

al nuclear weapons then to then in strategic war. To that together with this powder train all wars in vital regions, but a ne price is that if a small war out of hand and create utter

**Consent to Ratification of the United States and the Agency on the Application of the Agreement on the Prohibition of Chemical Weapons, July 2, 1980**<sup>1</sup>

ent concurring therein), That the tion of the Agreement between International Atomic Energy ards in the United States of d at Vienna on November 18, nd session, hereinafter referred following understandings:

e Committee on Foreign Rela- n Foreign Affairs of the House ition to the list, to be provided ncy pursuant to Article 1(b) of in the United States eligible for inspections, together with an e determination was made that tional security significance, not addition being provided to the during which period the Con- y joint resolution by reason of nder procedures identical to resolutions pursuant to section s amended.

at concerned licensees within nce of, and that their views and tations with the International he application to a particular de pursuant to Article 39 of the

u and maintain an appropriate the relevant Executive Branch n of the Nuclear Regulatory

e vote was 90 in favor, none against, 10 Documents on Disarmament, 1977, pp.

Commission, under the chairmanship of the Department of State, for the purpose of coordinating policy, and of resolving disputes, relating to the implementation of International Atomic Energy Agency safeguards under the Agreement, and, further, that the Congress shall be kept informed of the functions and procedures of such interagency mechanism.

4. That in the event of any question of interpretation of the Agreement, the Nuclear Regulatory Commission shall seek and be bound by guidance from the President. Neither this understanding nor any other in this resolution shall in any way alter the responsibilities of the Nuclear Regulatory Commission under the Agreement or in any way limit the existing authorities and the responsibilities of the Nuclear Regulatory Commission.

5. That the Agreement shall not be construed to require the communication to the International Atomic Energy Agency of "Restricted Data" controlled by the provisions of the Atomic Energy Act of 1954, as amended, including data concerning the design, manufacture, or utilization of atomic weapons.

**Joint Report by the United States and the Soviet Union to the Committee on Disarmament: Bilateral Chemical Weapons Negotiations, July 7, 1980**<sup>1</sup>

The Delegations of the US and the USSR, guided by the fact that prohibition of chemical weapons is, as was stressed in the Final Document of the United Nations General Assembly Special Session on Disarmament,<sup>2</sup> one of the most urgent and vital problems in the area of disarmament, and considering the desire of many member states of the Committee on Disarmament to be informed about the state of affairs at the bilateral negotiations concerned with the preparation of a joint initiative on the prohibition of chemical weapons, have submitted to the Committee on Disarmament joint reports regarding progress at their negotiations. The Delegations of the US and the USSR submitted the last such report on 31 July, 1979 (Document CD/48).<sup>3</sup>

Since that time, two more rounds of the bilateral negotiations on the prohibition of chemical weapons have been held, in the course of which the Delegations of the US and the USSR continued their efforts toward earliest development of a joint initiative on the prohibition of chemical weapons and its presentation for consideration by the Committee on Disarmament. Given the interrelationship between the various issues, the two sides will be able to report definitive agreement in any particular area only after they have completed their negotiations. The present report of the two delegations reflects, however, the current status of the negotiations.

<sup>1</sup> CD/112.

<sup>2</sup> The Final Document may be found in *Documents on Disarmament, 1978*, pp. 411-439.

<sup>3</sup> Printed *ibid.*, 1979, pp. 532-536.

1. The two sides proceed from the premise that the scope of the prohibition in the future convention would be determined on the basis of the general purpose criterion. They believe that the parties to a convention should assume the obligation never to develop, produce, otherwise acquire, stockpile or retain super-toxic lethal, other lethal or other harmful chemicals, or precursors of such chemicals; the obligation should not extend to those substances in these categories which are intended for nonhostile purposes or military purposes not involving the use of chemical weapons, provided their types and quantities are consistent with such purposes. The two sides also believe that the parties to a convention should undertake never to develop, produce, otherwise acquire, stockpile or retain munitions or devices specifically designed to cause death or other harm through the toxic properties of chemicals released as a result of the employment of these munitions or devices, or equipment specifically designed for use directly in connexion with the employment of such munitions or devices. No agreement has yet been reached in some specific aspects of these proposed undertakings, including the extent to which irritants, toxins and precursors should be covered, and the two sides are seeking to resolve their differences.

2. The two sides consider that a convention should include definitions for a number of basic terms which would be used in its provisions. They have developed a common understanding of the following terms:

(a) by "chemical weapons" ("means of chemical warfare") they mean chemicals, munitions, devices, or equipment that would be covered by the obligations outlined in paragraph 1 of this report;

(b) by "super-toxic lethal chemical" they mean any toxic chemical with a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation), when measured by an agreed method;

(c) by "other lethal chemical" they mean any toxic chemical with a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation) and which is less than or equal to 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation), when measured by an agreed method;

(d) by "other harmful chemical" they mean any toxic chemical with a median lethal dose which is greater than 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation), when measured by an agreed method;

(e) by "nonhostile purposes" they mean industrial, agricultural, research, medical or other peaceful purposes, law-enforcement purposes, or purposes directly related to protection against chemical weapons.

The two sides are continuing work toward developing, for the purposes of a future convention, common understanding on the meaning of some additional terms.

3. The two sides believe that the use, in addition to the general purpose criterion, of the aforementioned toxicity criteria which serve as a basis for identifying super-toxic lethal, other lethal and other

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harmful chemicals, as well as of some other provisions, would facilitate verification. Different degrees of prohibition and limitation, as well as differentiated verification methods, would be applied on the basis of these toxicity criteria and some other provisions.

4. The two sides consider that the parties to a convention should assume the obligation not to transfer to anyone, directly or indirectly, any chemical weapons. The parties should also undertake not to transfer to anyone, directly or indirectly, except to another State party, any super-toxic lethal chemicals produced or otherwise acquired for permitted purposes, of types or in quantities which are suitable for chemical weapons purposes. In addition, the parties should undertake not to assist, encourage or induce, directly or indirectly, any person, organization, State, or group of States, to engage in activities they themselves would be obligated to refrain from under a convention.

5. The two sides consider that States should make declarations—within 30 days after they become parties to the convention—regarding both their stocks of chemical weapons and their means of production of such weapons. Plans for the destruction or, where appropriate, diversion for permitted purposes of declared stocks of chemical weapons should also be declared; such plans should specify the volume and timing of destruction. Plans for the destruction or dismantling of relevant means of production should be declared not later than one year prior to the beginning of the destruction or dismantling. The two sides are continuing negotiations regarding the time-limit for declaring plans for the destruction or diversion of chemical weapons stocks, as well as regarding the specific content of the declarations pertaining to stocks of chemical weapons and means of production. In this connexion, no common understanding has yet been reached of the basic concept of means of production.

6. Destruction or diversion of declared stocks should be completed not later than ten years after a State becomes party to the convention. No agreement has yet been reached on the question of the time for beginning the destruction or diversion of stocks and some other related issues.

7. The two sides believe that parties to a convention which possess chemical weapons should have the right to convert temporarily former chemical weapons production facilities for the purpose of destroying their stocks of such weapons. Some aspects of the possibility of establishing a specialized facility or facilities for the destruction of chemical weapons are under discussion.

8. Both sides remain of the opinion that the parties to a convention should shut down and eventually destroy or dismantle the means of production declared in accordance with the convention. Each State party having such means of production should initiate their destruction or dismantling not later than eight years, and complete it not later than ten years, after it becomes a party to the convention. Other issues in this area are the subject of continuing negotiations.

9. The US and the USSR continue to believe it advisable that the future convention contain provisions in accordance with which the

parties would periodically exchange statements and notifications concerning progress of the destruction of stocks of chemical weapons or their diversion for permitted purposes, the progress of the destruction or dismantling of means of production, and of the completion of these processes.

10. In the course of the negotiations, agreement has been reached that the aggregate quantity of super-toxic lethal chemicals for nonhostile military purposes, produced, diverted from stocks, and otherwise acquired annually, or possessed at any given time, should be minimal. The two sides believe that, in any event, that amount should not exceed one metric ton for any party. A party to the convention producing super-toxic lethal chemicals for nonhostile military purposes should carry out such production at a single specialized facility, the location of which should be declared and the capacity of which should not exceed a fixed limit. Details regarding such a limit are under discussion.

11. The US and the USSR believe that the fulfilment of the obligations assumed under the future convention must be subject to the important requirement of adequate verification. The two sides have continued to search for solutions of issues relating to verification of compliance with the obligations under a future convention. They are in agreement that measures with respect to such verification should be based on a combination of national and international measures. There are, however, important issues relating to international verification measures which remain unresolved.

12. As indicated in their report of 31 July 1979, the two sides believe that international verification measures should include the creation of a Consultative Committee. Specific aspects of the proposed functions of the Committee outlined in that report are the subject of further negotiations.

13. The US and the USSR continue to believe that any party to a convention should have the right on a bilateral basis, or through the Consultative Committee, to request from another party with respect to which suspicions have arisen that it is acting in violation of obligations under the convention, relevant information on the actual state of affairs, as well as to request investigation of the actual state of affairs on site, providing appropriate reasons in support of the necessity of such an investigation. A party may agree to such a request or decide otherwise, providing appropriate explanations.

14. The question of whether this type of on-site investigation, together with other verification measures, would constitute a verification system capable of providing adequate assurance regarding the implementation of a convention remains unresolved.

15. The two sides believe that it is necessary to develop procedures for on-site investigation, including provisions regarding the rights and functions of the inspection personnel, and the rights and functions of the host side. Specific issues in this area are the subject of continuing negotiations.

16. The two sides continue to believe that it should also be provided

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that any party could turn to the United Nations Security Council with a complaint which would include appropriate rationale. In case of suspicion that the convention is not being complied with, the Consultative Committee, upon request of any party, or of the Security Council, could undertake an investigation of the actual state of affairs.

17. National measures of verification would include the use of national technical means of verification in a manner consistent with generally accepted principles of international law. In this connexion, parties should not impede, including through the use of deliberate concealment measures, the national technical means of other parties carrying out the aforementioned verification functions.

18. The US and the USSR remain of the view that it would be advisable to reflect in a future convention the obligation of each party to take appropriate internal measures in accordance with its constitutional procedures to prohibit and prevent, anywhere under its jurisdiction or control, any activity contrary to the provisions of the convention.

19. Possibilities for confidence-building measures continue to be explored.

20. The US and the USSR proceed from the premise that a future convention on chemical weapons would include a withdrawal provision similar to the relevant provisions contained in other arms control and disarmament agreements.

21. The question of the conditions for entry into force of a convention remains unagreed.

22. The two sides believe that inasmuch as an effective prohibition of chemical weapons requires working out a large number of technical questions it is advisable to deal with them in annexes to a convention. This matter remains a subject of discussion.

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The United States and the Soviet Union wish to inform the member States of the Committee on Disarmament of their earnest intention to continue their persistent efforts to find mutually acceptable solutions to the extremely complex unresolved issues relating to a general, complete and verifiable prohibition of chemical weapons, with a view to completing successfully the bilateral US-Soviet negotiations and presenting a joint initiative to the Committee on Disarmament at the earliest possible time.

**Canadian Working Paper Submitted to the Committee on Disarmament: Organization and Control of Verification Within a Chemical Weapons Convention, July 8, 1980**<sup>1</sup>

Chemical weapons would be quite useful for warfare under many circumstances and it is necessary that adequate verification measures

<sup>1</sup> CD/113.