ASSESSMENT OF THE IMPLEMENTATION OF THE DECISIONS AND RECOMMENDATIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH AND TWELFTH SPECIAL SESSIONS

ASSESSMENT OF DEVELOPMENTS AND TRENDS, INCLUDING QUALITATIVE AND QUANTITATIVE ASPECTS, RELEVANT TO THE DISARMAMENT PROCESS, WITH A VIEW TO THE ELABORATION OF APPROPRIATE CONCRETE AND PRACTICAL MEASURES AND, IF NECESSARY, ADDITIONAL PRINCIPLES, TAKING DULLY INTO ACCOUNT THE PRINCIPLES AND PRIORITIES ESTABLISHED IN THE FINAL DOCUMENT OF THE TENTH SPECIAL SESSION OF THE GENERAL ASSEMBLY, THE FIRST SPECIAL SESSION DEVOTED TO DISARMAMENT

Radiological weapons

Working paper submitted by the Netherlands and Sweden

1. The issue of military attacks on nuclear installations was given considerable attention in the Final Declaration of the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in 1985. The Conference considered that such attacks could involve great dangers due to the release of radioactivity and that such attacks or threats of attacks jeopardized the development of the peaceful use of nuclear energy. The Conference also acknowledged that the matter was under consideration by the Conference on Disarmament and urged co-operation of all States for its speedy conclusion.

2. Since the 1985 Review Conference nothing has happened that has made the issue of attacks on nuclear installations less urgent. After the Chernobyl accident it should be even more evident that an attack on a nuclear facility in operation would have devastating consequences, not only for the country that was the immediate victim but also for neighbouring and other more distant countries.
3. In 1979 the Soviet Union and the United States presented a joint draft Treaty prohibiting radiological weapons. The hostile dissemination of radioactive material through the explosion of nuclear bombs was not to be considered within the scope of this draft Treaty. It should in this context be noted that "radioactive material weapons" already in 1948 were defined as one of four categories of weapons of mass destruction in a resolution taken by the Commission of Conventional Armaments under the United Nations Security Council, the others being atomic explosive weapons, lethal chemical and biological weapons and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above.

4. Considering the fact that radiological weapons proper did not exist at the time, just as they do not exist today and would probably never exist as practical weapons, a number of countries were convinced that the scope of the draft Treaty should include also the prohibition of radiological warfare. A draft Treaty to that effect prohibiting radiological weapons and the release of dissemination of radioactive material for hostile purposes, was put forward in 1984 in the Conference on Disarmament. The latter possibility exists as a reality already today. The main aim was, and should still be, to prohibit radiologically caused mass destruction. The use of radioactive material for hostile purposes causing destruction, damage or injury by means of the radiation produced by the decay of such material should be prohibited irrespective of the source of that material and the method of dissemination applied. From the point of view of mass destruction it matters little if the radioactive material used is produced by the attacker, as in the case of use of a future radiological weapon, or if it already exists in the country of the attacked, as in the case of the attack on a nuclear facility.

5. The prohibition should cover attacks on nuclear facilities with a potential to produce the effect defined as mass destruction. Not all nuclear facilities fall under this category. They must be of a certain size or have a certain capacity to contain enough radioactive material to qualify as potentially dangerous from the point of view of mass destruction. Methods for calculating these thresholds have been described in document CD/RW/CRP 27 issued in 1984. The purpose of the operation of the facility would be irrelevant, however.

6. It would be necessary to establish a special register, listing eligible facilities that a State party would like to have covered under a prohibition of this type. Such a register, to be kept by the Depositary, should be based on detailed and verified information. Further, provisions with regard to verification, compliance and fact-finding would have to be elaborated.

7. A prohibition of military attacks on nuclear facilities should, in order to make it as effective as possible, be global. Therefore it is disappointing to note the lack of progress related to the work on this issue carried out by the Conference on Disarmament in recent years. A Treaty on a prohibition of attacks on nuclear facilities is not nearer "its speedy conclusion" today than it was in 1985 at the NPT Review Conference.
8. The special session should in its final document give adequate attention to the urgent need of the elaboration of a globally agreed prohibition against attacks on nuclear facilities.