

## **January 1998**

### **Programme for Promoting Nuclear Non-Proliferation, Newsbrief, Number 40**

#### **Citation:**

"Programme for Promoting Nuclear Non-Proliferation, Newsbrief, Number 40", January 1998, Wilson Center Digital Archive, Contributed by Michal Onderco from the private papers of Benjamin Sanders. Copies also available in MS 424, University of Southampton Special Collections.

<https://wilson-center-digital-archive.dvincitest.com/document/260491>

#### **Summary:**

A compilation of the latest news, events, and publications related to nuclear weapons and nuclear non-proliferation. The "Newsbrief" was produced by the PPNN and personally edited by Ben Sanders.

#### **Credits:**

This document was made possible with support from Carnegie Corporation of New York (CCNY)

#### **Original Language:**

English

#### **Contents:**

Original Scan

# PROGRAMME FOR PROMOTING NUCLEAR NON-PROLIFERATION

Number 40

NEWSBRIEF

4th Quarter 1997

## Editorial Note

The *Newsbrief* is published every three months, under the auspices of the Programme for Promoting Nuclear Non-Proliferation (PPNN). It gives information about the actual or potential spread of nuclear weapons and about moves to prevent that spread; it also contains references to relevant developments in the realm of the peaceful use of nuclear energy. The contents of the *Newsbrief* are based on publicly available material, chosen and presented so as to give an accurate and balanced depiction of pertinent events and situations.

This issue of the *Newsbrief* covers the period 9 October to 31 December 1997.

The format of the *Newsbrief* makes it necessary to choose among available items of information and present them in condensed form. Another reason for careful selectivity is that an event may be reported in more than one publication and in widely different ways, sometimes complementary but often also contradictory. Yet another ground for cautious culling is the speculative nature of many media reports. Such reports are used here only if there is reliable back-up information or if the fact of their original publication is deemed relevant in the framework of the *Newsbrief*.

Subheadings used in the *Newsbrief* are meant to facilitate presentation and are not intended as judgements on the

nature of the events covered. On occasion, related developments that might logically be dealt with under separate subheadings are combined under a single subheading if doing so makes the text more easily readable.

PPNN's Executive Chairman, Ben Sanders, is Editor of the *Newsbrief*. He produces it and takes sole responsibility for its contents. The inclusion of an item does not necessarily imply the concurrence by the members of PPNN's Core Group, collectively or individually, either with its substance or with its relevance to PPNN's activities.

Readers who wish to comment on the substance of the *Newsbrief* or on the way any item is presented, or who wish to draw attention to information they think should be included, are invited to send their remarks to the editor for possible publication.

## I. Topical Developments

### a. Nuclear Disarmament and Arms Limitation

- The proceedings in the fifty-first regular session of the **United Nations General Assembly** brought an innovation: the adoption without a vote of a resolution regarding the establishment of a nuclear-weapon-free zone in Central Asia. The Assembly approved the Secretary-General's proposal to transform the present Centre for

## Contents

<b>Editorial Note</b>	1	A/RES/52/36 — Conclusion of Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons	23
<b>I. Topical Developments</b>	1	A/RES/52/38 K — Nuclear disarmament with a view to the ultimate elimination of nuclear weapons	24
a. Nuclear Disarmament and Arms Limitation	1	A/RES/52/38 L — Nuclear disarmament	24
b. Nuclear Testing	3	A/RES/52/38 M — Bilateral nuclear arms negotiations and nuclear disarmament	25
c. Nuclear Trade, International Cooperation and Nuclear Export Issues	3	A/RES/52/38 N — The nuclear-weapon-free southern hemisphere and adjacent areas	26
d. IAEA Developments	5	A/RES/52/38 O — Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons	27
e. Peaceful Nuclear Developments	6	A/RES/52/38 S — Establishment of a nuclear-weapon-free zone in Central Asia	27
f. Nuclear Policies and Related Developments in Nuclear-Weapon States	7	A/RES/52/39 C — Convention on the Prohibition of the Use of Nuclear Weapons	27
g. Proliferation-Related Developments	9	A/RES/52/41 — The risk of nuclear proliferation in the Middle East	28
h. Nuclear Material Trafficking and Physical Security	15	A/RES/52/45 — Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin American and the Caribbean (Treaty of Tlatelolco)	29
i. Environmental Issues	15	A/RES/52/46 — African Nuclear-Weapon-Free Zone Treaty	29
j. Miscellaneous	16	c. Documents pertaining to the situation in Iraq	30
<b>II. PPNN Activities</b>	16	Security Council Resolution S/RES/1134 (1997), 23 October 1997	30
<b>III. Recent Publications</b>	17	Security Council Resolution S/RES/1137 (1997), 12 November 1997	30
<b>IV. Documentation</b>	19	Statement by the President of the Security Council, 13 November 1997	31
a. Documents Pertaining to China's Nuclear Export Policies	19	<b>V. Comments From Readers/Corrections</b>	32
Joint US-China Statement October 29, 1997 [Extracts]	19		
Statement by China at the October 1997 meeting of the Zangger Committee	19		
b. Resolutions of the United Nations General Assembly	21		
A/RES/52/30 — Compliance with arms limitation and disarmament and non-proliferation agreements	21		
A/RES/52/31 — Verification in all its Aspects, Including the Role of the United Nations in the Field of Verification	21		
A/RES/52/34 — Establishment of a nuclear-weapon-free zone in the Region of the Middle East	21		
A/RES/52/35 — Establishment of a nuclear-weapon-free zone in South Asia	22		

Disarmament Affairs into a Department headed by an under-secretary-general. (See also *Newsbrief* 39, page 21). Press reports indicated that the leading candidate for this post is Ambassador Jayantha Dhanapala of Sri Lanka, President of the 1995 Review and Extension Conference of the NPT and a member of PPNN's Core Group. Support was expressed also for the continued activities of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific.

The resolutions most closely relating to subjects referred to in the *Newsbrief* included:

- **A/RES/52/30** (Compliance with Arms Limitation and Disarmament Obligations) introduced by the United States of America, was adopted without a vote;
- **A/RES/52/31** (Verification in all its Aspects, Including the Role of the United Nations in the Field of Verification) introduced by Canada, was adopted without a vote;
- **A/RES/52/34** (Establishment of a Nuclear-Weapon-Free Zone in the Region of the Middle East) introduced by Egypt, was adopted without a vote;
- **A/RES/52/35** (Establishment of a Nuclear-Weapon-Free Zone in South Asia) introduced by Pakistan, was adopted by 153 votes in favour, 3 against (Bhutan, India and Mauritius), and 8 abstentions;
- **A/RES/52/36** (Conclusion of Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons) introduced by Pakistan, was adopted by 116 votes in favour, none against, and 51 abstentions;
- **A/RES/52/38 K** (Nuclear disarmament with a view to the ultimate elimination of nuclear weapons) introduced by Japan, was adopted by 156 votes in favour, none against, and 10 abstentions (including the DPRK, India, Iran, Israel, and Pakistan);
- **A/RES/52/38 L** (Nuclear disarmament) introduced by Myanmar, was adopted by 109 votes in favour, 39 against, and 18 abstentions;
- **A/RES/52/38 M** (Bilateral nuclear arms negotiations and nuclear disarmament) introduced by the United States of America, was adopted by 161 votes in favour, none against, and 8 abstentions;
- **A/RES/52/38 N** (The nuclear-weapon-free southern hemisphere and adjacent areas) was introduced by Brazil and adopted by 131 votes in favour, 3 against (France, UK and USA), and 34 abstentions;
- **A/RES/52/38 O** (Advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons) was introduced by Malaysia and adopted by 116 votes in favour, 26 against, and 24 abstentions;
- **A/RES/52/38 S** (Establishment of a nuclear-weapon-free zone in Central Asia) was introduced by Uzbekistan and adopted without a vote;
- **A/RES/52/39 C** (Convention on the Prohibition of the Use of Nuclear Weapons) was introduced by India and adopted by 109 votes in favour, 30 against, and 27 abstentions;
- **A/RES/52/41** (The risk of nuclear proliferation in the Middle East) was introduced by Egypt and adopted by 147 votes in favour, 2 against (Israel and USA), and 14 abstentions;

— **A/RES/52/45** (Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)) was introduced by Mexico and adopted without a vote; and

— **A/RES/52/46** (African Nuclear-Weapon-Free Zone Treaty) introduced by Kenya was adopted without a vote.

These resolutions are reproduced below in section IV. **Documentation**, pages 21–30. Among other resolutions adopted were **A/RES/52/33** (the role of science and technology in the context of international security and disarmament), which was adopted by a vote of 103 to 43 with 19 abstentions; **A/RES/52/37** (prevention of an arms race in Outer Space), which was adopted by a vote of 128 to 0 with 39 abstentions; and **A/RES/52/38 F** (convening of the fourth special session of the General Assembly devoted to disarmament). This resolution contains a decision that subject to the emergence of a consensus on its objectives and agenda a fourth special session devoted to disarmament would be convened for which the date would be decided at the next session of the General Assembly. This resolution was adopted without a vote.

Resolutions were also adopted on a prohibition of the dumping of radioactive wastes, **A/RES/52/38 I** (adopted without a vote); and on the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, **A/RES/52/39 A** (adopted without a vote). A decision to include into the agenda of the next regular session of the General Assembly the subject of the Comprehensive Nuclear Test Ban Treaty was adopted by a vote of 154 to 0, with 4 abstentions.

- **Russia** is seeking to set up an indigenous infrastructure for the production of mixed-oxide (MOX) fuel, using material from its approximately 150 metric tons of excess weapons plutonium which it hopes to burn. The move is said to be in parallel to the efforts of western companies to establish MOX fuel facilities in Russia. Among firms particularly active in this area are Belgonucleaire, which has made an agreement with the Russian Atomic Energy Ministry for joint work on two MOX fabrication projects in Russia; Siemens and Cogema, which are hoping to build a MOX plant in which they would use part of Siemens' abandoned facility at Hanau. Reportedly, British and Japanese firms are hoping to join this project. The US-Russian Independent Scientific Commission on Disposition of Excess Weapons Plutonium, noting the need to provide financing for the Russian programme, has suggested that one way towards covering the expected \$1 billion cost of the programme would be to allow Russia to borrow against future sales to the US of blended-down high-enriched uranium. (*NuclearFuel*, 20/10, 17/11; *SpentFUEL*, 27/10)
- In an interview with the **Russian** non-proliferation journal *Yaderny Kontrol*, Lev Rokhlin, Chairman of the Defence Committee of the State Duma (the lower house of the Russian parliament), and Alexei Arbatov, Deputy Chairman, have repeated the assertion that the START II Treaty can be ratified only after a START III framework agreement, reducing the ceilings of warheads to around 1,000–1,500, has been signed. There are reports, however, that consideration of START II in the Duma is being advanced. In early October, US Deputy Secretary of State Strobe Talbot flew to Moscow to try and ac-

celerate ratification and discuss further deep cuts in weapons stockpiles.

During a visit to Sweden, President Yeltsin announced that Russia would unilaterally reduce the number of nuclear warheads in its possession by a further one-third. This statement was subsequently said to have been played down by the President's spokesman who did say, however, that Mr. Yeltsin was proposing to go beyond reductions already discussed with President Clinton in preliminary talks on a future START Treaty. Meanwhile, Russia is reported to be destroying a number of submarine-launched ballistic missiles, in the presence of US observers. The operation is carried out in accordance with START I.

On 31 October, the State Duma approved the Chemical Weapons Convention with a large majority. The Upper House subsequently approved the Convention unanimously and Russia deposited its instrument of ratification on 5 November. As of 31 December, the CWC has been signed by 165 states, ratified by 103 with 3 accessions. It is expected that Russia, which is said to have the world's largest stock of chemical weapons, will be unable to destroy its holdings within the ten-year deadline and will apply for the five-year extension permitted in the Treaty.

(**Yaderny Kontrol Digest**, No. 5, Fall; **Associated Press**, 7/10; **New York Times**, 1/11, 3/12; **Agence France Press**, 3/12; **direct information**)

- In the **United States**, the Department of Energy (DoE) has issued a draft request for proposals (RFP) for MOX fuel fabrication, as one way of disposing of surplus weapons plutonium. In a departure from the initial draft, this version is said to indicate that MOX test or demonstration fuel could be fabricated in Europe. Another possible option for disposition had been burning the plutonium in Candu reactors under an agreement with Canada and Russia, but this is now said to be in doubt because of objections raised by Canadian citizens to the environmental impact assessment. There are also still said to be questions regarding the physical security measures to be adopted with regard to the nuclear material involved and the payment for the fuel. DoE has said that the US government is moving ahead with surplus weapons plutonium disposition in advance of an agreement with Russia, to demonstrate its resolve to address the 'clear and present danger' represented by surplus plutonium, and to strengthen its negotiating position. (**SpentFuel**, 17/11, 1/12, 15/12, 22/12; **Nuclear-Fuel**, 1/12, 18/12)

## b. Nuclear Testing

- It has been reported from Washington that no appropriation has been made in either House to cover the US share of the 1997–1998 budget for the **Comprehensive Test Ban Treaty Organization** (CTBTO). Reportedly, so far, only 50 per cent of the current budget for the Organization has been paid. Delinquent contributors include Italy, Japan, Russia, as well as the United States, which owes \$20 million. As of early December, the number of signatories of the Treaty stood at 149; it had been ratified by the Czech Republic, Fiji, Japan, Micronesia, Mongolia, Peru, Qatar, and Uzbekistan.

(**Stimson Center Nuclear Roundtable**, 31/10; **Christian Science Monitor**, 21/11; **direct information**)

- In early November it was reported from Washington that the United States had dropped its charge that **Russia** might have secretly detonated a nuclear explosion at its Novaya Zemlya test site. American seismologists, intelligence and defence officials, as well as British, Finish, French, Norwegian and Swedish scientists, had long since arrived at the conclusion that the tremor, which was registered to have taken place in August, was an underwater earthquake, unquestionably natural in origin. A report by the US Air Force had also concluded that the event was centred off the shore of the island; the CIA, which initially raised the alarm, eventually concurred with the assessment that the event was not nuclear although it seems that the US National Security Council long adhered to its assessment that the event should be considered ambiguous and that neither an explosion nor an earthquake could be ruled out. The matter was complicated by the fact that, reportedly, activities had been observed at the Novaya Zemlya test site which seemed to indicate that a test was being prepared. It has since been disclosed, in fact, that the US has remotely monitored two subcritical underground explosions in the same area, reputedly of the kind that were staged in Nevada in July, as part of the Nuclear Stockpile Stewardship and Management Program. Arms control experts have strongly criticised opponents of the CTBT in the US government apparatus who initially insisted that the vibrations registered were due to an underground nuclear test, and who are still said to be unwilling to withdraw that contention. One senior scientist has described the situation as reflecting a longstanding cold war practice of acting on semi-digested intelligence information which is, inevitably, leaked to justify an alarm after which no sound is heard when the alarm turns out to be false. (**ISIS Release**, 26/9; **Washington Post**, 20/10; **New York Times**, 21/10, 5/11; **Reuters**, 4/11. See also **Newsbrief 39**, pages 4 and 5.)
- It has been disclosed in the **United States** that in the period 1961–1973, 27 tests, involving 35 nuclear explosions, were made to study the feasibility of using such explosions to build harbours, tunnels and canals. **Russia** is said to have detonated a total of 173 nuclear devices in 156 peaceful nuclear tests. (**Associated Press**, 23/12)

## c. Nuclear Trade, International Cooperation and Nuclear Export Issues

- On 11 December there was a report that Russia wished to end its agreement with the **United States** to sell enriched uranium from dismantled nuclear weapons through the United States Enrichment Company (USEC). Supposedly, Moscow expected to obtain higher revenues by selling the material direct to overseas customers. Asked if Russia would sell uranium to 'rogue' countries, Deputy Atomic Energy Minister Beloskohov, who made the announcement, said that sales would be made in strict compliance with international regulations. A few days later, the Deputy Director of Russia's *Uranservice* was quoted as saying that direct sales to foreign buyers would pertain only to natural uranium and that the country would continue to honour its 1994 agreement with the US. USEC has also clarified that the 500-MT HEU agreement is not affected by the talks about Russian exports of natural uranium and is being duly implemented. (**New York**



**Times**, 12/12; **USEC**, 12/12, in **UI News Briefing** 97.50; **Reuters**, 15/12; Letter from **USEC**, in **Bulletin of the Atomic Scientists**, January/February 1998)

- As reported in Washington, during discussions between **Brazil** and the **United States** on a nuclear cooperation agreement, the latter urged Brazil to cut off nuclear trade with **India**. Reportedly, Brazil was considering exporting to India some items relating to research and development of the thorium fuel cycle which, according to US sources, might be subject to guidelines of the Nuclear Suppliers Group (NSG). India has expressed resentment at Washington's 'effort to destroy its peaceful nuclear energy programme'. (**NuclearFuel**, 3/11)
- In mid-October, shortly before a scheduled state visit by the President of **China**, Jiang Zemin, it was announced in Washington that China, which previously had been said to have promised to provide Iran with two 300-MW power reactors [it may be noted that according to a report from Israel, earlier this year, China's Vice-President Li Lanqing had assured Prime Minister Netanyahu that China would not help Iran build nuclear reactors — Ed.] as well as a uranium conversion facility, would agree to cease making nuclear supplies to Iran and would not resume them. According to information from officials of the two countries, on the occasion of President Jiang's visit to Washington on 29 October, China gave authoritative, written communications to this effect; parts of the joint statement issued following the talks are reproduced below under **IV. Documentation**, page 19.

Reportedly, China will finish two projects in Iran which the US does not consider of proliferation concern: a zero-power research reactor using natural uranium and heavy water, and a zirconium tube factory. Both projects are expected to be completed shortly; work on the zero-power reactor is understood to be in its final check-out stage. In addition to the two power reactors mentioned above, China has agreed not to supply a heavy-water moderated low-enriched uranium reactor that had been under discussion for several years. This prospect had raised concern as it was also reported at the time that Iran was planning to import fuel fabrication and heavy-water production facilities from Argentina. That deal was said to have been stopped upon US intervention. China is also understood to have confirmed that it will not supply the uranium conversion plant. That plant had been an object of particular concern because it would have been able to serve an indigenous uranium enrichment programme. Iranian officials have denied repeatedly that they were planning to start such a programme, but there have been several reports about Iranian attempts to purchase centrifuge components in western Europe and a complete centrifuge enrichment plant in Russia.

At the same time, there is a report about the purchase by China of a zirconium-tube facility from South Africa, which in the early 1980s was supplied to that country from Germany, for the production of sheaths for nuclear fuel rods for the Koeberg power reactors. Chinese technicians were said to be dismantling the plant and preparing to pack it up for transport. American officials are said to wonder if it is this plant China would supply to Iran (allegedly, four months after the sale China had not yet provided South Africa with an end-user certificate) but officials in Pretoria have denied this.

Cooperation between China and the US in the peaceful uses of nuclear energy was a salient issue during the visit of China's President to Washington. An Agreement for Cooperation in the Peaceful Uses for Nuclear Energy was signed in 1985. Legislation requires that before this agreement can be implemented, the US President must submit to Congress certification regarding China's non-proliferation credentials. Reportedly, during the visit, China gave assurances that it would not assist unsafeguarded nuclear facilities, would curtail its cooperation with Iran as indicated above, establish an effective nuclear export control system (including dual-use items), and intensify its involvement in multilateral non-proliferation and export control efforts. On the basis of these assurances, which are said to include a general undertaking by China that it will no longer export any goods or materials related to the nuclear fuel cycle, President Clinton has submitted the required certification to Congress.

Many members of the US Congress are critical of what they see as the Administration's overly eager acceptance of China's non-proliferation intentions. Opponents in the US Senate have asked for documentary evidence that would permit them to conclude that China has changed its non-proliferation policies sufficiently to merit access to US nuclear technology. Opposition appears to be even stronger in the House of Representatives. On 5 November, the House approved, by a vote of 394 to 29, the Political Freedom in China Act of 1997, which, instead of the usual 30-day period of continuous session during which the certification proposal is open to congressional review, gives Congress a full 120 days to hold hearings and decide whether the agreement can enter into force. As a result, against the original expectation that the certification procedure — which must be completed before the 1985 Sino-American agreement for nuclear cooperation can enter into force — would be over in February 1998, it may take considerably longer, even if the Congress does not block it altogether. To this end, however, the Senate would have to enact similar legislation and there would have to be a joint resolution rejecting the agreement. The Senate is not expected to take action in this regard until next year. The White House is said to have confidence that in the end the agreement will be allowed to enter into force. It has stressed that it will closely scrutinise China's actions in the nuclear non-proliferation area to make sure it is complying with its undertakings. Administration officials also note that the multi-department approval needed for nuclear exports from the US will make sure that each American transaction with China is carefully reviewed.

Entry into force of the 1985 cooperation agreement is eagerly sought by the US nuclear industry, which has long wished to engage in nuclear commerce in China. A study prepared by the Center for Strategic & International Studies (CSIS) estimates that US industry might export up to \$1.65-billion worth of nuclear items a year to China, which in the next fifteen years is thought to need \$60-billion worth of new nuclear reactors. The assumptions used, however — that China will meet its goal of 50,000-MW of installed nuclear capacity, and that US vendors would win every order — is seen by critics as overly optimistic, and apparently inspired by the fact that the Chinese nuclear market may be the industry's last best hope for survival. Meanwhile, Washington is evaluating legislation earlier adopted by the Chinese government to regulate nuclear exports, including those

made by the military and by semi-privatised companies. Reportedly, even after these positive developments there is still concern in the Congress about China's exports of dual-use equipment and material and of missile technology. A statement reflecting China's nuclear export policies was made by its Permanent Representative in Vienna on 16 October, when China attended for the first time as a full member a meeting of the Zangger Committee. The text of the statement is reproduced below under **IV. Documentation**, pages 19–20.

(**Reuters**, 25/8, 26/8; ditto, 14/12, 16/12 in **UI News Briefing** 97.50; **Arms Control Today**, October; **Wall Street Journal**, 14/10; **New York Times**, 17/10, 25/10, 26/10, 28/10, 29/10, 30/10, 11/12; **SpentFuel**, 20/10, 3/11, 10/11; **Economist**, 25/10; **Joint US-China Statement**, 29/10; **Nucleonics Week**, 30/10; **Transcript of US State Department Background Briefing**, USIA, 30/10; **NuclearFuel**, 3/11, 29/12; **NAPSNET Daily Report**, 7/11; **Beijing Review**, 17-23/11. See also **Newsbriefs** No. 19, page 11, No. 25, page 11, No. 27, page 19, and No. 39, pages 6 and 18-19.)

- The Siemens industrial conglomerate of **Germany** and British Nuclear Fuels plc. of the **United Kingdom** announced on 15 October that they were discussing setting up a joint venture company for nuclear fuel fabrication. The company is expected to corner 14 per cent of the world's light-water reactor fuel market and might also cover uranium sales and the fabrication of MOX fuel. Siemens officials are quoted as saying that the move will ensure it access to nuclear markets in Europe and Asia while it is waiting for orders for its 'European Pressurized Water Reactor', and that, contrary to comments from French observers, this does not mean that it is getting out of the reactor construction business. In France, the alliance is seen as a potential rival designed to compete in particular with joint French-German nuclear activities. France's government, which has a stake in the nuclear-fuel company Framatome, is said to be considering ways to reinforce that firm's position. (**NucNet News**, 15/10, 16/10; **Enerpresse**, 16/10; **Financial Times**, 16/10; **Frankfurter Allgemeine Zeitung**, 16/10; **Guardian**, 16/10; **Süddeutsche Zeitung**, 16/10; **Die Welt**, 16/10, 21/10; **Le Monde**, 17/10; **NuclearFuel**, 20/10, 21/10; **Nucleonics Week**, 23/10)
- **Kazakstan** and **Russia** are negotiating an agreement for the provision of a nuclear power station to be erected near Balkhash. The station would consist of three VVER-640s; the first unit would be completed in 2005, the second in 2007, and the third in 2015. (**Nucleonics Week**, 27/11)
- In October, it was reported that **Kazakstan** would not be able to send back to **Russia** 3.5 tonnes of spent fuel, with a large proportion of potential weapon-grade plutonium. The material, currently stored at the BN-350 breeder reactor facility at Aktau, was to have been reprocessed in Russia, which would keep the plutonium. However, both because reprocessing and transport prices at the Mayak Production Association in Russia have been increased and because Kazakstan has no facility licensed to receive the high-level waste which Russia is obliged to return, Kazakstan has had to accept the option of indefinite storage of the untreated material, either where it is now or at the former testing site at Semipalatinsk.

The BN-350 reactor, which is situated about 200 miles from Kazakstan's border with Iran, on the Caspian Sea, is considered by the US as a proliferation risk. On 18 November Kazakstan and the US signed an agreement on peaceful nuclear cooperation, characterised by the US State Department as based on a shared view of the importance of preventing the spread of nuclear weapons materials. Together with this agreement parties concluded an implementing agreement to secure, stabilise and store spent fuel from the BN-350 reactor. A second subsidiary instrument provides for scientific and technological cooperation in the enhancement of nuclear safety in Kazakstan, and in yet another agreement the US undertakes to provide, among other things, safety support, including equipment and technology, to achieve safe operation and shut-down of the BN-350 reactor (which is to be closed in 2003) and assistance on safe, secure storage of its fuel. The cooperation agreement is to sit before the US Congress for 90 days of continuous session, during which members may raise objections.

(**NuclearFuel**, 20/10; **Reuters**, 18/11; **SpentFUEL**, 24/11)

- **Libya** will receive assistance from the **Russian Federation** in reconstructing its Tajura research reactor. (**Reuters**, 23/10, in **UI Newsbriefing** 97.43)
- A **Russian** nuclear-weapon laboratory is reputed to have obtained 16 advanced IBM computers. IBM is said not to have had federal approval for the sale which, reportedly, grew out of a misunderstanding by Russia. According to Russian officials, the US enticed them to sign the Comprehensive Test Ban Treaty in the understanding that they could buy high-performance computers from the US. The latter denies having made this promise. Russia is understood to have offered to move the computers to civilian locations and the US reportedly indicated that this might be acceptable if their use can be monitored. (**New York Times**, 27/10)
- **Russia** is said to be considering buying two 600 MW Candu-type reactors from **Canada** for use in the region of Vladivostok, in preference over the advanced Russian VVER-640 type. Candu reactors have been exported to, among other countries, Argentina, China, India, Pakistan, Rumania, and South Korea, and Canada is now reported to seek to sell them also to Hungary, Indonesia, Philippines, Thailand, and Turkey; it also hopes to supply additional units to China and South Korea. At the same time, Canadian and US press sources criticise the quality of the Candu reactor, pointing out that Ontario Hydro has been having considerable problems with its Candus and is closing down seven units; Argentina and South Korea are also said to experience serious operating problems. (**New York Times**, 3/12; **ENS NucNet News**, 4/12)

#### d. IAEA Developments

- On 10-14 November a Conference on Physical Protection of Nuclear Materials took place at IAEA Headquarters in Vienna. It was attended by 160 participants from 41 countries and several intergovernmental organisations. Discussions focused on national and global experience in regulation, implementation and operation of physical protection systems and standards. The Agency's new Director General, ElBaradei, concluded

that the international regime for the security of nuclear material and its implementation needs to be improved. Subjects discussed included international cooperation to improve physical protection to this end; analytical methods for designing and assessing physical protection systems; reliability testing of facility employees; hardware/software systems for physical protection; illicit trafficking and nuclear terrorism; vehicles, devices and methods for protecting materials in transit. Dr. El-Baradei announced the establishment of an advisory peer review service to evaluate national protection systems and give advice on supporting regulatory infrastructure. (Unpublished report by **George Bunn**, 17/11; **Nuclear-Fuel**, 1/12; **IAEA Bulletin**, January, 1998).

- Discussions have been completed between the Commission of the European Union and member states on a mandate regarding negotiations with the IAEA with respect to the application in the area of the European Union of the newly strengthened safeguards system. Negotiations started in Luxembourg on 2 December and will continue in 1998. (**Enerpresse**, 8/12; **Direct Information**)
- On 1 December IAEA inspectors started monitoring the blending-down of highly-enriched uranium (HEU) in uranium hexafluoride form from American military stocks, at the United States Enrichment Corporation at Portsmouth, Ohio. Reportedly, the inspectors will observe the dilution of 3.5 metric tons from among a total of 13.5 tons of HEU which the American government has agreed to dilute. The monitoring exercise is said to include continuous videotaping and random inspections, and involves the use of tamper-evident seals and other equipment. (**New York Times**, 2/12; **Freshfuel**, 8/12, in **UI News Briefing** 97.49)

#### e. Peaceful Nuclear Developments

- It appears that the operating life of the four old VVER-440 reactors of the Kosloduy power station in Bulgaria may be extended. In 1993, the IAEA judged that the reactors, which are of the original Soviet V-230 type, were potentially dangerous. They have since been upgraded, partly with help from abroad, but it had been understood that they would be shut down in return for international investments in the power sector. These appear to be slow in coming, and attempts are therefore said to be made to keep the reactors — the oldest started operating in 1974 — going for their full theoretical lifetime of 25-plus years. (**Nucleonics Week**, 11/12)
- There is said to be a possibility that **Canada's** undertakings at the third Conference of the Parties to the United Nations Framework Convention on Climate Change held in Kyoto in December may oblige Ontario Hydro to reconsider its plans to close seven reactors. (**Nucleonics Week**, 18/12. See also **Newsbrief** 39, page 12.)
- Design changes and difficulties in installing modern western instrumentation into the VVER-1000 reactors of the Temelin nuclear power plant in the **Czech Republic** are reported to be causing additional delays in the completion schedule and growing cost overruns. Current developments in the Czech Republic raise the possibility that critics of the project will come to political power, but the principal contractor is said to remain optimistic that the plant will be completed as planned. (**Nucleonics Week**, 18/12)

- In **France**, demonstrations against the closure of the Superphénix fast reactor intensified after the Minister for Industry, Pierret, confirmed that as far as he knew, Superphénix would not be restarted before decommissioning. Minister Pierret, who is thought to favour the continued operation of the facility, had earlier intimated that a restart was likely. It now appears, however, that what is seen as the largely symbolic closure of Superphénix is part of a deal with Environment Minister Dominique Voynet, the leader of the parliamentary faction of the Greens, under which virtually all the other elements of the French nuclear programme would be maintained. During a visit to the Chooz plant, near France's northern border, which comprises two 1,450-MW units of an indigenously-designed new reactor type, Pierret expressed his admiration for France's nuclear industry and said once again that the decision to close Superphénix was based on economic grounds but did not call into question France's commitment to nuclear power. The situation is still not entirely clear, however: recent reports indicate that the French government has postponed until January a possible decision on closure or restart of Superphénix. As a further complication, it is reported that the Phénix FBR, which has been out for refurbishment since early 1995, may only operate until 2004, rather than 2007, as planned earlier. If, however, Phénix is not given permission to restart, this is thought to be an additional argument for the government to keep Superphénix in operation for some more time. Moreover, since apparently there is no firm plan as yet for the decommissioning of Superphénix, and even at a low load factor this facility would be able to cover its operating expenses by producing electricity, an early shut-down would not make economic sense, all the more as there are said to be two new cores on hand that have already been paid for.

France's government is reported to have decided against an expansion of its MOX-fabrication facilities for the recycling of plutonium, and rather to be seeking other options for the disposal of high-level nuclear waste.

(**Enerpresse**, 23/9; **Nucleonics Week**, 9/10, 23/10, 30/10, 13/11, 11/12, 18/12; **Le nouvel Economiste**, 14/11; **Nuclear News Flashes**, 4/12, in **UI News Briefing** 97.49; **Les Echos**, 8/12)

- **Germany:** The Bavarian Environment Ministry has issued a license for the completion of the civil engineering part and the non-nuclear components of the 20 MW FRM-2 research reactor under construction at Garching, near Munich. Construction started in August 1996 and is now expected to be completed in early 2002; since the initial estimates, costs are said to have increased by 20 per cent. The US Administration has repeatedly expressed concern at the fact that the reactor is designed to use HEU, which it fears constitutes a proliferation risk. German anti-nuclear and environmental groups have also criticised the project; a request by the City of Munich for an injunction against the construction has been rejected by the State Administrative Court. (**Die Welt**, 14/10. See also **Newsbrief** 34, page 6.)
- The first of two reprocessing lines at the Kalpakkam reprocessing plant in **India** will begin operations in 1998. The plant is said to have a nominal capacity of 100 metric tons heavy metal in spent fuel per year and could be expanded to 125 MT. It will be used to reprocess

spent fuel from the two 220 MW PHWR units of the Madras power station. Earlier, spent fuel from Madras was reprocessed in the Prefre facility. Reportedly, western officials have speculated that this would have been earmarked for India's nuclear defence effort, but India's Department of Atomic Energy says that it was returned to Kalpakkam for use in the Fast Breeder Test Reactor there, which has a load of 60 kgs total plutonium in fresh fuel. (**Nucleonics Week**, 27/11; **NuclearFuel**, 1/12)

- The near-term outlook for the use of nuclear power in the South-East Asian states that were thought to be interested in developing their own nuclear-power structure, **Indonesia**, the **Philippines**, **Thailand** and **Vietnam**, is said to have been dimmed considerably by recent negative events affecting their economies and currencies. On the other hand, there is a report from **Finland** that consideration is being given there to the expansion of the country's nuclear capability. Also, it seems that in **Germany**, public opinion is largely in favour of the continuation of the use of nuclear energy. In **Canada** there are indications that the decision to lay up seven power reactors is running into serious criticism. (**Nucleonics Week**, 30/10; **Informations Kreis Kernenergie**, 31/10, in **UI Newsbriefing** 97.44)
- In **Japan**, three senior board members of Power Reactor & Nuclear Fuel Development Corp. (PNC) were dismissed in the wake of the disclosures about safety lapses and accidents. Twenty senior engineers have had their pay cut indefinitely by up to 50 per cent. Subsequently, a court has fined PNC and two of its managers, who were indicted for misrepresenting facts about the fire and explosion at the company's Tokai bituminisation plant on 11 March.

On 20 November there is said to have been a minor fire at the atomic vapour laser isotope separation facility (Avlis) at the Tokai laboratory of the Japan Atomic Energy Research Institute. The fire was quickly put out but since this was the second incident at Tokai authorities were said to be concerned that it might add to public worry there.

(**Nucleonics Week**, 16/10, 27/11; **SpentFUEL**, 15/12. See also **Newsbrief** 39, pages 13-14)

- It is reported in the **Slovak Republic** that the first upgraded VVER-440 unit of the Mochovce power station is expected to be started up in the summer of 1998, before all of the 87 safety upgrades that had been recommended can be completed. The plan is said to be to complete all measures relevant to the operational safety of the plant before it is started up, and to implement measures designed to ensure long-term safety at a later date. (**Nucleonics Week**, 13/11, 18/12)
- In **Sweden**, the Managing Director of the Confederation of Swedish Industries has said that industry would intensify its opposition to the shut-down of the Barsebäck nuclear power plant, the nuclear phase-out plans of the country's government, and the energy reform bill that was approved by Parliament in June. Just before Christmas the parliament adopted legislation providing for the phasing-out of nuclear power; this law will reportedly enable the government to expropriate nuclear power reactors if no agreement can be reached on com-

pensation. The Confederation of Swedish Industries has been campaigning against the law. There is a report that Norway, which had considered cancelling plans to build a gas fired power plant, is delaying its decision because such a plant might help Sweden fill the power gap caused by the shut-down of Barsebäck. Environmentalists, however, are protesting against the increased carbon dioxide emissions that would result. In November, Sweden's Minister for Industry and Commerce said that Barsebäck-1 would be shut down before the national elections that are due to be held in September 1998. Government plans are said to call for the closure of Barsebäck-1 by the summer, and of Barsebäck-2 in the year 2001. (**NucNet News**, in **UI Newsbriefing** 97/41; **Reuters**, 10/10; **Nucleonics Week**, 13/11; **NucNet News**, 11/12; **NuclearFuel**, 22/12)

- The Chernobyl-3 reactor unit in **Ukraine**, which is currently down for maintenance, is not expected to start up again until March 1998, following the discovery of a number of cracks in welded seams in the cooling circuit, said to be caused by corrosion. Repairs will cost the equivalent of \$55 million; some members of the national nuclear community in Ukraine predict that the facility, which is supposed to be closed in the year 2000, will never be restarted. This has a bearing on the issue of credit to be given by the European Bank for Reconstruction & Development (EBRD) for the completion of the VVER-1000 power reactors at Khmel'nitski and Rovno, called the K2/R4 Project. These reactors are called for to compensate for the shut-down of Chernobyl, but the EBRD is reported to have said that it cannot by itself raise the total amount needed, which is estimated at \$1.3 to \$1.4 billion. Reportedly to make the project more attractive to the EBRD and other potential financiers, the Ukraine government has decided to increase electricity rates.

On 20 November, a pledging conference was held in New York for contributions towards the expense of the remediation of the sarcophagus over the ruined Chernobyl unit-4. The project, approved by the group of seven most advanced industrial nations (G-7) as the Chernobyl Shelter Implementation Plan is expected to cost \$760 million. Members of the G-7 and the European Commission have pledged a total of \$337 million. Of this, the US has pledged \$78 million and the European Commission, \$114 million. Ukraine has committed itself to contribute \$50 million in kind and \$100 million in civil engineering services. Ukraine's President Kuchma has authorised the start of work on the replacement sarcophagus and bidding has started on various aspects of the project, in line with procedures of the EBRD.

(**Nuclear Engineering International**, October; **Nucleonics Week**, 16/10, 6/11, 13/11, 27/11, 4/12, 18/12; **Associated Press**, 17/10; **Standard** [Vienna], 20/10; **Reuters**, 18/11, 21/11; **NucNet News**, 4/11, 28/11. See also **Newsbrief** 39, page 15.)

#### f. Nuclear Policies and Related Developments in Nuclear-Weapon States

- According to intelligence sources in Washington quoted in the American press, the **Russian Federation** plans to reduce its ground forces by up to 50 per cent, and intends instead to put greater emphasis on the use of nuclear



- weapons in future conflicts. (**Times** [London], 18/10; **Reuters**, 18/10)
- European press media have given prominence to the decision of the government of the **United Kingdom** to buy seven more Trident missiles for its Vanguard-class submarines. The transaction, which will bring the number of Trident missiles purchased or ordered to 58, is part of a procurement project that was started under the previous British government. It is in line with the current Labour government's policy to retain the Trident programme but to press for multilateral negotiations to achieve mutual and balanced reductions in nuclear weapons, pending which a minimum level of deterrence will be maintained. Speaking on the floor of the House of Lords, the Minister of State for Defence Procurement, Lord Gilbert, has stated that in the current financial year, 'the estimated cost of maintaining the capability to design, produce, maintain the safety of, store, move and dispose of nuclear weapons is around £410 million' [\$675 million] and that the cost for 'providing, operating, maintaining and disposing of the Royal Navy's ballistic missile submarine fleet and its missiles is estimated to be some £530 million' [\$875 million]. [This is believed to be the first time such figures have been made public — Ed.] (**Daily Telegraph**, 16/10; **Kurier** [Vienna], 17/10; **Süddeutsche Zeitung**, 17/10; **Hansard** (Lords), 9/12)
  - In the **United States**, new presidential guidelines have been issued for the use of nuclear weapons. Departing from the previous strategy for fighting a prolonged nuclear war with the USSR that had been set by the Reagan Administration in 1981, the new Presidential Decision Directive is understood to focus on deterring the use of nuclear weapons rather than presuming to win a nuclear war, and on retaliation for the use by rogue states of chemical or biological weapons against the US or its allies. American officials have indicated that the new guidelines recognise the fact that deterrence of nuclear attack can be accomplished at dramatically lower levels of warheads. (In this context, *The New York Times* of 15 December notes that the US strategic missile force still has 7,500 warheads ready for use.) It is noted that the guidelines still reserve Washington's right to be the first to use nuclear weapons during a conflict. On 1 December, the National Defense Panel (NDP), a body of military and civilian defense specialists set up by the US Administration upon a Republican Congressional initiative to analyse US defence policies for the 21st century, submitted a blueprint to adapt US forces from the Cold War era to new security threats likely to face the country by the year 2020. The NDP recommendations call for a comprehensive reshaping of the skills and capabilities of US armed forces, starting immediately. The panel's recommendations include deterrence of potential nuclear adversaries at reduced levels of weaponry, the maintenance of a non-nuclear deterrent capability against weapons of mass destruction, support for the Cooperative Threat Reduction Program (Nunn-Lugar), and the negotiation of START III as soon as possible. The report includes the maintenance of the Nuclear Stockpile Stewardship Program and underlines the importance of the nuclear Non-Proliferation Treaty, the Chemical Weapons Convention, and the Biological Weapons Convention, with improved verification means. (**New York Times**, 30/11, 7/12, 8/12, 14/12, 15/12; **NDP Press Release**, 1/12; **Washington Post**, 7/12)
  - Confirming an earlier account in *Nucleonics Week*, it has been reported that **United States** government officials have given active consideration to the possibility of buying tritium from Russia. Dr. Richard Garwin, a highly respected nuclear authority, is quoted as saying that buying tritium from Minatom would be the 'best opportunity' for the US to solve its tritium needs and that the cost would be a small fraction of that involved in the production of tritium in US power reactors. Garwin was also to have said that if US and Russian nuclear weapons are reduced to less than 10,000, the US could save on capital expenditure and also on the tritium purchase.
- The Chairman of the US Nuclear Regulatory Commission (NRC) has turned down a request by arms control advocates and environmental groups to delay approval of the plan of the Tennessee Valley Authority for a 'confirmatory test' to produce tritium in its Watts Bar-1 reactor. Opponents quote the Atomic Energy Act which prohibits using commercial facilities to produce special nuclear materials (SNM) for use in nuclear weapons. They also point out that producing tritium at Watts Bar contradicts US non-proliferation policy, which makes a strict separation between civil and military nuclear activities. The NRC Chairman is reported to have rejected both objections, the former because tritium is not mentioned as an SNM and the latter, as she maintains, because policy issues regarding nuclear weapons are outside NRC's regulatory purview.
- Meanwhile, there is still talk about using the Fast Flux Test Reactor at Hanford, in Washington state, to produce tritium, possibly along with medical isotopes. This arrangement, which is seen as an interim option pending the completion of a tritium-producing accelerator, would reportedly have economic advantages, but there are concerns on the part of those who fear that the restart of the reactor would take money away from the clean-up at the Hanford reservation. The neighbouring state of Oregon has also raised objections on environmental grounds. Moreover, observers note that arguments against mixing commercial and defence operations in a single reactor apply equally to this scheme.
- (**Nucleonics Week**, 16/10, 11/12; **NuclearFuel**, 17/11. See also **Newsbrief** 39, page 16.)
- On 17 October the **United States** military test-fired a ground-based laser at a satellite in space. The American Department of Defense said that the Mid-Infra-Red Advanced Chemical Laser (MIRACL) was fired twice at an Air Force satellite in a 285 mile (456 km) orbit, which was thought to have exceeded its useful lifetime. The purpose of the test — which was reported to have been only partially successful — was said to be to determine the vulnerability of American satellites in space but some observers believe that it was also intended to demonstrate an offensive capability. Arms control advocates and some State Department officials have expressed criticism of the test as provocative and unnecessary and liable to have repercussions in Russia. (**Arms Control Today**, October; **Guardian**, 3/10; **Times** [London], 3/10; **Le Monde**, 4/10; **New York Times**, 21/10; **Neue Zürcher Zeitung**, 23/10; **Bulletin of the Atomic Scientists**, January/February 1998)
  - A report from the Institute for Energy and Environmental Research (IEER) reveals that in the first 45 years since it

started producing nuclear weapons, the United States government failed to properly track the radiation exposure of personnel involved in the work. Apparently, while urinalysis was used to look for signs of radioactive materials ingested and badges indicated external radiation exposure, the data were not combined to calculate a total exposure rate. DoE has confirmed this conclusion but said that at the time it was not universal practice to calculate combined doses. (*Science for Democratic Action/IEER*, November; *New York Times*, 9/11)

### g. Proliferation-Related Developments

- For the present, the food shortage in the **Democratic People's Republic of Korea** (DPRK) seems to have been alleviated by the provision, since last April, of 850,000 tonnes of grain from foreign sources, 320,000 tonnes of it supplied by the UN World Food Program. This year's harvest is said to have been only slightly better than the previous one but since it reportedly is still only enough to feed the country for about four months, further assistance is expected to be needed in 1998. A team of American relief experts who spent three months monitoring food distribution all over the country has reported that the aid was making the difference between hunger and starvation; they are said to have seen no sign that food shipments from abroad were diverted to the military. A US government assessment team also travelled in areas of the North that had not been previously accessible and found significant evidence that foreign assistance had made an important difference, especially for the health of young children. According to relief organisations and the World Health Organization, three years of famine have nearly doubled the death rate among children under five and turned common ailments into deadly epidemics. Tuberculosis and polio are spreading fast. The situation is aggravated by a lack of hospital supplies. In late December talks between Red Cross officials from the two Koreas broke up when the DPRK refused to permit officials of the International Committee of the Red Cross to monitor food distribution.

In his annual report to the UN General Assembly, the Director General of the IAEA reported that the canning of the irradiated fuel rods from the reactor at Nyongbyon was virtually complete and the cans were placed under IAEA monitoring [a subsequent report indicated that the canning operation might be completed before the end of 1997 — Ed.]. However, no progress had been made in the IAEA's technical discussions with the DPRK, notably on the preservation of information related to past nuclear activities and on verifying that there were no movements involving liquid nuclear waste from the Nyongbyon reprocessing plant, whose operations were frozen under the terms of the 1994 Agreed Framework with the US. The DPRK remained in non-compliance with its safeguards inspection agreement.

On 27 October, the Republic of Korea (RoK) and the US started their annual large-scale military exercise. The DPRK Foreign Ministry has condemned the exercise as an aggressive manoeuvre and a reason to strengthen its own armed forces in every way. General Shelton, the new Chairman of the US Joint Chiefs of Staff, has said that the DPRK was a greater challenge now than at any time since the war of 1953 and that the US and the RoK should to remain on guard against the possibility of an attack across the demilitarised zone.

On 9 and 10 December, negotiations were held in Geneva among representatives of China, the DPRK, the RoK and the US, on a peace agreement for the Korean peninsula to supersede the temporary armistice concluded in 1953. The meeting ended with an agreement to continue the negotiations on 16 March 1998, again in Geneva; the talks were said to have proceeded in a cordial and productive atmosphere. Intersessional consultations will be held in Beijing in mid-February. Although, reportedly, the DPRK representative once again made his position clear with regard to US troop withdrawal, called for an end to the economic blockade against his country and pressed for bilateral negotiations with the US, these matters were not debated at this initial meeting.

The negotiations were preceded by a series of working-level talks, of which the last ones were held in New York City on 21 November. The talks were reported to have been business-like and were seen in Washington as an important first step on what was expected to be a long and arduous road to a definite solution. However, the DPRK let it be known that its willingness to take part was based on its expectation that the question of a US troop withdrawal from South Korea would be on the agenda. In an interview on ABC-TV's *This Week's* programme, Secretary of State Albright denied this. A spokesman for Pyongyang's Foreign Ministry also expressed the understanding that the talks would concern the conclusion of a peace treaty between the DPRK and the USA — an assertion repeatedly rejected by the latter but, apparently made once again during the Geneva negotiations. The US Secretary of Defense has since also confirmed that his country was not planning to hold separate negotiations with the DPRK. South Korea's newly elected president, Kim Dae Jung, has called for an early resumption of a dialogue based on the South-North Korean Basic Agreement.

The establishment of diplomatic liaison offices in the respective capitals was the subject of bilateral talks held in Washington in late November. This meeting, too, was described as having been useful and productive.

The Korean Peninsula Energy Development Organization (KEDO) is now putting the cost of the two light-water reactors to be supplied to the DPRK at \$5.1785 billion. Contract negotiations with Korea Electric Power Corp., the principal contractor for the project, are expected to begin in early 1998. South Korean politicians are questioning why their country should bear the major portion of the construction costs and members of the parliamentary opposition have expressed the view that as KEDO is led by the US, that country should share the burden to the same extent as the RoK. This attitude was expected to harden as a result of the recent sharp downturn in the latter's economy, but on 17 December the government in Seoul reaffirmed its commitment to the project despite its financial problems. A US government spokesman has also said that the financial crisis should have no effect on the project, given the size of the RoK annual budget and the fact that its contribution will be spread over ten years. The spokesman also announced that KEDO had enough funding for the first year costs of the project viz, \$45 million. However, there is said to be some expectation in Washington that the economic downturn in South Korea will stiffen the North's attitude in the four-power peace negotiations.

Reports from Taiwan claim that the Taipei government will cancel plans to dispose of nuclear waste in the DPRK. This decision, ostensibly due to the inability of the DPRK to complete construction of the necessary disposal facilities, is said actually to be prompted by international criticism of the plan.

(**Korea Herald**, 2/10, 23/11, 17/12; **WHO Press Release** 71, 2/10; **Economist**, 4/10; **Associated Press**, 24/10, 27/10, 17/11, 10/12, 24/12; **Reuters**, 27/10, 14/11, 10/12, 19/12, 24/12; **United States Information Agency Transcripts**, 13/11, 17/11, 21/11, 28/11, 2/12, 8/12, 11/12; **AP Dow Jones News Service**, 14/11; **IAEA Press Release** PR 97/32, 14/11; **Korea Times** [Seoul], 14/11; **New York Times**, 18/11, 22/11, 25/11, 11/12, 25/12; **Nation** [Bangkok], 22/11; **International Herald Tribune**, 24/11; **ABC-TV's This Week**, 24/11; **United Press International**, 9/12; **Washington Times**, 15/12; **United Daily News** [Taiwan], 17/12; **Nucleonics Week**, 18/12)

- Senior officials in New Delhi are quoted as saying that the recent resignation of the Prime Minister of **India**, Inder Gujral, is not likely to cause a shift in the country's nuclear policy. This contradicts speculations in the West that a Bharatiya Janata Party (BJP) government would call for an Indian nuclear weapon test. The BJP has repeatedly said that India should end the ambiguity since it tested a nuclear explosive device in 1974. Again in December, the leader of the BJP was reported to have said that if his party wins the next election, scheduled for Spring 1998, it would come out in favour of developing an Indian nuclear deterrent. A report by the Institute for Defence Studies and Analyses, in New Delhi, claims that by the turn of the century India would have 250 kgs of weapons-grade plutonium, which would be enough for about 50 nuclear weapons. Reportedly, besides the Cirus reactor, which is said to be capable of producing between 6.6 and 9 kgs of weapons-grade plutonium annually, and Dhruva, which is estimated to produce between 16 and 26 kgs a year, India uses several other reactors for the production of high-purity plutonium. According to the same report, **Pakistan** has enough weapons-grade plutonium (sic) for about 13 bombs. (**South China Morning Post**, 17/10; **Nucleonics Week**, 4/12; **Reuters**, 12/12, in **UI News Briefing** 97.50)
- A recent report of the US Council on Foreign Relations suggests that instead of trying to cap, reduce, and finally eliminate nuclear arms in **India** and **Pakistan**, attempts should be made to achieve a 'steady plateau' in the situation. At the same time, the report proposes, the limits on the transfer of technology should be reduced, military cooperation should be increased and assistance given to India's civil nuclear power programme. (**Economist**, 4/10)
- Russian sources have denied the report that Russia had agreed that the US should join it in inspecting the power reactors under construction at Bushehr to ensure that they would not contribute to **Iran's** alleged nuclear weapons programme.

Negotiators for the European Union and the US have been trying to solve a dispute arising from American legislation aimed at penalising companies that trade with Iran or Libya. Reportedly, the European Union had threatened to submit the issue to the World Trade Or-

ganization. A six-month deadline to solve the dispute expired on 15 October but talks were continuing, with some signs that the matter might be resolved.

An earlier assertion by *Jane's Intelligence Review* that Reza Amrollahi, then head of Iran's Atomic Energy Organization, had asked South Africa for assistance for a nuclear weapons programme, has been met with the statement that Amrollahi had never been to South Africa and that while his successor, Gholam Reza Aghazadeh, did visit the country, he never asked for nuclear items there.

A senior official of Russia's Federal Security Service has been quoted in the press as saying that his organisation had detected and stopped attempts to transfer missile technology to Iran. This presumably concerns a factory in the Volga River city of Samara, known as an aerospace centre, which was said to be preparing to export missile parts to Teheran. In a separate incident, Russia's foreign ministry has confirmed an earlier TV news report that as a result of a sting operation set up by the Federal Security Service, an Iranian national — since variously described as a student, a representative of the Iranian missile programme and an embassy employee — had been arrested trying to buy missile technology and was expelled from the country. Israeli officials including Prime Minister Netanyahu speaking in Washington in November allege, however, that Russia is still helping Iran develop its own long-range ballistic missile capability. Iran is said to have almost completed the development of a medium-range ballistic missile, called *Shahib-3*, which is presumed to be capable of carrying chemical or nuclear warheads.

At the 41st regular session of the IAEA's General Conference, Russian officials said that, rather than opposing assistance to Iran on the unsubstantiated ground that it is engaged in a military nuclear programme, the US should take its allegations to the Security Council. Reportedly, the US continues to put pressure on the IAEA to cut off its assistance to Iran. The IAEA, too, is said to take the view that if the US indeed suspects Iran of conducting a clandestine nuclear weapons programme it should bring the matter to the attention of the Agency's Board of Governors, as was done, for instance, in 1992 in the case of the DPRK.

Meanwhile, the future of Iran's nuclear development programme seems to be in doubt. The reconstruction of the Bushehr power station still appears to proceed very slowly if at all; reportedly, no Russian components have yet been delivered. Accordingly to one report, the replacement of Reza Amrollahi as head of Iran's Atomic Energy Organization by Gholam Reza Aghazadeh, following the election of the country's new president, may result in the postponement or even the termination of the project. As China is no longer expected to supply Iran with the two 300-MW power reactors, Iran's entire nuclear power programme appears currently to be on hold.

It has been reported in Vienna that in a meeting with Gholam Reza Aghazadeh, the IAEA's Director General Hans Blix pointed out that while the IAEA can verify the status of nuclear materials of which Iran has notified the Agency, it does not exonerate a country from rumours that it is engaged in undeclared activities and thus does

not provide a 'clean bill of health', as Aghazadeh had announced at the Agency's General Conference.

(SAPA News Agency [Johannesburg] 26/8, in **BBC Monitoring Summary of World Broadcasts**, 28/8; **Middle East**, September; **Reuters**, 2/10, 14/11; **Independent**, 3/10; **Nucleonics Week**, 9/10, 16/10; **International Herald Tribune**, 16/10; **New York Times**, 18/11. See also **Newsbrief** 39, page 7.)

- On 16 October the UN Security Council began discussing the first periodic report from the new Executive Chairman of the UN's Special Commission (UNSCOM), Ambassador Richard Butler. The report asserted that Iraq was still withholding information about its chemical and biological weaponry and missiles. It held that particularly with regard to its biological weapon efforts the information Iraq had supplied fell far short of the 'full, final and complete disclosure' it was obliged to make. The report also claimed that there were still unanswered questions about Iraq's nuclear programme and that Iraqi officials, rather than cooperating with UNSCOM's efforts, had been interfering with its inspections by, among other things, blocking short-notice inspections, obstructing the departure of monitoring helicopters, and detaining inspectors.

The US, supported by the UK and several other members of the Security Council, called for the immediate imposition by the Council of additional sanctions on Iraq, including restrictions on international travel of senior Iraqi officials. This was opposed by, among others, China, Egypt, France, Kenya and Russia, who felt that, on the contrary, the time had come for the normalisation of relations with Iraq. In the face of this opposition a resolution text was worked out whereby, rather than imposing an immediate ban on travel, or, as had been proposed as an alternative, providing for the automatic entry into effect of such sanctions in six months unless the Iraqi government significantly improved its accounting for prohibited weapons and cooperated fully with UN inspectors, the Council expressed its firm intention to impose the travel ban in April 1998, (when Ambassador Butler is due to make his next periodic report), if by then Iraq had not met its obligations. (Resolution 1134 (1997) of 23 October, reproduced below under **IV. Documentation**, page 30.) Although worded to obtain wide support, the resolution was passed with only ten votes in favour and five abstentions, including China, France and Russia; it was interpreted by the US, however, as containing the basic message that the Council would act if Iraq continued to challenge UNSCOM's mandate.

In the run-up to the Security Council's October session, Iraq was reported to have warned Mr. Butler that it would stop cooperating with the monitoring process if the Security Council imposed any further sanctions. Following the adoption of the resolution, Baghdad announced on 29 October that it would no longer permit UN inspectors holding US citizenship to enter its facilities, and that monitoring overflights by American U-2 reconnaissance aircraft operating on behalf of the UN were no longer permitted. The Security Council responded with a statement warning Iraq of serious consequences if it did not reverse its decision. The Council pointed out that Iraq was responsible for the safety and security of all inspectors. The US, which was said to see in Iraq's action a possible means of regaining the unity among Council

members which had been lacking during the discussion on additional sanctions, warned that Iraq's action could have grave consequences. It was not clear, however, what course of action Washington was contemplating, since — as media reports indicated — it would not be able to count on the support of all members of the Council if it were to propose using force against Baghdad.

It was subsequently revealed by US and UN officials that the Iraqi injunctions against the use of American inspectors and U-2 overflights might have been triggered by a letter of 27 October from UNSCOM's Executive Chairman to the Iraqi government, announcing his intention to inspect 'sensitive' sites controlled by the Special Republican Guard, where it was suspected data and matériel connected with Iraq's biological-weapons effort were hidden. The letter was said to have announced that UNSCOM sought information on missile warheads capable of carrying nuclear, biological or chemical warfare agents, as well as documents on the presence of VX nerve agents. It was noted that sites protected by the Special Republican Guard had so far been out of bounds to UNSCOM inspectors; the latter were said to suspect that the Guard and the Iraqi Special Security Organization were using the sites to conceal warfare matériel, equipment and documentation. Allegations that Iraq had greatly understated its anthrax stocks had been reported by US and other western media. The Israeli daily *Ha'aretz* was quoted as saying that UN inspectors were about to identify the location of 900 pounds of anthrax. As to why Iraq had been adamant in refusing to disclose the extent of its biological-weapon development, there was speculation that it feared evidence of experimentation on humans might come to light.

Shortly after the Security Council issued its statement, on 30 October, two US UNSCOM inspectors arriving at an airport near Baghdad were refused permission to disembark; an American IAEA inspector travelling in the same aircraft voluntarily returned to UN headquarters at Bahrain with his compatriots. The next day the Council expressed support for Ambassador Butler's initiative to have the US citizens among the inspection team resume work on 3 November in defiance of President Saddam's prohibition, and disregard demands that they should leave the country by 6 November. The Council adjourned its discussions until that date. During the following days Iraq again refused access to UN inspection teams comprising members of US nationality. It also repeated that all surveillance flights should end and intimated that reconnaissance planes would be fired at if their flights were resumed. Both US authorities and UNSCOM confirmed that the flights would be continued. Washington announced that it could not rule out the use of force if attempts were made to down the aircraft, but again did not specify what action it would take.

On 3 November the UN Secretary-General announced he was sending a delegation of three senior diplomats to Baghdad to seek full implementation of the pertinent Security Council resolutions; the Iraqi government advised him of its readiness to receive the delegation and, pending its arrival, extended the deadline for the departure of US inspectors. For the time of the diplomatic visit to Baghdad surveillance flights were suspended.

Two days later, Amb. Butler reported to the Security Council that Iraq had been profiting from the stand-off to



move equipment, tamper with cameras — covering lenses and turning off lights — and damage monitoring devices and that, as a consequence, the inspection system was no longer able to verify that Iraq was not making weapons of mass destruction. Iraq informed the Council that it had moved some machinery away from surveillance equipment, but asserted it had done so to move it out of the way of possible American missile attacks. It acknowledged that in the process some monitoring devices had ‘accidentally’ been damaged. Reportedly, among items no longer monitored was machinery to balance rotors for gyroscopes used in the guidance systems of long-range missiles. UNSCOM officials were also cited as saying that as long as Iraq obstructed the inspections it would be able to resume cultivating seed stock for biological warfare agents, and hide manufacturing equipment and weapon components. At the time, observers suggested that the Iraqi government might have initiated the crisis at least in part because UN inspectors were close to discovering clandestine operations and hidden stocks of machinery and material, and to gain time to hide tell-tale equipment and supplies.

While there was still no obvious change in the opposition of states such as Egypt, France and the Russian Federation to the use of force against Iraq, there was growing criticism — especially in Washington — of the Secretary-General’s patient diplomatic approach, which was said by some to have helped President Saddam Hussein gain time and to have weakened the inspection effort. Alternatives were not proposed, however, but when on 7 November Iraq advised the three UN delegates that it did not intend to change its policy of barring US inspectors and U-2 surveillance flights, and the Security Council was seized once again with the issue of finding a convincing response, Washington announced that it was ready to retaliate with force. At this point, it was reported that Iraq, although continuing to prevent inspection teams comprising US citizens from entering its facilities, had removed obstructions from some cameras and turned lights back on; however, it appeared that in the meantime equipment which had been under observation had been moved out. It was also reported that the UN had been prevented from replacing air samplers for the detection of prohibited chemicals. Around that time, too, Iraq’s foreign minister, at a news conference in Baghdad, announced that his country would continue its defiance of Security Council orders and would abide by its resolve not to admit UN inspectors of US nationality.

This was the situation when the Security Council reconvened on 10 November. Iraq’s Deputy Prime Minister, Tariq Aziz, attended the session and — against strong opposition from the US and the UK — demanded that a timetable be established for the end of sanctions against his country. President Clinton, in a televised interview, called on the UN to take very strong and unambiguous action, and affirmed previous warnings that any Iraqi attack on UN surveillance planes would be considered an act of war. Reportedly, however, while readying itself for military action, Washington was still pursuing a diplomatic approach through a Security Council resolution that would include a ban on international travel by high Iraqi officials. In the course of the Council’s session, after Ambassador Butler had announced that UN inspection teams would be sent into the field again, news came that teams comprising US citizens had once more been refused access to Iraqi installations.

On 12 November, the Security Council adopted unanimously a resolution (resolution 1137 (1997), reproduced below under **IV. Documentation**, page 30) in which it expressed grave concern at the situation (referred to in some detail); condemned the continued violation by Iraq of its obligations, including its unacceptable decision to seek to impose conditions on cooperation with the Special Commission and its repeated denial to inspectors of US nationality entry to designated sites; demanded that Iraq rescind its decision and cooperate fully and without conditions with the Special Commission; decided in accordance with resolution 1134 of 23 October (cited above) to put into effect its injunction on the travel of Iraqi officials or military personnel who were involved in instances of non-compliance, and to have a list drawn up of the individuals in question as well as guidelines and procedures to implement these measures, with the intention to communicate the list and the guidelines to member states for appropriate action. The Council also decided that these measures would be terminated one day after UNSCOM’s Chairman reported that Iraq was allowing its inspection teams ‘immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect ... as well as to officials and other persons under the authority of the Iraqi Government whom the Special Commission wishes to interview’. The Council also expressed its firm intention to take further measures as may be required for the implementation of the resolution.

The day after the adoption of the resolution, UN inspection teams comprising American nationals were again prevented from entering Iraqi sites — the tenth such incident in eleven days. Iraq now demanded the immediate departure of all US citizens serving on UNSCOM inspection teams, via the Baghdad–Amman highway. UNSCOM thereupon announced that, pending resolution of the present crisis, it was withdrawing its entire inspection force, except for a small group of officials who would be left behind to maintain the UNSCOM office, and a contingent of Chileans taking care of the helicopters used by UNSCOM. Not being allowed to await the departure of the other members of UNSCOM’s staff who were to be flown out on 14 November, the American members left for Amman by road one day earlier, under Iraqi escort. In New York, Iraq’s Deputy Prime Minister repeated the demand that overflights of reconnaissance aircraft should cease immediately, and again threatened military action if this injunction was disregarded.

When the Security Council met again, in the evening of 13 November, its President, Qin Huasun of China, read a statement condemning in the strongest terms the unacceptable decision of the Government of Iraq imposing conditions on the Special Commission in contravention of relevant Security Council resolutions. The statement, which is reproduced under **IV. Documentation**, page 31, warned of the consequences of Iraq’s failure to comply immediately and fully and without conditions or restrictions with its obligations under the relevant resolutions and demanded the immediate and unequivocal revocation of the action.

Iraq’s reaction was to announce it would continue to defy the UN’s demands. That same day, the International Relations Committee of the US House of Representatives unanimously adopted a resolution in which it

encouraged the President if necessary to resort to force, multilaterally or unilaterally. The Administration reiterated its wish to seek a peaceful solution to the crisis but also expressed its readiness to take military action if necessary; according to Secretary of State Albright, the US was making intensive diplomatic efforts to resolve the crisis, while adopting a robust military presence in the area. On 14 November, a naval task force including the aircraft carrier *George Washington* was despatched from the Mediterranean to the Persian Gulf, to reinforce a battle group around the carrier *Nimitz* already on station there. Meanwhile, the Russian State Duma adopted a resolution opposing the use of force against Iraq.

The situation rapidly assumed crisis proportions. On 16 November US officials were said to give serious consideration to the possibility of air attacks. Iraq remained defiant. There were reports that stocks of chemical and biological warfare agents and manufacturing equipment were being dispersed to the many sites said to be residences of Saddam Hussein and his family and out of bounds to inspectors; some members of the Republican Guard were reported to have died, others to have suffered injuries, as a result of exposure to toxic substances which they were moving to the new sites.

At the same time, the Iraqi News Agency reported that President Saddam was keen to avoid a confrontation with the US; a claim by Deputy Prime Minister Tariq Aziz who stated that Iraq would readmit UN inspection teams if they were made up of equal numbers of inspectors from the five permanent members of the Security Council was rejected by US and UN officials. President Clinton and Secretary of State Albright, meanwhile, were reported to have approached their Russian counterparts to convince the Iraqi leadership to reverse its policy.

During the next few days there was a growing number of reports about international attempts to reach a diplomatic solution that would not detract from UNSCOM's inspection rights. The US Administration was said to have offered Iraq a deal under which it would be able to make greater periodic oil sales, enabling it to buy more humanitarian supplies, if it returned to full compliance with the relevant UN resolutions. Russia was reported to have made Iraq a proposal under which it would allow the inspection teams, including US citizens, to resume their work, in the understanding that the open-ended search for weapons of mass destruction would be brought to a speedy conclusion. An early-morning meeting of the five permanent members of the Security Council, represented by the foreign ministers of France, Russia, the UK and the US and China's disarmament ambassador, was held in Geneva on 20 November. On that occasion Russia's foreign minister announced that Iraq had undertaken to allow the inspectors to return unconditionally and in their original composition. At that point, however, it seemed not to have been clear whether Iraq had given up its attempts to limit the rights of access of the UN's inspection teams.

Almost concurrently with the Geneva meeting, UNSCOM officials briefed the Security Council on the continuing threat posed by Iraq with regard to virtually every kind of weapon of mass destruction. Inspectors presented evidence of Iraq's large-scale production of biological and chemical warfare means, such as the VX nerve agent, botulism toxins, and anthrax, and of Iraq's

campaign of concealment and evasion, some of it demonstrated by photographs taken from U-2 aircraft. An IAEA expert reported that there were still unanswered questions about Iraq's nuclear-weapon programme — a point also made by the Agency's Director General in an earlier submission to the Security Council. Similarly, in his annual statement to the General Assembly, Dr. Hans Blix had said that in the face of Iraq's past practice of concealment it was not possible to guarantee that there could not still be some concealed components, activities and facilities. [Along the same lines, Mr. Paul Leventhal, President of the Washington-based non-governmental Nuclear Control Institute, points out that in an interview in June 1996, the then head of UNSCOM, Ambassador Rolf Ekéus, expressed concern that the nuclear-weapon components manufactured by Iraq before the Gulf War had never been found. Leventhal quotes Ekéus as saying that UNSCOM experts believe Iraq capable today of making a 'viable weapon' if [it] managed to buy a sufficient quantity of highly enriched uranium — Ed.] In general, however, media reports claim that Iraq's nuclear programme is now well-known and almost entirely dismantled.

Following the undertaking Baghdad gave to Russian Foreign Minister Yevgeny M. Primakov, the full UN inspection team, including American members, returned to Iraq on 21 November. At the time, there were reports that the expectation of an early end to the rigorous inspection regime raised by Russian assurances appeared to have emboldened Iraqi personnel to be even more uncooperative than before. It also soon became obvious that, as expected, the three-week interruptions of inspections had added to the difficulty of finding the evidence the teams were close to discovering when problems erupted. The official attitude of the US Government was to wait and see if and to what extent Iraq would cooperate. Iraq meanwhile hailed what it claimed to be a victorious outcome, which would enable it soon to shed the UN's sanctions altogether. In a meeting of the Security Council on 22 November Russia again urged the early lifting of the sanctions, a move consistently opposed by the US which held that this would be possible only once Iraq was certifiably in compliance with all relevant UN resolutions. Much relief at the expectation of a peaceful settlement of the conflict was reported meanwhile from Arab countries, which all along had been strongly opposed to any use of force, and there was widespread praise for Russia as the author of the deal.

Soon after returning to Iraq UN inspectors were said to have resumed their search for the remains of that country's highly sophisticated biological warfare programme, including 25 germ- or toxin-filled missile warheads which Iraq claimed it had destroyed, but which UNSCOM believes may have been hidden away, ready for use. Searches were said to be directed at places where relevant items of equipment, documents and precursor materials for chemical and biological weapons were thought to have been hidden recently, including presidential residences suspected to be used for that purpose. Iraqi officials declared that such sites — some press reports said there were 63 and others put their number at 78, 47 of them built, supposedly, since the end of the Persian Gulf War — were out of bounds, as part of Iraq's sovereignty and national security which, supposedly, it had been agreed would be immune from inspection. UN and US officials were said to demand that

all suspect sites be opened for inspection, including presidential compounds; members of the US Administration said once again that Iraq's non-cooperative behaviour would ensure that sanctions would be maintained and might even have to be reinforced. On this point disagreement between Washington and Moscow, which reportedly favoured a partial lifting of sanctions, was said to persist also after extensive personal contact between the respective Presidents. Reportedly, Russia's policy was reflected in its efforts to keep the Security Council from taking action on Iraq's non-compliance unless the progress made by that country in meeting its obligations under the various UN resolutions was also recognised.

By the end of November the issue of access to Iraq's hitherto proscribed sites had taken centre-stage. A proposal by Baghdad to allow access to such sites by teams made up of two invited 'experts' (the term 'inspectors' was not used) and diplomatic representatives of each of the five permanent members of the Security Council, who would be admitted upon the 'invitation' of the Iraqi government, was rejected by the US and by UNSCOM, which saw this as interference with its prerogatives to determine the composition of its inspection teams. Senior Iraqi officials clarified the offer as meaning that the 'experts' could hold the nationalities of persons serving on UNSCOM's teams, but must not be UNSCOM staff members; Iraq's Foreign Minister stated that the 'inspection by invitation' scheme was to be seen as entirely outside the UNSCOM framework; the sites in question — presidential palaces and other residences, military and intelligence bases and the headquarters of the Special Republican Guard — would remain 'fully immune' to UNSCOM personnel. At the time, given the lack of unity on the issue among Security Council members, there was some speculation that some might not find the proposal altogether unacceptable.

However, in a statement by its President on 3 December, the Security Council again reiterated its demand that Iraq fulfill all its obligations and cooperate fully with UNSCOM and the IAEA. Responding to Iraq's demand for the sanctions to be lifted, the Council stressed that the effectiveness and speed with which UNSCOM may accomplish its responsibilities is above all determined by the degree to which the Government of Iraq cooperates in disclosing the full extent and disposition of its proscribed programmes and in granting UNSCOM unimpeded access to all sites, documents, records and individuals. It added that as Iraq complies with its obligations, and UNSCOM and the IAEA so report and the Council agrees, UNSCOM and the IAEA would make the transition from investigations to monitoring in their respective areas, expanding the use of the ongoing monitoring system functioning in Iraq.

After Ambassador Butler visited Baghdad in mid-December it was reported that at the end of two days of discussions, Iraqi officials had proposed three categories of sites instead of the two existing ones: normal sites open to inspectors without special arrangements and sensitive areas that might be opened after consultation; with regard to the third category, presidential compounds, they had remained adamant in refusing UN inspectors any access. Mr. Butler expressed confidence that in the future inspections in normal sites could be conducted without restrictions. It was not clear which sites were

defined as sensitive. UNSCOM noted, however, that unless UN inspectors were given access to all sites where it is suspected proscribed items may be present, it would not be able to vouch for Iraq's compliance with the Security Council's resolutions.

With regard to the IAEA, the new Director General of that body has informed Secretary-General Kofi Annan that in the nuclear field it was highly unlikely that any proscribed activities occurred, and that no relevant material or equipment were diverted, during the 23 days (29 October–20 November) of absence of IAEA inspectors from Iraq. Dr. ElBaradei said that since 21 November more than 40 inspections had been carried out to restore the technical basis for the IAEA's ongoing monitoring and verification activities in Iraq and that an IAEA team visited the country in the week of 15 December to clarify a number of outstanding matters.

On 27 December Iraq's oil minister announced that the country expects to resume its periodic oil exports as soon as the UN Secretary-General approves Iraq's plan for the distribution of the food and medicine it intends to buy with the proceeds. Reportedly, the Secretary-General is in favour of raising the semi-annual value of the oil-exports Iraq would be permitted to make to get money for such supplies, from \$2 to \$3 billion. The US is reported to oppose action in this regard until Iraq is fully cooperating with UN inspectors.

By the end of December, while U-2 overflights were said to have been resumed, Iraq had not yet granted UN inspectors the access to sensitive sites which they demanded. Ambassador Butler stated once again that there was reason to believe that there were prohibited items at some of the sites in question. The Security Council resumed its discussions on the issue. A statement by the President of the Council called Iraq's failure to provide immediate, unconditional access to any site or category of sites unacceptable and a clear violation of the relevant resolutions; the Council expressed its full support for UNSCOM and its Executive Chairman, and called on Iraq to cooperate fully with UNSCOM in the implementation of its mandate. Prospects that the Council would authorise the use of force against Iraq to add strength to its appeals were dim, given the continued resistance of China, France and Russia to any military action against Baghdad. In a year-end speech to American troops in Bahrain, the commander of the US forces in the Persian Gulf area said, however, that a military confrontation remained a possibility. Washington rejected as ridiculous Iraqi renewed allegations that the US was planning air strikes against sensitive sites, and that it would use biological and chemical weapons, so as to plant evidence of the existence of such weapons.

American media have quoted US intelligence sources and UNSCOM officials, according to whom extensive spying by the Iraqi secret service on UN communications and planning — by electronic eavesdropping, wire-tapping and the use of agents — has repeatedly spoiled the effect of unannounced inspections. According to these sources UNSCOM's missions are widely compromised and its plans are frequently known to Iraqi intelligence well before they can be executed, so that there is time to remove items singled out for inspection, and to change or destroy data. The US Secretary of Defense has been



quoted as saying at a press conference held in London, that Iraq had harboured a plan to bribe UN inspectors but had concluded it was unable to do so.

(**Guardian**, 1/10, 8/10; **International Herald Tribune**, 8/10, 18/11, 19/11, 22-23/11, 24/11; **New York Times**, 8/10, 17/10, 22/10, 23/10, 25/10, 30/10, 31/10, 1/11, 3-30/11, 15/12, 16/12, 18-21/12, 23/12, 27/12, 28/12, 1/1/98; **Neue Zürcher Zeitung**, 9/10; **Daily Telegraph**, 18/10; **Frankfurter Allgemeine Zeitung**, 18/10; **National Public Radio News**, 24/10, 31/10, 2/11, 14/12; **UN Press Releases SC/6437**, 3/11, SC/6442, 13/11; **UN Press Briefing**, 3/11; **Economist**, 8/11; **ABC Nightline Program**, 12/11; **Reuters**, 12/11, 13/11; **PBS/TV Newshour**, 13/11, 14/11, 27/11; **IAEA Press Release PR 97/32**, 14/11, PR 97/39, 4/12; **CNN News**, 14/11; **Memorandum from Nuclear Control Institute**, 14/11; **Sunday Telegraph**, 16/11; **Washington Post National Weekly Edition**, 17/11, 1/12; **Nation** [Bangkok], 22/11; **UN Documents S/PRST/1997/54**, 3/12, S/PRST/1997/56, 22/12; **Times** [London], 5/12; **Direct Information**.)

- In October, the American trade journal *Nucleonics Week* quoted a 'senior IAEA official' as saying that inspectors were confident that Chinese exports of heavy water for Pakistan's Kanupp power reactor adequately reflected Pakistan's inventory declarations to the Agency. This would indicate that there is no evidence of diversion of Chinese heavy water to the Khushab reactor. The provision by China of heavy water to Pakistan has played a role in the issue of certification of China's non-proliferation credentials by the US President. (*Nucleonics Week*, 9/10. See also page , above, and *Newsbrief* 39, page 18.)

#### h. Nuclear Material Trafficking and Physical Security

- It is reported from **Bosnia and Herzegovina** that in January 1995 the country's president, Radovan Karadzic, bought from a Libyan arms dealer what he thought was a pure fusion nuclear weapon or miniature neutron bomb of Russian origin, allegedly made with red mercury. The supposed device is said to have been a jelly-like substance in a brass container the size of a suitcase. The price of the object, which was soon recognised as a sham, is said to have been \$66 million. It is noted that the report appeared during the run-up to parliamentary elections and that its source is a political opponent of Mr. Karadzic. (*New York Times*, 14/12)
- There is still speculation about earlier reports that the former **Soviet Union** had developed nuclear weapons so small that they could be handled by a single person and that a number of these are missing. Russian officials continue to deny that these weapons have ever been produced, and American intelligence sources maintain that the smallest Soviet nuclear weapons, nuclear land mines, were too large to fit into a suitcase. Furthermore, they say there is no evidence that any of them are missing. General Alexander Lebed, who is seen as the source of allegations that out of a total of 132 of these devices, only 48 could be accounted for, has been reported as saying on 7 October — a day after President Yeltsin signed a law classifying all information about military nuclear matters, including whereabouts of nuclear weapons and material — that he had found no evidence to support his earlier claims. An analysis by the

*Monterey Institute of International Studies* (MIIS) holds that it is impossible to reach a definitive conclusion about the veracity of Lebed's claim but that, given the incentives of both the Russian and American governments to keep secret any evidence of former Soviet warheads being lost, stolen or misplaced, that claim also cannot be disproved. The paper has it that there is a good deal of evidence that small nuclear devices analogous to known US systems were produced in the Soviet Union. In this connection, it is noted that the US is reported to have built more than 300 'special atomic demolition munitions' or 'backpack nukes', each weighing 163 lbs. These weapons were dismantled in the late 1980s and early 1990s, particularly because they might have represented a potential security threat. (*Arms Control Today*, September; *Reuters*, 25/9; *Salzburger Nachrichten*, 26/9; *LA Times*, 29/9; *Russian Press Digest: Segodnya*, 7/10; *NBC News on MSNBC website*, 8/10; *USA Today*, 22/10; *MIIS Study*, November; *Forbes*, December)

- In **Spain** investigations are underway into an alleged act of sabotage in which nuclear fuel elements were damaged. Six fuel rods out of 192 fuel assemblies meant for the Cofrentes power station in Valencia province are said to have been punctured, supposedly by the one employee of the fuel fabrication plant who had access to the storage room. (*NuclearFuel*, 3/11)
- In the United States, reports emerge of worsening concern about security shortcomings at Department of Energy (DoE) facilities responsible for guarding weapons-grade nuclear material and warheads. Problems are said to be of widely varying nature, including reliability of nuclear materials control, accountability and long-term storage; aging facilities and security systems; a decline in the preparedness of security forces; inadequate funding for personnel security programmes and training needs. Energy Secretary Federico Peña acknowledged in early November that two DoE reports, which followed a report from the General Accounting Office, had identified security shortcomings at several weapons facilities, and announced that these were being remedied. Allegedly the reports say that while there is need for improvement, there is no immediate danger to nuclear material at any DoE site. (*ABC News*, 23/10; *New York Times*, 8/11; *Nucleonics Week*, 13/11)

#### i. Environmental Issues

- **France**: A move by the environmental organisation *Greenpeace*, to restrain the French company Cogema from releasing radioactive effluent into the Channel from its nuclear fuel reprocessing facility at Cap la Hague, in Normandy, was rejected by a Cherbourg civil court; *Greenpeace* was sentenced to pay damages equivalent to about \$2,000. The court case was part of a lengthy campaign the organisation has conducted against discharges of low-level radioactive waste into the Channel. *Greenpeace* has said it will pursue the case through the criminal court system. It is reported that the concentration of radioactive effluents at the mouth of the drainage system has been reduced by a factor of 30; the French agency for radioactive protection (OPRI) has stated that the results are generally satisfactory.

The French government has announced that it does not plan to try and retrieve three sealed cesium-137 sources



that were lost in the Atlantic ocean in the wreck of a Panamanian-flag ship in a violent storm. French authorities believe that even if the leaktight containers were to break, the impact of the radioactive sources on human health and the environment would be negligible.

(*Nucleonics Week*, 9/10, 4/12; *NucNet News*, 14/10; *Süddeutsche Zeitung*, 15/10; *NuclearFuel*, 20/10; *Ouest France*, 2/12; *Enerpresse*, 3/12; *Le Quotidien du Médecin*, 3/12. See also *Newsbrief* 39, page 20.)

- The Prime Minister of the **Russian Federation**, Chernomyrdin, has said that retired naval captain Aleksandr Nikitin, who has been accused of treason for revealing information on nuclear waste originating from Russian naval reactors to the Norwegian environmental organisation Bellona, as well as of revealing state secrets and forgery, may leave the country once his trial has been completed. Reportedly, Nikitin would be admitted to Canada, where he applied for entry several years ago. Meanwhile, the chief investigator has been taken off the case and replaced by someone who is said to be retired shortly, which is seen as an indication that the authorities may be willing to drop the case, although there is also a possibility that the Russian federal security police will start a new investigation of the matter. Members of Bellona meanwhile express the hope that once the Nikitin case is finished they may resume their attempts to find solutions for the worsening radioactive pollution situation in Northern Russia. Concurrently, another Russian naval officer, who is said to have published articles on nuclear waste dumping by the Russian navy, has been arrested in Vladivostok on charges of espionage. (*Reuters*, 14/10; *Nucleonics Week*, 30/10, 20/11, 18/12)
- **United States:** The Congress is dissatisfied with the way DoE has handled the waste cleanup programme at former nuclear weapon development sites and has transferred responsibility for the job to the US Corps of Engineers. So far, DoE has cleaned up 25 of the 46 sites that are covered by the programme, entitled Formerly Utilized Site Remedial Action Program (Fusrap). The programme chief of the US Corps of Engineers, which is part of the US Department of Interior, has said that his organisation has inherited a programme it knows nothing about. It is noted that unlike DoE, the Corps of Engineers will not use contractors to manage and oversee the work. In a draft report released by DoE on 25 November, a team of experts concluded that radioactive waste leaking out of the underground tanks at the Hanford nuclear reservation, rather than bonding with the soil, may contribute to ground water contamination which might eventually reach the Columbia River. However, the report says that the contaminated ground water is not a source of drinking water and is regularly monitored. The completed report will be made public in early 1998. The Hanford reservation contains 147 single-shell underground tanks, of which 67 are estimated to have leaked. (*New York Times*, 11/10; *NuclearFuel*, 20/10; *SpentFUEL*, 1/12)
- According to an article in the *Bulletin of the Atomic Scientists*, in 1964 **Taiwan** started a nuclear weapons programme based on its 40-MW natural uranium heavy-water moderated Canadian-supplied research reactor. Reportedly, IAEA safeguards inspectors found anomalies in Taiwan's nuclear materials accounting as well as some construction features in the facility that might have been connected with the potential diversion of nuclear material. Apparently under US pressure, Taiwan dismantled its hot cell facilities where it could have reprocessed irradiated fuel. A defence spokesman in Taipei has formally stated that Taiwan had never developed nuclear weapons and had no plans to do so in the future. (*New York Times*, 20/12; *Reuters*, 22/12; David Albright and Corey Gay in the *Bulletin of the Atomic Scientists*, January/February 1998)
- In the **United States**, Leonard S. (Sandy) Spector, former Director of the Nuclear Non-Proliferation Project of the Carnegie Endowment for International Peace has been appointed head of DoE's Office of Arms Control and Non-Proliferation. (*Washington Post*, 22/10)
- Gordon C. Oehler, Director of the Non-Proliferation Center of the Central Intelligence Agency of the **United States** has taken early retirement because he says he is tired of being the subject of criticism in a difficult job. Reportedly, Mr. Oehler had come under criticism by the Administration; non-proliferation experts praised his integrity. (*New York Times*, 21/10)
- A recent survey in the **United States** has found that over two-thirds of Americans polled believe that the country should either eliminate its nuclear-weapon arsenal (36 per cent) or reduce it to a much lower level (33 per cent). These findings are said to apply over the entire political range and in all parts of the country. On the other hand, while three quarters of the electorate are reported to think that the world would be safer without nuclear weapons, 56 per cent believe that nuclear weapons improve US national security. (*Mellman Group Inc. Poll*, 10-15/9, presented to the Henry L. Stimson Center on 6/11 and quoted by **Committee on Nuclear Policy at Henry L. Stimson Center**, 10/11)

## II. PPNN Activities

- The PPNN Core Group held its twenty-second semi-annual meeting at the Pathumwan Princess Hotel, Bangkok, Thailand, from 18 to 23 November. All members of the Core Group were present with the exception of Djali Ahimsa, Peter Goosen and Yoshio Okawa.

From Tuesday 18 to Friday 21 November, PPNN convened an international seminar on **South East Asia: Regional Security and Nuclear Non-Proliferation**. The seminar was co-sponsored by the Center for Non-Proliferation Studies, Institute of International Studies, Monterey, USA (CNS); the Institute of Security and International Studies, Chulalongkorn University, Bangkok, Thailand (ISIS); and the Peace Research Institute, Frankfurt (PRIF). The meeting was chaired by Ben Sanders, Executive Chairman of PPNN and Suchit Bunbongkarn, Director of ISIS. Individual sessions were chaired by M.R. Sukhumbhand Paribatra, Deputy Foreign Minister of Thailand; Dr. Darnp Sukontasap, ISIS; Professor Lawrence Scheinman, CNS; and Dr.

### j. Miscellaneous

- There is yet another report that in the 1970s and '80s the Republic of Korea (RoK) pursued a secret nuclear weapon programme which should have led to the possession of a nuclear weapon by the year 1985. (*Joomg Ang Ilbo*, 27/10, in *NAPSNET Daily Report*, 27/10)

Mathias Dembinski, PRIF. The seminar was attended by 49 diplomats, officials and researchers from 21 countries, and by representatives of the Secretariats of the United Nations, the International Atomic Energy Agency and the South Pacific Forum.

The seminar was divided into three parts. The first was on **Regional Security and Nuclear Non-Proliferation**. Under this heading, **Session 1** dealt with *Regional Security and Nuclear Non-Proliferation* and was chaired in part by M.R. Sukhumbhand Paribatra and in part by Lawrence Scheinman. Presentations were made by Suchit Bunbongkarn on 'The Regional Security Context: Current Concerns' (PPNN/CGIII/24); in separate papers by Le Huy Hoang and Soedjati Djiwandono on 'Future Security Roles for ASEAN' (PPNN/CGIII/25) and (PPNN/CGIII/26); by Andrew Mack on 'Regional Non-Proliferation Initiatives: The Rarotonga Treaty: Issues and Prospects' (PPNN/CGIII/27); and by Bilveer Singh on 'The South East Asia Nuclear-Weapon-Free Zone: Issues and Prospects' (PPNN/CGIII/28). **Session 2** covered *Regional Security, Nuclear Energy and Non-Proliferation* and was chaired by Lawrence Scheinman. Presentations were made by Raja A.A.R. Adnan on 'Co-operation in Nuclear Energy: Regional Institutes' (PPNN/CGIII/29); by Martine Letts on 'Export Controls: Enhancing Dialogue and Cooperation' (PPNN/CGIII/30); and by Gina Pattugalan on 'The Security of Fissile Material' (PPNN/CGIII/31).

The second part of the meeting had as its subject **The Strengthened NPT Review Process and the 1998 Preparatory Committee**. Under that heading, **Session 3** dealt with *Background and Procedures*, and was chaired by Ben Sanders. It considered presentations by John Simpson on 'The Consequences of the 1997 Prep-Com and their Implications for the Review Process' (PPNN/CGIII/32); and by Tariq Rauf on 'Preparing for the April 1998 NPT PrepCom: The Significance of Procedural Issues in the Strengthened Review Process' (PPNN/CGIII/33). **Session 4**, on *Substantive Issues for the PrepCom* was chaired in part by Ben Sanders and in part by Mathias Dembinski (PRIF). Presentations were made by Harald Müller on 'The Incremental Strategy for Nuclear Disarmament: Rationale and Practical Considerations' (PPNN/CGIII/34); by Makarim Wibisono on 'Approaches to Nuclear Disarmament: an Indonesian Perspective' (PPNN/CGIII/35); by Olu Adeniji on 'Security Assurances and the Global Non-Proliferation Regime' (PPNN/CGIII/36); by Lawrence Scheinman on 'Nuclear-Weapon-Free Zones and the Global Non-Proliferation Regime' (PPNN/CGIII/37); and by David Sinden on 'The NPT Review and Strengthened IAEA Safeguards' (PPNN/CGIII/38).

The third part, entitled **Conclusions**, consisted of two panel discussions. The first panel considered *Regional Initiatives for Strengthening the Global Nuclear Non-Proliferation Regime*, and was chaired by Darmp Sukontasap. The panellists were Edwin Bael, Soedjati Djiwandono, Dato' Yusof Hashim, Lim Thuan Kuan, and Mitsuru Kurosawa. The second panel considered *The Global Non-Proliferation Regime and the NPT Review Process: Implications for the Regional Security Situation*. It was chaired by Ben Sanders and the panellists were Jayantha Dhanapala, Martine Letts, Harald Müller, Lawrence Scheinman, and Makarim Wibisono.

- The Core Group met on Saturday 22 and Sunday 23 November. It had its customary general discussion on substantive issues relating to the nuclear non-proliferation regime. Jayantha Dhanapala made a presentation on 'The disarmament and non-proliferation challenges in 2000, and what role the NPT review process might play in meeting them' (PPNN/CGIII/39). Papers by Ben Sanders on 'Some Questions Left Unanswered by the 1997 PrepCom' (PPNN/CGIII/40) and by John Simpson on 'What are the Main Challenges Presented by the 1998 PrepCom? What now needs to be done to address them?' (PPNN/CGIII/41) were circulated. The Core Group also discussed its future programme of action and working methods.
- As reported in **Newsbrief 39**, the third phase of PPNN's activities was due to terminate on 31 December 1997, and applications had been made to funding organisations for resources for a fourth phase of activities, which would carry the Programme through to the end of 2000. It was proposed that this phase would focus on the remainder of the first full cycle of the strengthened NPT review process, culminating in the 2000 NPT Review Conference, and on developing ideas for bridging the gap between the differing nuclear disarmament proposals and strategies being advanced by NPT parties. In response to these applications, grants have been received from, or promised by, the Ford Foundation, the Japan Atomic Energy Relations Organization, the John D. and Catherine T. MacArthur Foundation, the Merck Fund, the Prospect Hill Foundation and the W. Alton Jones Foundation. Although the budgetary requirements for the planned PPNN programme for phase four have not yet been fully met, these grants will enable principal programme activities to continue through to the end of 1999, and some of them until the end of 2000. PPNN is grateful to its funders for their continued support for its activities.
- Following the positive response to its fund raising activities, PPNN is giving effect to plans for holding a briefing seminar for delegates to the 1998 Preparatory Committee session for the 2000 NPT Review Conference. The seminar will be held at L'Impérial Palace Hotel, Annecy, France from Friday, 27 February to Sunday, 1 March 1998.
- PPNN also plans to hold its twenty-fourth Core Group meeting from 29 to 31 May 1998 at the Chilworth Manor Conference Centre, Southampton, United Kingdom. The meeting will include a workshop on the outcome of the 1998 Preparatory Committee session for the 2000 NPT Review Conference, which will by then have taken place.

### III. Recent Publications

#### Books

Beatrice Heuser, *NATO, Britain, France and the FRG*, Macmillan Press Ltd., London, 256 pp.

*The Nuclear Black Market*, A Panel Report of the CSIS Global Crime Project's Nuclear Black Market Task Force, CSIS Press, Washington, April 1996, 60 pp.

Stefan Strobl, *Das Nichtverbreitungsregime für Kernwaffen nach 1995 und der freie Zugang zu nuklearen Technologien und Materialien*, Dieter Blumenwitz, Ed., Schriften zum Staats- und Völkerrecht, Band 74, Peter Lang, Germany, 259 pp.

*US-China Commercial Nuclear Commerce Nonproliferation and Trade Issues*, Report of the CSIS Steering Committee on US-China Nuclear Commerce, CSIS Press, Washington, September, 44 pp.

## Articles

David Albright and Corey Gay, 'Taiwan: Nuclear nightmare averted', *Bulletin of the Atomic Scientists*, Vol. 54, No. 1, January/February 1998, pp. 54-60.

William M. Arkin, 'What's "new"?'', *Bulletin of the Atomic Scientists*, Vol. 53, No. 6, November/December, pp. 22-27.

Eric Arnett, 'Nuclear Stability and Arms Sales to India: Implications for US Policy', *Arms Control Today*, Vol. 27, No. 5, August, pp. 7-11.

Bibliography on Arms Control Verification: Sixth Update, Department of Foreign Affairs, Canada, 59 pp.

Hans Binnendijk, and James Goodby, (eds.), *Transforming Nuclear Deterrence*, Washington, D.C., National Defence University Press, July 1, 63 pp.

Bruce C. Blair, Harold A. Feiveson and Frank N. von Hippel, 'Taking Nuclear Weapons off Hair-Trigger Alert', *Scientific American*, Vol. 277, No. 5, November, pp. 74-81.

Wyn Q. Bowen, 'U.S. Policy on Ballistic Missile Proliferation: The MTCR's First Decade (1987-1997)', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 21-39.

Oleg Bukharin, 'Minatom's Adjustment to New Realities', *PU/CEES Report No. 301*, Princeton University, September, 29 pp.

George Bunn and John B. Rhineland, 'The Duma-Senate Logjam on Arms Control: What Can Be Done?', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 73-87.

William F. Burns, 'The Future of the US Nuclear Weapons Policy', *Arms Control Today*, Vol. 27, No. 7, October, pp. 3-6.

Malcolm Chalmers and Owen Greene, 'Developing the UN Register: Challenges and Setbacks', *Disarmament Diplomacy*, No. 19, October, pp. 11-17.

Merav Datan, Jürgen Scheffran, 'Principles and Means for Verification of a Nuclear Weapons Convention', *INESAP Information Bulletin*, No. 14, November, pp. 21-25.

Jonathan Dean and Jeffrey Laurenti, 'Options and Opportunities: Arms Control and Disarmament for the 21st Century', UNA-USA, 86 pp.

Jayantha Dhanapala, 'A Strengthened Review Process for the NPT', *Fordham International Law Journal*, Vol. 20, No. 5, June, pp. 1532-42.

Director of Safeguards Annual Report 1996-1997, Director, Chemical Weapons Convention Office, Australian Safeguards Office, 17 October, 112 pp.

Jason D. Ellis and Todd Perry, 'Nunn-Lugar's Unfinished Agenda', *Arms Control Today*, Vol. 27, No. 7, October, pp. 14-22.

Ian Fairlie and Marvin Resnikoff, 'No dose too low', *Bulletin of the Atomic Scientists*, Vol. 53, No. 6, November/December, pp. 52-56.

David Fischer, 'Safeguards for a World Free of Nuclear Weapons', *INESAP Information Bulletin*, No. 14, November, pp. 30-32.

Jozef Goldblat, 'The CD on The Brink', *Disarmament Diplomacy*, No. 18, September, pp. 2-3.

Thomas Graham, Jr. and John B. Rhineland, 'The Future of Nuclear Disarmament', *Disarmament Diplomacy*, No. 19, October, pp. 2-3.

Jeremy Hall, 'Will Japan Go Nuclear?', *New Zealand International Review*, Vol. 22, No. 6, November/December, pp. 12-15.

Morton H. Halperin, 'Defining "Eliminating" Nuclear Weapons', *Disarmament Diplomacy*, No. 19, October, pp. 4-6.

Hussein Hammad, 'Monitoring and Verification of a Middle East Weapons of Mass Destruction Zone', *INESAP Information Bulletin*, No. 14, November, pp. 41-44.

Ryukichi Imai, 'Call for More Active and World Wide Debate over Plutonium of Different Isotopic Composition — Would They or Would They Not Make Effective Weapon?', *Plutonium*, No. 19, Autumn, pp. 3-5.

'The Issues Behind The CTBT Treaty Ratification Debate', A Coalition to Reduce Nuclear Danger, Press Conference with Robert Bell, Charles Curtis, Richard Garwin and Lynn Sykes, *Arms Control Today*, Vol. 27, No. 7, October, pp. 6-13.

Wu Jun, 'Thoughts on the Nuclear Weapons Convention', *INESAP Information Bulletin*, No. 14, November, pp. 13-15.

Martin Kalinowski, 'Beyond Technical Verification — Prevention and detection in the NWC', *INESAP Information Bulletin*, No. 14, November, pp. 25-26.

Eiichi Katahara, 'Japan's Plutonium Policy: Consequences for Nonproliferation', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 53-61.

'Keeping the US-North Korean Nuclear Accord on Track', Interview with Amb. Stephen W. Bosworth, *Arms Control Today*, Vol. 27, No. 5, August, pp. 3-6.

Andrew Koch and Jeanette Wolf, 'Iran's Nuclear Procurement Program: How Close to the Bomb?', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 123-135.

Sergei Kortunov, 'Russian-American Partnership and the ABM Treaty', *Yaderny Kontrol*, No. 5, Fall, pp. 7-11.

P.R. Kumaraswamy, 'Israel, China and the United States: The Patriot Controversy', *Israel Affairs*, Vol. 3, No. 2, Winter 1996, pp. 12-33.

Xia Liping, 'START III Negotiations and Beyond', *INESAP Information Bulletin*, No. 14, November, pp. 11-13.

Miguel Marin-Bosch, 'Europe's nuclear family', *Bulletin of the Atomic Scientists*, Vol. 54, No. 1, January/February 1998, pp. 35-39.

Brendan Mathews, 'No stopping it now', *Bulletin of the Atomic Scientists*, Vol. 53, No. 6, November/December, pp. 28-31.

Jonathan Medalia, 'Nuclear Weapons Production Capability Issues: Summary of Findings, and Choices', *CRS Report for Congress*, October 21, 25 pp.

Jack Mendelsohn, 'The Current and Future US-Russian Nuclear Arms Control Agenda', *Disarmament Diplomacy*, No. 19, October, pp. 7-10.

Ronald B. Mitchell, 'International Control of Nuclear Proliferation: Beyond Carrots and Sticks', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 40-52.

R. Adam Moody, 'The Indian-Russian Light Water Reactor Deal', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 112-122.

Suzanna van Moyland, 'IAEA's Additional Protocol and Nuclear Disarmament', *INESAP Information Bulletin*, No. 14, November, pp. 33-35.

Terrence O'Brien, 'Time for a New Approach', *New Zealand International Review*, Vol. 22, No. 6, November/December, pp. 2-4.

John N. Olsen and Richard C. Lincoln, 'Promoting Nuclear Cooperation in East Asia: Safety, the Environment, and Nonproliferation', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 95-103.

Pat Ortmeyer and Arjun Makhijani, 'Worse than we knew', *Bulletin of the Atomic Scientists*, Vol. 53, No. 6, November/December, pp. 46-50.

Michael Quinlan, 'Pursuing a Practical Goal', *New Zealand International Review*, Vol. 22, No. 6, November/December, pp. 5-7.

John V. Parachini, 'US Senate Ratification of the CWC: Lessons for the CTBT', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 62-72.

'Presentation and Analysis of Findings For The Committee On Nuclear Policy', The Mellman Group, Inc., sponsored by the Henry L. Stimson Center, unnumbered pages.

Doug Roche, 'Breaking the Disarmament Deadlock', *INESAP Information Bulletin*, No. 14, November, pp. 4-6.

Laura Rockwood, 'Strengthening the Effectiveness and Improving the Efficiency of the IAEA Safeguards System', *OECD-NEA Nuclear Law Journal*, January 1998, 15 pp.

Stanislav N. Rodionov, 'Micro-Nukes for Terrorists?', *INESAP Information Bulletin*, No. 14, November, pp. 50-52.

Paul Rogers, 'Attitudes of Nuclear Weapon Powers to Abolition' *Proposals for a Nuclear Weapon-Free World: A*

*Meeting Between China and the West*, Current Decisions Report, No. 19, October pp. 3-18.

Joseph Rotblat, 'Towards a Nuclear Weapon-Free World' *Proposals for a Nuclear Weapon-Free World: A Meeting Between China and the West*, Current Decisions Report, No. 19, October, pp. 37-42.

Lev Rokhlin and Alexei Arbatov, 'START II Can Be Ratified Only After the Signing of the START III Framework Agreement', *Yaderny Kontrol*, No. 5, Fall, pp. 2-6.

Annette Schaper, 'Fissile Cutoff: Scope and Verification', *INESAP Information Bulletin*, No. 14, November, pp. 36-40.

Jiri Šediv, 'The Nuclear Question in the Czech Republic', *Perspectives*, No. 9, Winter, pp. 77-88.

Leon V. Sigal, 'Jimmy Carter makes a deal', *Bulletin of the Atomic Scientists*, Vol. 54, No. 1, January/February 1998, pp. 40-46.

John Simpson, 'Nuclear Weapons and Disarmament Realities: Past Present and Future', *New Zealand International Review*, Vol. 22, No. 6, November/December, pp. 8-11.

R. Jeffrey Smith, 'A Believer No More: The man who commanded our nuclear forces now wants them eliminated', *Washington Post National Weekly Edition*, Vol. 15, No. 8 & 9, December 22-29, pp. 6-10.

Nikolai N. Sokov, 'Russia's Approach to Deep Reductions of Nuclear Weapons: Opportunities and Problems, Second Edition', *Henry L. Stimson Center Occasional Paper No. 27*, September, 42 pp.

Lawrence Trost, 'Designing Ballistic Missile Control Monitoring Systems', *INESAP Information Bulletin*, No. 14, November, pp. 45-48.

Jonathan B. Tucker, 'Verifying a Multilateral Ban on Nuclear Weapons: Lessons from the CWC', *INESAP Information Bulletin*, No. 14, November, pp. 16-20.

Victor A. Utgoff, 'Nuclear Weapons and the Deterrence of Biological and Chemical Warfare', *Henry L. Stimson Center Occasional Paper No. 36*, October, 31 pp.

William Walker, 'Britain's Policies on Fissile Materials: The Next Steps', *Special ISIS Report on the Future of UK Nuclear Weapons, Fissile Materials, Arms Control and Disarmament Policy*, International Security Information Service, July, No. 2, 30 pp.

Jim Walsh, 'Surprise Down Under: The Secret History of Australia's Nuclear Ambitions', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 1-20.

'We Cannot Preclude the Possibility of Nuclear Materials Theft', Stenographic Record Of the Parliamentary Hearings on the Topic 'Issues Concerning the Security of Hazardous Nuclear Facilities', *Yaderny Kontrol*, No. 5, Fall, pp. 12-20.

Wolfgang Weiss, 'The Verification Regime of the Comprehensive Test Ban Treaty', *INESAP Information Bulletin*, No. 14, November, pp. 27-29.

Victor Zaborsky, 'US Missile Nonproliferation Strategy toward the NIS and China: How Effective?', *Nonproliferation Review*, Vol. 5, No. 1, Fall, pp. 88-94.

Wang Zheng and Xie Zhiqiong, 'Some Thoughts on a Nuclear Weapon-Free World' *Proposals for a Nuclear Weapon-Free World: A Meeting Between China and the West*, Current Decisions Report, No. 19, October, pp. 19-25.

were held between Vice Premier and Foreign Minister Qian Qichen and Secretary of State Madeleine Albright.

The two Presidents had an in-depth and productive exchange of views on the international situation, US-China relations and the important opportunities and challenges facing the two countries. They agree that a sound and stable relationship between the United States and China serves the fundamental interests of both the American and Chinese peoples and is important to fulfilling their common responsibility to work for peace and prosperity in the 21st century.

.....

As two major countries in the Asia-Pacific region, the United States and China are ready to strengthen their cooperation to meet various challenges and make positive contributions to promoting stability and prosperity in the region. Recognizing that maintenance of peace and stability on the Korean Peninsula is of great importance, the two countries are working through the Four-Party Talks to help establish a durable peace on the Peninsula, and will continue consultations to this end. They also stress that it is in the interest of the two countries to maintain peace and stability in other important regions, including the Middle East, the Gulf, and South Asia.

The two Presidents agreed on a number of steps that will provide a framework for further promoting US-China relations and strengthening their cooperation in international affairs.

#### Peaceful Nuclear Cooperation

The United States and China agree that it is in their mutual interest to cooperate in the peaceful uses of nuclear energy. To this end, they each have taken the steps necessary to implement the US-China Agreement on Peaceful Nuclear Cooperation concluded in 1985. In addition, China's State Planning Commission and the US Department of Energy have signed an Agreement of Intent to promote peaceful nuclear cooperation and research between the two countries.

#### Nonproliferation

The United States and China agree to work to bring the Comprehensive Test Ban Treaty into force at the earliest possible date. They also agree to pursue at the UN Conference on Disarmament the early start of formal negotiations on the Treaty on the Prohibition of the Production of Fissile Materials Used in Nuclear Weapons and Other Nuclear Explosive Devices.

The United States and China reiterate their commitment not to provide any assistance to unsafeguarded nuclear facilities and nuclear explosion programs. China has placed controls on exports of nuclear and dual-use materials and related technology and will take further measures to strengthen dual-use export controls by mid-1998. The United States will continue to enforce firm controls on the export of nuclear and dual-use materials and related technology.

As original parties to the Chemical Weapons Convention, the United States and China agree to cooperate in implementing the Convention within a multilateral framework. Both countries agree on the importance of government oversight of chemical-related exports.

The United States and China agree to build on the 1994 Joint Statement on Missile Nonproliferation. They reaffirm their respective commitments to the guidelines and parameters of the Missile Technology Control Regime (MTCR).

#### Statement by China at the October 1997 meeting of the Zangger Committee (Text as provided)

Mr. Chairman,  
I am very pleased to attend this meeting of the Zangger Committee to represent China as its full member for the first time. China supports the general goals of the Committee, appreciates the positive role the Committee has played in preventing nuclear proliferation, and stands ready to conduct regular consultations with other member countries of the Committee with issues of nuclear non-proliferation and export control with a view to making joint efforts to prevent proliferation of nuclear weapons.

Mr. Chairman,

## IV. Documentation

### a. Documents Pertaining to China's Nuclear Export Policies

#### Joint US-China Statement October 29, 1997 [Extracts]

At the invitation of President William J. Clinton of the United States of America, President Jiang Zemin of the People's Republic of China is paying a state visit to the United States from October 26 to November 3, 1997. This is the first state visit by the President of China to the United States in twelve years. President Jiang Zemin held formal talks with President Clinton in Washington D. C. and also met with Vice President Al Gore, Congressional leaders and other American leaders. Talks also



The recently concluded 15th national Congress of the Communist Party of China has reiterated that economic development is the focus in the work of the whole Party and the whole nation, and emphasized that China's modernization drive requires a long-term peaceful international environment. Therefore, China will continue its pursuit of an independent foreign policy of peace, and work for maintaining regional and global peace, stability and prosperity. To prevent weapons of mass destruction of all descriptions, including nuclear weapons, is an important component of this foreign policy of peace.

As a member of the International Atomic Energy Agency and State Party to the Non-Proliferation Treaty, China adheres to the policy that it does not advocate, encourage or engage in proliferation of nuclear weapons nor assist other countries in developing nuclear weapons. For many years the Chinese Government has exercised strict and effective control over nuclear and nuclear-related export, including exchanges of personnel and information, and has abided by the following three principles: 1) serving peaceful purposes only; 2) accepting IAEA safeguards; 3) forbidding transfer to any third country without China's consent. With regard to any nuclear export, the recipient government is always requested to provide to the Chinese side an assurance in writing to acknowledge the above three principles and the export can proceed only after approval by relevant Chinese authorities.

In actual implementation, China has always administered nuclear export and nuclear cooperation through a management which combines laws, regulations and administrative decrees. The State Council and the competent authorities of various industries have laid down strict and specific regulations on nuclear export and nuclear cooperation, and strictly prohibit any exchange of nuclear weapons related technology and information with other countries. Such management falls in line with China's national conditions and has proved effective in practice.

Mr. Chairman,

Along with the deepening of the reform and opening-up and the gradual development from the planned economy to a socialist market economy, the Chinese Government has in the recent period of time taken a series of positive measures on the basis of the existing management to further strengthen and improve the mechanism for nuclear export control. Our efforts in this regard are still going on. The following is my detailed introduction in this regard.

I. In May 1997, the State Council of China promulgated the Circular on Strict Implementation of China's Nuclear Export Policy, which provides that the nuclear materials, nuclear equipment and related technology, as well as non-nuclear materials for reactors, and nuclear-related dual-use equipment, materials and relevant technologies on China's export list must not be supplied to or used in nuclear facilities not under IAEA safeguards. No agency or company is allowed to conduct cooperation or exchange of personnel and technological data with nuclear facilities not under IAEA safeguards. I would like to point out that the above regulations are applicable not only to nuclear facilities not under safeguards, but also to all activities related to nuclear explosive devices.

II. The Circular also provides that in conducting the above-mentioned trade or activities in nuclear facilities with a non-signatory to NPT, any Chinese agency or company should seek prior confirmation from the State Atomic Energy Authority whether or not the nuclear facilities in question are under IAEA safeguards and ask for in advance certificate of end-use from competent authorities of the recipient government and an assurance that the equipment so imported or cooperation so conducted will not be transferred to nuclear facilities not under safeguards. In case of no nuclear facilities are involved, competent authorities of the recipient government are required to provide in advance a reasonable and reliable end-use certificate for the equipment so imported or cooperation so conducted will not be transferred to nuclear facilities not under safeguards. Such export or activities of cooperation can not proceed until confirmation and approval are granted by China's Ministry of Foreign Affairs, Ministry of Foreign Trade and Economic Cooperation (MOFTEC) and the State Atomic Energy Authority with regard to the above-mentioned certificates. An-

nexed to the Circular is the control list of dual-use items which is identical to Part II of INFCIRC 254. The promulgation of the above regulations has guaranteed China's effective control on nuclear-related dual-use items before the promulgation of relevant laws and regulations on the export control of such items.

III. The Circular has been formulated by China's State Council as empowered by the Constitution and is legally binding. All the departments concerned should comply with it and the supportive detailed rules for implementation will be formulated, no unit, companies or laboratories can be excepted.

IV. In order to transform relevant policies and regulation into law, China's State Council promulgated last September the Regulations on Nuclear Export Control, establishing in the form of law the three principles governing China's nuclear export and the policy not provide assistance to nuclear facilities not under safeguards.

1. The Regulations provide that nuclear export is monopolized by units designated by the State Council. No other [unit] or individual is allowed to engage in such export. A licensing system is applied to the nuclear export by the State, i.e. all the items and their technologies on the Nuclear Export Control List should apply for an export license. The control list is the same as Part I of the INFCIRC 254.

2. The Regulations provide that the State Atomic Energy Authority shall examine nuclear export applications. If the approved application involves nuclear materials, it shall be referred to the Commission of Science, Technology and Industry for National Defense for re-examination; if it involves other materials, it shall be referred to the MOFTEC for re-examination. Any nuclear export which has a bearing on state security, social and public interests or foreign policy, the Ministry of Foreign Affairs should be consulted; when necessary, such export should be further reported to the State Council for approval. After approval, the MOFTEC will issue an export license.

3. The Regulations provide that if the recipient government should violate its commitment made under these Regulations, or if there is an imminent danger of nuclear proliferation, the department concerned of the Chinese Government has the right to suspend such export.

4. The Regulations provide that any violation of the Regulations is liable to punishment by law.

The Regulations are not only distributed and made known to all the relevant units through regular channels, but also published by the People's Daily which has the largest circulation in China and other newspapers and periodicals so as to ensure the broadest possible public awareness. On September 15, the spokesman of the Foreign Ministry of the Chinese Government made a special statement to comprehensively and authoritatively expand the policy of the Chinese Government on the issue of nuclear non-proliferation and nuclear export control in connection with the promulgation of the Regulations on Nuclear Export Control.

V. Relevant departments of China are stepping up their efforts to complete the export control regulations on the nuclear-related dual use items. The control list of the regulations will be the same as Part II of INFCIRC 254 on dual use items. The export of all the items on the list will be subject of strict examination procedures. In addition, if the relevant department of the Government has reason to believe that the export of some item may possibly cause nuclear proliferation, even though the item may not be listed, the department concerned has the right to ban or suspend such an export. The regulations will be completed by mid-1998.

The promulgation and implementation of the above-mentioned regulations will basically systemize China's laws on nuclear export.

Mr. Chairman,

The prevention of nuclear proliferation is a long and arduous task which calls for the joint efforts of the international community. At the same time, the Chinese side wishes to emphasize that the prevention of nuclear proliferation should in no way affect or hinder the normal nuclear cooperation for peaceful uses among countries, let alone be used as an excuse for discrimina-

tion and even application of willful sanctions against developing countries. The prevention of nuclear proliferation and peaceful uses of nuclear energy constitute the two sides of one coin. The two promote each other and neither can be dispensed with. This is the consistent policy of China. The Chinese Government is ready to make unremitting efforts with other countries for the common development of both nuclear non-proliferation and peaceful uses of nuclear energy.

Thank you, Mr. Chairman.

## **b. Resolutions of the United Nations General Assembly**

### **A/RES/52/30 — Compliance with arms limitation and disarmament and non-proliferation agreements**

*The General Assembly,*

*Recalling* its resolution 50/60 of 12 December 1995 and other relevant resolutions on the question,

*Recognizing* the abiding concern of all Member States for maintaining respect for rights and obligations arising from treaties and other sources of international law,

*Convinced* that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

*Mindful, in particular,* of the fundamental importance of full implementation and strict observance of agreements and other agreed obligations on arms limitation and disarmament and non-proliferation by States parties if individual nations and the international community are to derive enhanced security from them,

*Stressing* that any violation of such agreements and other agreed obligations by States parties not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements and other agreed obligations,

*Stressing also* that any weakening of confidence in such agreements and other agreed obligations diminishes their contribution to global or regional stability and to further arms limitation and disarmament and non-proliferation efforts, and undermines the credibility and effectiveness of the international legal system,

*Recognizing,* in this context, that full compliance by States parties with all provisions of existing agreements and the resolving of compliance concerns effectively by means consistent with such agreements and international law can, *inter alia*, facilitate the conclusion of additional arms limitation and disarmament and non-proliferation agreements, and thereby contribute to better relations among States and the strengthening of world peace and security,

*Believing* that compliance with all provisions of arms limitation and disarmament and non-proliferation agreements by States parties is a matter of interest and concern to all members of the international community, and noting the role of the United Nations has played and should continue to play in that regard,

*Welcoming* the contribution to international peace and regional security that full compliance by States parties with verification provisions of arms limitation and disarmament and non-proliferation agreements provides,

*Also welcoming* the universal recognition of the critical importance of the question of compliance and verification of arms limitation and disarmament and non-proliferation agreements, and other agreed obligations,

1. *Urges* all States parties to arms limitation and disarmament and non-proliferation agreements to implement and comply with the entirety of all provisions of such agreements;
2. *Calls upon* all Member States to give serious consideration to the implications that non-compliance by States parties with any provisions of arms limitation and disarmament and non-proliferation agreements has for international security and stability, as well as for the prospects for progress in the field of disarmament;
3. *Also calls upon* all Member States to support efforts aimed at the resolution of compliance questions by means consistent with such agreements and international law, with a view to encouraging strict observance by all States parties of the

provisions of arms limitation and disarmament and non-proliferation agreements and maintaining or restoring the integrity of such agreements;

4. *Welcomes* the role that the United Nations has played and continues to play in restoring the integrity of, and fostering negotiations on, certain arms limitation and disarmament and non-proliferation agreements and in the removal of threats to peace;
5. *Requests* the Secretary-General to continue to provide assistance that may be necessary in restoring and protecting the integrity of arms limitation and disarmament and non-proliferation agreements;
6. *Encourages* efforts by all States parties to develop additional cooperative measures, as appropriate, that can increase confidence in compliance with existing arms limitation and disarmament and non-proliferation agreements and reduce the possibility of misinterpretation and misunderstanding;
7. *Notes* the contribution that verification experiments and research can make and already have made in confirming and improving verification procedures for arms limitation and disarmament and non-proliferation agreements under study or negotiation, thereby providing an opportunity, from the time that such agreements enter into force, for enhancing confidence in the effectiveness of verification procedures as a basis for determining compliance;
8. *Decides* to include in the provisional agenda of its fifty-fourth session an item entitled Compliance with arms limitation and disarmament and non-proliferation agreements.

### **A/RES/52/31 — Verification in all its Aspects, Including the Role of the United Nations in the Field of Verification**

*The General Assembly,*

*Noting* the critical importance of, and the vital contribution that has been made by, effective verification measures in arms limitation and disarmament agreements and other similar obligations,

*Reaffirming* its support for the sixteen principles of verification drawn up by the Disarmament Commission,

*Recalling* its resolutions 40/152 O of 16 December 1985, 41/86 Q of 4 December 1986, 42/42 F of 30 November 1987, 43/81 B of 7 December 1988, 45/65 of 4 December 1990, 47/45 of 9 December 1992, 48/68 of 16 December 1993 and 50/61 of 12 December 1995,

*Recalling also* the reports of the Secretary-General of 11 July 1986, 28 August 1990, 16 September 1992, 26 July 1993, 22 September 1995 and 6 August 1997,

1. *Reaffirms* the critical importance of, and the vital contribution that has been made by, effective verification measures in arms limitation and disarmament agreements and other similar obligations;
2. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on further views received from Member States pursuant to resolution 50/61;
3. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled Verification in all its aspects, including the role of the United Nations in the field of verification.

### **A/RES/52/34 — Establishment of a nuclear-weapon-free zone in the Region of the Middle East**

*The General Assembly,*

*Recalling* its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995 and 51/41 of 10 December 1996 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

*Recalling also* the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,

*Emphasizing* the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

*Reaffirming* the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

*Emphasizing* the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

*Bearing in mind* the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

*Desirous* of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

*Welcoming* all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

*Noting* the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

*Recognizing* the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

*Emphasizing* the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

*Having examined* the report of the Secretary-General on the implementation of General Assembly resolution 51/41,

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;
2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;
3. *Takes note* of resolution GC(41)RES/25, adopted on 3 October 1997 by the General Conference of the International Atomic Energy Agency at its forty-first regular session, concerning the application of Agency safeguards in the Middle East;
4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;
5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;
6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire

nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;
8. *Takes note* of the report of the Secretary-General;
9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;
10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;
11. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;
12. *Decides* to include in the provisional agenda of its fifty-third session the item entitled Establishment of a nuclear-weapon-free zone in the region of the Middle East.

#### **A/RES/52/35 — Establishment of a nuclear-weapon-free zone in South Asia**

*The General Assembly,*

*Recalling* its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981, 37/76 of 9 December 1982, 38/65 of 15 December 1983, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988, 44/109 of 15 December 1989, 45/53 of 4 December 1990, 46/31 of 6 December 1991, 47/49 of 9 December 1992, 48/72 of 16 December 1993, 49/72 of 15 December 1994, 50/67 of 12 December 1995 and 51/42 of 10 December 1996 concerning the establishment of a nuclear-weapon-free zone in South Asia,

*Reiterating* its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

*Believing* that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

*Taking note with appreciation* of the declarations issued at the highest level by the Governments of South Asian States that are developing their peaceful nuclear programmes, reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

*Welcoming* the proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

*Noting* the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

*Noting also* the proposal to hold consultations among five nations with a view to ensuring nuclear non-proliferation in the region,

*Considering* that the eventual participation of other States, as appropriate, in this process could be useful,

*Bearing in mind* the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

*Taking note* of the note by the Secretary-General,



1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;
2. *Urges once again* the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to that objective;
3. *Welcomes* the support of all the five nuclear-weapon States for this proposal, and calls upon them to extend the necessary cooperation in the efforts to establish a nuclear-weapon-free zone in South Asia;
4. *Requests* the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;
5. *Also requests* the Secretary-General to report on the subject to the General Assembly at its fifty-third session;
6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled Establishment of a nuclear-weapon-free zone in South Asia.

**A/RES/52/36 — Conclusion of Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons**

*The General Assembly,*

*Bearing in mind* the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

*Convinced* that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

*Welcoming* the progress achieved in recent years in both nuclear and conventional disarmament,

*Noting that*, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

*Convinced* that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

*Determined* strictly to abide by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

*Recognizing* that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

*Considering* that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

*Recognizing* that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

*Bearing in mind* paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

*Recalling* the relevant parts of the special report of the Committee on Disarmament submitted to the General Assembly at its twelfth special session the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,

*Recalling also* paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarma-

ment urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Noting* the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons with a view to reaching agreement on this item,

*Taking note* of the proposals submitted under that item in that Conference on Disarmament, including the drafts of an international convention,

*Taking note also* of the relevant decision of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, and also of the decision adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992 as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Twentieth Islamic Conference of Foreign Ministers, held at Istanbul from 4 to 8 August 1991 calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Taking note further* of the unilateral declarations made by all nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States,

*Noting* the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

*Noting also* the greater willingness to overcome the difficulties encountered in previous years,

*Taking note* of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

*Recalling* its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995 and 51/43 of 10 December 1996,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;
2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out;
3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;
4. *Recommends* that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;
5. *Recommends also* that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;
6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled Conclusion of effective international



arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

**A/RES/52/38 K — Nuclear disarmament with a view to the ultimate elimination of nuclear weapons**

*The General Assembly,*

*Recalling* its resolutions 49/75 H of 15 December 1994, 50/70 C of 12 December 1995 and 51/45 G of 10 December 1996,

*Recognizing* that the end of the cold war has increased the possibility of freeing the world from the fear of nuclear war,

*Appreciating* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are parties, and looking forward to the early entry into force of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms, which was ratified by the United States of America,

*Welcoming* the reductions in the nuclear arsenals of other nuclear-weapon States,

*Welcoming* the removal of all nuclear weapons of the former Union of Soviet Socialist Republics from the territories of Belarus, Kazakhstan and Ukraine,

*Welcoming* the joint statement issued by the Presidents of the Russian Federation and the United States of America at Helsinki on 21 March 1997, which set forth the common understanding that, once the Treaty on Further Reduction and Limitation of Strategic Offensive Arms enters into force, these two States will immediately begin negotiations on a START III agreement,

*Welcoming* the decision of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to extend the Treaty indefinitely, taken without a vote, as well as the decisions on strengthening the review process for the Treaty and on the principles and objectives for nuclear non-proliferation and disarmament,

*Noting* the reference in the decision on the principles and objectives for nuclear non-proliferation and disarmament to the importance of the following measures for the full realization and effective implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, including the programme of action as reflected below:

- (a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty no later than 1996, and utmost restraint that should be exercised by the nuclear-weapon States pending the entry into force of that treaty;
- (b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile materials for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;
- (c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

*Welcoming* the adoption of the Comprehensive Nuclear-Test-Ban Treaty at the fiftieth session of the General Assembly and its opening for signature at the beginning of the fifty-first session, and noting the subsequent signing of that Treaty by over 140 Member States,

*Welcoming also* a smooth start of the strengthened review process of the Treaty on the Non-Proliferation of Nuclear Weapons with a successful conclusion of its first Preparatory Committee meeting in April 1997 for the next Review Conference, which will be held in the year 2000,

*Recalling* that nuclear non-proliferation and the promotion of nuclear disarmament are key elements in the maintenance of international peace and security, which is one of the most important purposes of the United Nations,

1. *Urges* States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accede to it at the earliest possible

date, recognizing the importance of universal adherence to the Treaty;

2. *Calls* for the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control, and invites them to keep States Members of the United Nations duly informed of the progress or efforts made;
3. *Welcomes* the ongoing efforts in the dismantlement of nuclear weapons, and notes the importance of the safe and effective management of the resultant fissile materials;
4. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to make their best efforts for the success of the next Review Conference, which will be held in the year 2000;
5. *Also calls upon* all States to implement fully their commitments in the field of disarmament and non-proliferation of weapons of mass destruction.

**A/RES/52/38 L — Nuclear disarmament**

*The General Assembly,*

*Recalling* its resolutions 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat and its resolutions 50/70 P of 12 December 1995 and 51/45 O of 10 December 1996 on nuclear disarmament,

*Reaffirming* the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

*Bearing in mind* that the 1972 Biological Weapons Convention and the 1993 Chemical Weapons Convention have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the testing, development, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

*Recognizing* that there now exist favourable conditions for creating a world free of nuclear weapons,

*Bearing in mind* paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time-frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

*Reiterating* the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

*Recognizing* that the Comprehensive Nuclear-Test-Ban Treaty and any proposed treaty on fissile material for nuclear weapons or other nuclear explosive devices must constitute disarmament measures, and not only non-proliferation measures, and that these measures, together with an international legal instrument on adequate security assurances for non-nuclear-weapon States and an international convention prohibiting the use of nuclear weapons, must be integral steps leading to the total elimination of nuclear weapons within a time-bound framework,

*Welcoming* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

*Welcoming also* the conclusion of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms by the Russian Federation and the United States of America and the ratification of that Treaty by the United States of America, and looking forward to the full implementation of the START I and START II Treaties by the States parties, and to further concrete steps for nuclear disarmament by all nuclear-weapon States,

*Noting with appreciation* the unilateral measures by the nuclear-weapon States for nuclear arms limitation, and encouraging them to undertake further such measures,

*Recognizing* the complementarity of bilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

*Noting* the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

*Recalling* the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, issued on 8 July 1996, and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

*Mindful* of paragraph 84 and other relevant recommendations in the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, calling upon the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to commence negotiations early in 1996 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework; paragraph 58 of the Final Document of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997; and paragraphs 40 to 42 of the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegations of the Movement of Non-Aligned Countries to the fifty-second session of the General Assembly, held in New York on 25 September 1997, which called for, as a first step, the conclusion of a universal and legally binding multilateral agreement committing all States to the total elimination of nuclear weapons,

*Bearing in mind* the proposal of twenty-eight delegations to the Conference on Disarmament that are members of the Group of 21 for a programme of action for the elimination of nuclear weapons, and expressing its conviction that this proposal will be an important input and will contribute to negotiations on this question in the Conference,

*Commending* the initiative by twenty-six delegations to the Conference on Disarmament that are members of the Group of 21, proposing a comprehensive mandate for an ad hoc committee on nuclear disarmament, which includes negotiations for, as a first step, a universal and legally binding multilateral agreement committing all States to the objective of the total elimination of nuclear weapons, an agreement on further steps required in a phased programme with time-frames leading to the total elimination of these weapons and a convention on the prohibition of the production of fissile material for nuclear weapons and other nuclear explosive devices taking into account the report of the Special Coordinator on that item and the views relating to the scope of the treaty,

1. *Recognizes* that, in view of recent political developments, the time is now opportune for all nuclear-weapon States to undertake effective disarmament measures with a view to the total elimination of these weapons within a time-bound framework;
2. *Recognizes also* that there is a genuine need to de-emphasize the role of nuclear weapons, and to review and revise nuclear doctrines accordingly;
3. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;
4. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and a phased programme of progressive and balanced deep reductions of nuclear weapons, and to carry out effective nuclear disarmament measures with a view to the total elimination of these weapons within a time-bound framework;
5. *Expresses its concern* at the continuing opposition by some States to the establishment of an ad hoc committee on nuclear

disarmament in the Conference on Disarmament, as called for in General Assembly resolution 51/45 O;

6. *Reiterates its call upon* the Conference on Disarmament to establish, on a priority basis, an ad hoc committee on nuclear disarmament to commence negotiations early in 1998 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework through a nuclear weapons convention;
7. *Urges* the Conference on Disarmament to take into account in this regard the proposal of the twenty-eight delegations for a programme of action for the elimination of nuclear weapons, as well as the mandate for the ad hoc committee on nuclear disarmament, proposed by the twenty-six delegations;
8. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;
9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled Nuclear disarmament.

#### **A/RES/52/38 M — Bilateral nuclear arms negotiations and nuclear disarmament**

*The General Assembly,*

*Recalling* its previous relevant resolutions,

*Recognizing* the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

*Mindful* that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security and, in this connection, to adopt and implement measures towards the attainment of general and complete disarmament under strict and effective international control,

*Appreciating* a number of positive developments in the field of nuclear disarmament, in particular the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, and the treaties on the reduction and limitation of strategic offensive arms,

*Appreciating also* the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons and acknowledging the importance of the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

*Welcoming* the steps that have already been taken by the Russian Federation and the United States of America to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on de-targeting strategic nuclear missiles,

*Noting* the new climate of relations between the States of the former Union of Soviet Socialist Republics and the United States of America, which permits them to intensify their cooperative efforts to ensure the safety, security, and environmentally sound destruction of nuclear weapons,

*Recalling* the Moscow Summit Declaration on Nuclear Safety and Security of April 1996,

*Urging* early action to complete the ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms and further intensification of efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear arms reduction,

*Appreciating* the joint statement on future reductions in nuclear forces and the joint statement outlining the elements of an agreement for higher-velocity theatre missile defence systems, both issued 21 March 1997 by the Russian Federation and the United States of America, as well as their joint statement of 10 May 1995 in connection with the Treaty on the Limitation of Anti-Ballistic Missile Systems,

*Welcoming* the significant reductions made by other nuclear-weapon States, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

1. *Welcomes* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the Union of Soviet Socialist Republics and the United States of America, including the Protocol to that Treaty signed at Lisbon on 23 May 1992 by the parties thereto, and the exchange of documents of ratification between Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America on 5 December 1994 at Budapest;
2. *Also welcomes* the signing of the Treaty between the Russian Federation and the United States of America on the Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993, and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;
3. *Further welcomes* the joint statement issued at Helsinki on 21 March 1997, in which Presidents Yeltsin and Clinton reached an understanding that after the entry into force of START II, their two countries would immediately commence negotiations on a START III agreement, which would include the establishment, by 31 December 2007, of lower aggregate levels of 2,000 to 2,500 strategic nuclear warheads, take measures relating to the transparency of strategic nuclear warhead inventories and destruction of strategic nuclear warheads, and carry out other actions to promote the irreversibility of these deep reductions;
4. *Notes with satisfaction* the protocol to START II, the Joint Agreed Statement, and the Letters on Early Deactivation, signed by the Russian Federation and the United States of America in New York on 26 September 1997, which are intended to promote the further process of still deeper reductions and limitations of strategic offensive arms;
5. *Welcomes* the signing on 26 September 1997 by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America of a number of significant agreements that contribute to ensuring the viability of the Treaty on the Limitation of Anti-Ballistic Missile Systems;
6. *Expresses its satisfaction* at the entry into force and ongoing implementation of the 1991 Treaty as well as the advice and consent of the Senate of the United States of America to the 1993 Treaty, and expresses its hope that it will soon be possible for the Russian Federation to take corresponding steps for ratifying that Treaty;
7. *Expresses further satisfaction* at the continuing implementation of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the Treaty;
8. *Welcomes* the removal of all nuclear weapons from the territory of Kazakhstan as of 1 June 1995, from the territory of Ukraine as of 1 June 1996, and from the territory of Belarus as of 30 November 1996;
9. *Encourages* Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;
10. *Welcomes* the participation in the Treaty on the Non-Proliferation of Nuclear Weapons on Belarus, Kazakhstan and Ukraine as non-nuclear States, which thereby provided notable enhancement of the non-proliferation regime;
11. *Urges* the Russian Federation and the United States of America to commence negotiations on a START III agreement immediately after START II enters into force, thereby realizing the understandings they reached in the joint statement issued at Helsinki;
12. *Encourages and supports* the Russian Federation and the United States of America in their efforts to reduce their nuclear weapons and to continue to give those efforts the highest priority in order to contribute to the ultimate goal of eliminating those weapons;
13. *Invites* the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

**A/RES/52/38 N — The nuclear-weapon-free southern hemisphere and adjacent areas**

*The General Assembly,*

*Recalling* its resolution 51/45 B of 10 December 1996,

*Determined* to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

*Recalling also* the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, as well as of the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Stressing* the importance of the treaties of Tlatelolco, Rarotonga, Bangkok, and Pelindaba, establishing nuclear-weapon-free zones, as well as the Antarctic Treaty, to, *inter alia*, the ultimate objective of achieving a world entirely free of nuclear weapons, and underlining also the value of enhancing cooperation among the nuclear-weapon-free zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

*Recalling further* the applicable principles and rules of international law relating to rights of passage through maritime space, including under the United Nations Convention on the Law of the Sea,

1. *Welcomes* the contribution that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are making toward freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;
2. *Calls* for the ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all regional States, and calls upon all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free zone treaties by all relevant States that have not yet done so;
3. *Welcomes* the steps taken to conclude further nuclear-weapon-free zone treaties on the basis of arrangements freely arrived at among the States of the region concerned and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;
4. *Stresses* the role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament, with the ultimate goal of eliminating all nuclear weapons;
5. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, to explore and implement further ways and means of cooperation among themselves and their treaty agencies;
6. *Encourages* the competent authorities of nuclear-weapon-free zone treaties to provide assistance to the States parties and signatories to such treaties so as to facilitate the accomplishment of these goals;



7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled The nuclear-weapon-free southern hemisphere and adjacent areas.

**A/RES/52/38 O — Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons**

*The General Assembly,*

*Recalling* its resolutions 49/75 K of 15 December 1994 and 51/45 M of 10 December 1996,

*Convinced* that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

*Mindful* of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

*Recalling* the Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the objective of determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons,

*Recalling also* the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996,

*Recognizing with satisfaction* that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

*Noting* the efforts by the States possessing the largest inventories of nuclear weapons to reduce their stockpiles of such weapons through bilateral and unilateral agreements or arrangements, and calling for the intensification of such efforts to accelerate the significant reduction of nuclear-weapon arsenals,

*Recognizing* the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

*Reaffirming* the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference on Disarmament during its 1997 session,

*Emphasizing* the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

*Desiring* to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

*Recalling* the advisory opinion of the International Court of Justice on the Legality of the Treat or Use of Nuclear Weapons, issued on 8 July 1996,

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;
2. *Calls once again upon* all States to immediately fulfil that obligation by commencing multilateral negotiations in 1998 leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;
3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its fifty-third session;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons.

**A/RES/52/38 S — Establishment of a nuclear-weapon-free zone in Central Asia**

*The General Assembly,*

*Emphasizing* the importance of internationally recognized agreements on the establishment of nuclear-weapon-free zones in various regions of the world,

*Recalling* paragraphs 60, 61, 62 and 64 of the Final Document of the Tenth Special Session of the General Assembly, the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 5 and 6 of the decision entitled Principles and objectives for nuclear non-proliferation and disarmament in the Final Document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, concerning the establishment of nuclear-weapon-free zones,

*Recalling* the Almaty Declaration of the Heads of State of the Central Asian States of 28 February 1997 and the statement by the Ministers for Foreign Affairs of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan on the establishment of a nuclear-weapon-free zone in Central Asia, signed at Tashkent on 15 September 1997,

*Reaffirming* the generally recognized role of the United Nations in promoting the establishment of nuclear-weapon-free zones,

*Convinced* that the establishment of nuclear-weapon-free zones in various regions of the world can contribute to the achievement of general and complete disarmament,

*Believing* that the establishment of nuclear-weapon-free zones in various regions, including Central Asia, will help to strengthen peace and stability at both the regional and the global levels and is in the interests of the security of the States in the Central Asian region,

*Welcoming* the offer of Kyrgyzstan to hold a consultative meeting of experts on the establishment of a nuclear-weapon-free zone in Central Asia at Bishkek in 1998,

1. *Calls upon* all States to support the initiative aimed at the establishment of a nuclear-weapon-free zone in Central Asia;
2. *Requests* the Secretary-General, within existing resources, to provide assistance to the Central Asian countries in the preparation of the form and elements of an agreement on the establishment of a nuclear-weapon-free zone in Central Asia;
3. *Decides* to consider the question of the establishment of a nuclear-weapon-free zone in Central Asia at its fifty-third session under the agenda item entitled General and complete disarmament.

**A/RES/52/39 C — Convention on the Prohibition of the Use of Nuclear Weapons**

*The General Assembly,*

*Convinced* that the use of nuclear weapons poses the most serious threat to the survival of mankind,

*Bearing in mind* the advisory opinion of the International Court of Justice of 8 July 1996 on the Legality of the Threat or Use of Nuclear Weapons,

*Convinced* that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

*Conscious* that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

*Recalling* that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly, it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could



be agreed upon and that would preclude the use or threat of use of nuclear weapons,

*Reaffirming* that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly, it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

*Determined* to achieve a universal nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

*Stressing* that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

*Noting with regret* that the Conference on Disarmament, during its 1997 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 51/46 D of 10 December 1996,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a possible basis the draft Convention on the Prohibition of the Use of Nuclear Weapons contained in the annex to the present resolution;
2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

#### **ANNEX — Draft Convention on the Prohibition of the Use of Nuclear Weapons**

*The States Parties to the present Convention,*

*Alarmed* by the threat to the very survival of mankind posed by the existence of nuclear weapons,

*Convinced* that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

*Desiring* to achieve a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons,

*Bearing in mind* the advisory opinion of the International Court of Justice that there exists an obligation of all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

*Determined*, therefore, to achieve a universal nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

*Convinced* that the present Convention would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

*Determined* to continue negotiations for the achievement of this goal,

*Have agreed* as follows:

#### **Article 1**

The States Parties to the present Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

#### **Article 2**

This Convention shall be of unlimited duration.

#### **Article 3**

1. The present Convention shall be open to all States for signature. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of the present article may accede to it at any time.
2. The present Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.
3. The present Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of the present article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of entry into force of this Convention, as well as of the receipt of other notices.
6. The present Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

#### **Article 4**

The present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed the present Convention, opened for signature at \_\_\_ on the \_\_\_ day of \_\_\_ one thousand nine hundred and \_\_\_.

#### **A/RES/52/41 — The risk of nuclear proliferation in the Middle East**

*The General Assembly,*

*Bearing in mind* its relevant resolutions,

*Taking note* of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(41)RES/25, adopted on 3 October 1997,

*Cognizant* that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

*Mindful* of the immediate need to place all nuclear facilities in the region of the Middle East under full-scope safeguards of the International Atomic Energy Agency,

*Recalling* the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty, and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

*Recalling also* the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet party to the Treaty to accede to it at the earliest date, in particular those States which operate unsafeguarded nuclear facilities,

*Noting* that, since the adoption of General Assembly resolution 51/48 of 10 December 1996, Israel remains the only State in the Middle East that has not yet become party to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Concerned* over the threats posed by the proliferation of nuclear weapons to the security and stability of the region of the Middle East,

*Stressing* the importance of undertaking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

*Noting* the adoption of the Comprehensive Nuclear-Test-Ban Treaty and its signature by one hundred and forty-eight States, including a number of States in the region,

1. *Calls upon* the only State in the region of the Middle East that is not party to the Treaty on the Non-Proliferation of Nuclear Weapons to accede to the Treaty without further delay, and not to develop, produce, test or otherwise acquire

nuclear weapons and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

2. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution;
3. *Decides* to include in the provisional agenda of its fifty-third session the item entitled The risk of nuclear proliferation in the Middle East.

**A/RES/52/45 — Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin American and the Caribbean (Treaty of Tlatelolco)**

*The General Assembly,*

*Recalling* that in its resolution 1911 (XVIII) of 27 November 1963 it expressed the hope that the States of Latin America would take appropriate measures to conclude a treaty that would prohibit nuclear weapons in Latin America,

*Recalling also* that in the same resolution it voiced its confidence that, once such a treaty was concluded, all States, and in particular the nuclear-weapon States, would lend it their full cooperation for the effective realization of its peaceful aims,

*Considering* that in its resolution 2028 (XX) of 19 November 1965 it established the principle of an acceptable balance of mutual responsibilities and obligations between nuclear-weapon States and those which do not possess such weapons,

*Recalling* that the Treaty for the Prohibition of Nuclear Weapons in Latin American and the Caribbean (Treaty of Tlatelolco) was opened for signature at Mexico City on 14 February 1967,

*Welcoming* the holding of the eleventh special session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean on 14 February 1997 in commemoration of the thirtieth anniversary of the opening for signature of the Treaty of Tlatelolco, as well as the holding of the international seminar entitled Nuclear-weapon-free zones in the next century in Mexico City on 13 and 14 February 1997,

*Recalling* that in its preamble the Treaty of Tlatelolco states that military denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

*Recalling also* that in its resolution 2286 (XXII) of 5 December 1967 it welcomed with special satisfaction the Treaty of Tlatelolco as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

*Recalling further* that in 1990, 1991 and 1992 the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean approved and opened for signature a set of amendments to the Treaty of Tlatelolco, with the aim of enabling the full entry into force of that instrument,

*Recalling* resolution C/E/RES.27 of the Council of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, in which the Council called for the promotion of cooperation and consultations with other nuclear-weapon-free zones,

*Noting with satisfaction* that, with the full adherence on 14 February 1997 of Saint Kitts and Nevis, the Treaty of Tlatelolco is in force for thirty-two sovereign States of the region,

*Also noting with satisfaction* that on 22 October 1996 Paraguay and on 14 February 1997 Barbados and Venezuela deposited their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolution 267 (E-V) of 3 July 1990, 268 (XII) of 10 May 1991 and 290 (E-VII) of 26 August 1992, and that on 23 October 1997 Guatemala signed the amendment to the Treaty contained in resolution 268 (XII),

*Further noting with satisfaction* that the amended Treaty of Tlatelolco is fully in force for Argentina, Barbados, Brazil, Chile, Guyana, Jamaica, Mexico, Paraguay, Peru, Suriname, Uruguay and Venezuela,

1. *Welcomes* the concrete steps taken by some countries of the region during the past year for the consolidation of the regime of military denuclearization established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco);
2. *Notes with satisfaction* the full adherence of Saint Kitts and Nevis to the Treaty of Tlatelolco;
3. *Urges* the countries of the region that have not yet done so to deposit their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolutions 267 (E-V), 268 (XII) and 290 (E-VII);
4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).

**A/RES/52/46 — African Nuclear-Weapon-Free Zone Treaty**

*The General Assembly,*

*Recalling* its resolution 51/53 of 10 December 1996 and all its other relevant resolutions, as well as those of the Organization of African Unity,

*Recalling also* the successful conclusion of the signing ceremony of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) that took place at Cairo on 11 April 1996,

*Recalling further* the Cairo Declaration adopted on that occasion, which emphasized that nuclear-weapon-free zones, especially in regions of tension, such as the Middle East, enhance global and regional peace and security,

*Noting* the statement made by the President of the Security Council on behalf of the members of the Council on 12 April 1996, in which it was stated that the signature of the African Nuclear-Weapon-Free Zone Treaty constituted an important contribution by the African countries to the maintenance of international peace and security,

*Considering* that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. *Calls upon* African States that have not yet done so to sign and ratify the African Nuclear-Weapon-Free Zone Treaty as soon as possible so that it may enter into force without delay;
2. *Expresses its appreciation* to the nuclear-weapon States that have signed the Protocols that concern them, and calls upon those which have not yet ratified the Protocols concerning them to do so as soon as possible;
3. *Calls upon* the States contemplated in Protocol III to the Treaty that have not yet done so to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, de jure or de facto, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;
4. *Calls upon* the African States parties to the Treaty on the Non-Proliferation of Nuclear Weapons that have not yet concluded comprehensive safeguards agreements with the International Atomic Energy Agency pursuant to the Treaty to do so, thereby satisfying the requirements of article 9 (b) of and annex II to the Treaty of Pelindaba when it enters into force;
5. *Expresses its gratitude* to the Secretary-General for the diligence with which he has rendered effective assistance to the signatories to the African Nuclear-Weapon-Free Zone Treaty in accordance with resolution 51/53;
6. *Expresses its gratitude* to the Secretary-General of the Organization of African Unity and the Director-General of the International Atomic Energy Agency for the diligence with which they have rendered effective assistance to the signatories to the Treaty;

7. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled African Nuclear-Weapon-Free Zone Treaty.

**c. Documents pertaining to the situation in Iraq**

**Security Council Resolution S/RES/1134 (1997), 23 October 1997**

*The Security Council,*

*Recalling* all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1060 (1996) of 12 June 1996, and 1115 (1997) of 21 June 1997,

*Having considered* the report of the Executive Chairman of the Special Commission dated 6 October 1997 (S/1997/774),

*Expressing* grave concern at the report of additional incidents since the adoption of resolution 1115 (1997) in which access by the Special Commission inspection teams to sites in Iraq designated for inspection by the Commission was again denied by the Iraqi authorities,

*Stressing* the unacceptability of any attempts by Iraq to deny access to such sites,

*Taking note* of the progress nevertheless achieved by the Special Commission, as set out in the report of the Executive Chairman, towards the elimination of Iraq's programme of weapons of mass destruction,

*Reaffirming* its determination to ensure full compliance by Iraq with all its obligations under all previous relevant resolutions and *reiterating* its demand that Iraq allow immediate, unconditional and unrestricted access to the Special Commission to any site which the Commission wishes to inspect, and in particular allow the Special Commission and its inspection teams to conduct both fixed wing and helicopter flights throughout Iraq for all relevant purposes including inspection, surveillance, aerial surveys, transportation and logistics without interferences of any kind and upon such terms and conditions as may be determined by the Special Commission, and to make use of their own aircraft and such airfields in Iraq as they may determine are most appropriate for the work of the Commission,

*Recalling* that resolution 1115 (1997) expressed the Council's firm intention, unless the Special Commission has advised the Council that Iraq is in substantial compliance with paragraphs 2 and 3 of that resolution, to impose additional measures on those categories of Iraqi officials responsible for the non-compliance,

*Reiterating* the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Condemns* the repeated refusal of the Iraqi authorities, as detailed in the report of the Executive Chairman of the Special Commission, to allow access to sites designated by the Special Commission, and especially Iraqi actions endangering the safety of Special Commission personnel, the removal and destruction of documents of interest to the Special Commission and interference with the freedom of movement of Special Commission personnel;
2. *Decides* that such refusals to cooperate constitute a flagrant violation of Security Council resolutions 687 (1991), 707 (1991) and 1060 (1996), and *notes* that the Special Commission in the report of the Executive Chairman was unable to advise that Iraq was in substantial compliance with paragraphs 2 and 3 of resolution 1115 (1997);
3. *Demands* that Iraq cooperate fully with the Special Commission in accordance with the relevant resolutions, which constitute the governing standard of Iraqi compliance;
4. *Demands* in particular that Iraq without delay allow the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipments, records and means of transportation which they wish to inspect in accordance with the mandate of the Special Commission, as well as to officials and other persons under the authority of the Iraqi Government whom the Special Commission wishes to interview so that the Special Commission may fully discharge its mandate;

5. *Requests* the Chairman of the Special Commission to include in all future consolidated progress reports prepared under resolution 1051 (1996) an annex evaluating Iraq's compliance with paragraphs 2 and 3 of resolution 1115 (1997);
6. *Expresses* the firm intention — if the Special Commission reports that Iraq is not in compliance with paragraphs 2 and 3 of resolution 1115 (1997) or if the Special Commission does not advise the Council in the report of the Executive Chairman due on 11 April 1998 that Iraq is in compliance with paragraphs 2 and 3 of resolution 1115 (1997) — to adopt measures which would oblige all States to prevent without delay the entry into or transit through their territories of all Iraqi officials and members of the Iraqi armed forces who are responsible for or participate in instances of non-compliance with paragraphs 2 and 3 of resolution 1115 (1997), provided that the entry of a person into a particular State on a specified date may be authorized by the Committee established by resolution 661 (1990), and provided that nothing in this paragraph shall oblige a State to refuse entry into its own territory to its own nationals or persons carrying out bona fide diplomatic assignments or missions;
7. *Decides further*, on the basis of all incidents related to the implementation of paragraphs 2 and 3 of resolution 1115 (1997), to begin to designate, in consultation with the Special Commission, individuals whose entry or transit would be prevented upon implementation of the measures set out in paragraph 6 above;
8. *Decides* not to conduct the reviews provided for in paragraphs 21 and 28 of resolution 687 (1991) until after the next consolidated progress report of the Special Commission, due on 11 April 1998, after which those reviews will resume in accordance with resolution 687 (1991), beginning on 26 April 1998;
9. *Reaffirms* its full support for the authority of the Special Commission under its Executive Chairman to ensure the implementation of its mandate under the relevant resolutions of the Council;
10. *Decides* to remain seized of the matter.

**Security Council Resolution S/RES/1137 (1997), 12 November 1997**

*The Security Council,*

*Recalling* all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997, and 1134 (1997) of 23 October 1997,

*Taking note* with grave concern of the letter of 29 October 1997 from the Deputy Prime Minister of Iraq to the President of the Security Council (S/1997/829) conveying the unacceptable decision of the Government of Iraq to seek to impose conditions on its cooperation with the Special Commission, of the letter of 2 November 1997 from the Permanent Representative of Iraq to the United Nations to the Executive Chairman of the Special Commission (S/1997/837, annex) which reiterated the unacceptable demand that the reconnaissance aircraft operating on behalf of the Special Commission be withdrawn from use and which implicitly threatened the safety of such aircraft, and of the letter of 6 November 1997 from the Minister of Foreign Affairs of Iraq to the President of the Security Council (S/1997/855) admitting that Iraq has moved dual-capable equipment which is subject to monitoring by the Special Commission,

*Also taking note* with grave concern of the letters of 30 October 1997 (S/1997/830) and 2 November 1997 (S/1997/836) from the Executive Chairman of the Special Commission to the President of the Security Council advising that the Government of Iraq had denied entry to Iraq to two Special Commission officials on 30 October 1997 and 2 November 1997 on the grounds of their nationality, and of the letters of 3 November 1997 (S/1997/837), 4 November 1997 (S/1997/843), 5 November 1997 (S/1997/851) and 7 November 1997 (S/1997/864) from the Executive Chairman of the Special Commission to the President of the Security Council advising that the Government of Iraq had denied entry to sites designated for inspection by the



Special Commission on 3, 4, 5, 6 and 7 November 1997 to Special Commission inspectors on the grounds of their nationality, and of the additional information in the Executive Chairman's letter of 5 November 1997 to the President of the Security Council (S/1997/851) that the Government of Iraq has moved significant pieces of dual-capable equipment subject to monitoring by the Special Commission, and that monitoring cameras appear to have been tampered with or covered,

*Welcoming* the diplomatic initiatives, including that of the high-level mission of the Secretary-General, which have taken place in an effort to ensure that Iraq complies unconditionally with its obligations under the relevant resolutions,

*Deeply concerned* at the report of the high-level mission of the Secretary-General on the results of its meetings with the highest levels of the Government of Iraq,

*Recalling* that its resolution 1115 (1997) expressed its firm intention, unless the Special Commission advised the Council that Iraq is in substantial compliance with paragraphs 2 and 3 of that resolution, to impose additional measures on those categories of Iraqi officials responsible for the non-compliance,

*Recalling also* that its resolution 1134 (1997) reaffirmed its firm intention, if *inter alia* the Special Commission reports that Iraq is not in compliance with paragraphs 2 and 3 of resolution 1115 (1997), to adopt measures which would oblige States to refuse the entry into or transit through their territories of all Iraqi officials and members of the Iraqi armed forces who are responsible for or participate in instances of non-compliance with paragraphs 2 and 3 of resolution 1115 (1997),

*Recalling further* the Statement of its President of 29 October 1997 (S/PRST/1997/49) in which the Council condemned the decision of the Government of Iraq to try to dictate the terms of its compliance with its obligation to cooperate with the Special Commission, and warned of the serious consequences of Iraq's failure to comply immediately and fully and without conditions or restrictions with its obligations under the relevant resolutions,

*Reiterating* the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

*Determined* to ensure immediate and full compliance without conditions or restrictions by Iraq with its obligations under the relevant resolutions,

*Determining* that this situation continues to constitute a threat to international peace and security,

*Acting* under Chapter VII of the Charter,

1. *Condemns* the continued violations by Iraq of its obligations under the relevant resolutions to cooperate fully and unconditionally with the Special Commission in the fulfilment of its mandate, including its unacceptable decision of 29 October 1997 to seek to impose conditions on cooperation with the Special Commission, its refusal on 30 October 1997 and 2 November 1997 to allow entry to Iraq to two Special Commission officials on the grounds of their nationality, its denial of entry on 3, 4, 5, 6 and 7 November 1997 to sites designated by the Special Commission for inspection to Special Commission inspectors on the grounds of their nationality, its implicit threat to the safety of the reconnaissance aircraft operating on behalf of the Special Commission, its removal of significant pieces of dual-use equipment from their previous sites, and its tampering with monitoring cameras of the Special Commission;
2. *Demands* that the Government of Iraq rescind immediately its decision of 29 October 1997;
3. *Demands also* that Iraq cooperate fully and immediately and without conditions or restrictions with the Special Commission in accordance with the relevant resolutions, which constitute the governing standard of Iraqi compliance;
4. *Decides*, in accordance with paragraph 6 of resolution 1134 (1997), that States shall without delay prevent the entry into or transit through their territories of all Iraqi officials and members of the Iraqi armed forces who were responsible for or participated in the instances of non-compliance detailed in paragraph 1 above, provided that the entry of a person into a particular State on a specified date may be authorized by the Committee established by resolution 661 (1990) of 6 August 1990, and provided that nothing in this paragraph

shall oblige a State to refuse entry into its own territory to its own nationals, or to persons carrying out bona fide diplomatic assignments, or missions approved by the Committee established by resolution 661 (1990);

5. *Decides also*, in accordance with paragraph 7 of resolution 1134 (1997), to designate in consultation with the Special Commission a list of individuals whose entry or transit will be prevented under the provisions of paragraph 4 above, and requests the Committee established by resolution 661 (1990) to develop guidelines and procedures as appropriate for the implementation of the measures set out in paragraph 4 above, and to transmit copies of these guidelines and procedures, as well as a list of the individuals designated, to all Member States;
6. *Decides* that the provisions of paragraphs 4 and 5 above shall terminate one day after the Executive Chairman of the Special Commission reports to the Council that Iraq is allowing the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect in accordance with the mandate of the Special Commission, as well as to officials and other persons under the authority of the Iraqi Government whom the Special Commission wishes to interview so that the Special Commission may fully discharge its mandate;
7. *Decides* that the reviews provided for in paragraphs 21 and 28 of resolution 687 (1991) shall resume in April 1998 in accordance with paragraph 8 of resolution 1134 (1997), provided that the Government of Iraq shall have complied with paragraph 2 above;
8. *Expresses* the firm intention to take further measures as may be required for the implementation of this resolution;
9. *Reaffirms* the responsibility of the Government of Iraq under the relevant resolutions to ensure the safety and security of the personnel and equipment of the Special Commission and its inspection teams;
10. *Reaffirms also* its full support for the authority of the Special Commission under its Executive Chairman to ensure the implementation of its mandate under the relevant resolutions of the Council;
11. *Decides* to remain seized of the matter.

#### **Statement by the President of the Security Council, 13 November 1997**

At the 3832nd meeting of the Security Council, held on 13 November 1997 in connection with the Council's consideration of the item entitled The situation between Iraq and Kuwait, the President of the Security Council made the following statement on behalf of the Council:

The Security Council condemns in the strongest terms the unacceptable decision of the Government of Iraq in expelling personnel of the Special Commission of a specified nationality and thereby imposing conditions on the Special Commission in contravention of relevant Security Council resolutions which constitute the governing standard of Iraqi compliance.

The Security Council demands the immediate and unequivocal revocation of this action, which has prevented the Special Commission from discharging its responsibilities under the relevant resolutions. The Council recalls the statement of its President of 29 October 1997 in which the Council warned of the serious consequences of Iraq's failure to comply immediately and fully and without conditions or restrictions with its obligations under the relevant resolutions. The Council further demands, in accordance with its resolution 1137 (1997), that Iraq comply immediately and fully with its obligations under the relevant resolutions.

The Security Council expresses its support for the Special Commission and the International Atomic Energy Agency (IAEA) and stresses the importance of their ensuring the implementation of all aspects of their mandates, including their vital work in monitoring and verification in Iraq, in accordance with the relevant resolutions of the Council.

The Security Council stresses that the Government of Iraq has full responsibility for ensuring the safety and security of the



personnel and equipment of the Special Commission and the IAEA and their inspection teams.

## V. Comments From Readers/Corrections

- Mme Thérèse Delpech, Advisor to the High Commissioner, Commission for Atomic Energy, France, and a member of PPNN's Core Group, has advised the Editor that the item in the previous issue of the Newsbrief, page 3, regarding the visit to Moscow of France's President (not Prime Minister, as erroneously stated there) should be reworded as follows:

During a visit to Moscow in September, the President of the French Republic, Jacques Chirac, said that France's 18 land-based nuclear missiles had been dismantled and that French nuclear forces were no longer targeted.

- The Editor's attention has been drawn to some inaccuracies in the report on the first session of the Preparatory Committee for the 2000 Review Conference of the NPT, which was contained in PPNN Newsbrief 38, pages 1-4.

Specifically, the reference to Yugoslavia's position, on page 2, first full paragraph, should be reworded as follows:

The opening of the session was delayed by consultations on the issue of the participation of the Federal Republic of Yugoslavia in the work of the

Preparatory Committee, and its capacity to act as a state party of the Treaty. The Federal Republic of Yugoslavia (Serbia and Montenegro) claims its position as a party to the NPT, but the states party to the NPT who used to be part of the original Yugoslavia (Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia and Slovenia) deny this claim; they hold that Belgrade has not formally succeeded to and cannot automatically assume the status of the former Socialist Federal Republic of Yugoslavia as a party of the NPT. The matter was resolved for this session by the absence of a representative from Belgrade; the three depository governments of the Treaty expressed their intention to seek in consultation with the other states parties a solution to the problem by the next session of the Committee...

With regard to dates and venues of further sessions, which were indicated on page 2 in the first subparagraph of the second column as being *provisional*, these have meanwhile been confirmed.

- The Editor has also been asked to note in connection with the report on page 2 of Newsbrief No. 39, on the international seminar on 'The Role of Export Control in Nuclear Non-Proliferation', which was held in Vienna on 7-8 October, that the Indonesian participant expressed dissatisfaction that the Commission of the European Union had not (yet) approved the supply of enriched uranium to his country.

### The Programme for Promoting Nuclear Non-Proliferation and the Newsbrief

The Newsbrief is part of the outreach effort which constitutes a major element of the Programme for Promoting Nuclear Non-Proliferation (PPNN). It is addressed to an audience interested in the subject of nuclear (non-)proliferation, to inform and help them alert their respective environments to the issue of nuclear non-proliferation.

The Newsbrief is published on behalf of PPNN by the Mountbatten Centre for International Studies, Department of Politics, University of Southampton. Communications relating to its content and other editorial matters should be addressed to Ben Sanders at 240 East 27th Street, New

York, New York 10016, USA (Tel. 1 (212) 532-3153; Fax. 1 (212) 532 9847). Those relating to production and distribution should be addressed to John Simpson, Mountbatten Centre for International Studies, University of Southampton, Southampton, SO17 1BJ, United Kingdom (Tel. 01703 592522; Fax. 01703 593533; international code +44/1703).

Web site: <http://www.soton.ac.uk/~ppnn/>

Production by Richard Guthrie. Printed by Autoprint.

ISSN 0965-1667