

## CONTENTS

Acknowledgements.....	xiii
Table of Abbreviations.....	xv
Preface.....	xvii
<hr/>	
The Evolution of International Humanitarian Law and Arms Control Agreements .....	1
Methodology and Analysis.....	47
Chart A: Penal Characteristics .....	67
Chart B: Contextual Applicability.....	73
Chart C: Type of Control Regime .....	79
<b>CHAPTER I: MULTILATERAL INSTRUMENTS ON THE REGULATION OF ARMED CONFLICTS AND THE CONTROL OF WEAPONS</b>	
Introduction.....	83
I-1. Declaration Renouncing the Use, in Time of War, of Explosive Projectiles Under 400 Grammes Weight (St. Petersburg Declaration) 11 December, 1868 .....	85
I-2. Project of an International Declaration Concerning the Laws and Customs of War, 27 August, 1874 .....	87
I-3. Convention (II) with Respect to the Laws and Customs of War on Land and its annex: Regulation Concerning the Laws and Customs of War on Land, 29 July, 1899 .....	93
I-4. Declaration Concerning the Prohibition, for the Term of Five Years, the Launching Of Projectiles and Explosives from Balloons, and Other Methods of Similar Nature (First Hague, IV, 1) 29 July, 1899 .....	97
I-5. Declaration Concerning the Prohibition of the Use of Projectiles Diffusing Asphyxiating Gases (First Hague, IV, 2) 29 July, 1899.....	99
I-6. Declaration Concerning the Prohibition of the Use of Expanding Bullets (First Hague, IV, 3) 29 July, 1899 .....	101

I-7. Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulation Concerning the Laws and Customs of War on Land, 18 October, 1907.....	103
I-8. Convention Respecting the Rights and Duties of Neutral Powers And Persons in Case of War on Land (Second Hague, V) 18 October, 1907..	107
I-9. Convention (VII) Relating to the Conversion of Merchant Ships into War-Ships, 18 October, 1907.....	111
I-10. Convention Relative to the Laying of Automatic Submarine Contact Mines (Second Hague, VIII) 18 October, 1907.....	115
I-11. Convention Concerning Bombardment by Naval Forces in Time of War (Second Hague, IX) 18 October, 1907.....	119
I-12. Convention (X) for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention, 18 October, 1907.....	123
I-13. Convention Concerning the Rights and Duties of Neutral Powers in Naval War (Second Hague, XIII) 18 October, 1907.....	129
I-14. Declaration Relative to Prohibiting the Discharge of Projectiles and Explosives from Balloons (Second Hague, XIV) 18 October, 1907.....	135
I-15. Declaration Concerning the Laws of Naval War, 26 February, 1909.....	137
I-16. Convention Relating to the Non-Fortification and Neutralisation of the Aaland Islands, 20 October, 1921.....	147
I-17. Treaty Relating to the Use of Submarines and Noxious Gases in Warfare, 1922.....	149
I-18. Rules Concerning the Control of Wireless Telegraphy in Time of War and Air Warfare, February, 1923.....	151
I-19. Convention on Maritime Neutrality, 20 February, 1928.....	161
I-20. Treaty for the Limitation and Reduction of Naval Armaments (London Treaty) 22 April, 1930.....	167
I-21. <i>Procès-verbal</i> Relating to the Rules of Submarine Warfare set forth in Part IV of the Treaty of London, 6 November, 1936.....	169
I-22. The Nyon Agreement, 14 September, 1937.....	171

I-23. Agreement Supplementary to the Nyon Agreement, 17 September, 1937.....	173
I-24. Protocol No. III on the Control of Armaments (Treaty for Collaboration in Economic, Social and Cultural Matters of Collective Self-Defence Control of Armaments), 23 October, 1943.....	175
I-25. Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (Geneva Convention I) August 12, 1949.....	177
I-26. Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea (Geneva Convention II) August 12, 1949.....	179
I-27. Convention Relative to the Protection of Civilian Persons in Time of War (Geneva Convention IV) August 12, 1949.....	181
I-28. Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, 18 May, 1977.....	183
I-29. Protocol Additional to the Geneva Convention of 12 August, 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) 8 June, 1977.....	189
I-30. Protocol Additional to the Geneva Convention of 12 August, 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) 8 June, 1977.....	207
I-31. Resolution on Small-Calibre Weapons Systems by the United Nations Conference on Prohibitions or Restrictions on the Use of Certain Conventional Weapons 28 September, 1979.....	215
I-32. Convention on Prohibitions and Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to have Indiscriminate Effects, 10 October, 1980.....	217
I-32(a). Protocol on Non-Detectable Fragments to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (Protocol I) 10 October, 1980.....	225
I-32(b). Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps, and Other Devices to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (Protocol II) 10 October, 1980.....	227

I-32(c). Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (Protocol III) 10 October, 1980...	247
I-32(d). Protocol (IV) on Blinding Laser Weapons, 12 October, 1995.....	251
I-33. United Nations Convention on Law of the Sea, 1982 .....	253
I-34. United Nations International Convention for the Suppression of Terrorist Bombings <sup>1</sup> , 12 January, 1998.....	259
<b>PRINCIPAL MANUALS ON THE REGULATION OF ARMED CONFLICTS AND WEAPONS CONTROL EVIDENCING CUSTOMARY INTERNATIONAL LAW</b>	
I-35. Instructions for the Government of Armies of the United States in the Field (Lieber Code) 24 April, 1863.....	273
I-36. The Laws of War on Land, (Oxford Manual) 9 September, 1880.....	291
I-37. Manual of the Laws of Naval War, 9 August, 1913 .....	303
I-38. San Remo Manual on International Law Applicable to Armed Conflicts at Sea, 12 June, 1994.....	321
<b>CHAPTER II: MULTILATERAL INSTRUMENTS ON THE REGULATION, CONTROL, AND PROHIBITION OF WEAPONS OF MASS DESTRUCTION</b>	
Introduction.....	353
II-1. Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, 17 June, 1925 .....	357
II-2. Draft Convention for the Protection of Civilian Populations Against New Engines of War, 2 September, 1938.....	361
II-3. Treaty on the Non-Proliferation of Nuclear Weapons, 1 July, 1968 .....	369
II-4. The Distinction Between Military Objectives and Non-Military Objectives in General and Particularly the Problems Associated with Weapons of Mass Destruction, 9 September 1969.....	377

II-5. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, 10 April, 1972 .....	379
II-6. Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, 13 January, 1993 .....	385
II-7. Draft Convention on Nuclear Terrorism (1998).....	433
II-8. International Court of Justice Advisory Opinion on the Legality of Threat Or Use of Nuclear Weapons (1996).....	443
<b>CHAPTER III: MULTILATERAL INSTRUMENTS ON THE PROHIBITION OF EMPLACEMENT OF WEAPONS OF MASS DESTRUCTION IN CERTAIN MEDIA</b>	
Introduction.....	483
III-1. The Antarctic Treaty, 1 December, 1959.....	485
III-2. Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, 5 August, 1963 .....	493
III-3. Treaty on Principles Governing the Activities of States in the Exploration of Outer Space, Including the Moon and Other Celestial Bodies, 27 January, 1967 .....	497
III-4. Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, 11 February, 1971.....	505
III-5. Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, 5 December, 1979 .....	511
<b>CHAPTER IV: REGIONAL NUCLEAR FREE ZONES AGREEMENTS</b>	
Introduction.....	513
IV-1(a). Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) 14 February, 1968 .....	515
IV-1(b). Additional Protocol I to the Treaty for the Prohibition of Nuclear Weapons in Latin America, 14 February, 1967.....	529

IV-1(c). Additional Protocol II to the Treaty of 14 February, 1967 for the Prohibition of Nuclear Weapons in Latin America, 14 February, 1967 .....	531
IV-2. South Pacific Nuclear-Free Zone Treaty (Treaty of Raratonga) 6 August, 1985 .....	533
IV-3. Treaty on South-East Asia Nuclear Weapon-Free Zone, 15 December, 1995 .....	547
IV-4(a). African Nuclear-Weapon Free Zone Treaty, 21 June, 1996.....	559
IV-4(b). The Cairo Declaration, 12 June 1996.....	567
<b>CHAPTER V: MIDDLE EAST ARMS CONTROL AND SECURITY AGREEMENTS</b>	
Introduction.....	569
V-1. United Nations Security Council Resolution 50, 29 May, 1948 .....	571
V-2. Agreement for the Demilitarization of Mount Scopus Area, 7 July, 1948 .....	573
V-3. Egyptian-Israeli General Armistice Agreement, 24 February, 1949.....	575
V-4. Separation of Forces Agreement Between Israel and Syria, 31 May, 1974 .....	585
V-5. Separation of Forces Agreement Between Israel and Egypt, 18 January, 1974 .....	587
V-6. Interim Agreement Between Israel and Egypt, 1 September, 1975 .....	589
V-7. Camp David Accords, 17 September, 1978 .....	597
V-8. Peace Treaty Between Israel and Egypt, 26 March, 1979.....	605
V-9. Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan, 26 October, 1994 .....	621
V-10. Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, 28 September, 1995 .....	631
V-11. Israel-Lebanon Cease-Fire Understanding, 26 April, 1996.....	655

V-12. Protocol Concerning the Redeployment in Hebron, 17 January, 1997 .....	657
V-13. The Wye River Memorandum, 23 October, 1998.....	667
V-14. The Sharm el-Sheikh Memorandum on Implementation Timeline of Outstanding Commitments of Agreements Signed and Resumption of Permanent Status Negotiations, 4 September, 1999.....	677
V-15. Protocol Concerning Safe Passage Between the West Bank and Gaza Strip, 5 October, 1999 .....	683
V-16. U.N. General Assembly Resolution on Establishment of a Nuclear Weapon Free Zone in the Region of the Middle East, 1999 .....	695
<b>CHAPTER VI: EUROPEAN ARMS CONTROL AND SECURITY AGREEMENTS</b>	
Introduction.....	699
VI-1. Conventional Armed Forces in Europe (CFE) Treaty .....	701
VI-2. Addendum to the Conventional Armed Forces in Europe Treaty.....	725
<b>CHAPTER VII: BILATERAL NUCLEAR WEAPONS CONTROL AGREEMENTS- THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS</b>	
Introduction.....	739
VII-1. Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty), 3 October, 1972.....	741
VII-2. Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms (SALT II), 18 June, 1979 .....	747
VII-3. Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms .....	777
VII-4. Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Short-Range Missiles, 1 June, 1988 .....	781

VII-5. Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapons Tests, 11 December 1990 ..... 799

VII-6. Protocol to Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapons Tests ..... 803

**CHAPTER VIII: THE MISSILE TECHNOLOGY CONTROL REGIME**

Introduction ..... 807

VIII-1. Guidelines for Sensitive Missile-Relevant Transfers, 7 January, 1993 ..... 809

VIII-2. Missile Technology Control Regime Equipment And Technology Annex, 11 June, 1996 ..... 813

**CONCLUSION**..... 837