

## Disarmament and the United Nations at Forty

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### Introduction

It has become increasingly fashionable to denigrate the United Nations, to the point that there is concern on the part of some that the United Nations could go the way of the League of Nations. The Canadian response to such criticism was set out succinctly by Canada's Secretary of State for External Affairs, the Right Honourable Joe Clark, in his address to the thirty-ninth session of the United Nations General Assembly on 25 September 1984. He pointed out that Canada was active at the creation of the United Nations and that successive Canadian Governments, formed by different political parties, have ever since strongly supported the United Nations. He called attention to the successes of the United Nations system, including the social and economic activities of the specialized agencies; the United Nations achievements in the field of human rights; the increasing importance of the United Nations development and humanitarian assistance activities; the relevance and timeliness of the contributions of the United Nations system on social issues such as the problems of youth, population and discrimination against women; and the great accomplishments of the United Nations in the field of the codification and progressive development of international law, including "positive and often innovative legal régimes . . . in such critical fields as the law of the sea, trade, outer space, civil aviation, telecommunications and the environment". He went on to affirm that the "progressive expansion of the rule of law is fundamental to the whole multilateral system".

### International Law and the United Nations

An argument often levelled at the United Nations system (rather than Member States) is the alleged absence of a system of binding

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international law. The daily observance by the vast majority of States of their obligations pursuant to the widespread and interlocking system of international treaties and agreements, most of which have been developed within the United Nations system, ranging from the most highly political subject-matter, such as arms control, to extremely technical issues such as International Labour Organization (ILO) standards, is ignored, brushed aside or over-shadowed because of recurring and often serious instances of breaches of international law. Yet, in spite of the lack of an international legislature with binding powers (with certain Security Council exceptions), or an international peace force (as intended by the Charter), or even a compulsory third-party adjudication system (the jurisdiction of the International Court being voluntary), the evidence is that by and large States abide by their treaty obligations, even if motivated only by enlightened self-interest. Ultimately, the viability of any system of law, whether primitive or highly developed, depends upon the will of the community it seeks to regulate. Unfortunately, flagrant breaches of the rule of law on the international plane occur, even in the case of long-standing arms control treaties, such as the 1925 Geneva Protocol on gas warfare. It is suggested, however, that the logical response to such criticisms is to strengthen the United Nations system, rather than weaken or abandon it, by working to further develop the United Nations functions of peace-keeping, peaceful settlement, and arms control and disarmament, and to attempt to develop rules of law regulating and underpinning such functions.

### The Role of the United Nations in Disarmament: The Absence of Legal Norms

The nature and extent of the problem is all too clear. In his 25 September statement to the General Assembly, Mr. Clark called attention to "the frightening facts of the nuclear arms race" and noted with concern that "physicians and scientists warn that, even for survivors, the world would be virtually uninhabitable after a major nuclear conflict".

While the "law of disarmament" comprises many important and effective examples of conventional law, both bilateral and multilateral, it is woefully deficient in terms of universally binding norms. The Charter of the United Nations contains no provision directly analogous to the declaration in the covenant of the League of Nations that "maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations". Indeed, as is often noted, the word "disarmament" appears in the Charter only in Articles 11

and 47. The Charter proposed instead to prevent "the scourge of war" by controlling the use of force through a system of collective security. Thus there is no Charter obligation to eliminate arms.

### **Breaches of the Peace and the United Nations**

Many criticisms of the United Nations (which might better be levelled at its Member States) are directed at its inability to establish the collective security system envisaged by the Charter and its consequential ineffectiveness in preventing or halting international breaches of the peace. Admittedly, serious breaches of the peace, inimical to the rule of law, regularly occur.

It is equally undeniable that there are continuing "breaches of the peace" on the domestic plane, varying from individual cases of robbery, rape, kidnapping, murder and rioting to group violence at sports events, through to ethnic or religiously motivated internal warfare. At the municipal level, all States, whether developed or developing, democratic or totalitarian, have reasonably sophisticated legal systems, including legislatures with binding powers, compulsory judicial systems, police forces and prisons and, in most cases, constitutions, all directed to upholding the rule of law. Yet no State has been able to eliminate entirely domestic "breaches of the peace". Some jurisdictions even emulate the international community in their inability to impose gun control laws. Such repeated, diverse and serious resorts to force at the domestic level, if analysed on the basis of the same strict criteria applied to the United Nations system, might logically lead to demands to eliminate national legislatures, parliaments or congresses and even national constitutions or, in serious cases, to secession (as has occurred in some instances). The broad thrust of such criticisms of the United Nations would lead logically towards some type of international hegemony or, alternatively, anarchy based on self-help. Few argue seriously in favour of either of such drastic and retrograde approaches. The more constructive path, it is submitted, is for Member States to seek to strengthen the United Nations system, particularly by vigorously supporting arms control and disarmament.

### **Early United Nations Disarmament Efforts**

In spite of the apparent de-emphasis of disarmament in the Charter, on 15 November 1945, only six months after the signing of the Charter, the United States and the United Kingdom and Canada proposed the establishment of a United Nations Atomic Energy Commission for the purpose of "entirely eliminating the use of atomic energy for destructive purposes". In 1946, the United States proposed

to the Commission the Baruch plan, calling for the creation of an independent international authority to have exclusive control over all stages of nuclear production, from mining to manufacture; the transfer of all the nuclear weapons of the United States to such an authority; and the eventual destruction of all nuclear weapons. While it is idle to speculate on the possible consequences of the acceptance of such proposals, few would deny their influence upon the eventual creation of the International Atomic Energy Agency (IAEA) and the negotiation of the non-proliferation Treaty. Thus, any attempt to reflect upon the history of the United Nations efforts to deal with the problem of armaments, including nuclear armaments, must in fairness note, first, that as early as 1945 a United Nations organ was seized of one of the most crucial issues in the whole field of arms control and disarmament and, second, that the eventual results, while admittedly imperfect, are none the less of far-reaching significance and increasing importance. Canada was the first country to renounce nuclear weapons, in spite of its access to much of the nuclear weapons technology through its collaboration with the United States and the United Kingdom in the development of the first atomic bomb.

### **The Legacy of General and Complete Disarmament Proposals**

In the light of the disrepute in many quarters of "general and complete disarmament", resulting from unsuccessful attempts to reach agreement and the consequential shift of emphasis from disarmament to arms control, some of the early attempts in the United Nations to produce agreement upon general and complete disarmament none the less merit a brief reference, if only to trace their influence upon subsequent arms control or non-armament agreements.

It should be recalled that the attempts of the League to produce agreement on disarmament focused on "qualitative disarmament"; the much quoted plan of Lord Cecil was intended to decrease the offensive power of armaments while leaving defensive power untouched, and to diminish the power of aggression proportionately to the point of defence, a concept which has contemporary significance.

In its earliest days, the United Nations established not only the United Nations Atomic Energy Commission (1945), but a Commission for Conventional Armaments to reduce conventional weapons (1946). In December 1950, the United Nations General Assembly established a committee for the purpose of breaking the deadlock which had arisen in both Commissions: in January of 1952 both Commissions were dissolved and the United Nations Disarmament Commission (of which Canada was again a member) was established. Much of the work was

done by a special committee (consisting of the United States, the United Kingdom, France, Canada and the USSR). In May 1955 the USSR tabled a draft disarmament agreement which had much in common with earlier proposals by the United States, in 1952, and by the United Kingdom and France, in 1954. Little or no further progress was achieved, however, due to a series of counterproductive international developments, until 1961, when the United States-USSR joint statement of agreed principles was tabled.

The statement proposed the "establishment of reliable procedures for the peaceful settlement of disputes" and "effective arrangements for the maintenance of peace in accordance with the principles of the Charter of the United Nations". (It proposed also that States would have at their disposal only such non-nuclear armaments, forces, facilities and establishments necessary to maintain internal order and protect the personal security of citizens, and that States should support and provide agreed manpower for United Nations peace forces.) In addition to the elimination of stockpiles and the production of nuclear, chemical, bacteriological and other weapons of mass destruction and their delivery systems, it proposed that "all measures of general and complete disarmament should be balanced so that at no stage of the implementation of the treaty could any State or group of States gain military advantage and that security is ensured equally for all". It provided also that "all disarmament measures should be implemented from beginning to end under such strict and effective international control as would provide firm assurance that all parties are honouring their obligations".

These early, albeit unsuccessful, disarmament proposals provided much of the original impetus and laid down many of the basic principles for later attempts at more limited arms control measures. Indeed, much of the United Nations' success in arms control and disarmament has been based on these fundamental principles, and they comprise useful guidelines for those concerned today with arms control and disarmament.

#### **The Interrelationship between the United Nations and Disarmament**

Not surprisingly, multilateral agreements on disarmament concluded within the United Nations system rely heavily on the United Nations for their interpretation and application. It is interesting, however, that even bilateral and multilateral agreements negotiated outside the system take note to varying degrees of the useful role which the United Nations can play in their implementation. The following representative examples (including the 1925 Geneva Protocol which pre-dates the United Nations) will be discussed briefly.

- (a) The earliest agreement of continuing relevance (the 1925 Geneva Protocol);
- (b) A recent multilateral arms control agreement (ENMOD Convention);
- (c) A multilateral agreement concluded outside the United Nations system (the Antarctic Treaty);
- (d) Important bilateral agreements between the United States and the USSR, including the "hot line" and Salt agreements.

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#### **(a) *The Earliest Agreement of Continuing Relevance: The 1925 Geneva Protocol on Gas Warfare***

Although the Protocol was concluded during the days of the League, well over half of the present parties (many of whom have attained independence since 1945) have ratified or acceded to the Protocol since the birth of the United Nations. There is much evidence of the direct influence and impact of the United Nations on the accession to and application of the Protocol.

In 1952 the USSR introduced a draft resolution in the Security Council calling on all United Nations Members to ratify the Protocol, but the resolution was rejected. In 1966, Hungary introduced a resolution in the General Assembly directed to its application to tear gas and chemical herbicides; Canada, Italy, the United Kingdom and the United States introduced amendments to the resolution. In its final form, the resolution called for strict observance by all States of the principles and objectives of the Protocol; condemned all actions contrary to those objectives; and invited all States to accede to the Protocol. In 1969, Secretary-General U Thant recommended a renewed appeal for accession to the Protocol, coupled with a clear affirmation that it covered the use in war of all chemical and biological weapons. Subsequent discussion in the Conference of the Committee on Disarmament (CCD) focused both on the question of interpretation and on whether non-parties were entitled to interpret it. Subsequently, on 16 December 1969, the General Assembly passed a resolution condemning as contrary to international law the use in international armed conflict of all chemical and biological agents. In 1982 the General Assembly passed a resolution establishing a panel of experts from which fact-finding groups to study alleged uses of chemical weapons could be drawn. Two *ad hoc* fact-finding groups of the Secretary-General have been sent on missions connected with the Gulf war. The Conference on Disarmament (formerly the Committee on Disarmament

in Geneva) is now engaged in negotiations on a comprehensive ban on the production, transfer, stockpiling and use of chemical weapons. One of the important issues under negotiation is how to protect the legal status of the Geneva Protocol. It can be seen that there has been and still is considerable United Nations involvement with a Protocol concluded long before the United Nations was created. Few would deny that the input of the United Nations has been useful and constructive.

(b) *A Recent Multilateral Arms Agreement: The ENMOD Convention*

The fourth preambular paragraph to the ENMOD Convention recalls the unanimous Declaration of Principles of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, which affirmed that States had the duty to protect the environment and to take no action which could have negative effects on the environment of other States. (It is of interest that the Canadian delegation made a declaration at the Conference that it accepted the principles as reflecting customary international law. Twelve years later, the delegation of the Netherlands affirmed during the First ENMOD Review Conference that the Convention embodied existing principles of customary international law. In the meantime, the United Nations had made a considerable input in the development of the Convention.)

In July 1972, the United States Government renounced the use of climate modification techniques for hostile purposes; two years later, the United States and USSR heads of State agreed in Moscow to hold bilateral discussions on the issue. Subsequently, the United States and USSR delegations to the CCD tabled identical draft texts of a convention. Negotiations carried out in the CCD in 1976 produced a modified text, together with a series of "understandings", which were both submitted to the United Nations General Assembly. On 10 December 1976, the General Assembly adopted a resolution referring the Convention to Member States for their signature and ratification and requesting the United Nations Secretary-General to open the Convention for signature; this was done in Geneva on 18 May 1977.

The Convention provides an interesting example of an arms control agreement for which the initial thrust came from the United Nations, followed by bilateral negotiations, which in turn developed into multilateral negotiations leading to a treaty. No better example could be cited for the complementary roles of multilateral and bilateral negotiations, a current topic in the Conference on Disarmament. Unfortunately, no multilateral arms control treaties have been concluded since the ENMOD Convention.

(c) *A Multilateral Agreement Concluded outside the United Nations System (the Antarctic Treaty)*

The Antarctic Treaty was the first of the arms control agreements concluded after the Second World War. Although it was concluded outside the United Nations, it has served as an important precedent for other "non-armament" treaties negotiated within the United Nations system, such as the outer space Treaty, the Tlatelolco Treaty and the sea-bed Treaty. Interestingly, the Antarctic Treaty utilizes the specialized agencies of the United Nations, affirms the Charter of the United Nations, refers disputes to the International Court of Justice, is open for accession by any Member State of the United Nations and is registered pursuant to Article 102 of the Charter of the United Nations. Thus this classic example of a non-United Nations arms control treaty none the less recognizes the importance of the role of the United Nations in its implementation and application.

(d) *Bilateral Arms Control Agreements between the United States and the USSR: the 1963 and 1971 "hot line" agreements*

(i) The origins of the "hot line" agreement can be traced back to a proposal by the USSR for specific safeguards against surprise attack and accidental war, followed by a conference at Geneva in 1958, held at the initiative of Western States. Subsequently, the subject-matter of the agreement was introduced in the General Assembly in President Kennedy's "Programme for general and complete disarmament" on 25 September 1961, which embodied proposals to reduce the risks of war including failure of communication. Later the United States draft treaty's outline was submitted to the Eighteen-Nation Committee on Disarmament (ENDC), (of which Canada was a member). On 18 April 1962, the USSR draft treaty was amended to include a series of measures of which improved communications was an integral part. In December 1962, following the Cuban missile crisis, the United States working paper submitted to the ENDC urged consideration of a series of measures, including communication links to avert the risks of war. On 20 June 1963, the United States and USSR representatives to the ENDC completed negotiations and signed the "hot line" Memorandum of Understanding. The involvement of the United Nations, through both the General Assembly and the ENDC, is evident.

The original 1963 "hot line" agreement was added to by an annex signed on 30 September 1971 at Washington.

The agreements provide another clear example of the complementary roles which bilateral and multilateral negotiations can play, in this case in developing a bilateral agreement.

## (ii) *SALT AGREEMENTS*

### *Strategic Arms Limitation Talks (Salt I)*

While the first series of Strategic Arms Limitation Talks were carried out bilaterally between the United States and the USSR from November 1969 to May 1972, their origins can be traced back to the United States and Soviet proposals in the United Nations for general and complete disarmament. When these comprehensive disarmament plans became bogged down in the ENDC, the United States proposed, in January 1964, that the two sides should "explore a verified freeze of the number and characteristics of their strategic nuclear offensive and defensive vehicles". Bilateral negotiations proceeded through diplomatic channels at Washington and Moscow and through representatives of the United States and the USSR in the ENDC. The first round of SALT was concluded on 26 May 1972.

SALT I is interesting from a number of points of view: it could be seen not only as an example of a negotiated and verified freeze, but as another instance of a constructive interplay between multilateral and bilateral negotiations. While SALT I's anti-ballistic missile Treaty makes no reference to the United Nations system, it does refer in the fourth preambular paragraph to article VI of the non-proliferation Treaty, which itself had its origins in the earliest efforts of the United Nations on disarmament. It seems likely that the forthcoming Review Conference of the non-proliferation Treaty will focus further attention on article VI of that Treaty.

### *SALT II*

No analysis is attempted either of the negotiations on SALT II or of the texts emerging from the negotiations. The Treaty is referred to only to draw attention to its relationship to SALT I, which, in turn, had its origins in disarmament proposals originally presented in the United Nations.

### **Canada's Tradition of Arms Control and Disarmament**

It is well known that Canada's involvement in arms control and disarmament dates back to the Rush-Bagot Treaty of 1817, whereby the United States and Great Britain agreed to limit the size of their naval forces on the Great Lakes. Canada was also actively involved later in the disarmament activities under the aegis of the League of Nations. In more recent times, as indicated above, Canada, together

with the United States and the United Kingdom, proposed in 1945 the establishment of a United Nations Atomic Energy Commission for the purpose of "entirely eliminating the use of atomic energy for destructive purposes". In August 1957, Canada, France, the United Kingdom and the United States submitted a "package" of measures in the sub-committee of the United Nations Disarmament Commission, including a commitment "not to transfer out of control any nuclear weapons or to accept transfer of such weapons" except for the purposes of self-defence. Canada was a member of that original sub-committee — comprising the United States, Great Britain, France, Canada and the Soviet Union — which was established in 1952, and has, ever since, been a member of its successor bodies: the Conference of the Ten-Nation Committee on Disarmament (1959-1960), the ENDC (1962-1969), the CCD (1969-1978), the 40-member Committee on Disarmament (1978-1983), and the Conference on Disarmament (re-designated in 1984) Committee on forums. Canada has been extremely active in all of these, as well as in the United Nations Disarmament Commission and the First Committee of the General Assembly, in pressing for arms control and disarmament agreements.

### **The Canadian Position on Arms Control and Disarmament**

The fundamental priorities of the Canadian Government in arms control and disarmament are:

- To contribute to progress in the nuclear arms talks between the United States and the Soviet Union;
- To ensure the non-proliferation of nuclear weapons.

Within the Conference on Disarmament, Canada's major priorities are:

- A comprehensive nuclear test-ban treaty;
- Preventing an arms race in outer space;
- The early conclusion of a convention on chemical weapons.

While pursuing these objectives, the Canadian Government is pressing for other arms control measures in the Conference on Disarmament, including:

- The prevention of nuclear war;
- A treaty on radiological weapons.

### **Improvements in the Process**

As pointed out in the statement to the Conference on Disarmament on 4 April of this year by the Canadian Ambassador, many representatives have made one or more of the following three points:

-- They have stressed the importance of the Conference on Disarmament as the only existing multilateral negotiating forum on disarmament;

— They have noted with regret that the Conference on Disarmament and its predecessor, the Committee on Disarmament, have not achieved a single agreement in eight years, and that the negotiating process needs to be invigorated;

— They have expressed the hope that the bilateral talks between the United States and the USSR will give new life to the Conference on Disarmament.

The statement went on to note the extent to which the Conference on Disarmament is mired in procedural discussions. While it is not suggested that even a wholly perfect process would necessarily achieve a breakthrough in the negotiations going on in the Conference on Disarmament, it seems increasingly clear that the procedural gridlock which arises repeatedly in the Conference reflects to some degree its own agreed procedures. Indeed, as Canadian representatives to the United Nations Disarmament Commission and to the Conference on Disarmament have pointed out, the Disarmament Commission, intended to be a deliberative body, spends much of its time in attempts to negotiate on arms control issues, whereas the Conference on Disarmament, intended to be a negotiating forum, acts in many instances much more as a deliberative body.

Some of the procedural problems of the Conference on Disarmament are:

(a) The rigid application to procedure as well as substance of its rule of decision by consensus, in practice a rule of unanimity, permitting the veto by any delegation of procedural decisions such as mandates of subsidiary bodies and other similar issues;

(b) The presidency of the Conference changes each month, thereby greatly adding to the difficulties inherent in the role of the president in directing debate, co-ordinating consultations and structuring negotiations;

(c) The subsidiary organs of the Conference, with only very few and occasional exceptions, must be established anew at the opening of each spring session, resulting in sometimes lengthy negotiations not always leading to the re-establishment of a pre-existing subsidiary organ;

(d) The chairmanship of subsidiary organs (both *ad hoc* committees and working groups), if and when they are established, change each year in almost every case, thus greatly adding to the problems of the chairman in charge of negotiations on complex technical and controversial issues;

(e) On procedural questions (and sometimes on substance) the Conference on Disarmament emulates other United Nations organs through its institutionalization of "group dynamics", pursuant to which the "Western" and "Socialist" and "Group of 21" (as well as China) all speak through single spokesmen or co-ordinators, who themselves change at least once each year, thus ensuring the least common denominator approach to many questions;

(f) The secretariat is highly motivated but very small, and yet must service up to 16 meetings a week; moreover, there is no established tradition of involvement of the secretariat as part of the problem-solving process, although there are some notable instances of extremely useful contributions by the secretariat.

The Canadian delegation is one of those which has taken a lead in attempting to eliminate time lost in procedural exchanges and substantive monologues by urging delegations (and chairmen) to attempt to define areas of common ground and then seek to expand such common ground, instead of crystallizing differences through unilateral statements emphasizing divergencies. This same approach is required in the United Nations Disarmament Commission and in the First Committee of the General Assembly, particularly in the last-mentioned case, where competing or overlapping resolutions on the same issue are gradually becoming the rule rather than the exception. Nevertheless, at least in the Disarmament Commission and the First Committee, efforts are being made to improve the process. The question arises whether any radical changes in the procedures of the Conference on Disarmament can be made in the light of its history, owing its origin, as it does, to the first special session of the United Nations General Assembly on disarmament.

### The Results of the United Nations Input

In the light of the foregoing, it would not be surprising if extremely gloomy conclusions resulted concerning the role of the United Nations in Disarmament. It is suggested, however, that an objective analysis of the input of the United Nations system into the arms control and disarmament process indicates that it has had important and constructive results.

Many instances can be cited of the variety of means whereby United Nations or United Nations-related forums have provided the initial impetus, or served as catalysts or been utilized for the focus and co-ordination of pressures which have eventually led to arms control, non-armament and partial disarmament agreements of considerable significance. Even when this does not appear to be the case (and

it can never be said with certainty that agreements achieved outside the United Nations owe nothing to the United Nations system), there is considerable evidence of recognition of the importance of the United Nations in the application and even interpretation of such agreements.

A notable failure of the United Nations system (which can be laid squarely at the feet of various Member States) is the inability to control, limit or curtail the proliferation of conventional weapons, perhaps because of the lack of continuing serious consideration of this problem within the United Nations system. The sad consequences are obvious. One wonders about the potential benefits of an NPT on conventional weapons, even at this late stage. (Merely to raise the question underlines the importance of maintaining and strengthening the NPT on nuclear weapons.) There are, however, some encouraging developments.

The present Secretary-General has involved himself personally in efforts to press forward with the disarmament process, and has not hesitated to make statements urging action even where he has good reason to know that not everything he says will be equally acceptable to all members of the United Nations. Of even greater importance, perhaps, are the actions of the Secretary-General in sending fact-finding missions to the Gulf to investigate allegations of breaches of the 1925 Geneva Protocol on gas warfare.

This kind of measure helps to bridge the gap between prohibition and verification, between the legislative and enforcement roles of the United Nations. Thus any analysis of the role of the United Nations must take into account these recent and significant developments.

### Conclusion

The history of the 40 years of the United Nations on disarmament underlines the importance of the negotiating process, while at the same time making clear that process is no substitute for progress. While some argue that progress in arms control can occur only when relations are good between the super-Powers, others argue that relations cannot improve unless there is progress in arms control. Obviously, the two approaches are not mutually exclusive.

Canada's Secretary of State for External Affairs, the Right Honourable Joe Clark, pointed out that "we must avoid the trap of blaming the United Nations for our sins and omissions", and went on to warn that "if we collectively are unable to revitalize the UN system, we shall have to resign ourselves to watching it wither away. That must not happen. Nineteen hundred eighty-five, our 40th Anniversary, can be a turning point in the life of the United Nations. This is a 40th birthday present our peoples deserve".

### ANNEX

#### Specific References to the UN in Arms Control and Disarmament Agreements

- (1) *Antarctic Treaty: signed at Washington, December 1, 1959; entered into force June 23, 1961.*
  - Article III, para 2, encouraging the establishment of co-operative working relations with relevant specialized agencies of the UN;*
  - Article X, urging appropriate efforts consistent with the Charter of the UN;*
  - Article XI, para 2, providing for references of certain disputes to the International Court of Justice;*
  - Article XIII, para 1, permitting accession by any State which is a member of the UN, and para 6 providing for registration of the Treaty pursuant to Article 102 of the UN Charter.*
- (2) *Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water: signed at Moscow on August 5, 1963; entered into force October 10, 1963.*
  - Preamble two, proclaiming the objectives of general and complete disarmament in accordance with the objectives of the UN Charter;*
  - Article III, para 6, providing for registration of the Treaty pursuant to Article 102 of the Charter.*
- (3) *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies: signed at Washington, London and Moscow on June 27, 1967; entered into force October 10, 1967.*
  - Preambles six, seven, eight and nine recalling a series of UN resolutions, in particular the Declaration of Legal Principles as well as the Purposes and Principles of the Charter;*
  - Article III, providing that activities be conducted in accordance with international law, including the UN Charter;*
  - Article V, providing for notification to the UN Secretary-General of phenomena dangerous to astronauts;*
  - Article XI, providing for informing the Secretary-General of the UN of certain activities;*
  - Article XIV, para 6, providing for registration of the Treaty pursuant to Article 102 of the Charter of the UN.*
- (4) *Treaty for the Prohibition of Nuclear Weapons in Latin America: signed at Mexico City on February 14, 1967; entered into force April 22, 1968.*
  - (a) *Treaty:*
    - Preambles two, three, five and six, recalling relevant UN resolutions and the principles of the UN Charter and re-affirming the principles and purposes of the Charter;*
    - Article 13, requiring that Parties negotiate safeguards agreements with the IAEA;*
    - Article 14, providing for semi-annual reports to the IAEA;*
    - Article 16, conferring inspection powers on the IAEA and providing for reports on prohibited activities through the Secretary-General of the UN to the Security Council and the General Assembly;*
    - Article 18, providing for notification of peaceful explosions to the IAEA and for IAEA observation;*
    - Article 19, providing for agreements between the Agency set up under the Treaty and the IAEA;*
    - Article 20, providing for reports of non-compliance through the UN Secretary-General to the Security Council and the General Assembly;*
    - Article 21, providing for safeguarding the non-impairment of obligations under the UN Charter;*

*Article 24*, providing for references of disputes to the International Court of Justice;  
*Article 28*, providing for Safeguards agreements with the IAEA as a condition for entry into force;

*Article 30*, providing for notification of denunciation to the Secretary-General of the UN for the information of the Security Council and the General Assembly;

(b) *Additional Protocol I*

*Preamble one*, affirming that the Treaty negotiated and signed in accordance with a UN resolution represents an important step towards ensuring non-proliferation of nuclear weapons;

(c) *Additional Protocol II*

*Preamble one*, affirming that the Treaty negotiated and signed in accordance with a UN resolution represents an important step towards ensuring non-proliferation of nuclear weapons.

(5) *Treaty on the Non-Proliferation of Nuclear Weapons: signed at Washington, London and Moscow on July 1, 1968; entered into force March 5, 1970.*

*Preambles three, four and twelve*, referring to UN resolutions on non-proliferation and on facilitating the application of safeguards of the IAEA and to the Obligations under the UN Charter, including refraining from the use of force against the territorial integrity or political independence of any State;

*Article III*, providing for the negotiation and conclusion of IAEA safeguards;

*Article IX, para 6*, providing for registration of the Treaty pursuant to Article 102 of the Charter of the UN.

(6) *Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and in the Subsoil Thereof: signed at Washington, London and Moscow on February 11, 1971; entered into force May 18, 1972.*

*Preamble five*, recalling the purposes and objectives of the UN Charter;

*Article III, paras 4 and 5*, providing for the referral of a dispute concerning fulfilment of obligations under the Treaty to the UN Security Council, and for verification of compliance with the Treaty through appropriate international procedures within the framework of the UN and in accordance with its Charter.

*Article VIII*, providing for notice of withdrawal to the UN Security Council.

*Article X, para 6*, providing for registration of the Treaty pursuant to Article 102 of the UN Charter.

(7) *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction: signed at Washington, London and Moscow on April 10, 1972; entered into force March 26, 1975.*

*Preambles four and six*, recalling actions of the UN General Assembly and reaffirming the desire to contribute to the realization of the purposes and principles of the UN Charter;

*Article V*, providing for consultation and co-operation to be undertaken through appropriate international procedures within the framework of the UN and in accordance with its Charter;

*Article VI*, providing for lodging complaints concerning a breach of obligations to the UN Security Council and for investigations of complaints by the Security Council.

*Article VII*, providing for assistance to be provided, in accordance with the UN Charter, in the event the Security Council decides a party has been exposed to danger due to a violation of the Convention;

*Article XIII*, providing for notice of withdrawal to be given to the UN Security Council;

*Article XIV*, providing for registration of the Convention, pursuant to Article 102 of the UN Charter.

(8) *Agreement between the United States of America and the USSR on the prevention of nuclear war: signed at Washington and entered into force on June 22, 1973.*

*Preamble four*, recalling the obligations under the UN Charter regarding the maintenance of peace, refraining from the threat or use of force, and the avoidance of war.

*Article V*, affirming the right to keep the UN Security Council and Secretary-General informed of developments in consultations initiated pursuant to the agreement.

*Article VI*, referring to the right of individual or collective self-defence as envisaged by Article 51 of the UN Charter and to other Charter provisions including those relating to the maintenance or restoration of international peace and security.

(9) *Treaty between the United States of America and the USSR on the limitation of underground nuclear weapon tests: signed at Moscow July 3, 1974 (not ratified).*

*Article V, para 3*, providing for registration of the Treaty pursuant to Article 102 of the UN Charter.

(10) *Treaty between the United States of America and the USSR on underground nuclear explosions for peaceful purposes: signed at Washington and Moscow on May 28, 1976 (not ratified).*

*Article VI, para 3*, providing for the IAEA to be informed of the results of co-operation in the field of underground nuclear explosions for peaceful purposes.

*Article IX, para 2*, providing for the registration of the Treaty pursuant to Article 102 of the UN Charter.

(11) *Convention on the prohibition of military or any other hostile use of environmental modification techniques: signed at Geneva on May 18, 1977; entered into force October 5, 1977.*

*Preambles four and eight*, recalling the declaration of the UN Conference on the human environment adopted at Stockholm on 12 June 1976 and reaffirming the purposes and principles of the UN Charter.

*Article V*, providing for consultation and co-operation through appropriate international procedures within the UN framework and pursuant to its Charter; for the lodging of complaints relating to a breach of obligations with the UN Security Council which may initiate an investigation; and for assistance to be provided, pursuant to the UN Charter provisions, should the Security Council decide that a party has been harmed or is likely to be harmed as a result of violation of the Convention.

*Article IV, paras two and six*, providing for the deposit of instruments of ratification or accession with the UN Secretary-General and for the registration of the Convention in accordance with Article 102 of the UN Charter.

*Article X*, providing for the Convention to be deposited with the UN Secretary-General who is charged with sending certified copies thereof to the Governments of the signatory and acceding States.