragraph in the Preamble. The fact none the less remained that article II of the Treaty had no direct bearing on the provisions of the Convention on the Law of the Sea, nor on the provisions of the 1958 Conventions. Since it was not essential to follow the text of the Final Declaration of 1983 word for word, the ninth paragraph could be deleted.

59. Mr. OZER (Turkey) supported that proposal.

60. Mr. COUNINIOTIS (Greece) said that, in his view, deletion of the paragraph would imply disregard not only for the Convention on the Law of the Sea, which was a multilateral instrument, but also for the endeavours that had been made since 1983 by the Preparatory Committee of the International Sea-Bed Authority and the International Tribunal for the Law of the Sea.

61. Mr. AALBU (Norway) said he supported the proposal by the representative of the Federal Republic of Germany and noted that the substance of the Convention was mentioned in the paragraph that followed.

62. The PRESIDENT suggested that, in order to take account of the various comments that had been made, the ninth paragraph should be deleted and the tenth amended as required.

63. Mr. COUNINIOTIS (Greece) suggested that the tenth paragraph ("Affirming ... under the Treaty") should specify that the instrument in question was the United Nations Convention on the Law of the Sea of 10 December 1982.

64. Mr. OZER (Turkey) said that the convention to which that paragraph referred was the one of 1958, which was currently in force, and it would be inappropriate to refer to a convention that had not yet entered into force.

65. Mr. COUNINIOTIS (Greece) pointed out that four conventions had been adopted in 1958: on the territorial sea and contiguous zone, on the continental shelf, on the high seas, and on fishing and conservation of the living resources of the high seas.

66. The PRESIDENT suggested that the paragraphs in question should include a number of points that would form the subject of consultations between the delegations concerned.

67. The eleventh paragraph ("Taking note ... the Depositary Governments") should be updated by changing the date and the name of the organ mentioned (1989 instead of 1983, and Conference on Disarmament instead of Committee on Disarmament).

68. Mr. BERDENNIKOV (Union of Soviet Socialist Republics) proposed that that paragraph should refer to communications received not only from Depositary Governments but also from other Governments.

69. The PRESIDENT said that the Drafting Committee would amend the paragraph accordingly.

Twelfth paragraph ("Appealing ... their economic development").

Section entitled "PURPOSES"

70. The PRESIDENT said that, if he heard no objection, he would take it that the last preambular paragraph and the section entitled "PURPOSES" would be referred, as they stood, to the Drafting Committee.

71. It was so decided.

The meeting rose at 12.50 p.m.



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28 September 1989

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# SUMMARY RECORD OF THE 8th MEETING

Held at the Palais des Nations, Geneva,  
on Monday, 25 September 1989, at 4 p.m.

President: Mr. DUARTE (Brazil)

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Credentials of representatives to the Conference:

(a) Appointment of the Credentials Committee (continued)

Review of the operation of the Treaty as provided for in its article VIII:

(b) Articles I-XI

(c) Preambular paragraphs and purposes of the Treaty (continued)

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The meeting was called to order at 4.20 p.m.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE:

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE (continued)

1. The PRESIDENT said that, following consultations, it had been proposed that the representative of Côte d'Ivoire be appointed a member of the Credentials Committee. If he heard no objection, he would take it that the Conference agreed to that proposal.

2. It was so decided.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VII

(b) ARTICLES I-XI

(c) PREAMBULAR PARAGRAPHS AND PURPOSES OF THE TREATY (agenda item 11)  
(continued)

3. The PRESIDENT invited the Conference to continue its deliberations on issues that had not been settled at the morning meeting, with a view to reaching consensus on a preliminary text of the Final Declaration which could be forwarded to the Drafting Committee.

4. Following consultations between delegations, a revised text had been proposed for paragraph 6 of the preamble to the Declaration, which would read: "Considering that a continuation of the trend towards a relaxation of tensions and mutual trust in international relations would provide a favourable climate in which further progress can be made towards the cessation of the arms race and disarmament".

5. Mr. KENYON (United Kingdom) pointed out that the formulation would need some redrafting: as it stood, it implied that States Parties favoured a relaxation of mutual trust and a cessation of disarmament.

6. The PRESIDENT suggested that, on that understanding, the text should be referred to the Drafting Committee.

7. It was so decided.

8. The PRESIDENT said it had been proposed that the ninth preambular paragraph of the Final Declaration, beginning "Noting", should be deleted, and that the tenth preambular paragraph should be amended to read: "Affirming that nothing contained in the Convention on the Law of the Sea of 10 December 1982 affects the rights and obligations assumed by States Parties under the Treaty". It had further been proposed that the existing texts of article II and article IV should remain unchanged. He suggested that, on that understanding, those texts be referred to the Drafting Committee.

9. It was so decided.

10. The PRESIDENT said the delegation of Austria had proposed that a sentence should be added at the end of article II, to read: "All States Parties to the Treaty confirm that they have not emplaced any weapon of mass destruction on the sea-bed of their territorial waters outside the zone of application of the Treaty as defined by its article II, and have no intention to do so".

11. Mr. OZER (Turkey) suggested that, in order to avoid any possible misunderstanding, the phrase "outside the zone of application of the Treaty as defined by its article II" should be deleted.

12. Mr. BERDENNIKOV (Union of Soviet Socialist Republics) urged representatives not to make proposals for drafting changes at the present stage, but to leave it to the Drafting Committee to decide on the most appropriate wording, in the light of the views expressed during the discussion.

13. Mr. BIRBAUM (Austria) said it was his understanding that the suggestion by the representative of Turkey was of a drafting nature, and would not alter the sense of the article.

14. Mr. KENYON (United Kingdom) said that it was not simply an editing change and it could involve an important matter of principle. The Treaty had as its zone of application the area of sea defined by article II. Simply referring to "territorial waters", without bringing that concept into the context of the Treaty's own definition of its zone of application, could be dangerous, because each State Party had a different definition of territorial waters under its own legal system. The phrase in question was a useful one and he saw no need to delete it. Any possible misunderstanding could be avoided by adding a comma after "territorial waters".

15. Mr. GROSSI (Argentina) said it was most important that, in defining commitments of States Parties under the Treaty, the form of language should be precise. He agreed with the United Kingdom representative that the proposed text should make specific reference to the article defining the Treaty's zone of application. Again, in order to be consistent with the language used in the Treaty, reference should be made to nuclear weapons as well as to weapons of mass destruction.

16. Ms. COURTNEY (Australia) said her delegation had always held that it was essential to include a reference to the 12-mile limit in article II of the Treaty. It therefore supported retention of the phrase in question, as well as the addition of a reference to nuclear weapons.

17. Mr. LUDEKING (Federal Republic of Germany) suggested that, to avoid any possible misunderstanding, it might be preferable to delete the phrase "of their territorial waters" from the additional text proposed.

18. Mr. COUNINIOTIS (Greece) said he supported that suggestion.

19. The PRESIDENT said that the proposed text could be forwarded to the Drafting Committee, on the understanding that its purpose was not to redefine the zone of application, but rather to make clear what part of the sea-bed was being referred to.

20. It was so decided.

21. The PRESIDENT asked the representative of Sweden whether he was yet in a position to propose a new text for article VII.

22. Mr. SALANDER (Sweden) said that consultations had been held with delegations and he hoped to be able to propose a formulation by the following morning.

23. Mr. CLINARD (United States) noted that the text of article V was still under consideration. Presumably the matter could be decided in the Drafting Committee.

24. The PRESIDENT said that article X also awaited a final formulation. There had been a suggestion that it should be made more positive but there had been no disagreement as to substance. The matter could be entrusted to the Drafting Committee.

25. Mr. GROSSI (Argentina), referring to the discussion on article V at the previous meeting, asked what points were the subject of consultation.

26. The PRESIDENT said no specific formulation had been put forward but the suggestion was that article V should reflect the fact that other developments in the field of disarmament in relation to weapons of mass destruction, though not specifically bearing on the area of application of the Treaty, were nevertheless relevant to its subject-matter. There would be no change of substance, but the article would become more comprehensive. That matter, too, could be entrusted to the Drafting Committee. Under the rules of procedure, the plenary had wide discretion to define the Drafting Committee's powers. Perhaps the Conference could decide that, in order to save time, the text for article VII might be presented by the Swedish representative direct to the Drafting Committee.

27. It was so decided.

The meeting rose at 5 p.m.

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4 October 1989

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# SUMMARY RECORD OF THE 9th MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 28 September 1989, at 4 p.m.

President: Mr. DUARTE (Brazil)

## CONTENTS

Adoption of arrangements for meeting the costs of the Conference (continued)  
Report of the Credentials Committee  
Report of the Drafting Committee  
Adoption of the Final Document  
Closure of the Conference

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The meeting was called to order at 3.35 p.m.

ADOPTION OF ARRANGEMENTS FOR MEETING THE COSTS OF THE CONFERENCE (agenda item 10) (SBT/CONF.III/2 and Add.1) (continued)

1. Mr. LIN KUO-CHUNG (Secretary-General of the Conference) recalled that, at its third meeting, the Conference had taken up agenda item 10 and had taken a decision in accordance with rule 12 of the rules of procedure relating to the division of the costs of the Review Conference between participating States. In order to give a clear-cut picture of the percentage share of costs for each participant, he had requested the financial section of the Secretariat to provide a list of the assessments for delegations and it was set out in document SBT/CONF.III/2/Add.1. Any delegation which had a question about the document should consult the Secretariat as soon as possible.

REPORT OF THE CREDENTIALS COMMITTEE (agenda item 6 (b)) (SBT/CONF.III/12 \*/)

2. Mr. IBANEZ (Chairman of the Credentials Committee), introducing the report of the Credentials Committee (SBT/CONF.III/12 \*/), said that the Committee had held two meetings and had studied the status of the credentials of the 53 States Parties and 2 signatory States participating in the Conference. It had also discussed the accreditation of the representatives of the signatory States attending the Conference. As of 27 September, the Committee had received 42 formal credentials in due form; 5 countries had submitted their provisional credentials in the form of cables or telefax messages; 6 countries had presented a list of their representatives by note verbale and letters from the respective Permanent Missions in Geneva. At its second meeting, the Committee had examined and accepted the credentials of the representatives of all the participating States, on the understanding that States which had not yet submitted formal credentials for their representatives should communicate them to the Secretary-General of the Conference at the earliest possible date. The Committee had adopted its report unanimously.

3. The PRESIDENT said that, if he heard no objection, he would take it that the Conference wished to take note of the report of the Credentials Committee.

4. It was so decided.

REPORT OF THE DRAFTING COMMITTEE (agenda item 13) (SBT/CONF.III/14)

5. Mr. LIN KUO-CHUNG (Secretary-General of the Conference) apologized for some technical errors in the draft Final Declaration, contained in annex II of document SBT/CONF.III/14. The first sentence of the second paragraph of article V should read: "The Conference notes that negotiations aimed primarily at such measures have not yet taken place", and the third paragraph should read: "At the same time the Conference notes that other arms limitation and disarmament negotiations on measures with wider application that will contribute to the general objectives of the Treaty have been completed, are under way or are contemplated, and will, when successfully implemented, contribute to the effectiveness of the Treaty".

6. Mr. KOSTOV (Chairman of the Drafting Committee), introducing the report of the Drafting Committee (SBT/CONF.III/14), with the corrections to annex II announced by the Secretary-General of the Conference, said that the key

paragraph in the report was paragraph 6, which described the deliberations of the Drafting Committee as marked by a spirit of good will and mutual accommodation. That spirit had enabled the Committee to adopt a draft final document for the Conference by consensus. Annexed to the Committee's report were Parts I and II of the draft final document: Part I covered the organization of work of the Conference and Part II contained the draft Final Declaration of the Conference. Part III, as was stated in the report, would eventually contain the summary records of the plenary meetings.

7. The PRESIDENT suggested, that before proceeding to consider the draft final document, the Conference should take note of the report.

8. It was so decided.

ADOPTION OF THE FINAL DOCUMENT (agenda item 14) (SBT/CONF.III/14, annex)

9. The PRESIDENT invited the Conference to consider the draft final document (SBT/CONF.III/14, annex). As stated in paragraph 31 of Part I of the annex, dealing with the organization of work of the Conference, the summary records of the plenary meetings would constitute Part III of the final document and he reminded any delegations which wished to make corrections to the summary records to submit them. Paragraph 29 of Part I should read: "At a series ... the Drafting Committee considered a preliminary text referred to it by the Conference ...", as was stated in paragraph 5 of the Committee's report. Moreover, he would point out that the first paragraph of article V in the draft Final Declaration, in Part II of the annex, had been suggested by the Brazilian delegation.

10. If he heard no objection, he would take it that the Conference formally adopted the final document, as it appeared in the annex to the report of the Drafting Committee, together with the corrections thereto.

11. It was so decided.

12. Mr. BERDENNIKOV (Union of Soviet Socialist Republics), referring to the last sentence of article II in the Final Declaration, said that extending the scope of the Treaty to territorial and inland waters and excluding such waters from the arms race was possible, provided that a system of verification was worked out to monitor the non-emplacement of nuclear weapons or other weapons of mass destruction on the bed of such waters, since the régime governing them was significantly different from that governing the high seas.

13. Mr. KOSIN (Yugoslavia), speaking on behalf of the non-aligned countries, observed that mutual confidence had made it possible to extend the guarantees given in the 1960s to a field outside the scope of the Treaty. It once again proved that good will and co-operation between nations could guide them in the right direction.

14. Mr. CLINARD (United States of America) said that the new language in the preamble concerning the "continuation of the trend towards relaxation of tension and an increase of mutual trust" was encouraging. He also noted the last sentence of article II, to the effect that the State Parties confirmed that they neither had emplaced nor intended to emplace any weapons of mass destruction on the sea-bed outside the Treaty's zone of application. Equally

encouraging was the reference in article V to various other ongoing arms negotiations. However, he would like to make it clear that none of the provisions in the Final Declaration in any way amended, modified or altered the language of the Treaty itself. For example, it was quite clear that the new language in article II was a statement of fact and of present intentions. It was not a de facto amendment to the Treaty and should not be viewed as such.

15. Ms. SOLESBY (United Kingdom) said that the Final Declaration had the full support of her delegation. She would merely add one point of substance, namely that she agreed with the interpretation placed by the United States delegation on the last sentence of article II.

16. Mr. KOSTOV (Bulgaria), speaking on behalf of East European countries, said that it appreciated the last sentence of article II, which said all States Parties confirmed they had not emplaced any nuclear weapons on the sea-bed outside the zone of application of the Treaty and had no intention to do so.

17. Mr. GROSSI (Argentina) said the Conference had been a useful one in that it had reviewed the operation of a multilateral disarmament instrument which embodied a prohibition on the most dangerous of weapons in existence i.e. nuclear weapons, as well as on other weapons of mass destruction. The Conference had also served the important purpose of affording an opportunity to discuss the impact of the present and potential impact of relevant technologies and, in addition, made it possible to devise a more precise and systematic mechanism for the dissemination, through the Secretary-General, of information on technological developments. It had envisaged expert assistance as well as the inclusion of dual technologies capable of being used for peaceful purposes and for military purposes. That point was of particular importance for adequate preparation of the next review conference.

18. Again, a flexible time-schedule had been agreed for the next review conference, thereby meeting the need for periodic review of nuclear disarmament multilateral instruments and the desirability of avoiding a rigid pattern inappropriate to matters of international security.

19. Lastly, his delegation wished to pay tribute to the efficiency and courtesy with which the President had conducted the proceedings of the Conference.

20. Mr. AALBU (Norway) joined in the tributes paid to the President's leadership and to the work of the Secretary-General of the Conference and all members of the Secretariat.

21. There was every reason for satisfaction with the results of the work of the Conference. Articles II and V of the Final Declaration were particularly important, and he believed that the description in article V of the situation with regard to negotiations relevant to the Sea-Bed Treaty was an improvement on previous statements on the same subject. His delegation wished to express its satisfaction at the more systematic follow-up mechanism regarding documentation and was equally satisfied with the time-schedule adopted for convening the next review conference, a schedule which had the necessary element of flexibility.



22. All delegations had shown a good spirit of co-operation and had thereby contributed to the successful outcome of the Conference.

23. Mr. WAGENMAKERS (Netherlands) said that the success of the Conference was due in large measure to its President, as well as to the other officers. He also wished to pay a tribute to the work of the Secretariat, ably led by the Secretary-General of the Conference.

24. The Conference had been a productive one: it had been an agreeable experience to review the operation of a Treaty that fulfilled its objectives and he hoped that the success of the Conference would help to persuade States which were not yet parties to join the Sea-Bed Treaty in the future.

25. As to the Final Declaration, his delegation welcomed the intention expressed in the last sentence of article II, on the understanding, however, that the sentence in question did not constitute a modification of the Sea-Bed Treaty itself.

26. Mr. SALANDER (Sweden) said that he wished to note the positive and encouraging results of the Third Review Conference, an outcome which was the result of the firm guidance of the President.

27. The Sea-Bed Treaty had already functioned well within its somewhat narrowly confined scope: the Conference had not only confirmed it once again but had strengthened its long-term credibility.

28. The statement in the Final Declaration regarding article II gave a welcome assurance on the part of the nuclear-weapon States, and of course all other States, that the objectives of the Treaty in the sea-bed area were being observed, even outside the zone of application of the Treaty, and that there was no intention by the States Parties to emplace nuclear weapons or other weapons of mass destruction outside that zone. That statement helped to strengthen the present international régime covering the sea-bed area.

29. The Conference had also reiterated the fact that article V of the Treaty, on "further measures" for the prevention of an arms race on the sea-bed, the ocean floor and subsoil thereof, referred, above all, and in a strict sense, to the area covered by the Sea-Bed Treaty. That fact did not diminish the vital need for further disarmament measures in other fields of pertinence to the sea-bed.

30. In addition, the Conference had effectively strengthened the mechanism for the elaboration and dissemination of information on technological developments of relevance to the Treaty. Through the agreed periodic up-dating and dissemination of such information, Governments would have a much clearer picture of the functioning of the Treaty, something which would in turn enhance the Treaty's viability and standing.

31. Mr. OZER (Turkey) associated his delegation with the tributes paid to the President, whose able guidance has contributed so much to the successful outcome of the Conference, as well as to the other officers of the Conference, its Secretary-General and all members of the Secretariat.

32. The PRESIDENT thanked all delegations for their co-operation, which had made for the successful outcome of the Conference, whose deliberations had been thorough, so that all aspects of the Sea-Bed Treaty had been duly considered.

33. The work of the Conference had also been facilitated by the current positive climate in international relations in disarmament and security matters. It was to be hoped that those encouraging trends would continue and develop further, so as to help promote the overall objectives that the international community had defined in several multilateral instruments, including the Sea-Bed Treaty itself. Such objectives could be successfully attained only if the legitimate interests of all parties, large or small, powerful or unarmed, were duly taken into account in the agreements on disarmament and international security.

34. The success of any international agreement had to be measured not so much in terms of the number of States parties but mainly of its ability to satisfy the legitimate concerns of its prospective membership. The Sea-Bed Treaty had been called a "success story" and the present Conference had once again recognized that the Treaty was in keeping with that description. The Conference had noted with satisfaction the increase in participation, which had now risen to 82 parties and 23 signatories. By the same token, it had noted the importance of all of the current five nuclear-weapon Powers joining the treaty and abiding by its provisions.

35. Despite its relatively limited character, the Treaty had been recognized as a significant measure for preventing at least one aspect of the geographical proliferation of nuclear weapons. It also had a bearing on another important set of questions, namely those which dealt with the legal régime applicable to the sea. It could thus be legitimately considered as an essential building block in the common endeavours in the field of disarmament and international security.

36. In conclusion, he wished to express his gratitude to all delegations for their spirit of compromise and his deep appreciation to the Vice-Presidents, and to the Chairmen and Vice-Chairmen of the Drafting Committee and the Credentials Committee, and to the Special Representative of the Secretary-General of the United Nations. On behalf of all delegations he thanked the Secretary-General of the Conference and all members of the Secretariat for their dedicated work and declared the Third Review Conference closed.

The meeting rose at 4.50 p.m.

ANNEX I

LIST OF DOCUMENTS

SBT/CONF.III/1	Report of the Preparatory Committee for the Third Review Conference 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
SBT/CONF.III/2 and	Revised estimated cost of the Third Review Conference 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 (Note by the Secretariat)
Add.1	Schedule of Division of Costs
SBT/CONF.III/3 and Corr.1 and Add.1	Developments relating to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and in the Subsoil Thereof (1977-1989) (Background paper prepared by the Secretariat)
SBT/CONF.III/4 and Add.1 to Add.3	Note by the Secretariat (containing communications received from Depositary Governments and other States)
SBT/CONF.III/5	Rules of procedure for the Third Review Conference
SBT/CONF.III/6	Agenda for the Third Review Conference
SBT/CONF.III/7	Programme of work adopted by the Third Review Conference
SBT/CONF.III/8	Proposal of Sweden for inclusion in the Final Declaration
SBT/CONF.III/9 and Corr.1 (Spanish only) and Corr.2 (French only)	Declaration by Peru concerning 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 the Subsoil Thereof, and the Third Review Conference
SBT/CONF.III/10	Proposal of Turkey for inclusion in the Final Declaration
SBT/CONF.III/11	Note by the Secretariat (containing updated List of States Parties to and Signatories of the Sea-Bed Treaty)

SBT/CONF.III/15  
Annex I  
page 98

SBT/CONF.III/12  
and Corr.1

Credentials of representatives to the Conference:  
Report of the Credentials Committee

SBT/CONF.III/13

Declaration of the Greek delegation regarding  
Articles I, II, III and IV of the Sea-Bed Treaty of  
1971

SBT/CONF.III/14  
and Corr.1

Report of the Drafting Committee

SBT/CONF.III/15

Final Document of the Third Review Conference 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

#### SUMMARY RECORDS OF PLENARY MEETINGS

SBT/CONF.III/SR.1-9  
?? (and Corrigendum)

Summary Records of the First to Ninth Plenary Meetings

#### DRAFTING COMMITTEE

SBT/CONF.III/DC/1  
(English only)

Draft Report of the Drafting Committee

SBT/CONF.III/DC/CRP.1  
(English only) and

Preliminary text of Final Declaration of the Third  
Review Conference

Rev.1  
(English only)

Draft text of Final Declaration of the Third Review  
Conference

#### INFORMATION DOCUMENTS

SBT/CONF.III/INF.1  
(English only)

Offices and telephone numbers

SBT/CONF.III/INF.2

List of States Parties which have adhered since the  
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