

quantities as to be 'destabilizing.' Critics of this approach point out that the key to determining the presence of destabilizing arms build-ups lies in the context. In some regions a certain type of weapon (perhaps one not currently being reported) may be the key to instability. This argues for a wide variety of weapons categories. On the other hand such an approach would mean requiring states to make transparent an excessive amount of data that would be irrelevant in most cases. This runs the risk of increasing non participation. In short there must be a reasonable chance that states can report on these new categories.

Transforming the Register into a Military Capabilities Register. When the Register was created in 1991, a coalition of developing states made the case that a Register which did not include weapons of mass destruction would be discriminatory, particularly in some specific regions. Needless to say this caused significant problems for the major powers. Among other things the Gulf War was about conventional weapons. Weapons of mass destruction have been dealt with by the various Security Council resolutions, UNSCOM and the IAEA. In addition there are a host of legal instrumentalities (e.g., NPT, CWC) which deal with these types of commodities. The expedient solution was to assign this problem to the CD for study. The two experts groups are charged with 'taking into account the work' of the CD in this regard. Even if the CD were to recommend that weapons of mass destruction be added to the UN Register of Conventional Arms (highly unlikely), the 1994 Register group is under no obligation to accept this recommendation.

The CD could take actions which would release this pressure to include weapons of mass destruction in the UN Register. For example during the 1993 CD session 'Argentina proposed a supplementary register for the comparison of information obtained from the implementation of relevant treaties and agreements concerning weapons of mass destruction. The proposal would consist of a consolidated report of already existing, publicly available information on the degree of implementation of multilateral and bilateral agreements dealing with weapons of mass destruction... (It) would aim at providing the international community with an official source of information on the actual situation concerning weapons of mass destruction.'³⁷ Developing countries, to include Algeria, Cuba, Egypt, India, Indonesia, Iran, Kenya, Mexico, Pakistan, Sri Lanka and Venezuela, supported this proposal and as could be expected, the nuclear weapons states are opposed. The German government has also proposed a Nuclear Weapons Register.³⁸ As of March 1994 the Germans have not elaborated on this concept. Apparently the Egyptian government is very interested in this idea and is pressuring the Germans for details. Should the German proposal surface in some concrete form in the CD, it would provide a venue for the discussion of this issue and in effect remove it from the UN Register

³⁷ CD 1993 Final report, *op. cit.*, 13-14.

³⁸ Quentin Peel, 'Germany Calls for Tougher N-Proliferation Curbs,' *Financial Times*, 16 December 1993.