



Trust and Verify

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French Nuclear Testing

On 27 December France conducted the fifth nuclear test of the programme announced by President Chirac on 13 June.

Southeast Asian Nuclear-Weapon-Free Zone

On 15 December, in Bangkok, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam signed a treaty establishing a nuclear-weapon-free zone in Southeast Asia.

The Treaty was signed at a Summit meeting of the Association of South East Asian Nations (ASEAN), although Burma, Cambodia and Laos are not members of that organization.

A summary of the Southeast Asian Nuclear-Weapon-Free Zone Treaty is reproduced in the supplement to this issue of *Trust & Verify*.

African Nuclear-Weapon-Free Zone

On 12 December, the United Nations General Assembly adopted resolution A/RES/50/78 on the 'Final text of the African Nuclear-Weapon-Free Zone Treaty' without a vote.

This Treaty has become known as the Pelindaba Treaty after the town in South Africa where a meeting of a group of experts in May-June 1995 produced the treaty text. The draft text was then submitted to the Council of Ministers of the Organization of African Unity, held in Addis Ababa on 21 to 23 June 1995, which approved the text after making some amendments. It was subsequently approved by the OAU Assembly of Heads of State and Government at its 31st ordinary session.

The treaty text was transmitted to the United Nations Secretary-General on 2 August 1995.

The Egyptian Government has offered Cairo as a location for a signing ceremony for the treaty in early 1996, although no date has yet been formally announced. While the Egyptian authorities, quite naturally, would like the treaty, once signed, to be known as the 'Cairo Treaty', the name 'Pelindaba Treaty' was used in the General Assembly resolution and is likely to remain in use.

A summary of the African Nuclear-Weapon-Free Zone Treaty is reproduced in the supplement to this issue of *Trust & Verify*.

Israel and nuclear weapons

According to a Reuter's report used by many newspapers, the Israeli Prime Minister, Shimon Peres, told journalists just before Christmas that 'if there's regional peace, I think we can rid the Middle East of the nuclear threat'.

Mr Peres later stated that his words did not confirm an Israeli nuclear-weapon capability.

India and nuclear testing

United States Government sources are claiming that satellite data indicate that India is carrying out work at the Pokaran site in the Rajasthan desert. The Pokaran site is where India carried out what it described as a 'peaceful nuclear explosion' in 1974.

While the United States authorities have not revealed the data that they have, they claim that the work being carried out is consistent with preparations for a nuclear test.

Indian authorities have given a variety of comments on the claims, initially claiming that the data had been 'absurdly misinterpreted'. Later the claims were dismissed as 'a totally speculative kind of report'. It was only several days later that a more comprehensive denial was made, saying that there was no truth in the claims.

While it is not clear whether any preparations for a nuclear test have been made, the press reports have led to speculation as to why India might wish to conduct such a test.

UK and safeguards

Following the announcement by the United Kingdom at the NPT Conference last year that this country would no longer produce fissile materials for nuclear explosive purposes, moves have been made to bring some former military reactors under safeguards.

While no timetable for this has yet been announced, there is a general expectation that this will be completed for those facilities in the current study before the end of the year.

Scott Inquiry

In the next few weeks, probably in early February, the inquiry into exports to Iraq from the United Kingdom being held by Lord Justice Scott will publish its report.

While there has been much media speculation about which ministers and officials are to be criticised by the Scott Inquiry, it has become clear that there will also

be criticism about the machinery of government. One area that is expected to be subject to some scrutiny is the subject of export controls.

UK export controls

The current legislation dealing with this subject was hastily written and received about 20 minutes attention in the House of Commons and about 10 minutes in the House of Lords. It went through all stages, including Royal Assent, in the course of one day. This haste was understandable as that day was 1 September 1939 — the eve of the Second World War.

The Act has very broad powers that allows the Government to prohibit the import or export of anything it deems to be in the national interest to prevent, without right of appeal. The secondary legislation that it creates — the Export of Goods (Control) Orders — to control exports are not subject to any Parliamentary scrutiny, nor would they be easily subject to judicial review, although this has not yet been tested in the courts.

Cynics who might assume that this legislation — the Import, Export and Customs Powers (Defence) Act 1939 — has remained on the statute books for nearly 60 years unamended would be wrong. In December 1990 a two-clause Act was passed — the Import and Export Control Act 1990 — which repealed the following clause from the 1939 Act:

This Act shall continue in force until such date as His Majesty may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of this Act came to an end, and shall then expire except as respects things previously done or omitted to be done.

It appears that the Scott Inquiry has taken an interest in this, with the view that while the powers contained in the 1939 Act might be acceptable in wartime, their use in peacetime should, perhaps, be reviewed.

The Ordtec case

During November 1995, the Court of Appeal quashed the convictions of four British businessmen connected with the company Ordnance Technologies — ‘Ordtec’ — who had been convicted on charges of illegal arms trade with Iraq.

The businessmen’s defence had echos of that of the Matrix Churchill case (which was the cause of the Scott Inquiry) in that they claimed that the Government had known all along of the exports and that this fact had been concealed through the use of Public Interest Immunity (PII) Certificates. The appeal was granted after the judge overturned the PII Certificates and declared the convictions ‘unsafe and unsatisfactory’.

Paul Grecian, one of the four men involved, went on holiday to South Africa in December and was promptly arrested on an international arrest warrant issued by the United States. He is now being held in South Africa, pending extradition to the United States on charges similar to those of which he was acquitted in the UK and which relate, it is claimed, to the same transactions.

The South African magistrate, in front of whom Grecian has appeared, has refused bail on the grounds that ‘it is extremely easy to obtain another passport, especially in view of his connections with MI5.’

Inhumane Weapons

The Review Conference of the Inhumane Weapons Convention is reconvening in Geneva from 15 to 19

January, with a further session from 22 April to 3 May. The focus of the session will be Protocol II of the Convention on the use of land-mines, which also covers the use of booby-traps and other devices.

Recent moves on the subject of anti-personnel mines include:

Canada — Foreign Affairs Minister Andre Ouellet said on 10 November that anti-personnel mines ‘should be banned not only in Canada but everywhere in the world’.

New Zealand — Foreign Minister Don McKinnon said on 15 October that his government ‘would like to see an international consensus eliminating antipersonnel landmines immediately’.

South Africa — on 28 November the Foreign Affairs Committee of the National Assembly recommended the inclusion in national law of a ban on production, use and transfer of anti-personnel mines.

As of 1 January 1996, the following states are parties to the Convention: Australia, Austria, Belarus, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Greece, Guatemala, Hungary, India, Ireland, Israel, Italy, Japan, Lao People’s Democratic Republic, Latvia, Liechtenstein, Malta, Mexico, Mongolia, Netherlands, New Zealand, Niger, Norway, Pakistan, Poland, Russian Federation, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Tunisia, Ukraine, United Kingdom, United States, Uruguay and Yugoslavia.

In addition, Argentina, Brazil, Jordan, Romania, South Africa, Togo and Uganda have either ratified or acceded to the Convention. They will become parties six months after the date on which they deposited their instrument of ratification or accession, according to provisions in the Convention.

VERTIC News

Welcome to Dan

Dan Cousins has joined VERTIC from the beginning of this year. He will be working on the Transcaucasus Media Project and will be based in Tbilisi.

Dan graduated from University College London in 1995 with a degree in Law and French Law.

VERTIC on the World Wide Web

VERTIC is currently preparing material that will be accessible via the World Wide Web. (For those not familiar with it, the World Wide Web is a user-friendly means of presenting and transferring information over the internet.)

The URL for the VERTIC web pages is:
<http://www.gn.apc.org/vertic/>

The pages are under development and any comments, criticisms or suggestions will be gratefully received.

Verification 1996

Work on the next in VERTIC’s series of yearbooks, *Verification 1996: Arms Control Peacekeeping and the Environment* is now far advanced with publication expected in April.

At the time of writing chapters are still being received, so a full contents list cannot yet be produced.

The arms control section of the book will have a focus on nuclear issues, looking not only at the NPT Conference, but also non-proliferation and regional arrangements, new IAEA safeguards and CTBT

Non-Parties to Treaties

The following is a list of states that are not parties to one or more of the treaties controlling weapons of mass destruction — the Biological Weapons Convention (BWC), the Chemical Weapons Convention (CWC) and the nuclear Non-Proliferation Treaty (NPT). However, to save space and as the CWC has not yet entered into force, if a state is a party to the other two treaties and has signed but not yet ratified the CWC it is not listed here.

	BWC	CWC	NPT
Algeria	—	P	P
Andorra	—	—	—
Angola	—	—	—
Antigua and Barbuda	—	—	P
Azerbaijan	—	S	P
Barbados	P	—	P
Belize	P	—	P
Bhutan	P	—	P
Bosnia and Herzegovina	—	—	P
Botswana	P	—	P
Brazil	P	S	—
Burundi	S	S	P
Cameroon	—	S	P
Central African Republic	S	S	P
Chad	—	S	P
Comoros	—	S	P
Cook Islands†	—	P	—
Cote d'Ivoire	S	S	P
Cuba	P	S	—
Dem. People's Rep. of Korea	P	—	P
Djibouti	—	S	—
Dominica	—	S	P
Egypt	S	—	P
Eritrea	—	—	P
Gabon	S	S	P
Georgia	—	P	P
Grenada	P	—	P
Guyana	S	S	P
Haiti	S	S	P
Holy See†	—	S	P
India	P	S	—
Iraq	P	—	P
Israel	—	S	—
Jamaica	P	—	P
Jordan	P	—	P
Kazakhstan	—	S	P
Kiribati†	—	—	P
Kyrgyzstan	—	S	P
Latvia	—	S	P
Lebanon	P	—	P
Liberia	S	S	P
Libyan Arab Jamahiriya	P	—	P
Lithuania	—	S	P
Madagascar	S	S	P

	BWC	CWC	NPT
Malawi	S	S	P
Mali	S	S	P
Marshall Islands	—	S	P
Mauritania	—	S	P
Micronesia (Fed. States of)	—	S	P
Monaco	—	P	P
Morocco	S	P	P
Mozambique	—	—	P
Myanmar	S	S	P
Namibia	—	P	P
Nauru†	—	S	P
Nepal	S	S	P
Niue†	—	—	—
Oman	P	P	—
Pakistan	P	S	—
Palau	—	—	P
Republic of Moldova	—	S	P
St Vincent & the Grenadines	—	S	P
Samoa	—	S	P
Sao Tome and Principe	P	—	P
Solomon Islands	P	—	P
Somalia	S	—	P
Sudan	—	—	P
Suriname	P	—	P
Syrian Arab Republic	S	—	P
Taiwan†	—	—	P
Tajikistan	—	P	P
The former Yugo. Rep. of Macedonia	—	—	P
Tonga†	P	—	P
Trinidad and Tobago	—	—	P
Turkmenistan	—	P	P
Tuvalu†	—	—	P
United Arab Emirates	S	S	P
United Republic of Tanzania	S	S	P
Uzbekistan	—	S	P
Vanuatu	P	—	P
Yugoslavia [Serbia and Montenegro]	P	—	P
Zambia	—	S	P

— = has taken no action with regard to the treaty
P = is a party to the treaty (for CWC has ratified)
S = has signed, but not yet ratified, the treaty
† = not a member of the UN

Note: not all entities in this list are recognized as states by all other states; notable examples are Taiwan and Israel. Care should therefore be exercised when attempting to give the number of parties to a treaty.

The criterion used in this list is that a depositary for a Treaty has accepted an instrument from the 'state'. Andorra is a member of the United Nations and has a seat in the General Assembly and Niue has signed the Law of the Sea Convention and is a member of the South Pacific Forum.

developments. This section will also look at developments in the chemical and biological weapons areas as well as those in the conventional forces arena, including CFE, the UN arms register and inhumane weapons.

The peacekeeping section will cover, amongst others, OSCE developments, European security models and aspects of European and American peacekeeping practices.

The section on the environment will include works on the Montreal Protocol, the Climate Change Convention, the Biodiversity Convention, the Ramsar Convention and CITES.

The final section, Reference, will reproduce documentation of significance of 1996.

A full contents list will appear in the next issue of *Trust & Verify*.

Trust & Verify subscriptions

VERTIC would like to remind readers that production of *Trust & Verify* and its distribution consumes a large amount of the organization's resources and urge readers to be prompt in renewing their subscriptions.

During the coming months, VERTIC will be reviewing the mailing list for those that receive *Trust & Verify* at no charge would like to encourage those that are able to take out subscriptions to now do so.

Subscription rates are £15 (individual) or £25 (organization) per year. Payments may be made by cheque or credit card.

To reduce the paperwork involved with subscriptions VERTIC is organizing a new subscription option, which for one payment, will cover all VERTIC publications for 1996 including *Trust & Verify*, *Verification 1996* and occasional reports. Please contact the VERTIC office for further details.

Trust & Verify is edited and produced by Richard Guthrie with additional reporting by VERTIC staff and consultants.
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Trust & Verify

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What is VERTIC?

VERTIC is an independent organization aiming to research and provide information on the role of

verification technology and methods in present and future arms control and environmental agreements.

VERTIC co-ordinates six working groups comprising 50 consultants worldwide.

VERTIC is the major source of information on verification for scientists, policy makers and the press.

VERTIC is funded primarily by grants from foundations and trusts and its independence is monitored by an Oversight and Advisory Committee.

Other publications

In addition to *Trust & Verify*, VERTIC publishes the *Verification* (formerly *Verification Report*) series of yearbooks and a variety of research reports each year. Details of VERTIC publications are available on request.

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