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ENHANCEMENT OF THE EFFECTIVENESS OF THE MACHINERY IN THE FIELD OF
DISARMAMENT AND STRENGTHENING OF THE ROLE OF THE UNITED NATIONS
IN THIS FIELD, INCLUDING THE POSSIBLE CONVENING OF A WORLD
DISARMAMENT CONFERENCE

Note verbale dated 19 May 1982 from the Permanent Representative of the
Netherlands to the United Nations addressed to the Secretary-General

The Permanent Representative of the Netherlands to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the forthcoming second special session of the General Assembly devoted to disarmament, has the honour to submit herewith a working paper of the Netherlands concerning an international disarmament organization. The Secretary-General is requested kindly to distribute this working paper as an official document of the twelfth special session of the General Assembly under item 12 of the provisional agenda.

* A/S-12/10.

ANNEX

Working paper concerning an international disarmament organization
submitted by the Netherlands

A. Introduction

1. In recent years considerable changes and improvements have been effected in the structure of the multilateral disarmament consultations. Further improvements are still required. a/ Work to date has been concentrated on the following aspects:

(a) Training. There is now a United Nations programme of fellowships.

(b) Studies. Many United Nations studies on disarmament have appeared; a special institute, the United Nations Institute for Disarmament Research, has been established.

(c) Deliberations. The First Committee of the General Assembly now concerns itself exclusively with disarmament and security questions; the United Nations Disarmament Commission has been re-established.

(d) Negotiations. The Committee on Disarmament has been reorganized, while on other forums smaller groups of countries are conducting negotiations on specific aspects of disarmament on both a bilateral and a regional basis.

2. With the exception of the study on the implications of establishing an international satellite monitoring agency (A/AC.206/14), the General Assembly has taken little specific action on the question of the implementation and monitoring of disarmament agreements, even at the tenth special session of the General Assembly, the first special session devoted to disarmament. Moreover, the need for improved procedures for monitoring the observance of existing agreements - such as those on chemical and biological weapons - has become apparent in recent years. The Netherlands Government deems it necessary to direct attention once again to this lacuna in the international disarmament structure and, therefore, as a first step towards the establishment of an international disarmament organization, wishes to reformulate the proposal it put forward at the first special session devoted to disarmament. b/

a/ See the comments by the Netherlands on the study of the institutional arrangements relating to the process of disarmament (A/36/392, appendix I, and A/S-12/12/Add.1).

b/ The proposal by the Netherlands was contained in document A/AC.187/108 and further explained in a statement by the representative of the Netherlands in the Ad Hoc Committee of the Tenth Special Session on 14 June 1978 (A/S-10/AC.1/PV.9, pp. 14-18).

B. Background

3. Comparatively few of the multilateral disarmament agreements concluded to date contain substantive verification and implementation provisions. The most important exception, the Treaty on the Non-Proliferation of Nuclear Weapons, c/ entrusts the principle verification provisions, the safeguards, to an existing organization, the International Atomic Energy Agency. For other multilateral agreements still to come, however, such as treaties providing for chemical disarmament and a comprehensive nuclear test ban, there is no ready-made structure for implementation and verification available. The question now arises whether a separate implementation structure including different types of consultative commissions, will have to be created for each future disarmament agreement or whether it will be possible to streamline the implementation process. The Netherlands Government is of the opinion that the latter is both desirable and feasible. Otherwise, there is a danger that an assortment of new structures could give rise to a somewhat chaotic situation which could easily lead to waste of effort and loss of opportunity to combine various categories of information.

4. In brief, the Netherlands Government feels that there should be an organization to deal with the implementation of disarmament agreements. It envisages a highly efficient organization which would concern itself solely with the tasks entrusted to it by the parties to agreements and which would be capable of discharging those specific responsibilities. It would be established at the moment when it was required, e.g., in the context of a treaty banning chemical weapons. In view of the fact that its task would be to provide specific services to parties to agreements, it would seem best for it to be a separate organization affiliated to the United Nations without forming part of the United Nations Centre for Disarmament. To facilitate relations with other relevant United Nations organizations, the obvious location would be Geneva or Vienna.

C. Possible functions of an international disarmament organization

5. In this working paper an international disarmament organization is defined as the operational framework for the implementation of international arms control and disarmament treaties, with important functions in the field of verification and for handling complaints. In addition, it is thought that such an organization could be instrumental in the preparation and organization of review conferences already provided for in several disarmament treaties and could serve as a clearing-house for information on disarmament.

6. The following considerations and current developments should be borne in mind:

(a) A convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction is currently under active consideration. It seems probable that such a convention will provide

c/ General Assembly resolution 2373 (XXII), annex.

for fairly extensive consultations between parties, and particularly for technical discussions on the precise agents and activities to be banned or restricted and on implementation measures. It is also probable that it will provide for quite extensive notification and verification procedures. A permanent staff would seem to be necessary not only for regular political and technical discussions between parties but also for the implementation of the convention. An international disarmament organization could function as a secretariat, a clearing-house for information and a focal point for discussions between experts, and could also take part in on-site inspections, the collection of statistics and so on.

(b) A comprehensive nuclear test ban is regarded as essential in order to halt the qualitative nuclear arms race. An ad hoc working group has been set up this year by the Committee on Disarmament to study the verification and implementation problems of such a test ban. Much preparatory technical work has already been performed by a group of seismic experts who have designed an international verification system to detect underground nuclear explosions and to help identify them. In the context of a treaty, there will be a need for international data centres which analyse seismic events and pass on the results to countries requesting them. The organization of this dissemination of data could be placed in the hands of the international disarmament organization, to which the data centres could be attached. It could also exercise quality control in respect of the seismic stations and of the information exchanged. Proposals have recently been made concerning the detection of nuclear tests in the atmosphere by means, inter alia, of air sampling. The international disarmament organization could collect the relevant data from air sampling stations and correlate them with other data. In addition, it could also be allotted a part in the handling of complaints lodged in the context of a comprehensive test ban and organize on-site inspections on challenge. It would be for the organization to work out the details of such inspections.

(c) With regard to other existing and future multilateral disarmament agreements, there may be a similar need for consultations between interested countries, and especially between the parties to such agreements, and for implementation measures. As multilateral disarmament treaties become ever more complicated, there would seem to be a need for a permanent organization to streamline the consultations and the implementation measures, since otherwise a substantial number of consultative commissions, some of them with permanent staffs and all perhaps differently organized, will be required.

(d) The international disarmament organization could be responsible for compiling registers of experts in various related fields so as, for instance, to be able to assemble groups of experts at short notice to investigate complaints. This would make it possible to act more quickly than has hitherto been the case in getting together panels of experts to conduct investigations on behalf of the General Assembly or the Security Council (cf. the recent investigation into the use of chemical weapons). In the context of existing and foreseeable agreements, situations may arise which do not necessitate the availability of a permanent staff, but which may require swift action in the

event of possible violation of the agreements. For example, the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques d/ provides for the convening of a Consultative Commission of Experts on receipt of a complaint. Many countries will not have experts of their own with knowledge of the many specialist fields covered by the Convention. The international disarmament organization could mediate in assembling the right experts in a short space of time in close consultation with the appropriate technical organizations.

(e) Several disarmament treaties provide for more or less regular review conferences. An international disarmament organization, as proposed, could provide the operational framework for the organization of review conferences, thus streamlining the preparations for and proceedings of such conferences. The existence of permanent consultative machinery would also facilitate the organization of review conferences, thereby rendering them more efficient.

(f) Relevant information on the implementation of arms control and disarmament agreements could be combined in one organization. Data on various disarmament measures, such as stockpile destruction, and on seismic data, and the results of inspections and fact-finding missions could be stored with one organization which would act as a clearing house for information on all implementation work in the field of disarmament.

D. Use of satellites for verification purposes

7. Special mention should be made of the use of satellites for verification purposes. Following upon a praiseworthy initiative by France at the first special session of the General Assembly devoted to disarmament, a groups of experts published a study on the implications of establishing an international satellite monitoring agency (A/AC.206/14). The Netherlands supports the idea of using information from observation satellites for the verification of existing and future disarmament agreements. For the optimal use of such information, it is essential that it be combined with other data. If the agency is established, it should form part of the international disarmament organization so as to make the fullest possible use of the important technique of observation satellites.

8. After careful study of the above-mentioned report, the Netherlands Government has however come to the conclusion that the establishment in the short term of an international satellite monitoring agency would give rise to serious political and practical problems, including financial ones. Briefly, they amount to doubts whether the intrusive and indiscriminate collection of information by accurate observation satellites would be acceptable to all nations. There are also technical grounds for doubting whether it is relevant to establish such an agency stage by stage. In any case it may be questioned whether the existing and

d/ General Assembly resolution 31/72, annex.

anticipated disarmament agreements would warrant the establishment of an international satellite monitoring agency soon.

9. This, of course, is not to say that satellites could not be used in other ways for specific verification purposes, but here the Netherlands Government is thinking more in terms of communications satellites and related systems.

10. Ideas have been developed, for instance, concerning the interrogation of seismic stations by means of satellites, which would then transmit the data in near real time. Satellites could also be used to verify that seals, etc. are intact on chemical weapons plants closed down under a chemical weapons treaty and on plutonium production reactors under the terms of an agreement on a cut-off in the production of fissionable materials for weapons purposes, and to maintain other nuclear safeguards. The Recover system, for instance, which was originally developed by the United States of America for the purpose of safeguards and which still uses telephone lines, would seem to be eminently suitable for many other cases involving the use of satellites, especially for distant regions. A major advantage of such systems is that they are highly cost-effective and collect the data required for one specific purpose. No data are obtained in this way that have not been agreed upon by the parties concerned. The method is not intrusive, and use can often be made of commercial communications satellites channels.

11. As these and similar verification techniques can be used for various types of disarmament agreements, it would be more efficient to combine them in one organization. Selected data made available by the countries possessing observation satellites, a further source of information, could be combined by the international disarmament organization with other data.

E. Structure of the organization

12. The organization could be structured in various ways. One possibility is the familiar pattern of many international organizations, such as a plenary conference, a board and a secretariat. The board would have to be so organized as to be able to function continuously. Its main functions could be envisaged as providing practical guidance for the work of the organization on the basis of guidelines given by the general conference or review conferences. The secretariat, headed by an administrator, would consist of a permanent staff and such additional panels of experts as may be required for ad hoc or highly specialized activities such as special investigations or technical studies.

13. Account should be taken of the fact that the different agreements providing the context for the work of the organization involve different combinations of parties. This in itself need not pose problems of any consequence in particular since the main parties to the different agreements will often be the same. The parties to the Treaty on the Non-Proliferation of Nuclear Weapons do not correspond to the States members of the International Atomic Energy Agency, which nevertheless performs tasks entrusted to it by the parties to the Treaty. The World Intellectual Property Organization is involved in the implementation of 22 agreements. The rights and duties of members of the board could be determined

by reference to the relevant treaty. In view of the special nature of the international disarmament organization, it would seem to be logical for the permanent members of the Security Council to be permanent members of the board. Instead of a general conference, consideration could be given to review conferences for matters such as electing the board and providing guidelines for the organization.

F. Summary and conclusions

14. In presenting these preliminary views on an international disarmament organization, the Netherlands of course realizes that careful study and consideration are necessary before the international community can decide on the establishment of a new international organ. The results of continuing disarmament negotiations, particularly those relating to chemical weapons and a comprehensive test ban, will also have bearing on the subject. The Netherlands therefore proposes that a number of steps be taken which could ultimately lead to the establishment of an international disarmament organization if and when the world community considers it opportune.

15. As a first step, the Secretary-General of the United Nations could seek the views of Governments on this question, in particular on the tasks to be allotted to such an organization, its structure and its links with the United Nations. Answers could be supplied by Governments before the thirty-eighth session of the General Assembly and the Secretary-General could make an analysis of the ideas and opinions expressed by Member States. If the answers warrant it, the next step could be taken by the Assembly, by establishing a committee to conduct further negotiations on the structure and functions of the projected disarmament organization. The final step would be the actual establishment of the organization, possibly at a future special session of the General Assembly on disarmament.

16. The Netherlands Government hopes that a decision to seek the views of Governments will be taken at the second special session of the General Assembly devoted to disarmament and will present proposals to this end.
