Final Document of the First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

The Final Document of the First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques consists of three parts and two Annexes as follows:

I. Organization of Work of the Conference (ENMOD/CONF.I/13/I)

II. Final Declaration (ENMOD/CONF.I/13/II)

III. Summary Records of Plenary Meetings (ENMOD/CONF.I/13/III)

   Annex I: List of Documents

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PART I

Organization and Work of the Conference
Final Document of the First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

I. ORGANIZATION AND WORK OF THE CONFERENCE

INTRODUCTION

1. Paragraph 1 of Article VIII of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques reads as follows:

"Five years after the entry into force of this Convention, a conference of the States Parties to the Convention shall be convened by the Depositary at Geneva, Switzerland. The conference shall review the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, and shall in particular examine the effectiveness of the provisions of paragraph 1 of article I in eliminating the dangers of military or any other hostile use of environmental modification techniques."

2. By resolution 37/99 I, adopted on 15 December 1982, the General Assembly, bearing in mind that the Convention would have been in force for five years on 5 October 1983, noted that the Secretary-General, as Depositary of the Convention, intended to convene the Review Conference at the earliest practicable time after that date and that, to that end, he would hold consultations with the Parties to the Convention with regard to questions relating to the Conference and its preparation, including the establishment of a preparatory committee for the Conference.

3. Following such consultations, it was agreed that a preparatory committee, open to all States Parties to the Convention, would convene at the United Nations Office at Geneva on 30 April 1984.

4. The Preparatory Committee held one session at Geneva from 30 April to 2 May 1984. The following States Parties to the Convention participated in the Preparatory Committee: Bangladesh, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Egypt, Finland, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, India, Italy, Japan, Kuwait, Mongolia, Netherlands, Norway, Poland, Romania, Spain, Sri Lanka, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

5. At its 1st meeting, on 30 April, the Committee elected Ambassador Keijo Korhonen of Finland as its Chairman. At the same meeting, the Committee elected Ambassador S. Turbanski of Poland and Mr. J.M. Noirfalisse of Belgium as Vice-Chairmen. The Committee authorized the Bureau to handle technical and other matters in the period before the Review Conference was convened.

6. The Secretary-General of the United Nations was represented by Mr. Arpad Prandler, Deputy to the Under-Secretary-General for Disarmament Affairs, who opened the session of the Preparatory Committee. Mr. Aida Luisa Levin, Senior Political Affairs Officer, Department for Disarmament Affairs, served as Secretary of the Committee.
7. The Committee decided to take its decisions by consensus.

8. The Committee, taking note of their written requests, decided to invite the representatives of three States Signatories of the Convention, Australia, Brazil and Turkey, to participate in its discussions without the right to take part in the making of decisions.

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

(a) Date and duration
(b) Provisional agenda
(c) Composition of the General Committee
(d) Draft Rules of Procedure
(e) Background documentation
(f) Final document(s)

10. At its last meeting, on 2 May 1984, the Preparatory Committee adopted its final report, which was issued as a pre-session document of the Conference (ENMOD/CONF.I/1). The report contained, inter alia, the Provisional Agenda and the Draft Rules of Procedure for the Conference (Annexes I and II, respectively).

11. The Committee decided to request the Secretariat to circulated 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 ENMOD/CONF.I/3.

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

(1) A summary of negotiations leading to the conclusion of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques and of subsequent developments related to the Convention; and

(2) A compilation of official communications regarding the implementation of the objectives and provisions of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

The above papers were subsequently issued as documents ENMOD/CONF.I/2 and ENMOD/CONF.I/4, respectively.

Organization of the Conference

13. In accordance with the decision of the Preparatory Committee, the Conference was convened on 10 September 1984 at the Palais des Nations in Geneva.

14. At its 1st meeting, on 10 September, the Conference elected by acclamation Ambassador Keijo Korhonen, Permanent Representative of Finland to the United Nations in New York, as its President.

15. At the same meeting, a message from Secretary-General of the United Nations Javier Pérez de Cuéllar, was read out by the Special Representative of the Secretary-General, Mr. Jan Martenson, Under-Secretary-General of the United Nations for Disarmament Affairs.
16. The Conference adopted its agenda as recommended by the Preparatory Committee (ENMOD/CONF.I/5).


18. The Conference adopted its Rules of Procedure as recommended by the Preparatory Committee (ENMOD/CONF.I/6). 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 of the Credentials Committee, as well as the 17 Vice-Presidents of the Conference; (b) a Drafting Committee, composed of representatives of the same 20 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.

19. The Conference elected by acclamation 15 Vice-Presidents from the following States Parties: Bangladesh, Cuba, Democratic Yemen, Egypt, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, India, Japan, Mongolia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America. The Conference elected by acclamation the Chairman and the Vice-Chairman of the Drafting Committee, as follows:

   Chairman:      Amb. S. Turbanski (Poland)
   Vice-Chairman: Mr. S.K. Sharma (India)

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

   Chairman:      Amb. M. Depasse (Belgium)
   Vice-Chairman: Mr. I.A. Hassan (Egypt)

The Conference also appointed the following five States Parties as members of the Credentials Committee: Australia, Bulgaria, Byelorussian SSR, Cuba and Sri Lanka.

20. The Conference confirmed by acclamation the nomination of Miss Aida Luisa Levin 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.

Participation at the Conference

21. Thirty-five States Parties to the Convention participated in the Conference as follows: Australia, Bangladesh, Belgium, Bulgaria, Byelorussian SSR, Canada, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Egypt, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, India, Ireland, Italy, Japan, Kuwait, Mongolia, Netherlands, New Zealand, Norway, Poland, Romania, Spain, Sri Lanka, Sweden, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.
22. In addition, four States which have signed the Convention but have not yet ratified it participated in the Conference without taking part in its decisions, as provided in Rule 43 of the Rules of Procedure: Brazil, Ethiopia, Iran (Islamic Republic of) and Turkey.

23. Four additional States, Algeria, Argentina, Peru and Switzerland, neither Party nor Signatory of the Convention, applied for Observer status in accordance with Rule 44. Such status was granted to them by the Conference.

24. The United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO) applied for Observer Agency status in accordance with Rule 46. Such status was granted to them by the Conference.

25. Two non-governmental organizations attended the Conference under Rule 47.

26. A list of all delegations to the Conference, including States Parties, Signatories, Observer States, Observer Agencies and non-governmental organizations is contained in Annex II.

27. The Credentials Committee met on 18 September and reported on the credentials of representatives of States Parties and Signatories (ENMOD/CONF.I/9). At its eighth plenary meeting on 20 September the Conference took note of the report.

Work of the Conference

28. The Conference held eight plenary meetings between 10 and 20 September when it concluded its work.

29. The general debate, in which 24 States Parties made statements, took place at the fourth to sixth plenary meetings held from 11 to 12 September. At its seventh plenary meeting, on 13 September, the Conference reviewed the provisions of the Convention article by article, followed by consideration of the preamble and purposes of the Convention.

30. The Drafting Committee met between 14 and 19 September, and submitted its report to the Conference on 20 September (ENMOD/CONF.I/11). The Conference, at its eighth plenary meeting, on 20 September, took note of the report.

Documentation

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

Conclusion of the Conference

32. At its eighth and final plenary meeting on 20 September, the Conference adopted its Final Document as recommended by the Drafting Committee in document ENMOD/CONF.I/11. 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.
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PART II

Final Declaration
II. FINAL DECLARATION

The States Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, having met in Geneva 10–20 September 1984 under the provisions of Article VIII to review the operation of the Convention, with a view to ensuring that its purposes and provisions are being realized and in particular to examine the effectiveness of the provisions of paragraph 1 of Article I in eliminating the dangers of military or any other hostile use of environmental modification techniques:

Continuing to be guided by the interest of consolidating peace, and wishing to contribute to the cause of halting the arms race, and of bringing about general and complete disarmament under strict and effective international control, and of saving mankind from the danger of using new means of warfare,

Reaffirming their determination to continue negotiations with a view to achieving effective progress towards further measures in the field of disarmament,

Considering that the Convention constitutes a contribution to the strengthening of trust among nations and to the improvement of the international situation in accordance with the purposes and principles of the Charter of the United Nations,

Recognizing the continuing importance of the Convention and its objectives, and the common interest of mankind in maintaining its effectiveness in prohibiting the use of environmental modification techniques as a means of war,

Affirming their belief that universal adherence to the Convention would enhance international peace and security,

Considering also that universal adherence could further the use of environmental modification techniques for peaceful purposes and facilitate international cooperation in such use, in the interest of all States, including in particular developing States,

Appealing to all States to refrain from any action which might place the Convention or any of its provisions in jeopardy,

Declare as follows:

Purposes

The States Parties to the Convention reaffirm their strong common interest in preventing the use of environmental modification techniques for military or any other hostile purposes. They reaffirm their strong support for the Convention, their continued dedication to its principles and objectives and their commitment to implement effectively its provisions.

Article I

The Conference confirms that the obligations assumed under Article I have been faithfully observed by the States Parties. The Conference is convinced that the continued observance of this Article is essential to the objective, which all States Parties share, of preventing military or any other hostile use of environmental modification techniques.
Having re-examined the provisions of paragraph 1 of Article I, the Conference is convinced that, taking into account the relevant understandings and the present state of technology, they remain effective in preventing the dangers of military or any other hostile use of environmental modification techniques. The Conference recognizes the need to keep under continuing review and examination the provisions of paragraph 1 of Article I, in order to ensure their continued effectiveness, taking into account any developments which might take place in the relevant technology, and having regard also to the different views expressed in the course of the debate on this Article on the question of expanding its scope.

**Article II**

The Conference reaffirms its support for this Article containing the definition of the term "environmental modification techniques". The Conference is of the opinion that this definition, taken together with the understandings relating to Articles I and II, is adequate to fulfil the purposes of the Convention.

**Article III**

The Conference reaffirms that Article III is without prejudice to any rules of international law which may apply to environmental modification techniques used for peaceful purposes. The Conference notes with satisfaction that the implementation of the Convention has not hindered the economic or technological development of States Parties. The Conference recalls that States Parties have undertaken to facilitate the fullest possible exchange of scientific and technological information on the use of environmental modification techniques for peaceful purposes. The Conference further calls upon States Parties also to provide and facilitate the fullest possible exchange of scientific and technological information on the research on and the development of such environmental modification techniques. Furthermore, and in order to ensure the widest possible exchange of such information, the Conference invites the Secretary-General of the United Nations to receive such information for dissemination. For this purpose the Conference requests the Secretary-General to utilize to the maximum extent the United Nations agencies with competence in environmental topics. The Conference also calls upon States Parties to do so to continue to contribute to and strengthen, alone or together with other States or international organizations, international economic and scientific co-operation in the preservation, improvement and peaceful utilization of the environment, with due consideration for the needs of the developing areas of the world.

**Article IV**

The Conference notes the provisions of Article IV, which requires each State Party to take any measures it considers necessary in accordance with its constitutional processes to prohibit and prevent any activity in violation of the provisions of the Convention anywhere under its jurisdiction or control, and invites States Parties which have found it necessary to enact specific legislation, or take other regulatory measures relevant to this Article, to make available the appropriate texts to the United Nations Department for Disarmament Affairs, for the purposes of consultation.

**Article V**

The Conference notes with satisfaction that no State Party has found it necessary to invoke the provisions of Article V dealing with international complaints and verification procedures. The Conference reaffirms the importance of paragraph 1 of this Article, which contains the undertaking of States Parties to consult one
another and to co-operate in solving any problems which may arise in relation to
the objectives of, or in the application of the provisions of, the Convention
and of paragraph 2, which provides for the convening of a Consultative Committee
of Experts. In the view of the Conference the provisions of Article V,
paragraphs 1 and 2, do not exclude the possibility of consideration, by
States Parties, of the summary of findings of fact of the Consultative Committee
of Experts.

The Conference also notes the importance of Article V paragraphs 3 and 4,
which, in addition to the procedures contained in Article V paragraphs 1 and 2,
provide that any State Party which finds that any other State Party is acting in
breach of its obligations under the Convention may lodge a complaint with the
United Nations Security Council, and under which each State Party undertakes to
coopoperate in carrying out any investigation which the Security Council may
initiate.

The Conference considers that the flexibility of the provisions concerning
consultation and co-operation on any problems which may arise in relation to the
Convention, or in the application of the provisions of the Convention, should
enable complaints or disputes to be effectively resolved.

Article VI

The Conference notes that during the operation of the Convention no State Party
has proposed any amendments to this Convention under the procedures laid down in
this Article.

Article VII

The Conference reaffirms that the Convention should be of unlimited duration.

Article VIII

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

The Conference, recognizing the importance of the review mechanism provided in
Article VIII, decides that a second Review Conference may be held at Geneva at the
request of a majority of States Parties not earlier than 1989. If no
Review Conference is held before 1994 the Depositary is requested to solicit the
views of all States Parties concerning the convening of such a Conference in
accordance with Article VIII paragraph 3 of the Convention.

Article IX

The Conference stresses that the six years that have elapsed since the date of
entry of the Convention into force have demonstrated its effectiveness.

The Conference notes that 45 States have become Parties to the Convention and
a further 19 States have signed but have yet to ratify the Convention. The
Conference notes with concern that the Convention has not yet achieved universal
acceptance. Therefore the Conference calls upon all signatory States which have
not ratified the Convention to do so without delay, and upon those States which
have not signed the Convention to adhere to it as soon as possible and thereby join
the States Parties thereto in their efforts to prohibit effectively military or any
other hostile use of environmental modification techniques. Such adherence would be
a significant contribution to international confidence and to the strengthening of
trust amongst nations.
First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

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PART III

Summary Records of Plenary Meetings
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SUMMARY RECORD OF THE 1st MEETING

held at the Palais des Nations, Geneva,
on Monday, 10 September 1984, at 10.30 a.m.

Acting President: Mr. MARTENS (Under-Secretary-General for Disarmament Affairs)

President: Mr. KORHONEN (Finland)

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Opening of the Conference by the Chairman of the Preparatory Committee

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

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

Appointment of the Credentials Committee

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

GE.84-65340
The meeting was called to order at 11.05 a.m.

OPENING OF THE CONFERENCE BY THE CHAIRMAN OF THE PREPARATORY COMMITTEE (item 1 of the provisional agenda)

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

1. The ACTING PRESIDENT, after extending a welcome to all delegations participating in the Review Conference, suggested that items 1 and 3 of the provisional agenda (ENMOD/CONF.I/1, annex I) should be considered concurrently.

2. It was so decided.

3. Mr. KORHONEN (Chairman of the Preparatory Committee) declared open the First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

4. In submitting the Preparatory Committee's Final Report (ENMOD/CONF.I/1), he noted with great satisfaction that all of the Committee's decisions and recommendations had been reached by consensus, as a result of the exemplary spirit of goodwill and co-operation displayed by all delegations participating in the Committee's work. After paying tribute to the contribution made by the other members of the Bureau and expressing appreciation for the assistance given to the Preparatory Committee by the Secretary-General and by the Under-Secretary-General for Disarmament Affairs, he drew attention to other documents before the Conference which had been prepared at the request of the Preparatory Committee (ENMOD/CONF.I/2, ENMOD/CONF.I/3 and ENMOD/CONF.I/4).

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

5. The ACTING PRESIDENT invited nominations for the office of President of the Conference.

6. Mr. TURBANSKI (Poland), speaking on behalf of the group of socialist countries, nominated Mr. Korhonen (Finland) for the office of President.

7. Mr. MIDDLETON (United Kingdom), speaking on behalf of the group of Western and other countries, and Mr. SHARMA (India), speaking on behalf of the group of non-aligned countries, supported the nomination.

8. Mr. Korhonen (Finland) was elected President by acclamation.

9. Mr. Korhonen (Finland) took the chair.

10. The PRESIDENT, thanking the Conference for the confidence it had shown in him personally and in his country, said he took that confidence to be an expression of appreciation for Finland's active policy in matters of arms control and disarmament. As a small, neutral country, Finland was always greatly interested in multilateral disarmament efforts in all forums available to it, particularly the United Nations, the Conference on Disarmament, and conferences for the elaboration and review of multilateral disarmament treaties.
11. The present Conference was being held in accordance with article VIII of the Convention and pursuant to General Assembly resolution 37/99 I. The objective was to review the operation of the Convention with a view to ensuring that its purposes and provisions were being realized. In particular, the Conference was entrusted with the task of examining the effectiveness of the provisions of paragraph 1 of article I in eliminating the dangers of military or any other hostile use of environmental modification techniques. The Convention was a valuable, if limited, measure of arms control. It constituted an important step towards precluding the possibility of using environmental modification techniques, and it thus furthered the cause of arms control and disarmament in general. Accession to the Convention was still rather limited, the number of States Parties at present being 45. In addition, 19 States had signed the Convention but had not yet ratified it.

12. The Conference offered the first opportunity to evaluate the effectiveness of the obligations laid down in the Convention. It was to be hoped that the general debate and the review of the various provisions of the Convention would serve as a useful basis for constructive consideration of the Convention's effectiveness and would also provide the reference material for the preparation of the final document or documents of the Conference.

13. The review of the Convention should take into account the general considerations set forth in the preamble to the Convention as well as the operative provisions. By helping to promote the Convention's objectives, the review would thus contribute to the cause of halting the arms race and saving mankind from the dangers inherent in the use of new means of warfare. The Conference could also play a major role in the further work of excluding the potential use of environmental warfare in general and the use of environmental modification techniques for military purposes in particular. He counted on the full support of all delegations to the Conference in securing the fulfilment of that objective.

MESSAGE FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS

14. Mr. Martenson (Under-Secretary-General for Disarmament Affairs), read out the following message from the Secretary-General.

"It gives me great pleasure to extend my greetings and best wishes to all the delegations participating in the First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

"Your Conference is entrusted with the important task of reviewing the operation of the Convention with a view to ensuring that its purposes and provisions are being realized and examined, in particular, the effectiveness of the provisions of article I of the Convention in eliminating the dangers of military or any other hostile use of environmental modification techniques. I am confident that your Conference will so discharge its mandate as to promote wider adherence to the Convention.

"The Convention imposes on States Parties the obligation not to engage in military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects and causing destruction, damage or injury to any other State Party. The potential danger inherent in the development of these techniques through scientific and technical advances hardly needs any emphasis. The Convention was designed to spare mankind from the disastrous consequences of environmental warfare. This purpose needs to be kept constantly in mind."
"In the 1960s and 1970s, a number of agreements, of which the
UNMOD Convention is one, were concluded on partial measures of arms limitation
and disarmament. Though limited in scope, such measures can play a significant
role in fostering confidence and stimulating progress towards the adoption of
further measures of disarmament. In the preamble to the Convention, the
States Parties expressed their wish to contribute to the cause of halting the
arms race and of bringing about general and complete disarmament under strict
and effective international control.

"It is a matter of profound and urgent concern that the Convention and
other agreements have not yet been followed up by meaningful measures of
disarmament. Indeed, the arms race, particularly the nuclear arms race, has
continued unabated at an ever-accelerating speed. The world has witnessed a
remorseless arms build-up and the continuous advent of new and more destructive
weapons, as well as the qualitative refinement of existing ones. We are no
closer to the goal of general and complete disarmament than we were at the time
the Convention was concluded. An end to this situation is long overdue;
we must halt the arms race and initiate the process of disarmament. It is my
earnest hope that this Conference will inspire a sense of renewed commitment
and dedication to this aim.

"I wish you all success in your deliberations."

ADOPTION OF THE AGENDA (ENMOD/CONF.I/1, annex I)

15. The agenda was adopted.

16. The PRESIDENT suggested that the Conference should take note with appreciation
of the Preparatory Committee's Final Report (ENMOD/CONF.I/1).

17. It was so decided.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 4)

18. The rules of procedure (ENMOD/CONF.I/1, annex II) were adopted.

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

19. The PRESIDENT, after referring to rule 10 of the rules of procedure and to
paragraph 19 of the Final Report of the Preparatory Committee, said that the
Secretary-General of the United Nations had nominated Ms. Levin, Senior Political
Affairs Officer, Department for Disarmament Affairs, as provisional
Secretary-General of the Review Conference. In the absence of objections, he would
take it that the Conference wished to confirm that nomination.

20. It was so decided.
ELECTION OF VICE-PRESIDENTS AND OF THE CHAIRMEN AND VICE-CHAIRMEN OF THE
DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 5)

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

21. The President drew attention to paragraph 14 of the Final Report of the
Preparatory Committee (ENMOD/CONF.1/1), setting forth the Committee's decisions
concerning the composition of the General Committee and the geographical
distribution of the posts on the Committee. In the absence of objections, he would
take it that the Conference wished to confirm those decisions.

22. It was so decided.

23. The President, referring to the subject of the appointment of the Credentials
Committee, drew attention to rule 3 of the rules of procedure, which provided that
the Committee should be composed of a Chairman and a Vice-Chairman elected by the
Conference and of five other members appointed by the Conference on the proposal of
the President. On the basis of the precedent established at other Review
Conferences, he proposed that the geographical distribution of those seven posts
should be as follows: Africa 1; Asia 1; Eastern Europe 2; Latin America 1; and
Western Europe and other States 2. In addition, consideration of
agenda items 5 and 5 (a) should be deferred to allow time for further consultations.

24. It was so decided.

The meeting rose at 11.35 a.m.
SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva, on Monday, 10 September 1984, at 4 p.m.

President: Mr. KORHONEN (Finland)

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Credentials of representatives to the Conference:

(a) Appointment of the Credentials Committee

Applications for observer status

Programme of work

Adoption of arrangements for meeting the cost of the Conference

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

GE.84-65345
The meeting was called to order at 4.25 p.m.

ELECTION OF VICE-PRESIDENTS, AND OF CHAIRMEN AND VICE-CHAIRMEN OF THE
DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 5) (EM/CONF.I/5)

1. The President said that, under rule 5 of the Rules of Procedure, the
Conference must elect 17 Vice-Presidents, a Chairman and a Vice-Chairman of the
Drafting Committee and a Chairman and Vice-Chairman of the Credentials Committee.
Under rule 8 of the Rules of Procedure, the General Committee of the Conference
should be composed of the President, the 17 Vice-Presidents, the Chairman of the
Drafting Committee and the Chairman of the Credentials Committee. At the
preceding meeting, the Conference had confirmed the geographical distribution of
the membership of the General Committee drawn up by the Preparatory Committee
of the Conference (EM/CONF.I/1, paragraph 14), namely, Africa 3; Asia 5;
Eastern Europe 4; Latin America 2; Western Europe and other States 6.

2. After consultations in the regional groups, on the basis of that geographical
distribution, the representatives of the following countries had been proposed as
Vice-Presidents, on the understanding that the two posts for which no candidates
had been put forward could be filled later:

Africa: Egypt, Ghana
Latin America: Cuba
Asia: Bangladesh, Democratic Yemen, India, Japan, Mongolia
Western Europe and other States: Germany, Federal Republic of, United States
of America, Greece, United Kingdom of Great Britain and Northern Ireland
Eastern Europe: Hungary, German Democratic Republic, Union of Soviet
Socialist Republics

3. The proposal was adopted by acclamation.

4. The President invited the Conference to elect the Chairman and Vice-Chairman
of the Drafting Committee and the Chairman and Vice-Chairman of the
Credentials Committee. After consultations in the regional groups, Mr. Turbanski
(Poland) had been nominated as Chairman of the Drafting Committee and Mr. Depasse
(Belgium) as Chairman of the Credentials Committee. Mr. Sharma (India) had been
nominated as Vice-Chairman of the Drafting Committee and Mr. Hassan (Egypt) as
Vice-Chairman of the Credentials Committee.

5. Mr. Turbanski (Poland) was elected Chairman of the Drafting Committee by
acclamation.

6. Mr. Depasse (Belgium) was elected Chairman of the Credentials Committee by
acclamation.

7. Mr. Sharma (India) was elected Vice-Chairman of the Drafting Committee by
acclamation.

8. Mr. Hassan (Egypt) was elected Vice-Chairman of the Credentials Committee
by acclamation.
CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 6)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE

9. The President noted that, under rule 3 of the Rules of Procedure, the Conference must establish a Credentials Committee composed of the States Parties represented by the Chairman and the Vice-Chairman and five other States appointed by the Conference on the proposal of the President. On the basis of consultations, he wished to propose that the representatives of Australia, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba and Sri Lanka should be appointed to the Credentials Committee.

10. It was so decided.

11. The President requested those delegations which had not already done so to submit their credentials to the Secretary-General of the Conference as soon as possible.

APPLICATIONS FOR OBSERVER STATUS

12. The President stated that the Governments of Argentina, Peru and Switzerland had applied to the Secretary-General of the Conference for observer status. If there was no objection, he would take it that the Conference granted their request in accordance with rule 44 of the Rules of Procedure.

13. It was so decided.

14. The President said that the United Nations Environment Programme had applied to the Secretary-General of the Conference for observer agency status in accordance with rule 46 of the Rules of Procedure. If there was no objection, he would take it that the Conference granted that request.

15. It was so decided.

PROGRAMME OF WORK (agenda item 9)

16. The President suggested that the Conference should follow the usual practice of requesting the General Committee to consider the Programme of Work and make recommendations thereon.

17. It was so decided.

ADOPTION OF ARRANGEMENTS FOR MEETING THE COST OF THE CONFERENCE (agenda item 10) (EMOD/CONF.I/3)

18. The President recalled that 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. The revised estimate of costs, which was contained in document EMOD/CONF.I/3, had been prepared with due regard for the need for economy in making arrangements for the Review Conference. The financial arrangements for meeting the costs of the Conference were set out in rule 12 of the Rules of Procedure.

The meeting rose at 4.45 p.m.
SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva, on Tuesday, 11 September 1984, at 10.30 a.m.

President: Mr. KORHONEN (Finland)

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Programme of work

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General debate

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GE.84-65366
The meeting was called to order at 10.40 a.m.

PROGRAMME OF WORK (agenda item 7) (ENMOD/CONF.I/7)

1. The President drew attention to the programme of work (ENMOD/CONF.I/7) recommended by the General Committee. If there were no objections, he would take it that the Conference approved the recommendations.

2. It was so decided.

APPLICATION FOR OBSERVER AGENCY STATUS TO THE WORLD METEOROLOGICAL ORGANIZATION

3. The President proposed that the World Meteorological Organization should be granted observer agency status under rule 45 of the rules of procedure.

4. It was so decided.

5. At the invitation of the President, the delegation of the World Meteorological Organization took a seat in the Conference hall.

GENERAL DEBATE (agenda item 11 (a))

6. Mr. MEISZTER (Hungary) said that, in view of the worsening international situation, his Government was redoubling its efforts for the preservation of peace and security, the easing of tensions and the elimination of the threat of war, particularly nuclear war. Its sincere commitment to that cause was reflected in the fact that Hungary was a party to all international arms limitation and disarmament agreements and had helped to elaborate a number of them, including the Convention currently under review.

7. Despite the unceasing attempts of certain imperialist circles to upset the balance of power and achieve military superiority, the Hungarian Government was anxious to maintain a dialogue in order to prevent the escalation of the nuclear arms race. In constructive, honest and equitable negotiations to reach agreement on comprehensive or partial measures, it was essential to consolidate previous achievements as well as break new ground. The political objectives of the Convention were even more vital now than when the Convention had been drawn up.

8. The Hungarian Government had been one of the first to sign and ratify the Convention, which made a modest but effective contribution to the curtailment of the arms race. The Convention had been duly implemented, and there had been no allegations of non-compliance with its main provisions. A particularly valuable section provided for the exchange of information on peaceful uses of environmental modification techniques and for economic and scientific co-operation for the preservation of the environment.

9. His country fully supported the Convention in its current form and was anxious that more States should adhere to it. His delegation therefore stood ready to work towards the success of the Review Conference and contribute to a substantive final document reaffirming the States Parties' continued support for the Convention and in particular their commitment to the principles expressed in article 1. The final document should include a firm appeal for more States to become parties without further delay.

10. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that the problem of prevention of war, cessation of the arms race and disarmament unquestionably occupied a central place among the global issues facing civilization today. Not
only the peaceful development of mankind but mankind's very existence depended on solving that problem. The world was already more than saturated with a vast array of instruments of death and destruction. The threat of nuclear catastrophe was growing all the time. The Soviet Union, regarding it as the prime objective of its foreign policy to prevent a nuclear catastrophe, to bring about a genuine change for the better in the development of world events and to ensure the implementation of practical measures of arms control and disarmament, had put forward a series of major proposals aimed at achieving new agreements in that field. At the same time, the task of maintaining and strengthening existing agreements had lost none of its urgency; indeed, in the situation of growing tension produced by the imperialist forces' policy of militarism, rejecting détente, hampering social progress and violating the rights and freedoms of peoples, it was more urgent than ever.

11. Among the immensely valuable agreements concluded in the 1960s and 1970s the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques occupied a rightful place. The Convention was conducive to the strengthening of international security, the beneficial process of détente and the conservation of nature. The conclusion of the Convention convincingly proved yet again that, given goodwill, complex disarmament problems could be resolved. By preventing the spread of the arms race to a new sphere - that of the human environment - the Convention had helped to release for constructive purposes not only significant funds; but also the talents of thousands of scientists and engineers. By so doing, it obviously served the interests of all peoples throughout the world, including, of course, those of the developing countries. A further reason for the importance of the Convention was that, only a short time before it had been concluded, one Power had made attempts to modify the environment of Indo-China for military purposes. In other words, the threat averted by concluding the Convention had not, as had been asserted in certain quarters, belonged to the realm of fantasy. Without the Convention, the sphere of the forces of nature would have remained open to the arms race. The Convention had thus been a timely and essential measure, especially in the light of the current pace of scientific and technical advances.

12. As a sponsor of the Convention and as a State Party, the Soviet Union strictly observed its provisions and noted with satisfaction that in almost six years since the Convention had entered into force, the main obligations, particularly those set forth in article I, had been conscientiously fulfilled by all States Parties. His country attached great importance to the provisions of the preamble to the Convention affirming that the States Parties were guided by the interest of consolidating peace, wished to contribute to the cause of halting the arms race and of bringing about general and complete disarmament under strict and effective international control and of saving mankind from the danger of using new means of warfare, and were determined to continue negotiations with a view to achieving effective progress towards further measures in the field of disarmament. In its foreign policy, the Soviet Union worked incessantly towards those ends, as was testified by its renunciation of first use of nuclear weapons and the proposals it had submitted in the United Nations and other international forums in connection with the nuclear weapons freeze, the nuclear test ban, the limitation and subsequent elimination of various weapons, especially nuclear weapons, and its proposals for military détente and international confidence-building.
measures. The adoption of the Soviet proposals would undoubtedly help to remove
the threat of nuclear war, strengthen international peace and security and, at the
same time, guarantee the preservation of the natural environment.

13. The period since the Convention's entry into force had convincingly
demonstrated its effectiveness. Not a single complaint had been made by a State
party regarding any breach of its provisions. Nor, so far as he was aware, had
any suspicions arisen in that connection. Another positive fact was that there
had been no occasion to bring into operation the unique investigation mechanism
provided for in article V which established a variety of international procedures,
including the services of appropriate international organizations as well as of a
Consultative Committee of Experts.

14. The Convention had been a powerful incentive for the application of
environmental protection measures. In that regard, a number of important steps
had been taken in the Soviet Union in recent years. After referring to articles 18,
42 and 67 of the Soviet Constitution, which set forth the rights and duties of
Soviet citizens and of the State in connection with the conservation of natural
resources, he mentioned the nature conservation commissions established in both
chambers of the Supreme Soviet of the USSR, the Standing Commission on Nature
Conservation and Rational Utilization of Natural Resources, set up in 1961 within
the Presidium of the Council of Ministers of the USSR, and the USSR State Committee
on Hydrometeorology and Environmental Control established in 1979. A special
Air Protection Act had been adopted in 1980 and a State Inspectorate, incorporating
a vast network of pollution control units, had been instituted.

15. The Soviet Union had sponsored or was an active party to many international
agreements on environmental protection, such as the Treaty Banning Nuclear Weapon
Tests in the Atmosphere, in Outer Space and Under Water, the Convention on the
Prevention of Marine Pollution by Dumping of Wastes and Other Matter, the
Convention on Long-Range Transboundary Air Pollution and the Declaration on Low-
and Non-Waste Technology. In accordance with article III of the Convention, the
Soviet Union consistently facilitated the fullest possible exchange of scientific
and technological information on environmental modification techniques for
peaceful purposes and contributed significantly towards international economic and
scientific co-operation in the preservation, improvement and peaceful utilization
of the environment, with due consideration for the needs of the developing areas
of the world. It also took an active part in the work of many international
organizations such as UNESCO, UNEP, ECE, WHO and others and in the implementation
of global and regional programmes connected with environmental protection problems.

16. As well as pursuing broad and fruitful co-operation in environmental matters
on the basis of multilateral and bilateral agreements and joint long-term
programmes with other member States of the Council for Mutual Economic Assistance,
his country was also engaged in scientific and technical co-operation with France,
the United States of America, Sweden, Denmark, Finland and other countries. It
participated in UNESCO's Man and Biosphere Programme, the WHO and UNEP World
Climate Programme and a number of other international scientific projects, took
part in many international conferences, symposia and seminars, and published joint
scientific reports and collections of articles. All those activities related
exclusively to problems of improving the interrelation between man and his natural
environment, and fully corresponded to the Convention's objectives and provisions.
17. The Soviet Union was constantly alive to the problem of protecting the natural environment from harmful military effects and took appropriate steps at the international level to ensure such protection. Thus, it had sponsored a resolution adopted at the thirty-fifth session of the General Assembly proclaiming the historical responsibility of States for the preservation of nature for present and future generations. It had supported the adoption of the World Charter of Nature and had taken active part in work undertaken in that connection under the auspices of UNEP. It had also participated in the elaboration of several international instruments comprising a nature conservation element, such as the 1977 Protocol to the 1949 Geneva Conventions and the Convention on the Prohibition of Use of Certain Conventional Weapons which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (1981).

18. While putting forward proposals for various disarmament measures, the Soviet Union was eager to consolidate every success already achieved in that direction. It therefore considered that the main task of the present Conference should be to confirm the effectiveness of the Convention, which, in his delegation's view, required no changes. The Soviet Union's policy of principle was to support the strengthening of the Convention by consistent and effective application of its provisions and by increasing the number of States Parties. It was regrettable that by no means all States, and not all the major ones, had thus far acceded to the Convention; the present number of States Parties was only 45, a further 20 States having signed but not yet ratified it. Full accession to the Convention would represent a gain for each and every State without exception. It would therefore be a most useful step for the Conference to address an appeal to States not yet parties to the Convention to accede to it as soon as possible.

19. Lastly, his delegation accepted the Final Report of the Preparatory Committee and the recommendations contained therein, and was ready to co-operate constructively with the delegations of other countries in the interests of assuring the success of the Conference.

20. Mr. KEISALO (Finland) said that the Review Conference offered a suitable framework for the consideration of the Convention's impact in the field of arms control and disarmament and also provided an opportunity to assess how the Convention served its objective of excluding the use of environmental modification techniques for military or other hostile purposes.

21. Developments in arms control and disarmament in general since the Convention's entry into force had fallen far short of expectations. In fact, the Convention constituted one of the tangible achievements of multilateral disarmament efforts in the form of a legally binding instrument but since 1976, the main multilateral disarmament negotiating body, now known as the Conference on Disarmament, had proved unable to negotiate a single disarmament treaty. At the same time, the arms race had intensified and continued unabated. Awareness of the dangers inherent in the existing situation should at last lead to renewed efforts to resolve existing differences. The arms race should be halted, so that all efforts might be aimed at negotiating further arms control and disarmament agreements. General and complete disarmament under effective international control remained the ultimate objective of all disarmament efforts. Even limited disarmament measures, regardless of the nature of the weapons or their military purpose, were significant in their own right and were a step towards that final goal.
22. Notwithstanding its limited nature and its possible shortcomings, the Convention had made a useful contribution to arms control. It had served the collective interests of the States Parties, as well as the international community at large, by outlawing certain technical possibilities for modifying the environment for hostile purposes. The Convention's success was best illustrated by the fact that the clauses for consultation and co-operation concerning compliance with the Convention had never been invoked. Against such a background it seemed justifiable to say that the provisions of the Convention during the period under review had been fulfilled.

23. The fact that the Convention was a limited arms control measure, and as such could be perceived as having only limited value, had led to differing judgements about its usefulness. That situation was perhaps reflected in the rather small number of States Parties to the Convention. The divergence of views related mainly to article I, which defined the scope of the prohibition incorporated in the Convention. Admittedly, the "threshold" approach which, after long negotiations, had finally been adopted as the basis for the Convention, was not ideal. Nevertheless, his delegation considered it to be reasonably realistic. In theory, it might no doubt be possible to conduct military environmental modification activities which would not be prohibited under the Convention. So far as he was aware, however, no developments had occurred in the meanwhile to make the Convention any less viable as an arms control measure. Finland still took the view that, in practice, the Convention prevented modification of the environment for military or any other hostile purposes. It was none the less conceivable that future technological developments might affect the advisability of the threshold approach. The Review Conference thus afforded a welcome opportunity to examine whether technological developments were or had been of significance from the standpoint of the Convention, and particularly its scope.

24. The in-built flexibility of article II and of the understanding relating to it deserved to be emphasized. The list of examples of phenomena which could have environmental modification effects was not exhaustive and others which might have similar effects could be included in the article. It was the Conference's task to consider whether article II and the understanding relating to it were still in keeping with the needs of the Convention. Again, the implementation of the Convention had not stood in the way of any activities for peaceful purposes, and it would be of interest to the Conference to receive information on possibilities of environmental modification techniques being used for such purposes.

25. At the time of the Convention's adoption, the articles relating to compliance provisions and the Depositary had marked a new approach in multilateral disarmament agreements. Indeed, the Convention had been the first to outline detailed provisions for the role to be played by the Secretary-General of the United Nations and the United Nations as a whole. The Convention also included fact-finding provisions representing an innovative approach which, to some extent, had been used as a point of reference in later discussions. The system provided for in article V was not perhaps ideal, but it afforded an effective and credible framework for initiating and pursuing consultations in cases where a Party was suspected of having breached its obligations under the Convention. That fact, together with the record of nearly six years in which no Party had had recourse to the compliance procedure, indicated that article V was a viable means of ensuring future compliance with the Convention so far as investigation procedures were concerned.
26. Review conferences had become a permanent feature of international arms control and disarmament efforts and, as such, had already proved their value. As to article VIII of the Convention, he was of the opinion that a second Review Conference would be useful, but the timing could be left open for further consideration in accordance with paragraphs 1 and 2 of article VIII.

27. In terms of the number of States Parties, the Convention had so far gathered only rather limited support. The present Review Conference provided an opportunity to address that issue by considering how the Convention could be made more acceptable to a larger number of countries. Under paragraph 1 of article VIII, the Conference was mandated to examine the effectiveness of the provisions of paragraph 1 of article I in eliminating the dangers of military or any other hostile use of environmental modification techniques. A comprehensive consideration of that question was the Conference's most important task in evaluating the effectiveness of the Convention. If it was found that the Convention had lived up to the expectations at the time it had been adopted, then the Convention could be said to have accomplished its objectives. His delegation believed that such was indeed the case.

28. The best way of furthering the objectives of the Convention would be to create conditions that would make States which so far had chosen to stay outside the Convention to reconsider their position. A successful Review Conference would encourage new States to accede to the Convention and would induce signatory States to ratify it in the not too distant future.

29. Mr. ETZOLD (United States of America) said that the United States had from the start participated in the preparation of the draft text and the subsequent negotiations that had brought the Convention into being; naturally, it continued to have a strong interest in maintaining the Convention's effectiveness and increasing the number of its States Parties. As a result of the vision of a number of individuals and groups throughout the world, including the American Senator, Claiborne Pell, and the submission of identical drafts by the United States and the Soviet Union, the Convention had been opened to signature in May 1977 - a signal accomplishment in arms control. The Convention had effectively precluded abuse of developing technologies, had limited the scope of weapons which combatants might use, against one another, and had protected the world community against the environmental harm that might accompany such use.

30. His country had observed with satisfaction that no complaint had been lodged regarding breaches of the Convention's provisions, which it took as a welcome sign that the Convention operated effectively. When the Convention had been before the United States Senate for consent to ratification, officials had expressed the view that it would be an effective instrument for eliminating all significant hostile or military use of environmental modification techniques. Not all States had agreed with them initially: some had voiced concern that the "threshold" provision contained in article 1 would permit some environmental modification techniques to be used for military or hostile purposes, so long as their effects were not "widespread, long-lasting or severe". But because of the careful way in which article 1 had been phrased, any activities which fell beneath the threshold would offer no significant military advantage to a State attempting to exploit environmental modification techniques. The formulation had thus struck the correct balance - it outlawed all significant military or hostile uses of environmental modification techniques, yet did not seek to impose a prohibition that might erode the Convention's effectiveness by opening the door to frivolous complaints.
31. In diplomacy, excessive attention to processes could obscure objectives, but so far, the Convention’s objectives had been met. The provisions of article 1 had been effective, and fears that they might contain loopholes had proven groundless. His delegation therefore believed that changes in the scope of the prohibition contained in article 1 were unnecessary. Since one of the Review Conference’s specific obligations was to examine the effectiveness of article 1 in eliminating the dangers of military or any other hostile use of environmental modification techniques, he hoped that the issue would be discussed in full and the debate would reveal that States parties generally agreed with the United States concerning the effectiveness of that article.

32. As to the untested mechanisms for consultations and handling complaints arising under the Convention, his delegation believed that article V would be adequate for those purposes and saw no reason to alter it, especially since no complaints had been raised and no deficiencies found in its operation. The United States was, naturally, interested in hearing the views of other delegations on that subject.

33. It was sometimes easy to confuse change with progress by assuming that change must be for the better. In 60 A.D., Petronius Arbiter had written that any new situation tended to be handled by reorganization, which was a wonderful means of creating the illusion of progress. Like Petronius, the Review Conference should have the good sense to leave well enough alone in reviewing the over-all effectiveness of the Convention’s operation.

34. His delegation none the less saw some room for improvement with respect to increasing the number of States parties. Universal accession to it would provide an opportunity to accomplish the Convention’s most fundamental purpose: to end the threat of environmental warfare. His Government was sure that, through the collective actions of the international community, the world would be brought to understand and appreciate that goal. The Review Conference should indicate to States which were not yet parties that the Convention was believed to be worthwhile and effective. His Government was eager that such States should come to share that belief and encouraged to accede to the Convention. The Review Conference certainly had much to do and his delegation looked forward to sharing in that work and to the successful outcome of those endeavours.

35. Mr. ÊHAI (Japan) said that the Convention reflected the generally acknowledged need to take appropriate measures to prohibit the development and use of certain types of weapons. Such measures were part of arms control and disarmament activities and paralleled the negotiations on the prohibition of radiological weapons being held by the Conference on Disarmament.

36. The Convention did not prohibit the development of environmental modification techniques; rather, it emphasized that they must never be put to military or hostile use. Most of the techniques for artificially modifying the natural environment were still under study and were not ready to be put to practical use. Various beneficial effects could certainly be expected from them, provided that satisfactory long-term assessment of environmental modifications could be ensured. If, however, such techniques were employed for military or other hostile purposes,
the environment would be seriously imperilled. The Convention was clearly very important for that reason. His country had not only complied with the Convention but had also refrained from developing any environmental modification techniques that could be used for military or hostile purposes. It had no intention whatsoever of developing such techniques in the future. His delegation hoped that the practice of exchanging information and instituting international co-operation for the peaceful use of environmental modification would be established and pursued within the United Nations.

37. In view of the nature of the environmental modification techniques which had been under study when the Convention had been negotiated - techniques which were not precisely definable even today - it was inevitable that some of the expressions used in the Convention were fairly ambiguous. Amendments were unnecessary, however, at least at the present stage, and the Conference of the Committee on Disarmament's understanding was a very useful tool for interpreting the Convention.

38. It was gratifying to note that the terms of the Convention had never been breached and that it had remained effective throughout the six years it had been in force. At the same time, Japan hoped that the Review Conference would provide an opportunity for maintaining and strengthening the Convention's effectiveness, that all participating States would reconfirm their common position, thus facilitating the smooth adoption of the Final Document, and that many States which were not parties would recognize the importance of the Convention and accede to it as soon as possible.

39. Japan had participated constructively in the negotiation of the Convention and became a party to it precisely because it endorsed the goals expressed in the first and second paragraphs of the preamble. Regrettably, the current state of disarmament was such that it did not readily allow hopes for realization of those goals.

40. There was no doubt about the importance of preventive measures and of prohibiting the military or hostile use of techniques that were not yet fully developed, but it was unquestionably more urgent to pursue the need for proper control and reduction of existing weapons which could annihilate mankind many times over. Japan therefore called upon the United States and the Soviet Union, which possessed almost all of the existing nuclear arsenals as well as the majority of modern non-nuclear weapon systems, to recognize their special responsibilities to mankind and to take concrete, effective and verifiable disarmament measures. Japan particularly hoped that the United States-Soviet bilateral nuclear negotiations, which had long been suspended, would be resumed soon and that substantial progress would be made in them. It therefore urged the Soviet Union to return to the negotiating table at the earliest possible date.

The meeting rose at 12.05 p.m.
SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 11 September 1984, at 3 p.m.

President: Mr. KORHONEN (Finland)

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Review of the operation of the Convention as provided for in its article VIII

General debate (continued)

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GE.84-65371
The meeting was called to order at 3.15 p.m.

REVIEW OF THE OPERATION OF THE CONVENTION AS PROVIDED FOR IN ITS ARTICLE VIII (agenda item 11) (continued) (BMCD/CONF.1/1)

A. GENERAL DEBATE

1. Mr. VEJVA (Czechoslovakia) said that his country attached great importance to all negotiations aimed at curbing the arms race and eliminating the danger of the outbreak of nuclear war. Czechoslovakia and the other socialist countries had fully supported the initiative taken by the Union of Soviet Socialist Republics for the conclusion of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. The question of the protection and preservation of the environment was one of the most important problems of the time, both at the national and international levels.

2. The destruction of crops and forests in enemy territory had been an act of aggression for millenia and, in the early 1970s, environmental modification for hostile purposes had become a reality. Studies on experiments conducted in that area made it clear that irreversible environmental damage had been caused and that such acts of destruction had serious long-term consequences for human population.

3. The Convention was thus an important international instrument whose effectiveness had been demonstrated by the fact that no breach of its provisions had been reported in the six years since it had entered into force. The principal result of the Review Conference should therefore be the confirmation of the Convention's validity.

4. The Conference should also ensure that the Convention's provisions were being respected, particularly those of article V, which provided that the States Parties undertook to co-operate in solving any problems which might arise in relation to the objectives of, or in the application of the provisions of, the Convention. The fact was that there had been no need to resort to the verification system and that indicated that the provisions adopted in that connection were adequate.

5. Czechoslovakia also attached great importance to the provisions of article III on the use of environmental modification techniques for peaceful purposes and was taking part in international co-operation for the preservation, improvement and peaceful utilization of the environment. It had adopted many scientific and technical measures which were, for example, designed to restructure the utilization of energy resources, build nuclear power stations and heating plants and prevent air pollution and which had already yielded positive results. A large construction project for a desulphurization plant had been launched in co-operation with the Soviet Union and programmes for scientific co-operation with a number of western European countries were being drawn up.

6. Since the importance of the Convention would continue to increase in proportion to new scientific and technological developments, it was regrettable that only 45 States had acceded to it. All countries which were not yet parties to the Convention should, in their national interest, seriously consider the possibility of becoming parties to it. The international community could then be sure that environmental modification techniques would never be used for hostile purposes.
7. Mr. MIDDLETON (United Kingdom) said the fact that his country had been one of the first to sign and ratify the Convention showed how much importance it attached to that instrument. Although developments in agriculture, industry and transport were of great benefit, they could cause serious environmental pollution and, for that reason, the Convention was as relevant as ever.

8. The effects of peaceful activities on the environment were often insidious, whereas military activities could have more immediate catastrophic effects. Increasing attention was now being paid to the unprecedented dangers to man and his environment which were posed by nuclear war and highlighted the need for all States to act fully in accordance with the commitments they had undertaken under the Charter of the United Nations relating to the maintenance of international peace and security. The United Kingdom and the NATO member States were fully aware of those dangers and had pledged never to use their weapons except in response to attack and to work to achieve disarmament.

9. As its preamble clearly indicated, the Convention was set in the context of general and complete disarmament and was designed specifically to prohibit any deliberate manipulation of natural processes for military purposes. The Conference, whose task was to ensure that the Convention's provisions were being implemented, could note with satisfaction that, in seven years, no violations of its provisions had been reported and that the States Parties had never had recourse to the comprehensive and rigorous consultative procedures which it established.

10. The report by the Stockholm International Peace Research Institute on the Seminar on Environmental Warfare, which had been held in Geneva in April 1984, indicated that, since 1977, there had been no major technological changes that would make it possible to use the environment for military purposes. A number of techniques involving the use of nuclear weapons could be envisaged and any such use of nuclear weapons would have extremely dangerous consequences, but such techniques were still more in the realm of theory than of practice. That did not, however, make the Convention any less valuable and potential dangers in that crucial field must not be underestimated.

11. The Conference could also consider any amendment to the Convention which the States Parties might submit. The United Kingdom had no amendments to suggest and no other State Party appeared to have proposed any amendments. His delegation was, however, prepared to study with care any proposals designed to strengthen the Convention.

12. The relatively low number of States Parties might be explained by the fact that some States considered that the techniques described in the Convention lay far beyond their capabilities and that their membership was, consequently, of little importance. All States could, however, benefit from the prohibitions laid down in the Convention and an increase in the number of States Parties would strengthen the commitment of States to disarmament. His delegation therefore hoped that States which were not yet parties to the Convention would reconsider their position. In that connection, it was particularly pleased that Sweden, Australia and New Zealand had recently acceded to the Convention.

13. His delegation would play its full part in the consideration of the Convention's provisions and hoped that the Conference would adopt by consensus a declaration reaffirming the value of the Convention and encouraging more States to become parties to it.
14. Mr. GREKOV (Byelcrussian Soviet Socialist Republic), noting that his country had signed the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques on the day it had been opened for signature and had subsequently ratified it, said that the Convention offered an effective solution to the problem with which it dealt. It specifically prohibited the use of techniques "having widespread, long-lasting or severe effects as the means of destruction, damage or injury" to States Parties because it was precisely those effects that should be most feared. Its effectiveness had been proved by the fact that there had been no question of any breach of its provisions in the six years since it had entered into force. The verification system established in the Convention guaranteed its reliability. The Convention also left ample room for economic and scientific co-operation in the use of the environment for peaceful purposes and, as a State Party to international instruments such as the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and the Convention on Long-Range Transboundary Air Pollution, his country fully supported such co-operation. It was playing an active role in the work being carried out by a number of international organizations in that area, including the UNESCO programme on "Man and the Biosphere". In May 1983, the city of Minsk had hosted the first International Congress on Biosphere Reserves.

15. At a time of unprecedented escalation of the arms race, particularly nuclear arms whose use would have far-reaching ecological and genetic consequences and would destroy the very foundations of human life, the Convention continued to be as relevant as ever. The problem was, moreover, not confined to nuclear weapons, since new types of weapons were being developed and they were capable of causing ecological imbalance and were just as destructive. In such circumstances, it was essential not only to preserve international instruments such as the Convention, but also to adopt without delay new measures aimed at the limitation of all types of weapons and at disarmament. The States of the Socialist group had proposed effective and realistic measures; the matter was now in the hands of the Western side.

16. The Convention constituted a genuine step towards the limitation of the arms race; it contributed to the strengthening of international peace and security and had become a vital factor in the preservation of the human environment. The current Conference of States Parties should confirm the effectiveness of that agreement, which had given practical proof of its viability and required no amendment. The circle of States Parties to the Convention still had to be widened and the Conference should make an appeal to that effect in its final document.

17. Mr. MELESCANU (Romania) said that the Conference was meeting at a time of crisis and tension which endangered peace throughout the world. The arms race, particularly the growing nuclear arms race, and the existence of two opposing military blocs in Europe served only to increase the risk of a world war, which would, in present circumstances, inevitably become a nuclear war. For that reason, the President of the Socialist Republic of Romania, Mr. Ceaucescu, had recently declared that "the number-one problem of our time is to halt the arms race, to initiate disarmament, particularly nuclear disarmament, and to safeguard the supreme right of peoples to existence, life, liberty, independence and peace".

18. On the basis of that position of principle, Romania had stated that it was in favour of the prohibition and elimination of all weapons and means of mass destruction, including the use of environmental modification techniques for military purposes. Under current circumstances, the greatest threat to the
environment and to the very existence of human civilization was posed by nuclear weapons and by the substantial increase in the danger of nuclear war. The only way to prevent such a war and the disastrous effects it would have on the environment and life in general was to work for the immediate adoption of measures to halt and reverse the nuclear arms race in order to ban nuclear weapons entirely and make them illegal.

19. Romania had often emphasized at the highest levels that everything possible must be done to halt the deployment of United States medium-range missiles in Europe; such deployment had been the reason for the counter-measures announced by the Soviet Union. It had stated that it was in favour of the resumption of negotiations between the Soviet Union and the United States of America on an agreement to eliminate medium-range missiles and, subsequently, all nuclear weapons on the European continent. Romania considered that there was no justification for the deployment of new nuclear weapons. It was more essential than ever to convene a conference in which all nuclear-weapon States would take part with a view to halting the production of new nuclear weapons and gradually limiting and finally eliminating nuclear weapons altogether.

20. Current international difficulties called for increased efforts by all States in all bodies that dealt with disarmament issues. Like other conferences whose task was to review disarmament agreements, the current one had to work in the context of such efforts and make a genuine contribution to the reduction and elimination of nuclear weapons and other weapons of mass destruction. His delegation therefore considered that the aim of the Conference's work was to conduct a thorough review of the operation of the Convention during its six years of existence with a view to the adoption of measures to guarantee the implementation of all its provisions.

21. The review being carried out should lead to the adoption of decisions designed to widen the scope of the Convention, which should prohibit the use of environmental modification techniques for military or other hostile purposes, and not merely the States Parties to the Convention; to strengthen the obligations provided for in article I of the Convention in order to prohibit the use of any environmental modification techniques for military or other hostile purposes, and not only techniques having "widespread, long-lasting or severe" effects; to prohibit research and development activities on environmental modification techniques for military or other hostile purposes; and to establish a system which would, as a first step, facilitate the full exchange of information between States Parties concerning the use of environmental modification techniques for peaceful purposes, in accordance with the provisions of article 33, paragraph 2. His delegation was convinced that the adoption of such measures would arouse the interest of other countries in the Convention and lead to a considerable increase in the number of States Parties.

22. Mr. FERRARI BRAVO (Italy), noting that his country had taken an active part in the negotiation of the Convention in the Conference of the Committee on Disarmament (CCD), said that, although the final text of the Convention was not perfect, it was satisfactory. Italy hoped that the number of accessions and ratifications would increase in the near future and that the countries which had expressed doubts about the effectiveness of the Convention at the time of its negotiation would become States Parties and thus ensure that it was properly implemented.
23. His delegation was well aware of the relationship between the Convention and other aspects of the problems involved in the achievement of disarmament under strict and effective international control; that relationship was, moreover, mentioned in the preamble to the Convention. That did not, however, mean that the Review Conference should deal with matters now being considered by the Committee on Disarmament and other bodies or that the Conference should become a platform for political declarations on broader and more complex disarmament issues. The Conference's work should be confined to matters relating to the Convention itself, if only because many of the participants in the disarmament negotiations were not present at the Conference.

24. His Government saw no need to amend the Convention. When the Convention was being negotiated, Italy had expressed concern about the relatively high threshold of application indicated in article I and about the relative ambiguity of the terms "widespread, long-lasting or serious effects" in paragraph 1 of that article. That concern had been alleviated by the understanding reached in the Conference of the Committee on Disarmament on the interpretation of those terms and that interpretation had virtually become an integral part of the Convention (ENMOD/CONF.I/2, para. 36).

25. The same comments applied to article III, on which an understanding had also been reached in the CCD. Italy was fully aware of the dangers to other countries that might be caused by the careless use of environmental modification techniques, even if they were intended only for peaceful purposes. It took article III to mean that the Convention did not embody legal rules on the use of environmental modification techniques for peaceful purposes inasmuch as such use was governed by other rules of customary and conventional international law. The trend was now towards the codification of international law in that field.

26. With regard to article V of the Convention, his delegation noted that no complaints had so far been lodged with regard to the implementation of the Convention by the States Parties. That was definitely a good sign, but the fact that the verification system had not yet been tested made it impossible to reach any positive or negative conclusions about its effectiveness. At least for the time being, no amendments were necessary. It should, however, be stressed that that system, which might be suited to the needs of the Convention, should not necessarily be regarded as a model for other disarmament conventions, such as the one currently under negotiation in the Committee on Disarmament, since the different types of weapons to be prohibited would require different verification systems suited to the nature, quality and quantity of possible violations of the conventions in question.

The meeting rose at 4.05 p.m.
SUMMARY RECORD OF THE 5TH MEETING

 Held at the Palais des Nations, Geneva, on Wednesday, 12 September 1984, at 10.30 a.m.

 President: Mr. KORHONEN (Finland)

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 General debate (continued)

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 GE.84-65376
The meeting was called to order at 10.45 a.m.

GENERAL DEBATE (agenda item 11 (a)) (continued)

1. Mr. ROSE (German Democratic Republic) said that he agreed with those speakers who had already pointed out that the Convention had been implemented successfully. The Convention reliably barred the way to any possible hostile use of environmental modification techniques. It was an important factor in efforts to maintain international security and to preserve the human environment, and formed part and parcel of the system of arms limitation and disarmament agreements.

2. Ten years earlier, when the USSR had taken the initiative of suggesting the conclusion of an international convention to outlaw action to influence the environment for military purposes, there had been a real danger that means of modifying the environment might be used for military ends. Thanks to the farsightedness reflected in the Soviet proposal, that development had been brought to a halt. Together with many other States, the German Democratic Republic had lent its support to the initiative from the outset. As a member of the Conference of the Committee on Disarmament, it had been instrumental in drawing up the Convention and had been among the first to sign it in 1977, since which time no further agreement had been worked out by the multilateral negotiating forum on disarmament.

3. In the light of the history of the Convention, three conclusions seemed inescapable. First, it was possible and, indeed, imperative for measures to be taken to prevent the spread of the arms race to new areas. The path embarked upon by the adoption of the ENMOD Convention had to be pursued - for instance, by prohibiting the development and production of new weapons of mass destruction, including the neutron weapon, and by precluding the militarization of outer space. Second, the Convention testified to the fact that arms limitation and disarmament measures were conducive to détente, which, in turn, set the stage for successful negotiations. What was more, the Convention demonstrated that negotiations could yield results if, as had been the case with a number of arms limitation steps in the 1970s, all parties were guided by the principle of equality and equal security and took account of each other's justified security interests. Third, the Convention rested on the understanding that all efforts to preserve man's natural environment would come to fruition only if peace could be maintained. Any effective environmental policy which met the needs of mankind required peaceful co-operation among States.

4. Those conclusions were particularly relevant today. In speaking of the ENMOD Convention it was certainly correct to emphasize that nuclear weapons posed the most serious and acute threat to man and his environment. The danger of nuclear war had increased further as a result of the confrontation and arms drive policies pursued by imperialist circles; it was essential, therefore, to do everything to prevent a nuclear inferno and to safeguard peace. That was one of the basic principles by which his country had been guided in the conduct of its foreign policy in the 35 years of its existence. As Mr. Honecker, Chairman of the Council of State of the German Democratic Republic had recently stated on the occasion of World Peace Day, the German Democratic Republic regarded as an important objective the continuation and broadening of the political dialogue among all those who cherished peace and worked together with all those who realized that there was no reasonable alternative to peaceful co-existence among countries with different social systems.
5. Elimination of the danger caused by the deployment of new United States first-strike weapons in Western Europe was a matter of particular urgency. The stationing of those weapons had to be stopped, and the ones already in place had to be removed. That would enable the socialist countries to engage in the negotiations of which the representative of Japan had spoken at the third meeting of the Conference. All avenues had to be explored in order to save mankind from a nuclear catastrophe. For that reason, in international disarmament bodies his country advocated urgent steps to prevent a nuclear war, to halt the arms race and to achieve nuclear disarmament. The proposals made by the States Parties to the Warsaw Treaty, recently reiterated in a declaration issued at the Moscow summit of member States of the Council for Mutual Economic Assistance, constituted a realistic programme and testified to the goodwill of the countries concerned. Measures calling for priority were renunciation by all nuclear-weapon States of the first use of nuclear weapons, cessation of nuclear-weapon tests, a freeze on nuclear arsenals and prevention of the militarization of outer space.

6. Together with the overwhelming majority of members of the Conference on Disarmament, in 1984 the German Democratic Republic had again spoken in favour of starting pertinent multilateral negotiations, an attitude that was in keeping with the preamble to the ENMOD Convention, in which the States Parties committed themselves to continuing negotiations with a view to achieving effective progress towards further measures in the field of disarmament. Unfortunately, it had not proved possible to make effective headway at the 1984 session of the Conference on Disarmament, whose report to the General Assembly reflected the situation and also made clear where the fault lay.

7. Because of the rapid advances in science and technology, man was now in a position to modify the environment in unpredictable ways. There was a real danger that scientific and technological findings in the area of environmental research might be employed to the detriment of human society. The Convention effectively barred such abuse and, moreover, furthered international co-operation in the conservation, improvement and peaceful uses of the environment. His country had always paid great attention to the environment. As far back as in 1970, it had passed a Law on the Systematic Implementation of Socialist Environmental Policies, thus providing a broad legal basis for nature conservancy subsequently reinforced by further legislation. The German Democratic Republic actively participated in international environmental protection efforts and was a party to numerous agreements, such as the Convention on the Protection of the Marine Environment of the Baltic Sea Area and the Convention on Long-Range Transboundary Air Pollution. Moreover, in co-operation with UNEP and UNESCO, it had for several years been conducting environmental management courses for specialists from developing nations.

8. His delegation expected the Conference to contribute to the strengthening of the Convention. The final document should stress the useful role played by the Convention and call for the conclusion of further arms limitation and disarmament agreements, as envisaged in the preamble. It should also draw attention to the fact that the Convention had demonstrated its viability and had served its purpose. Similarly, the document should note that all States Parties had complied with the Convention's stipulations, that there had been no complaints whatsoever about acts contrary to the Convention's terms and, consequently, no need to set in motion the procedure provided for in article V, something which bore out his delegation's view that the verification provisions should be retained in their present form. Furthermore,
it should be underlined that 45 States were parties to the Convention and, in that connection, an appeal should be made to other countries to accede to the Convention as early as possible.

9. In conclusion, he reaffirmed his delegation's readiness to help to make the Conference a success, so that the Convention might be rendered even more effective.

10. Mr. LUNDBO (Norway) said that the Convention was a valuable, if limited, measure of arms control. As affirmed in the preamble, the Convention had been concluded in the context of a wish to contribute to the cause of halting the arms race and of bringing about general and complete disarmament under strict and effective international control, as well as in recognition of the fact that scientific and technical advances might open new possibilities with respect to modification of the environment. The Convention thus had a direct bearing on the vital question of preserving the environment, a most important challenge facing the international community in the years ahead. Obviously, military or any other hostile use of environmental modification techniques, as stated in the preamble, could have effects extremely harmful to human welfare.

11. In view of the time that had elapsed since the Convention's entry into force and of developments in the meanwhile, his Government welcomed the opportunity to review the Convention's operation so as to ensure that its purposes and provisions were being realized. Norway had co-sponsored the draft resolution at the thirty-seventh session of the General Assembly, adopted as resolution 37/99 I on 13 December 1982, which called for the present Review Conference. In general, the Norwegian Government was satisfied with the operation of the Convention and considered that, within its scope, it served as a useful arms control instrument. The Conference should therefore confirm the Convention's continuing importance and express firm strong support for it, thus helping to enhance the Convention's status within the international community.

12. An essential fact was that the Convention did not prohibit the use of environmental modification techniques for peaceful purposes and that, under article III, paragraph 2, the States Parties had the right to participate in the fullest possible exchange of scientific and technological information with regard to peaceful uses of such techniques. Nevertheless, it could not be denied that the Convention was rather limited in scope, since it prohibited only certain types of military or any other hostile use of such techniques. It concerned those techniques which had widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State Party, but not to all States. Comments on the scope of the prohibition should therefore be examined thoroughly at the Conference in accordance with the explicit mandate set out in paragraph 1 of article VIII.

13. The Conference should also examine the complex verification and complaints procedures provided for in article V, which assigned a vital role to the Security Council, and should give careful consideration to any comments made in connection with the article. His delegation, for its part, wished to point out that the provisions had stood the test of time and had not, so far, complicated effective implementation of the Convention.