

Methodology, history, tools of multilateral negotiations

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Related to Disarmament

- Japan and guns
- Rules of war
 - Knights
 - Rules on treatment of prisoners of war
 - Rules on the use of certain weapons (dum-dum bullets; chemical and biological weapons)
 - Rules on methods of warfare, in particular to protect civilians

Types of disarmament agreements

- Bilateral (Russia-America; Argentina-Brazil)
- Regional (i.e. Conventional weapons in Europe CFE; Nuclear Weapon Free Zones)
- Worldwide (i.e. Non-proliferation Treaty; Biological and Chemical Weapons Conventions; Comprehensive Nuclear-Test-Ban Treaty; Ottawa Treaty banning anti-personnel Mines)

Types of weapons

Weapons of mass destruction:

- Nuclear weapons (various treaties and arrangements)
- Biological weapons (treaty banning all BW)
- Chemical weapons (treaty banning all CW)

Conventional weapons

- Airplanes, tanks, ships, artillery etc. (regional arrangements)
- Small arms (some regulations)
- Anti personnel Mines; cluster munitions (treaty)

Role of the United Nations (First Committee of the GA)

- Stimulate bilateral and regional agreements and arrangements through resolutions
- Give guidance to the Conference on Disarmament in Geneva; provide the secretariat thereof
- Recommend to all States the adoption of worldwide agreements

A bit of History

- The Hague Peace Conferences (before WWI)
- League of Nations (between WWI and II)
- The Big Four, establishing the Ten Nation Disarmament Commission (1960), leading to the 18(well, 17) Nation Disarmament Commission (1962-1969). In between:
Zorin-McCloy

The basis for disarmament: Zorin-McCloy (1961)

- The goal of negotiations is agreement on a *programme* for general and complete disarmament
- The *programme* shall ensure that States will have at their disposal only those non-nuclear armaments, forces, to be necessary to maintain internal order and protect the personal security of citizens; and that States shall support and provide agreed manpower for a UN Peace force.

Work of the ENDC

- Fruitless discussions on a Programme for General and Complete Disarmament
- The Non-Proliferation Treaty:
 - China goes nuclear (1964)
 - The Irish Resolution
 - After numerous discussions (bilateral US-USSR, NATO, on IAEA safeguards within Euratom etc.) the ENDC finalizes the NPT in 1968 which enters into force in 1970

The NPT is part of Restricting Nuclear Weapons NW

- Banning tests in the atmosphere (1963)
- Prohibiting NW in space or orbit
- Non-proliferation Treaty (1968)
- Nuclear Weapon Free Zones (Antarctica, Latin-America, S-Pacific, SE-Asia, Central Asia, Africa)
- Bilateral restrictions in numbers and types between the USA and Russia (SALT, START)
- Banning tests anywhere (Treaty not in force)
- Export-regulations Nuclear Suppliers Group; PSI, NSS, SC1540

The Conference of the Cttee on Disarmament CCD

- After the NPT, extension of the ENDC to CCD, in 1975 to 31 (well 30) members including the two Germanies. Results:
 - The Biological Weapons Convention
 - The Seabed Treaty
 - The Environmental Modification Treaty
 - Preparatory work for the Chemical Weapons Convention and the Nuclear Test Ban Treaty

First UNGA Special Session on Disarmament (1978)

- Adopts a Programme of Action and creates a “new” multilateral disarmament body, the Conference on Disarmament (CD), including France and China. Now 66 members.
- The CD works with a rather devastating consensus rule, since 1996 mainly (mis)used by the USA and now by Pakistan. But between 1979 and 1996 two major results: the CWC and the CTBT.

Formal start of negotiations

- Seems simple but can be very difficult (see FMCT or your zone in the ME)
- Discussions on the issue can be old (CW, nuclear tests). Use the already accumulated knowledge to develop a mandate for the negotiations and set up a formal working group. Pick a chairperson (for one year?)

What is the goal?

- Scope (not always clear: what are CW?)
- Verification needed and/or possible/worthwhile (CW versus BW)?
- If so, is a new Organisation needed (OPCW, CTBTO) or use an existing one (IAEA)?
- Conditions for Entry into Force (CTBT)

Never forget: Procedure = Substance

- The chairperson should lead the negotiation process, for example by setting up sub-committees, expert groups etc. To minimize endless procedural discussions, he/she could form a group of 'Friends of the Chair' representing the main (groups of) negotiating parties.

Working Groups

- Everything is possible! Small groups, large groups, Governmental experts, outsiders, scientists (chemical industrialists, seismologists). Very specific issues can pop up (destruction of NL CW in Indonesia). Many delegations small, thus not too many parallel groups
- Progress can be fast on some issues, others maybe blocked for years (challenge inspections in CWC)

Putting everything together 1

The Rolling Text

Example of bracketed tekst (during CTBT negotiations), part of the 'Rolling Text'

Article I: Basic Obligations 1994

[1. Each [State Party] [of the Parties to this Treaty] undertakes to [prohibit, and to prevent, and] not to carry out [at any place and] [in any environment,] any nuclear weapon test [explosion] [which releases nuclear energy] [in any form or any type], or any [other] [peaceful] nuclear [test] [explosion], [and undertakes to prohibit and prevent any such nuclear explosion] at any place [under [or beyond] its jurisdiction or control] [, with the exception of any explosions which may be authorized in exceptional circumstances] [.] [:]

Putting everything together 2

- **A Chairpersons Text?** Hard work behind the scenes. Use everything which has been (nearly) agreed, talk with key players about controversial paragraphs and decide on all the rest (maybe in an unknown setting). (A deadline may help!)
- Chairperson needs to have a strong character: some delegates will be fuming (CWC).

Chemical Weapon Convention (CWC) (1993)

- 190 Parties, including Syria now. Missing: *Israel, Myanmar* (signed, not ratified), *Egypt, Angola, DPRK, S-Sudan* (not signed)
- All parties promise not to produce and possess CW
- Parties still possessing CW should destroy these within 15 years. Not all ready yet.
- The Convention is being verified by the Organisation for the Prohibition of Chemical Weapons OPCW



ENTRY INTO FORCE

1. This Treaty shall enter into force [30 days after] [60 days after] [...days after] [upon] the deposit of instruments of ratification by [thirty] [forty][fifty][sixty][sixty-five][...] States, [...] of these states which are listed by the IAEA with nuclear reactors or nuclear research programmes][and] [all [...] [... per cent of all States without safeguards agreements] [nuclear capable States [...States which have nuclear power reactors at the time of opening of the

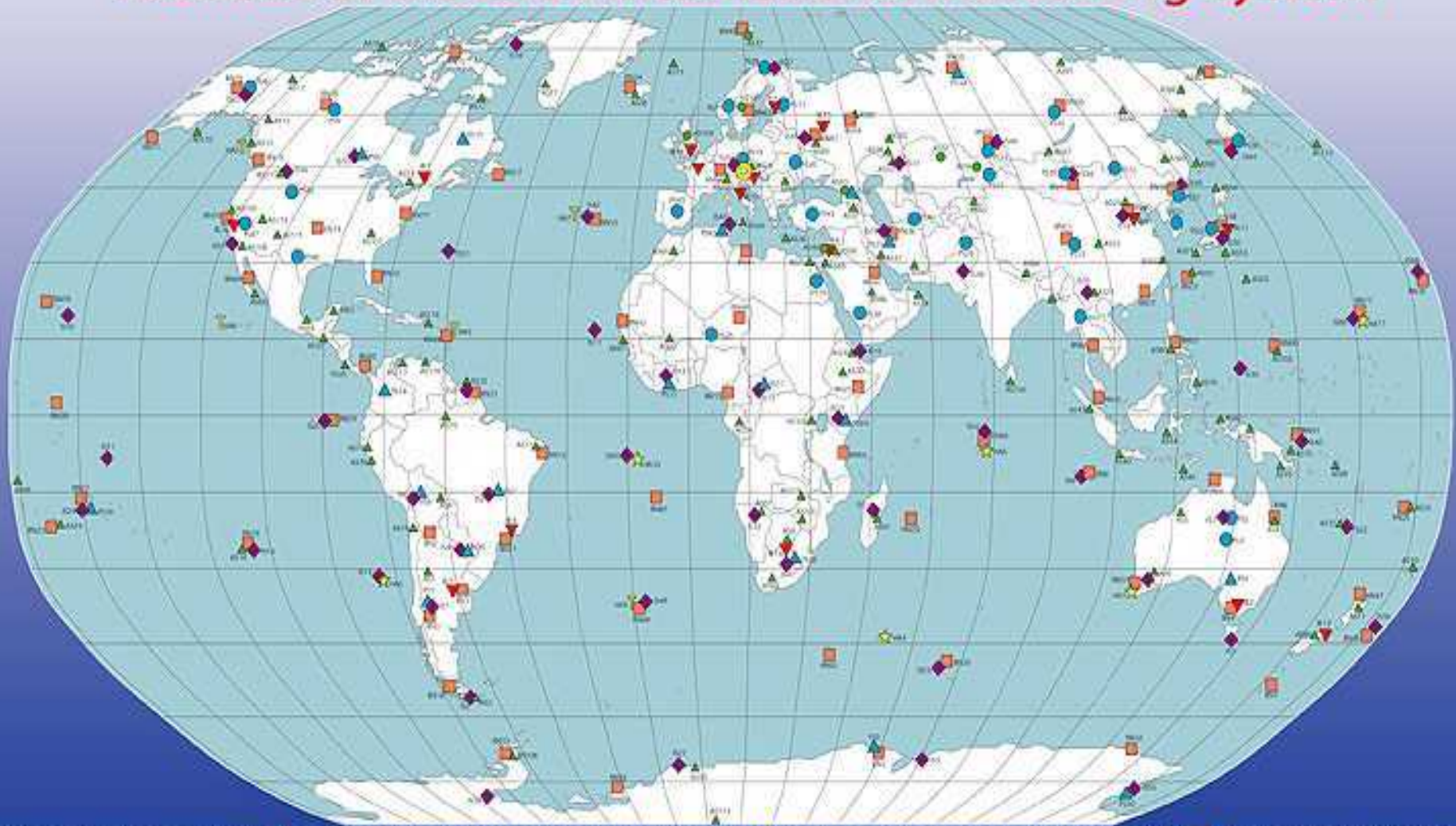
Comprehensive Nuclear-Test-Ban Treaty (CTBT)(1996)

- 162 parties
- Not in force yet because some essential countries are missing: *USA, China, Egypt, Iran, Israel (signed, not ratified) and India, Pakistan, N-Korea (not signed)*
- Prohibits all nuclear test explosions in all environments (underground, atmosphere)
- Verification system already being set-up by future CTBTO in Vienna



Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty (CTBTO)

Facilities of the CTBT International Monitoring System



- Seismic primary array (PS)
- ▲ Seismic primary three-component station (PS)
- ★ Hydroacoustic (hydrophone) station (HA)
- Radionuclide station (RN)
- Seismic auxiliary array (AS)
- ▲ Seismic auxiliary three-component station (AS)
- ⊥ Hydroacoustic (T-Phase) station (HA)
- ▼ Radionuclide laboratory (RL)
- ◆ Infrasound station (IS)
- International Data Centre, CTBTO PrepCom, Vienna

Vienna International Centre



Any Remarks???

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Some personal remarks on a MDWFZ-ME

- Think out of the Box
- Realize the special situation in the ME:
existing NWFZ's may not be the right
approach
- Why couple it to the NPT and its
Depository States?