

WMO/UNEP WEATHER MODIFICATION INTERNATIONAL LAW PROPOSALS

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International law is developed by customary conduct by nations with respect to each other, decisions of international tribunals, treaties, and resolutions of international organizations. Although no nations have sought decisions from international tribunals because of weather modification activities, there have been international agreements on weather modification such as PEP and the Canadian-United States weather modification activities information exchange memorandum of understanding. Also scholars have written of the possible application to transnational weather modification impacts of principles of international customary law and from decisions of international tribunals and courts.

The United Nations Environment Program (UNEP), in conjunction with the World Meteorological Organization (WMO), has been involved in an effort which may lead to a United Nations resolution concerning the law of interaction between countries with reference to weather modification. Legal and meteorological experts selected by UNEP and WMO met in Geneva, Switzerland in 1976 and 1978 and drafted a set of principles for guidance of nations with respect to each other in carrying out weather modification activities. September 17-21, 1979 at Geneva there was a follow-up WMO/UNEP meeting of experts designated by governments on the legal aspects of weather modification. The United States was represented by John Arbogast of the State Department, John Brookbank of the NOAA legal staff, Eugene Bollay representing the meteorological community, and Ray Jay Davis from the legal community.

At the September 1979 Geneva meeting the delegates examined a set of principles of international conduct concerning weather modification which had been developed at the previous meetings of experts. These were discussed, revised, and then recommended to the governing councils of WMO and UNEP. If those bodies approve them, they will be proposed to the General Assembly of the United Nations for its adoption by resolution. If they are not so enacted, these statements nevertheless represent expert views about weather modification international law and are raw material for development of customary international law about cloud seeding.

The draft document from the 1979 Geneva meeting follows. In its context the term "states" refers to "nations".