SUMMARY RECORD OF THE 8TH MEETING

Held at the Palais des Nations, Geneva, on Thursday, 20 September 1984, at noon.

President: Mr. KORHONEN (Finland)

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The meeting was called to order at 12.15 p.m.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 6) (continued)

(b) REPORT OF THE CREDENTIALS COMMITTEE (ENMOD/CONF.1/9)

1. Mr. DEPASSE (Belgium), introducing the report and drawing attention to paragraphs 6 and 7, said that the Credentials Committee had accepted the credentials of the representatives of all the participating States on the understanding that those States that had not yet submitted formal credentials for their representatives would communicate them to the Secretary-General of the Conference as soon as possible. The report had been adopted unanimously.

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

3. It was so decided.

REPORT OF THE DRAFTING COMMITTEE (agenda item 13) (ENMOD/CONF.1/11)

4. Mr. TURBANSKI (Poland), introducing the report, said that the Drafting Committee had worked intensively to elaborate the draft Final Document, which was contained in the annex to its report. It had given careful consideration to a number of proposals and its deliberations had been marked by a willingness to reach mutually acceptable solutions which had resulted in the Document's adoption by consensus. The Document had three parts: I. Organization and Work of the Conference; II. Final Declaration; and III. Summary Records of Plenary Meetings of the Review Conference.

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

6. It was so decided.

PREPARATION AND ADOPTION OF FINAL DOCUMENT (agenda item 14) (ENMOD/CONF.1/11, annex)

7. The PRESIDENT drew attention to the procedure for correction of the summary records which were to be included in section III of the Final Document and reminded delegations that the draft Final Declaration contained in section II was the product of painstaking negotiations and compromise.

8. If he heard no objection, he would take it that the Conference wished to adopt the Final Document.

9. It was so decided.

10. Mr. de QUEIROZ DUARTE (Brazil) said that Brazil had completed the legislative process of ratifying the Convention and was taking the final steps to ensure that the instrument of ratification would be deposited shortly with the Secretary-General of the United Nations.

11. Mr. EKEUS (Sweden) remarked that, although his delegation was disappointed with the final results of the Conference, it had not blocked a consensus decision.
Consensus meant compromise on all sides, however, and that had not been entirely the case at the Conference; some delegations had chosen to defend the status quo rather than to focus on the Convention's evident shortcomings. Sweden shared the concern expressed by many delegations over the limited number of States parties to the Convention but believed that to attract new members, the regime set up by the instrument should be improved. The right to assess facts regarding alleged violations of the Convention should rest with the parties to the Convention themselves and the Security Council should serve only as a last resort. Internationally adopted and accepted rules on warfare applied universally, and the Convention should therefore be respected by all States, not just by States parties. Its scope should be broadened, and preferably made comprehensive. The existing threshold was much too high and could permit extensive use of environmental modification techniques for military or other hostile purposes.

12. His delegation shared the Netherlands view that States parties should declare unilaterally that the Convention was valid not only in relation to other States parties but also to all States which acted in conformity with article 1 and it regretted that there had been little interest in discussing that question. On the other hand, some of the discussion had been useful, and the Final Declaration contained the seeds of ideas which could bear fruit in the future. All in all, the Conference might serve as a starting point for a continued review of the Convention to make it more effective.

13. Mr. LINEHAM (New Zealand) said that his delegation had noted with satisfaction that the Conference had reaffirmed the Convention's importance and had been a success. The drafting of the Final Document had required a true spirit of constructive compromise, for many differences of opinion had emerged during that process. His delegation shared the view that the Convention's provisions on scope, verification and compliance were inadequate and was therefore pleased that those concerns had been recognized in the sections of the Final Declaration referring to articles 1 and 5. New Zealand looked forward to further discussion of article I, paragraph 1, and particularly to the analysis of the threshold provision: many small South Pacific island States would have reservations about an "understanding" concerning the geographical scope of that provision, which excluded them from protection under that section of the Convention. He was gratified that the Final Declaration acknowledged the value of the consultation and co-operation provisions in article 5, and that the Conference had not ruled out the possibility of consideration by States parties of summaries of findings of fact made by the Consultative Committee of Experts.

14. Mr. ROWE (Australia) said that the achievement of the goal of ensuring that the Convention reaffirmed and strengthened the Convention was clearly reflected in the Final Declaration, which his delegation supported fully. The exchange of views at the Conference had demonstrated that the Convention was working effectively, contributing to peace and security and serving the best interests of all countries. The review process had also rightly enabled States parties to suggest areas where improvements might be made in the Convention. In that connection, Australia, which attached high importance to strong and effective verification and compliance procedures for disarmament and arms control agreements, believed that the Swedish proposal would help to strengthen the relevant aspect of the Convention and should be given further consideration.
15. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that the adoption by consensus of the Final Declaration reflected the fact that it was in the common interest to prevent the use of environmental modification techniques for military or other hostile purposes. All delegations had agreed that the Convention had demonstrated its effectiveness and that the parties to it had conscientiously fulfilled the obligations which they had undertaken six years before.

16. No changes had been made in any article of or procedure established by the Convention, and the proposals which had been made on article V had not been adopted. The Soviet delegation understood the last sentence of article V, paragraph 1, of the Final Declaration of the Conference, which read: "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", as referring to the procedure established under article V of the Convention for the distribution by the Depositary to all States parties of the summary of the findings of fact of the Consultative Committee of Experts. That interpretation should be expressed either in the Final Document or in the report on the Conference.

17. The Union of Soviet Socialist Republics and other States parties had done a great deal of work for the implementation of the Convention, but much more remained to be done if the Convention were to become a truly universal instrument of international co-operation. If the Conference's appeal for wider accession to the Convention were not to go unheeded, all present States parties must take practical steps to ensure its success. Progress towards that goal would, of course, be facilitated by an improvement in the general international climate, in which respect much depended on the outcome of the thirty-ninth session of the General Assembly.

18. The Conference had shown that no problems were beyond solution; with goodwill, all the difficulties of international relations could be overcome. The spirit of co-operation and mutual understanding which had prevailed at the Conference had brought success in one of the most important aspects of the struggle to preserve the environment for existing and future generations.

19. Mr. BLACK (United States of America) said that the Conference had proceeded in a constructive and business-like manner; delegations had held a full and useful exchange of views and had reached a positive final agreement. That should serve as an example for future review conferences.

20. The tone of the Conference had been conducive to a balanced assessment and review of the Convention. The United States of America had always considered that the Convention constituted a significant measure in preventive arms control and that other States should accede to it in order to enhance its effectiveness. It was gratifying that the Review Conference had come to the same conclusion in its Final Declaration. All States parties should now call upon other States to accede to the Convention. The accession of Brazil was a valuable encouragement in that task.

21. Mr. van SCHAK (Netherlands) said that, while the successful conclusion of the Conference was welcome, no one should think that the work of reviewing and strengthening the Convention could now be forgotten until the next conference. The Netherlands delegation was willing to consult with other States parties in order to go well prepared to that meeting.
22. Meanwhile, the most important task was to speed up the general acceptance of the Convention in its present form. To that end, the Netherlands, which welcomed the accession of Brazil to the instrument, had formally declared that it accepted the obligations of article I as extending to States which were not parties to the Convention, but which acted in conformity with that article. He hoped that other States parties would make similar declarations.

23. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) requested that the text of the interpretation of article V in his earlier statement should be issued as a document.

24. It was so decided.

CLOSURE OF THE CONFERENCE

25. The President expressed his satisfaction at the adoption by consensus of the Final Declaration, the co-operation of delegations and the spirit of compromise which had contributed to the successful outcome of the Conference. The Conference had demonstrated that mutual respect for others' positions could achieve real results in arms limitation. In the darkness which had descended upon international disarmament negotiations, it had kept alive a small, flickering spark.

26. He declared the Review Conference closed.

The meeting rose at 1 p.m.