QUESTION OF GENERAL AND COMPLETE DISARMAMENT: REPORT OF THE CONFERENCE OF THE COMMITTEE ON DISARMAMENT

BRAZIL

Revised working paper on the provisions of article III of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and the subsoil thereof (annex A, document A/7741)

In order to safeguard the rights enjoyed by the coastal State on its continental shelf, in accordance with international law, the Brazilian delegation proposes that article III of the draft treaty be amended to read as follows:

"(1) In order to promote the objectives of and ensure compliance with the provisions of the Treaty, each State Party to the Treaty shall have the right to verify through observation the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the outer limit of the maritime area referred to in article I, provided that observation does not interfere with such activities or otherwise infringe rights recognized under international law.

(2) If after such observation substantial doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the Parties concerned shall consult with a view to removing the doubts and, if the doubts persist, shall co-operative on such further procedures for verification as may be agreed. Parties recognize that such verification shall not interfere with the activities in question.

(3) Verification pursuant to this article may be undertaken by any State Party using its own means, or with the assistance of any other State Party which may be sought directly or indirectly through appropriate international good offices including those of the Secretary-General of the United Nations."
(4) (a) Verification procedures shall not be carried out in areas under the national jurisdiction of any State Party or in its superjacent waters without due regard for the sovereign rights of coastal States.

(b) Prior to initiating verification procedures in areas under the national jurisdiction of any State Party, the State Party proposing to initiate such procedures undertakes to notify the coastal State which shall manifest within a reasonable period of time whether it wishes to be associated with the verification.

(5) In the carrying out of verification procedures on the sea-bed and the ocean floor and the subsoil thereof beyond national jurisdiction, Parties in the region of the activities or any other Party may participate in the consultation and co-operation referred to in paragraph (2).

(6) In the event that consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed under this Treaty, States Parties to this Treaty may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council."
Twenty-fourth session
FIRST COMMITTEE
Agenda item 29

QUESTION OF GENERAL AND COMPLETE DISARMAMENT: REPORT OF THE CONFERENCE OF THE COMMITTEE ON DISARMAMENT

BRAZIL

Revised working paper on the provisions of article III of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and the subsoil thereof (annex A, document A/7741)

Corrigendum

On page 2, paragraph (4) (a), delete the words "or in its superjacent waters".