

directs six working groups, meeting in continuous session at the United Nations offices in Geneva, who are responsible to prepare the basis for a general settlement and related matters. The "on the ground" tools of the Conference are provided by the UN and the European Community, for example, the UN Protection Force (UNPROFOR), the European Union Monitoring Force, the UN High Commission for Refugees, etc.

In order for these ad hoc processes to work well there are three requirements. First of all they need strong leadership; second, there has to be complete co-operation among the bodies making up the group; and third, they must have the full support of all the parties involved. When all these requirements are met, these ad hoc agreements and arrangements can be a positive asset to the international community.

Regime-Based Organizations

Apart from the bodies established by international treaties or other multinational negotiated agreements, there are groups and committees organized by a limited number of countries that are intended to exert some co-ordination and control over the proliferation of various types of armaments. These "suppliers' regimes" have some power to control the export of technology to states that do not observe the rules established by the regime.

A common feature of the regime-based organizations is that they are not bound by any treaty⁷ and have no legal powers to enforce their wishes. However, in the cases where the organizations possess a near monopoly of the relevant armaments or technology, they have the de facto power to prevent other states from obtaining more of them.

The effectiveness of these groups is very dependent on information, some of which is easily available, some of which is subject to commercial secrecy, and some of which can

only be obtained by the operation of intelligence services. As stated by Peter van Ham: "By promulgating guidelines and control lists, non-proliferation regimes provide clarity and transparency as to which exports are allowed, and which are not. Without information about the export of sensitive goods, as well as intelligence concerning the intentions of states, no non-proliferation regime can work properly."⁸

The significance of regimes is that they "contribute to cooperation not by implementing rules that states must follow, but by changing the context within which states make decisions based on self-interest."⁹

Co-ordinating Committee for Multilateral Export Controls (CoCom). This regime was formed in 1949 by NATO countries, together with Japan and Australia, to control the export of technology of strategic significance. It was directed primarily against the Soviet Union, China and their allies, but subsequently made less discriminatory. CoCom is to be replaced by another, even less discriminatory organization, not polarized along East-West lines, early in 1994. Membership will be open to all states meeting certain norms, that is, established export control systems; adherence to the guidelines of the Nuclear Suppliers Group, the Australia Group and the Missile Technology Control Regime (see below); adherence to the NPT, the BTWC and, where applicable, the START Treaty. The new, shorter control list will include civilian and military strategic items, including dual-use items, and be focused on containing the threat of proliferation by states or regions of concern.

The P-5. This group consists of the five permanent members of the UN Security Council, whose collective export of conventional armaments exceeds 85 per cent of the global total. This group concentrates on non-proliferation of weapons of mass destruction, their delivery systems, and massive build-ups of conventional

⁷ The only non-proliferation regimes that are based on a treaty are the IAEA (under the NPT), OPANAL (under the Treaty of Tlatelolco) and the OPCW (under the CWC).

⁸ Peter van Ham, *Managing Non-Proliferation Regimes in the 1990s: Power, Politics and Policies* (London: Royal Institute of International Affairs, 1993), p. 38.

⁹ Robert Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 1984), p. 13. Quoted in Peter van Ham, *Managing Non-Proliferation Regimes in the 1990s: Power, Politics and Policies* (London: Royal Institute of International Affairs, 1993), p. 37.

