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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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

Submitted by the Secretary-General of the United Nations as Depositary of the Convention

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I. INTRODUCTION

1. In paragraph 16 of its Final Report, the Preparatory Committee for the First Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques requested the Secretary-General of the United Nations, as Depositary of the Convention, to submit a document containing a compilation of such official communications regarding the implementation of the objectives and provisions of the Convention as he might have received.

2. Pursuant to the above request, the Secretary-General submits herewith communications received from the Governments of Cuba, Hungary, Poland, Sweden and the Union of Soviet Socialist Republics.

II. COMMUNICATIONS RECEIVED FROM THE STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES

CUBA

[Original: Spanish]
[18 July 1984]

The Government of the Republic of Cuba has no comments to make on this matter.

HUNGARY

[Original: English]
[21 August 1984]

The Government of the Hungarian People's Republic, starting from the basic principles of the peaceful foreign policy of its country, holds that the most urgent task of the international politics is to stop arms race and to achieve tangible results in the field of disarmament. It supports all efforts even partial steps taken to this end.

On the basis of such considerations did the Hungarian Government welcome and sign the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques in 1977, which is considered as a politically significant disarmament partial step, and which has modestly but effectively contributed to the limitation of arms race. The timely task of our age is to prevent the change of human environment for military purposes, or influence it in a way incompatible with international security, peaceful development of countries and with the well-being and health of people.

Invariably, the Hungarian Government considers more timely and urgent than ever before the implementation of the political objectives formulated in the preamble of the Convention, such as the curbing of arms race, freeing of mankind from the danger of the use of new war instruments, the strengthening of confidence among nations and the improvement of international situation.

In the view of the Government of the Hungarian People's Republic the Convention plays a useful role in the series of international agreements on disarmament, its provisions are duly implemented and its objectives continue to be timely. In addition to the prohibitive provisions of the Convention, the Hungarian Government
attaches great importance to those provisions according to which the State parties promote the exchange of scientific and technological information on the use of environmental modification techniques for peaceful purposes and contribute to the international economic and scientific co-operation for the preservation, improvement and peaceful utilization of human environment.

In the spirit of the above the delegation of the Hungarian People's Republic attending the first Review Conference of the Convention will seek to make the Conference a successful one, which promotes the improvement of international atmosphere and the strengthening of confidence among peoples. It will take an active part in elaborating such a substantive final document, which will reaffirm the commitments of State parties towards the implementation of principles, objectives and provisions of the Convention and which will encourage wider adherence to the Convention.

POLAND

[Original: English]
[17 August 1984]

The Government of the Polish People's Republic considers the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques to be an important multilateral agreement in the area of arms limitation and disarmament which prevents the technological arms race and ensures the utilization of scientific advances in many spheres for peaceful purposes in the interest of health and welfare of man. Poland had actively participated in the negotiating process of the Convention, making a constructive contribution towards its final elaboration, signed the Convention on 18 May 1977 and ratified it on 8 June 1978. It also intends to be active in the work of the forthcoming Review Conference with a view to the strengthening and universalization of the Convention.

Poland notes with satisfaction that over the last three years a number of States have acceded to the Convention. We also welcome the interest that certain signatories have demonstrated in participating in the work of the Review Conference. The Polish Government hopes that the growing interest in the Convention will continue and will be further encouraged by the positive results of the Review Conference, thus contributing to enhancing the universalization of this important instrument.

In Poland's view, it is a noteworthy fact, one that the Review Conference will certainly recognize, is that since the entry into force of this Convention on 5 October 1978, the States parties strictly observed its provisions, giving no reason to invoke the procedure provided for in article V of the Convention.

At the same time the Polish Government cannot but express its concern over the tense international situation and the state of disarmament negotiations including the lack of progress in the work of the Conference on Disarmament. The arms race being forced now by the United States of America is increasing the danger of a nuclear conflict and threatens to undermine the durability of existing disarmament agreements including the ENMOD Convention.

The condition of reopening a meaningful arms limitation and disarmament dialogue is to forswear the policy of confrontation and aspiration for military supremacy, respect for the principles of equality and mutual security interest. Poland, on her part is ready to continue efforts with a view for returning to a
"On 27 April 1984, Sweden deposited the instrument of accession to the ENMOD Convention with the Secretary-General of the United Nations. Sweden is thus committed to the obligations deriving from the provisions of the Convention.

Sweden took an active part in the elaboration of the Convention. The final result, however, was in our view not satisfactory in all respects. Certain parts of it were not in harmony with what we understood to be its over-all objectives.

The Convention implies only a partial prohibition of hostile environmental modification. To make Article I applicable, the modification would have to have "wide-spread longlasting or severe affects". This means, as we see it, that there is a risk that hostile environmental modification on a smaller scale than defined in accordance with this article, could be considered to be permissible.

Our other main concern relates to the procedure of verification and complaint. Article V does not give any competence in this respect to a body representing the States parties, but to the Security Council of which the members are not necessarily States parties to the Convention. The implications of the veto of the permanent members of the Security Council in these matters are another reason why Sweden still considers the present procedure of verification and complaint as unsatisfactory.

In the final analysis, however, we look upon this Convention as a valuable step forward in the ongoing process of negotiating arms control and disarmament agreements. We find its field of application to be of vital interest. A discussion of the shortcomings of the Convention is in our view important. So would be an exchange of views on the technical and scientific development related to hostile environmental modification. The Review Conference offers an opportunity in these respects."

UNION OF SOVIET SOCIALIST REPUBLICS

Since the prevention of war and the curbing of the arms race are for it matters of principle, the Soviet Union favours both the adoption of effective measures to reduce and eliminate existing types of weapon and the prevention of the emergence of new arms and the extension of the arms race to new spheres. That is why it was, in 1974, an initiator of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. The USSR was among the first signatories of that Convention, because it viewed its conclusion as an important measure aimed at precluding the possibility of military or any other hostile use of environmental modification techniques as a means of inflicting destruction, damage or injury upon any other State party, an objective making of the Convention a further concrete step forward towards the limitation of the arms race, a contribution towards the strengthening of peace and international security and a vital factor in the preservation of the environment.
The USSR considers the Convention to be a sound international instrument that ensures the fulfilment of its own objectives. This is due, inter alia, to the efficient system of control for which provision is made in the Convention. In the more than five years since it came into force, the Convention has proved its effectiveness; this is borne out by the fact that the question of the violation of the Convention has not arisen so much as once during all that time. The USSR believes, therefore, that the Review Conference to be held in September of this year will be bound to confirm the effectiveness of this important international agreement, which has given practical proof of its viability and requires no amendment whatsoever.

For its part, the Soviet Union complies strictly with all the provisions of the Convention, adhering absolutely to it in letter and in spirit.

The USSR attaches great importance to those provisions of the preamble to the Convention which emphasize that the States parties are guided by the interest of consolidating peace and wish to contribute to the cause of halting the arms race, 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 that they are determined to continue negotiations with a view to achieving effective progress towards further measures in the field of disarmament.

The Soviet Union strives to give effect to those provisions in its foreign policy by waging a tireless struggle to prevent nuclear war, which would have catastrophic ecological consequences, and to restrict and eliminate various types of weapon and military activity. Evidence of this struggle is to be found in such Soviet actions as the renunciation of the first use of nuclear weapons, the submission to the United Nations and other international forums of concrete proposals for the freezing of nuclear weapons, the prohibition of nuclear-weapon testing, the reduction and subsequent elimination of various weapons, particularly nuclear weapons, and measures to promote military détente and strengthen international confidence. Implementation of the Soviet proposals would unquestionably remove the risk of nuclear war, consolidate international peace and security and, at the same time, guarantee the preservation of the environment.

The USSR is also guided by the provision in the preamble to the Convention to the effect that the use of environmental modification techniques for peaceful purposes could improve the interrelationship of man and nature and contribute to the preservation and improvement of the environment for the benefit of present and future generations.

It is especially provided in the Constitution of the USSR (article 18) that "In the interests of present and future generations, the necessary steps shall be taken in the USSR to protect and make scientific, rational use of the land, its mineral and water resources and the plant and animal kingdoms, to preserve the purity of air and water, to ensure the reproduction of the riches of nature and to improve the human environment". Article 67 of the Constitution, which defines the obligations of Soviet citizens, states that "Citizens of the USSR are obliged to protect nature and conserve its riches".

Both chambers of the USSR Supreme Soviet have established standing environmental commissions responsible for the general monitoring of the implementation of existing State laws and ordinances and for the drafting of new legislation.
The USSR State Committee on Hydrometeorology and Environmental Monitoring was established in 1979. Its duties include: inter-branch management in the spheres of environmental monitoring and of the observations and information-gathering and -processing activities necessary for such monitoring; and the organization of work of that kind, including work on the artificial modification of hydrometeorological processes.

In 1981, the USSR Council of Ministers established a permanent Commission on Nature Conservation and the Rational Use of Natural Resources which is headed by a Vice-Chairman of the Council. Its duties include monitoring of the implementation of decisions of the USSR Government and review of major problems and projects and of the application of legislation by and co-operation among ministries, departments, Councils of Ministers of Union Republics and voluntary organizations.

In 1980, a law for the protection of the atmosphere was enacted in the USSR. It sets out specific measures for preventing and reducing damage to the atmosphere and the penalties for breach of the law. To ensure compliance with this instrument, a State Inspectorate has been set up under the auspices of the State Committee on Hydrometeorology and Environmental Monitoring.

The Soviet Union is actively engaged in efforts to implement the provisions of article III of the Convention concerning the development of international co-operation in the use of environmental modification techniques for peaceful purposes. It is making a substantial contribution to the 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.

The USSR is a party to 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. It plays an active part in the work of numerous international organizations, including UNESCO, the Economic Commission for Europe and WMO.

It co-operates extensively and fruitfully in the sphere of hydrometeorology and environmental conservation with countries members of the Council for Mutual Economic Assistance and with such other States as France, Sweden, the United States of America, Denmark and Finland.

The USSR provides for international research programmes and projects on the artificial modification of hydrometeorological processes both scientific and technical information and technical equipment, other supplies and technology. This has been the case, for example, with the project on the artificial augmentation of precipitation in an arid area of Spain (the Duero River basin) which began in 1979.

The Soviet Union's scientific and technical co-operation with other countries and with international organizations covers a wide range of issues within the field of hydrometeorology, including the artificial modification of hydrometeorological processes and the monitoring of environmental pollution. It is pursued through such major, multilateral programmes as the UNESCO programme on "Man and the Biosphere", the World Climate Programme and the study of the ozone layer (WMO and UNEP), the project to increase precipitation in Spain (WMO), upper-atmosphere research programmes employing rockets and spacecraft including the Salyut station (INTERKOSMOS), and numerous others.
In the course of such co-operation, there is extensive exchange of scientific and technical information. In the past 10 years, the USSR has participated in over 400 international conferences, symposia, exhibitions, seminars and expert meetings. The results of such joint work have been published in over 100 joint reports, monographs and collections of proceedings.

The many other measures undertaken in the USSR or with its participation in the spheres of environmental conservation, environmental observation and monitoring and the study of natural resources relate to the improvement of the interrelationship of man and nature and are fully consonant with the aims and provisions of the Convention.

The USSR is also an active party to international agreements of direct relevance to the protection of the environment against the harmful effects of the arms race and of armed conflict, objectives which are among those of the Convention.

For example, the 1965 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water, which was drawn up and concluded on the proposal of the Soviet Union, constitutes an appreciable contribution to the prevention of radiation pollution of the environment. The USSR played an active part in the elaboration of the 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and of the associated Protocols. Certain provisions of one of those Protocols are designed to protect the environment. The passage in question reads "It is prohibited to make forests or other kinds of plant cover the object of attack by incendiary weapons except when such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives". The USSR is a party to that Convention.

In 1980, the United Nations General Assembly proclaimed in a special resolution and at the suggestion of the USSR the historical responsibility of States for the preservation of nature for present and future generations. Attention is drawn in that resolution to the harm which the arms race, including the testing of various types of weapon, causes to the environment. That resolution has helped to make the protection of the environment against the effects of the arms race one of the concerns of UNEP and a number of other specialized agencies of the United Nations.

The USSR was among the States that supported the World Charter for Nature that was approved by the General Assembly in 1981.

Because it attaches great importance to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, the Soviet Union believes that that instrument should be further strengthened, first and foremost by the widening of the circle of States parties to it. The achievement for the Convention of the greatest possible degree of universality is a matter of urgency.