



United Nations
**GENERAL
ASSEMBLY**



Distr.
GENERAL

A/35/252 + add. 1, 2, 3
19 September 1980

ORIGINAL: ENGLISH/
FRENCH

**ALLOCATION OF AGENDA ITEMS FOR THE THIRTY-FIFTH REGULAR SESSION
OF THE GENERAL ASSEMBLY**

*Adopted by the General Assembly
at its 3rd plenary meeting,
on 19 September 1980*

Plenary meetings

1. Opening of the session by the Chairman of the delegation of the United Republic of Tanzania (item 1).
2. Minute of silent prayer or meditation (item 2).
3. Credentials of representatives to the thirty-fifth session of the General Assembly (item 3):
 - (a) Appointment of the members of the Credentials Committee;
 - (b) Report of the Credentials Committee.
4. Election of the President of the General Assembly (item 4).
5. Election of the officers of the Main Committees (item 5).
6. Election of the Vice-Presidents of the General Assembly (item 6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (item 7).
8. Adoption of the agenda and organization of work (item 8):
 - (a) Report of the General Committee;
 - (b) Report of the *Ad Hoc* Committee on Subsidiary Organs.
9. General debate (item 9).
10. Report of the Secretary-General on the work of the Organization (item 10).
11. Report of the Security Council (item 11).
12. Report of the Economic and Social Council (chapters I, XXX and XXXVII) (item 12).¹
13. Report of the International Court of Justice (item 13).
14. Report of the International Atomic Energy Agency (item 14).²
15. Elections to fill vacancies in principal organs (item 15):
 - (a) Election of five non-permanent members of the Security Council;
 - (b) Election of eighteen members of the Economic and Social Council.
16. Elections to fill vacancies in subsidiary organs and other elections (item 16):
 - (a) Election of fifteen members of the Industrial Development Board;
 - (b) Election of nineteen members of the Governing Council of the United Nations Environment Programme;
 - (c) Election of twelve members of the World Food Council;
 - (d) Election of seven members of the Committee for Programme and Co-ordination;
 - (e) Election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries;
 - (f) Election of the Executive Director of the United Nations Environment Programme.
17. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):³
 - (h) Appointment of a member of the Joint Inspection Unit;
 - (i) Appointment of the United Nations Commissioner for Namibia;
 - (j) Confirmation of the appointment of the Executive Director of the United Nations Special Fund for Land-locked Developing Countries.
18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18):⁴
 - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the Secretary-General.
19. Admission of new Members to the United Nations (item 19).
20. Third United Nations Conference on the Law of the Sea (item 20).
21. Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General (item 21).
22. The situation in Kampuchea: report of the Secretary-General (item 22).
23. Question of Palestine: report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (item 24).
24. Question of the Comorian island of Mayotte: report of the Secretary-General (item 25).
25. The situation in the Middle East: report of the Secretary-General (item 26).
26. Question of Namibia (item 27):⁵
 - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the United Nations Council for Namibia.
27. Policies of *apartheid* of the Government of South Africa (item 28):⁶
 - (a) Report of the Special Committee against *Apartheid*;
 - (b) Report of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports;
 - (c) Reports of the Secretary-General.
28. Question of equitable representation on and increase in the membership of the Security Council (item 30).

¹ Chapter XXX has been referred also to the Second and Fourth Committees and chapter XXXVII has been referred also to the Second, Third and Fifth Committees.

² The General Assembly decided that the relevant paragraphs of the annual report of the International Atomic Energy Agency (A/35/365) should be drawn to the attention of the First Committee in connexion with its consideration of item 48.

³ For subitems (a) to (g), see "Fifth Committee", item 14.

⁴ The General Assembly decided to refer to the Fourth Committee all the chapters of the report of the Special Committee (A/35/23) relating to specific Territories so that the Assembly might deal in plenary meeting with the question of the implementation of the Declaration as a whole. The Assembly also decided that a special plenary meeting would be held during its thirty-fifth session to commemorate the twentieth anniversary of the Declaration.

⁵ The General Assembly decided to consider this item directly in plenary meeting on the understanding that hearings of organizations concerned would be held in the Fourth Committee.

⁶ The General Assembly decided to consider this item directly in plenary meeting on the understanding that the representatives of the Organization of African Unity and of national liberation movements recognized by the Organization of African Unity would be permitted to participate in the discussion in plenary meeting and that organizations having a special interest in the question would be permitted to be heard by the Special Political Committee.

29. Draft World Charter for Nature (item 113).⁷
30. Observer status for the Asian-African Legal Consultative Committee in the General Assembly (item 115).
31. The situation in Afghanistan and its implications for international peace and security (item 116).
32. Observer status for the Latin American Economic System in the General Assembly (item 117).
33. Co-operation between the United Nations and the Islamic Conference (item 118).
34. Question of peace, stability and co-operation in South-East Asia (item 119).
35. Historical responsibility of States for the preservation of nature for present and future generations (item 120).⁷
36. Development and international economic co-operation (item 61):
 - (f) Natural resources: reports of the Secretary-General.⁸

First Committee

1. Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security (item 31).
2. Reduction of military budgets (item 32):
 - (a) Report of the Disarmament Commission;
 - (b) Report of the Secretary-General.
3. Implementation of General Assembly resolution 34/71 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (item 33).
4. Chemical and bacteriological (biological) weapons: report of the Committee on Disarmament (item 34).
5. Implementation of General Assembly resolution 34/73: report of the Committee on Disarmament (item 35).
6. Declaration of the 1980s as the Second Disarmament Decade: report of the Disarmament Commission (item 36).
7. Implementation of the Declaration on the Denuclearization of Africa: report of the Secretary-General (item 37).
8. Establishment of a nuclear-weapon-free zone in the region of the Middle East (item 38).

⁷ The General Assembly decided to consider items 113 and 120 as separate items in the course of the same debate.

⁸ The General Assembly decided that, while the subitem had been referred to the Second Committee:

- (a) The ceremony to launch formally the International Drinking Water Supply and Sanitation Decade would be held in plenary meeting on 10 November 1980;
- (b) The heads of United Nations specialized agencies or bodies which are directly concerned with the subject matter would be authorized to address the Assembly on that occasion.

9. Establishment of a nuclear-weapon-free zone in South Asia: report of the Secretary-General (item 39).
10. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Committee on Disarmament (item 40).
11. Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean (item 41).
12. World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference (item 42).
13. United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: report of the Conference (item 43).
14. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (item 44):
 - (a) Report of the Committee on Disarmament;
 - (b) Report of the Disarmament Commission;
 - (c) Preparations for the second special session of the General Assembly devoted to disarmament;
 - (d) paragraph 125 of the Final Document of the Tenth Special Session:
 - (i) Report of the Committee on Disarmament;
 - (ii) Report of the Disarmament Commission;
 - (e) Implementation of the recommendations and decisions of the tenth special session;
 - (f) United Nations programme of fellowships on disarmament: report of the Secretary-General;
 - (g) Non-use of nuclear weapons and prevention of nuclear war: report of the Committee on Disarmament;
 - (h) Disarmament Week: report of the Secretary-General;
 - (i) Nuclear weapons in all aspects: report of the Committee on Disarmament;
 - (j) Programme of research and studies on disarmament: report of the Secretary-General;
 - (k) United Nations studies on disarmament: report of the Secretary-General.
15. Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament (item 45).
16. Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament (item 46).
17. Strengthening of the security of non-nuclear-weapon States: report of the Committee on Disarmament (item 47).
18. General and complete disarmament (item 48):²
 - (a) Report of the Committee on Disarmament;
 - (b) Study on nuclear weapons: report of the Secretary-General;
 - (c) Study on all the aspects of regional disarmament;
 - (d) Review of the membership of the Committee on Disarmament: report of the Committee on Disarmament;
 - (e) Study on the relationship between disarmament and international security: report of the Secretary-General;

- (f) Prohibition of the development, production, stockpiling and use of radiological weapons: report of the Committee on Disarmament;
 - (g) Confidence-building measures: report of the Secretary-General;
 - (h) Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present: report of the Secretary-General;
 - (i) Strategic arms limitation talks.
19. Israeli nuclear armament: report of the Secretary-General (item 49).
 20. Review of the implementation of the Declaration on the Strengthening of International Security (item 50):
 - (a) Implementation of the Declaration: report of the Secretary-General;
 - (b) Non-interference in the internal affairs of States.

Special Political Committee

1. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (item 52).
2. United Nations Relief and Works Agency for Palestine Refugees in the Near East (item 53):
 - (a) Report of the Commissioner-General;
 - (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (c) Report of the United Nations Conciliation Commission for Palestine;
 - (d) Reports of the Secretary-General.
3. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (item 54).
4. International co-operation in the peaceful uses of outer space (item 55):
 - (a) Report of the Committee on the Peaceful Uses of Outer Space;
 - (b) Report of the Preparatory Committee for the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space.
5. Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space (item 56).
6. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (item 57).
7. Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India: report of the Secretary-General (item 58).

8. Questions relating to information (item 59):
 - (a) Report of the Committee on Information;
 - (b) Report of the Secretary-General;
 - (c) Report of the Director-General of the United Nations Educational, Scientific and Cultural Organization;
 - (d) Co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development: report of the Director-General of the United Nations Educational, Scientific and Cultural Organization.
9. Question of the composition of the relevant organs of the United Nations (item 60).
10. Policies of *apartheid* of the Government of South Africa (item 28):⁶
 - (a) Report of the Special Committee against *Apartheid*;
 - (b) Report of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports;
 - (c) Reports of the Secretary-General.

Second Committee

1. Report of the Economic and Social Council (chapters II to XVII, XXVIII to XXX, XXXII, XXXIII, XXXV and XXXVII) (item 12).⁹
2. Development and international economic co-operation (item 61):
 - (a) International development strategy;
 - (b) Charter of Economic Rights and Duties of States.
 - (c) Trade and development:
 - (i) Report of the Trade and Development Board;
 - (ii) Reports of the Secretary-General;
 - (d) Industrialization:
 - (i) Report of the Third General Conference of the United Nations Industrial Development Organization;
 - (ii) Report of the Industrial Development Board;
 - (e) Science and technology for development: report of the Intergovernmental Committee on Science and Technology for Development;
 - (f) Natural resources: reports of the Secretary-General;⁸
 - (g) Food problems: report of the World Food Council;

⁹ The chapters of the report listed below have been referred also to plenary meetings and to the Third, Fourth and Fifth Committees as follows:

(a) Chapter XXXIII	Third Committee
(b) Chapters III, V to VIII, XI to XVII and XXIX	Fifth Committee
(c) Chapter XXX	Plenary meetings and Fourth Committee
(d) Chapters II and XXVIII	Third and Fifth Committees
(e) Chapter XXXVII	Plenary meetings and Third and Fifth Committees

- (h) Financial, monetary and related matters: report of the Secretary-General;
 - (i) Economic and technical co-operation among developing countries: report of the high-level meeting on the review of technical co-operation among developing countries;
 - (j) Restructuring of the economic and social sectors of the United Nations system: reports of the Secretary-General;
 - (k) Environment:
 - (i) Report of the Governing Council of the United Nations Environment Programme;
 - (ii) Reports of the Secretary-General;
 - (l) Human settlements:
 - (i) Report of the Commission on Human Settlements;
 - (ii) Report of the Secretary-General;
 - (m) Effective mobilization and integration of women in development: report of the Secretary-General;
 - (n) Examination of long-term trends in economic development: report of the Secretary-General;
 - (o) United Nations Special Fund;
 - (p) United Nations Conference on New and Renewable Sources of Energy:
 - (i) Report of the Preparatory Committee for the United Nations Conference on New and Renewable Sources of Energy;
 - (ii) Reports of the Secretary-General;
 - (q) United Nations Conference on the Least Developed Countries: report of the Preparatory Committee for the United Nations Conference on the Least Developed Countries.
3. Operational activities for development (item 62):
- (a) Comprehensive policy review of operational activities of the United Nations system: report of the Secretary-General;
 - (b) United Nations Development Programme: report of the Secretary-General;
 - (c) United Nations Capital Development Fund;
 - (d) United Nations Revolving Fund for Natural Resources Exploration;
 - (e) United Nations Fund for Population Activities: report of the Secretary-General;
 - (f) United Nations Volunteers programme;
 - (g) United Nations Special Fund for Land-locked Developing Countries;
 - (h) United Nations Children's Fund;
 - (i) World Food Programme;
 - (j) Technical co-operation activities undertaken by the Secretary-General.
4. Training and research (item 63):
- (a) United Nations Institute for Training and Research: report of the Executive Director;
 - (b) United Nations University: report of the Council of the United Nations University;
 - (c) University for Peace: report of the Secretary-General.
5. Special economic and disaster relief assistance (item 64):
- (a) Office of the United Nations Disaster Relief Co-ordinator: report of the Secretary-General;
 - (b) Special economic assistance programmes: reports of the Secretary-General;

- (c) Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region: report of the Secretary-General.

Third Committee

1. Report of the Economic and Social Council (chapters II, XVIII to XXVIII, XXXIII, XXXIV and XXXVII) (item 12).¹⁰
2. Crime prevention and control (item 65):
 - (a) Capital punishment: report of the Sixth United Nations Congress on the Prevention of Crime and Treatment of Offenders;
 - (b) Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;
 - (c) Implementation of the conclusion of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report of the Secretary-General.
3. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa (item 66).
4. Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General (item 67).
5. Elimination of all forms of religious intolerance (item 68).
6. International Youth Year: Participation, Development, Peace: report of the Secretary-General (item 69).
7. Preservation and further development of cultural values, including the protection, restitution and return of cultural and artistic property (item 70).
8. Problems of the elderly and the aged: report of the Secretary-General (item 71).
9. Human rights and scientific and technological developments (item 72).
10. Question of a convention on the rights of the child (item 73).
11. Elimination of all forms of racial discrimination (item 74):
 - (a) Report of the Committee on the Elimination of Racial Discrimination;
 - (b) Future meetings of the Committee on the Elimination of Racial Discrimination: report of the Secretary-General;
 - (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;

¹⁰ The chapters of the report listed below have been referred also to plenary meetings and to the Second and Fifth Committees as follows:

- | | |
|--|--|
| (a) Chapter XXXIII. | Second Committee |
| (b) Chapters XVIII to XXI and XXVI | Fifth Committee |
| (c) Chapters II and XXVIII | Second and Fifth Committees |
| (d) Chapter XXXVII | Plenary meetings and Second and Fifth Committees |

- (d) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*: report of the Secretary-General.
12. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (item 75).
 13. International Covenants on Human Rights (item 76):
 - (a) Report of the Human Rights Committee;
 - (b) Future meetings of the Human Rights Committee: report of the Secretary-General;
 - (c) Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General.
 14. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms: reports of the Secretary-General (item 77).
 15. Office of the United Nations High Commissioner for Refugees: report of the High Commissioner (item 78).
 16. International Year of Disabled Persons: report of the Secretary-General (item 79).
 17. United Nations Decade for Women: Equality, Development and Peace (item 80):
 - (a) World Conference of the United Nations Decade for Women;
 - (b) Voluntary Fund for the United Nations Decade for Women: report of the Secretary-General;
 - (c) International Research and Training Institute for the Advancement of Women: report of the Secretary-General.
 18. Policies and programmes relating to youth: report of the Secretary-General (item 81).
 19. Torture and other cruel, inhuman or degrading treatment or punishment (item 82):
 - (a) Questionnaire on the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: report of the Secretary-General;
 - (b) Unilateral declarations by Member States against torture and other cruel, inhuman or degrading treatment or punishment: report of the Secretary-General;
 - (c) Draft Code of Medical Ethics: report of the Secretary-General;
 - (d) Draft body of principles for the protection of all persons under any form of detention or imprisonment: report of the Secretary-General.
 20. Status of the Convention on the Elimination of All Forms of Discrimination against Women: report of the Secretary-General (item 83).
- (b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.
2. Question of East Timor (item 85):
 - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the Secretary-General.
 3. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 86).
 4. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (item 87):
 - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the Secretary-General.
 5. Report of the Economic and Social Council (chapter XXX) (item 12).¹¹
 6. United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General (item 88).
 7. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General (item 89).
 8. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18):⁴
 - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the Secretary-General.
 9. Question of Namibia (item 27):⁵
 - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the United Nations Council for Namibia.

Fourth Committee

1. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (item 84):
 - (a) Report of the Secretary-General;

¹¹ Chapter XXX has been referred also to plenary meetings and the Second Committee.

Fifth Committee

1. Financial reports and accounts, and reports of the Board of Auditors (item 90):
 - (a) United Nations;
 - (b) United Nations Development Programme;
 - (c) United Nations Children's Fund;
 - (d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (e) United Nations Institute for Training and Research;
 - (f) Voluntary funds administered by the United Nations High Commissioner for Refugees;
 - (g) Fund of the United Nations Environment Programme;
 - (h) United Nations Fund for Population Activities;
 - (i) United Nations Habitat and Human Settlements Foundation.
2. Programme budget for the biennium 1980-1981 (item 91).
3. Medium-term plan for the period of 1980-1983 (item 92).
4. Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations (item 93).
5. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (item 94):
 - (a) Administrative budgets of the specialized agencies and of the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions;
 - (b) Impact of inflation on the budgets of the organizations of the United Nations system: report of the Secretary-General.
6. Joint Inspection Unit: reports of the Joint Inspection Unit (item 95).
7. Pattern of conferences: report of the Committee on Conferences (item 96).
8. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (item 97).
9. Personnel questions (item 98):
 - (a) Composition of the Secretariat: report of the Secretary-General;
 - (b) Other personnel questions: reports of the Secretary-General.
10. Report of the International Civil Service Commission (item 99).
11. United Nations pension system (item 100):
 - (a) Report of the United Nations Joint Staff Pension Board;
 - (b) Report of the Secretary-General.
12. Financing of the United Nations peace-keeping forces in the Middle East (item 101):
 - (a) United Nations Disengagement Observer Force: report of the Secretary-General;
 - (b) United Nations Interim Force in Lebanon: report of the Secretary-General;
 - (c) Review of the rates of reimbursement to the Governments of troop-contributing States: report of the Secretary-General.

13. Report of the Economic and Social Council (chapters II, III, V to VIII, XI to XXII, XXVI, XXVIII, XXIX, XXXVI and XXXVII) (item 12).¹²
14. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):¹³
 - (a) Appointment of six members of the Advisory Committee on Administrative and Budgetary Questions;
 - (b) Appointment of six members of the Committee on Contributions;
 - (c) Appointment of a member of the Board of Auditors;
 - (d) Confirmation of the appointment of three members of the Investments Committee;
 - (e) Appointment of two members of the United Nations Administrative Tribunal;
 - (f) International Civil Service Commission:
 - (i) Appointment of six members of the Commission;
 - (ii) Designation of the Chairman of the Commission;
 - (g) Appointment of the members of the Committee on Conferences.

Sixth Committee

1. Draft Code of Offences against the Peace and Security of Mankind: report of the Secretary-General (item 102).
2. Consideration of the draft articles on most-favoured-nation clauses: report of the Secretary-General (item 103).
3. Review of the multilateral treaty-making process: report of the Secretary-General (item 104).
4. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations (item 105).

¹² The chapters of the report listed below have been referred also to plenary meetings and to the Second and Third Committees as follows:

- | | |
|--|--|
| (a) Chapters III, V to VIII, XI to XVII and XXIX | Second Committee |
| (b) Chapters XVIII to XXII and XXVI | Third Committee |
| (c) Chapters II and XXVIII | Second and Third Committees |
| (d) Chapter XXXVI | Plenary meetings and Second and Third Committees |

¹³ For subitems (h) to (j), see "Plenary meetings", item 17.

-
5. Report of the International Law Commission on the work of its thirty-second session (item 106).
 6. Report of the United Nations Commission on International Trade Law on the work of its thirteenth session (item 107).
 7. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (item 108).
 8. Report of the Committee on Relations with the Host Country (item 109).
 9. Registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations: report of the Secretary-General (item 110).
 10. Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order: report of the Secretary-General (item 111).
 11. Resolutions adopted by the United Nations Conference on the Representation of States in Their Relations with International Organizations (item 112):
 - (a) Resolution relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States;
 - (b) Resolution relating to the application of the Convention in future activities of international organizations.
 12. Drafting of an international convention against the recruitment, use, financing and training of mercenaries: report of the Secretary-General (item 29).
 13. Peaceful settlement of disputes between States: report of the Secretary-General (item 51).
 14. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (item 114).



United Nations
**GENERAL
ASSEMBLY**



Distr.
GENERAL

A/35/252/Add.1 +2,3
2 October 1980

ENGLISH
ORIGINAL: ENGLISH/
FRENCH

**ALLOCATION OF AGENDA ITEMS FOR THE THIRTY-FIFTH REGULAR SESSION
OF THE GENERAL ASSEMBLY**

Addendum

1. At its 20th plenary meeting, on 2 October 1980, the General Assembly decided, on the recommendation of the General Committee (A/35/250/Add.1, para. 1), to add the following item to the list of items allocated to the First Committee:

21. Urgent measures for reducing the danger of war (item 121).

2. At the same meeting, the General Assembly decided, on the recommendation of the General Committee (A/35/250/Add.1, para. 2), to add the following item to the list of items allocated to the Special Political Committee:

11. International co-operation to avert new flows of refugees
(item 122).



United Nations
**GENERAL
ASSEMBLY**



Distr.
GENERAL

A/35/252/Add.2 +3
15 October 1980

ENGLISH
ORIGINAL: ENGLISH/
FRENCH

**ALLOCATION OF AGENDA ITEMS FOR THE THIRTY-FIFTH REGULAR SESSION
OF THE GENERAL ASSEMBLY**

Addendum

At its 36th plenary meeting, on 15 October 1980, the General Assembly decided, on the recommendation of the General Committee (A/35/250/Add.2, para. 2 (b)), to add the following item to the list of items considered directly in plenary meeting:

37. Launching of global negotiations on international economic co-operation for development (item 123).



United Nations
**GENERAL
ASSEMBLY**



Distr.
GENERAL

A/35/252/Add.3
9 December 1980

ENGLISH
ORIGINAL: ENGLISH/
FRENCH

**ALLOCATION OF AGENDA ITEMS FOR THE THIRTY-FIFTH REGULAR SESSION
OF THE GENERAL ASSEMBLY**

Addendum

At its 81st plenary meeting, on 4 December 1980, the General Assembly decided (see A/35/244) to add to the list of items considered directly in plenary meeting the following subitem under agenda item 15 (Elections to fill vacancies in principal organs):

- (c) Election of two members of the International Court of Justice:
 - (i) Vacancy caused by the death of Judge Richard R. Baxter;
 - (ii) Vacancy caused by the death of Judge Salah El Dine Tarazi.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/253
20 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 22 of the preliminary list*

THE SITUATION IN KAMPUCHEA

Letter dated 19 May 1980 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith, for your information, the text entitled "Assistance provided by the Socialist Republic of Viet Nam to the People's Republic of Kampuchea in the years of 1979 and 1980" and kindly request you to have this letter and its enclosure circulated as an official document of the General Assembly under item 22 of the preliminary list.

(Signed) HA VAN LAU
Permanent Representative of
the Socialist Republic of Viet Nam
to the United Nations

* A/35/50.

ANNEX

ASSISTANCE PROVIDED BY THE SOCIALIST REPUBLIC OF VIET NAM
TO THE PEOPLE'S REPUBLIC OF KAMPUCHEA IN THE YEARS OF
1979 and 1980

1979

Since the overthrow of the Pol Pot - Ieng Sary genocidal regime by the Kampuchean people, Viet Nam although still facing many difficulties as a result of decades of foreign wars of aggression on her soil has extended to the Kampuchean people a comprehensive and diversified assistance. That assistance is not only funneled via central services or ministries but also by Viet Nam provinces to their sister counter-parts in Kampuchea.

The 1979 assistance consisted of:

1. Relief, rehabilitation of production in food and foodstuff:

- Over 140,000 tons of relief rice, short-term and long-term rice seeds, corn seeds.

- Dozens of tons of nut and vegetable seeds, millions of cassava saplings, ten thousands of pigs and poultry.

- Agricultural implements such as small-size tractors, farming tools, fertilizer, insecticide. In addition, groups of tractor workers and farmers were also sent to the sisterhood provinces in Kampuchea, helping plow and plant thousands of hectares of land.

2. Public health:

- Helping restore and build tens of provincial or city hospitals affording more than 3,000 beds, tens of district infirmaries with over 600 beds, hundreds of village dispensaries and other small medical stations.

/...

Provide medical instruments, hundreds of tons of medicine, sugar and milk.

- Send more than 400 medical workers out of them nearly 200 were doctors to hospitals, infirmaries, base-level medical teams.

3. Rehabilitation of transport and communications

- Send cadres and workers to help unload goods; mobilize tens of thousands of means to ship supplies provided by other countries, international organizations in transit to Kampuchea; helping shift supplies from Phnom Penh, Kong Pong Som, Pochentong ports to the provinces, restore and repair roads, bridges and a number of airfields.

- Train and set up a truck transport company with more than 300 trucks and their drivers.

- Restore Kong Pong Som Phnom Penh and a number of small ports, dredge Mekong river.

- Restore Phnom Penh - Kong Pong Som and Phnom Penh - Battambang railways.

- Restore Pochentong international airport and some air-strips in provinces.

4. Education, information and culture

- Help train 14,000 teachers needed for 2,420 schools with a total of 900,000 pupils.

- Provide for the first school year 1979-1980 dozens of tons of paper, 800,000 notebooks, hundreds of thousands of text-books and other school material.

- Set up 15 big and medium-size radio stations, five mobile stations; provide over 5,000 radio sets and instal network of telephone and telecommunications for a number of cities and provinces.

5. Restoration of industry

- Help survey more than 60 plants in Phnom Penh, of them 34 have been put into operation. Help provinces put into function power water, engineering repair plants, farming tools manufactures and handicraft workshops.

6. Rehabilitation of fishery

- Tens of thousands of tons of fishing nets and equipments.

- Help organize thousands of production teams and thousands of manpower for fishing.

7. Goods

- More than 2 million meters of fabric.

- More than 5,000 bicycles.

- More than 400,000 cooking pots, millions of bowls, soap, towels, needles...

8. Provision of experts and technicians

- Send a great number of experts and technicians to all services at the central and provincial levels.

*

Because of its peculiar character, the above-said assistance in many cases cannot be estimated in cash. The assistance in 1979 in kind or the like alone is estimated approximately at an amount equivalent to US\$ 56 million.

/...

1980

Viet Nam's assistance to Kampuchea in 1980 is of the same nature as in 1979 but in greater amount including 10,000 tons of rice seeds for the coming crop. It is estimated roughly at an amount equivalent to U.S.\$ 62 million.



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/254
20 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 22 of the preliminary list*

THE SITUATION IN KAMPUCHEA

Letter dated 9 May 1980 from the Permanent Representative of Hungary
to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Hungarian People's Republic has so far rendered the following humanitarian assistance to Kampuchea:

In 1979: 45 million forints of government assistance.

In 1980: 25 million forints of government assistance;

2 million forints of assistance by the Hungarian Red Cross;

2 million forints of assistance by the Ministry of Foreign Affairs;

5 million forints of assistance by the National Council of Hungarian
Trade Unions;

5 million forints of assistance by the Hungarian Solidarity
Committee;

10 million forints of assistance by the Hungarian National Youth
Committee through a Fund for the International Year of the Child.

Hungary has thus provided assistance in the total amount of 94 million forints, mostly in food, medicine and textiles.

Furthermore, a five-member Hungarian medical team has been working since February 1980 in the hospital of Kompong Speu, under the aegis of the International Red Cross. This team is to be replaced by another team of Hungarian doctors in May 1980.

* A/35/50.

A/35/254

English

Page 2

Beyond the channels of bilateral aid, Hungary has also given 5 million forints to UNICEF from the Fund for Solidarity with Children in the hope that part of this sum can be utilized for relief operations to improve the situation of children in Kampuchea.

I kindly request you, Mr. Secretary-General, to have the above data published as an official document of the General Assembly under item 22 of the preliminary list.

(Signed) Imre HOLLAI



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/255
20 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 78 of the preliminary list*

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER
FOR REFUGEES

Letter dated 16 May 1980 from the Permanent Representative
of the United States of America to the United Nations
addressed to the Secretary-General

I would like to transmit for your information and that of all States Members of the United Nations the enclosed statement of 14 May 1980 by the President of the United States on Cuban refugee policy.

I request that my letter and its enclosure be circulated as an official document of the General Assembly under item 78 of the preliminary list.

(Signed) Donald F. McHENRY

* A/35/50.



UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

STATEMENT BY THE PRESIDENT
ON CUBAN REFUGEE POLICY

I would like to make a statement to you and to the nation about the extremely critical problem with the Cuban citizens who are escaping from their country and coming to our shores in a very haphazard and dangerous way. Tens of thousands of Cubans are fleeing the repression of the Castro regime under chaotic and perilous conditions.

Castro himself has refused to permit them a safe and orderly passage to the United States and to other countries who are also willing to receive them. Repeated international efforts to resolve this crisis have been rejected or ignored by the Cuban government. At least seven people have died on the high seas. The responsibility for those deaths and the threat of further loss of life rests on the shoulders of Fidel Castro, who has so far refused to cooperate with us, with those escaping his regime, or with other countries in establishing a legal and orderly procedure for dealing with this Cuban problem.

In keeping with the laws and traditions of our own country, the United States has provided a safe haven for many of these people who have arrived on our shores. Since the beginning of this crisis we have been operating under three basic principles. First, to treat the escaping Cubans with decency, fairness, and humanity; second, to observe and to enforce the existing United States law; and third, to work with other countries and with international organizations to develop an orderly and legal solution to this very painful human dilemma. That is still our fundamental approach.

But now we must take additional steps to end Cuba's inhumane actions and to bring safety and order to a process that continues to threaten lives. Therefore we will implement a five-point program to permit safe

and orderly passage from Cuba, for those people who sought freedom in the U.S. Interest Section in Havana first of all; for political prisoners who have been held by Castro for many years; for those who sought a haven of freedom in the Peruvian embassy, some of whom are still being held there; and for close family members of Cuban-Americans who live in this country and who have permanent resident status. Those four categories will be given priority in their authorization to come to our country.

First, we are ready to start an airlift and a sealift for these screened and qualified people to come to our country, and for no other escapees from Cuba. We will provide this airlift and sealift to our country and to other countries as well, just as soon as the Cubans accept this offer. The U.S. Government will have an aircraft ready and will immediately charter ships, one of which will be standing by in Key West to bring the first group of Cubans, after they are screened, to our country. These ships and the Key West planes will be ready to go to Cuba to receive properly screened Cubans for entry to the United States and to other countries, to help in their resettlement.

To insure legality and order, all people will have to be screened before departure from Cuba. We will work with the Congress, the Cuban-American community, interested nations and the Cuban government to determine the total number of people that we will receive, both on a monthly basis and during the next 12 months.

Second, tomorrow we will open a family registration center in Miami, and later perhaps in other communities, to begin receiving the names of people who are eligible for immigration to our nation because they are close members of Cuban-American families who have permanent residence here.

Third, the Coast Guard is now communicating with all boats which are en route to Cuba and those in Mariel Harbor in Cuba, to urge them to return to the United States without accepting additional passengers. No new trips to Cuba by these unauthorized boats should be started. Those who comply with this request or command will have nothing to fear from the law, but we will insure that the law is obeyed. Persons who violate this

requirement, and who violate U.S. immigration custom laws by traveling to Cuba to pick up additional passengers, will be subject to civil fines and to criminal prosecution. Furthermore, boats used to bring people unlawfully to this country will be seized. I have directed the various law enforcement agencies to take additional steps as necessary to assure that this policy and the law are obeyed.

Fourth, in an unprecedented and irresponsible act, Castro has taken hardened criminals out of prison and forced some of the boat owners who have gone to Cuba from our country to bring these criminals back to the United States. Thus far over 400 such persons have been detained. I have instructed the Attorney General to commence exclusion proceedings immediately for these criminals and others who represent any danger to our country. We will ask also appropriate international agencies to negotiate their return to Cuba.

These steps are fully consistent with the consensus which was reached by 22 nations and seven international organizations in the San Jose conference on May the 8th this last week. In addition, the Secretary of State will continue consultation with other nations to determine additional steps that the international community can take to resolve this problem. We will seek the help of the United Nations, the Organization of American States, and other international organizations as well.

The Cuban-American community has, of course, contributed much to Miami, to Florida, and to our own country. I respect the deep desire to reunite divided families. In the interest of that great and valiant ethnic community, and in the interest of our country, we will continue to work closely with the Cuban-American community to bring about a safe and orderly resolution of this crisis.

I continue to be greatly concerned about the treatment of Haitians who have also come to this country recently on small boats. I have instructed all appropriate Federal agencies to treat the Haitians now here in the same, exact, humane manner as we treat Cubans and others who seek asylum in this country. Our laws never contemplated and do not adequately provide for people coming to our shores directly for asylum the way the Cubans and the Haitians have done recently.

I will work closely with the Congress to formulate a long term solution to this problem, and to determine the legal status of the boat people once this current emergency is under control.



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/256
22 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 16 (d) of the preliminary list*

ELECTION OF SEVEN MEMBERS OF THE COMMITTEE
FOR PROGRAMME AND CO-ORDINATION

Note by the Secretary-General

1. In accordance with paragraph 7 of the terms of reference of the Committee for Programme and Co-ordination (Economic and Social Council resolution 2008 (LX) of 14 May 1976, annex), the members of the Committee are nominated by the Economic and Social Council and elected by the General Assembly for a term of three years.
2. The membership of the Committee in 1980 is as follows:

Argentina,*** Belgium,** Brazil,* Burundi,* Costa Rica,*** France,***
Ghana,* India,* Indonesia,* Japan,* Kenya,* Norway,** Pakistan,** Romania,**
Sudan,*** Trinidad and Tobago,** Union of Soviet Socialist Republics,*** United
Kingdom of Great Britain and Northern Ireland,** United Republic of Tanzania,***
United States of America*** and Yugoslavia.**

-
- * Term of office expires on 31 December 1980.
 - ** Term of office expires on 31 December 1981.
 - *** Term of office expires on 31 December 1982.

3. The General Assembly, at its thirty-fifth session, will therefore be called upon to elect seven members, on the nomination of the Economic and Social Council, to fill the vacancies in the Committee for Programme and Co-ordination which will occur as a result of the expiration of the terms of office of Brazil, Burundi, Ghana, India, Indonesia, Japan and Kenya. In accordance with paragraph 7 of the terms of reference of the Committee, the vacancies are to be filled as follows:

* A/35/50.

Three members from African States;

Three members from Asian States;

One member from Latin American States.

4. By its decision 1980/121 of 1 May 1980, the Economic and Social Council nominated the following seven Member States for election by the General Assembly at its thirty-fifth session, for a term of three years, beginning on 1 January 1981: Brazil, India, Japan, Morocco, Philippines, Senegal and United Republic of Cameroon.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/257
23 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 44 of the preliminary list*

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS
AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS
TENTH SPECIAL SESSION

United Nations studies on disarmament

Report of the Secretary-General

With reference to General Assembly decision 34/422 of 11 December 1979, the Secretary-General has the honour to transmit herewith to the Assembly the study on a comprehensive nuclear-test ban, which was prepared in the Secretariat with the assistance of four consultant experts. Pursuant to the above-mentioned decision of the Assembly, this report was submitted to the Committee on Disarmament in April 1980 (CD/86).

* A/35/50.

COMPREHENSIVE NUCLEAR TEST BAN

Report of the Secretary-General

Contents

	<u>Paragraph</u>	<u>Page</u>
Foreword		4
Introduction		6
I. Background summary	1 - 5 6 - 15	6 7
II. Negotiations leading to the partial test ban Treaty		9
1. Negotiations from 1955 to 1962	16 - 30	9
2. Negotiations from 1962 to 1963	31 - 51	12
III. Treaty on the Non-Proliferation of Nuclear Weapons	52 - 53	17
IV. Deliberations and negotiations (1963-1979)	54 -102	18
1. General Assembly resolutions	54 - 60	18
2. Main developments in the negotiating bodies	61 -102	20
V. Trilateral negotiations on a comprehensive test ban	103 -114	29
VI. Major unresolved issues	115 -150	33
1. Verification of the Comprehensive test ban	117 -120	33
(a) Seismic monitoring	121 -130	34
(b) On-site inspection	131 -133	36
(c) Participation in verification arrangements	134 -138	37
2. Scope of the Comprehensive test ban	139 -145	37
(a) Peaceful nuclear explosions	139 -140	37
(b) Laboratory tests	141 -145	38
3. Duration of the Comprehensive test ban	146 -150	39
Conclusions	151 -161	40

Appendices

	<u>Page</u>
A. Excerpts from the statement of the Secretary-General to the Conference of the Committee on Disarmament on 29 February 1972, relating to a comprehensive test ban.	42
B. Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water	44
C. List of Parties and Signatories to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water	47
D. Nuclear explosions from 1945 to 1963 and from 1963 to 1979	57
E. Present nuclear arsenals	58
Notes	60

FOREWORD

The subject of this report is a question of the highest priority on the disarmament agenda. Over the years, I have stressed repeatedly the vital importance of a general and complete test ban as an indispensable first step towards halting the nuclear-arms race.

The present report was prepared pursuant to General Assembly decision 34/422, adopted on 11 December 1979, which reads as follows:

"The General Assembly requested the Secretary-General to prepare a study on the question of a comprehensive nuclear test ban recommended by the Advisory Board on Disarmament Studies and by the Secretary-General himself and that the study should include the chapters or sections described in paragraph 14 of the report of the Secretary-General,^{*/} should be completed in time to be transmitted to the Committee on Disarmament in the spring of 1980, as indicated in the same paragraph, and should be carried out in accordance with the procedure described in paragraph 16 of the Secretary-General's report."

In accordance with that decision, I appointed Mr. Alessandro Corradini, former Director and Deputy to the Assistant Secretary-General, Centre for Disarmament, United Nations; Mr. William Epstein, Professor, Carlton University, Ottawa; Mr. Jozef Goldblat, The Senior Member of the Research Staff, Stockholm International Peace Research Institute, and Mr. Kashi Prasad Jain, Director, Disarmament, Ministry of External Relations, New Delhi, to carry out the study.

In proposing that a study should be made on the subject of a nuclear test ban, the Advisory Board on Disarmament Studies recommended that it should consist of an introduction, a brief background summary, an analytical summary of the negotiations which led to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (partial test-ban Treaty); the partial-test ban Treaty and the Treaty on the Non-Proliferation of Nuclear Weapons; proceedings in the Conference of the Committee on Disarmament and the Committee on Disarmament; three-Power negotiations; major unresolved issues; and conclusions. There should be appendices on present nuclear arsenals, nuclear-weapon tests from 1945 to 1963 and nuclear-weapon tests from 1965 to 1979.

In my report to the General Assembly, I pointed out that although the matter had been the subject of much study in the past, I felt that any measures which might contribute to the conclusion of an agreement were welcome.

^{*/} A/34/588

I wish to express my appreciation to the experts for their valuable contributions and I hope that the report will be useful to the Committee in its work. At the same time I am aware that the subject of a comprehensive nuclear test ban has a variety of interrelated aspects on which there are many different views.

The successful conclusion of the negotiations now in progress is of crucial importance to the solution of the problem. I, therefore, urge the three nuclear-weapon States involved in those negotiations to use their best endeavours to achieve positive results soon.

In my first statement to the Conference of the Committee on Disarmament, in 1972, I stated the belief that all the technical and scientific aspects of the problem had been so fully explored that only a political decision was necessary in order to achieve agreement. I still hold that belief. The problem can and should be solved now. I share the conviction expressed in the Final Document adopted by the General Assembly at its tenth special session, that the cessation of nuclear-weapon testing by all States within the framework of an effective nuclear disarmament process would be in the interest of mankind.

Kurt Waldheim
Secretary-General

INTRODUCTION

1. No other question in the field of disarmament has been the subject of so much international concern, discussion, study and negotiation as that of stopping nuclear-weapon tests.
2. The complete cessation of nuclear-weapon tests is a prime objective of the United Nations in the field of disarmament. It has been considered ever since 1954, when Prime Minister Jawaharlal Nehru appealed for a "standstill agreement" in respect of nuclear explosions. It has been a separate agenda item of the General Assembly each year since 1957. The General Assembly has adopted some three dozen resolutions calling for an end to nuclear-weapon testing, far more than on any other issue of disarmament.
3. The question has been the subject of deliberations and negotiations in the Disarmament Commission and in its five-Power Sub-Committee, in the three-Power Conference on the Discontinuance of Nuclear Weapon Tests, in the Eighteen-Nation Committee on Disarmament, in the Conference of the Committee on Disarmament (CCD) and, since 1979, in the Committee on Disarmament. Trilateral negotiations among the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America have also been proceeding since 1977, in private.
4. After the conclusion of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (the partial test-ban Treaty) in 1963, efforts were again directed towards achieving a comprehensive test ban.
5. Despite persistent urging by non-nuclear-weapon States in every session of the General Assembly and in the negotiating bodies, and the determination expressed by the United Nations that the cessation of all nuclear-weapon testing was a matter of the "highest priority", all efforts have thus far been unsuccessful, and testing continues unabated.

I. BACKGROUND SUMMARY

6. Many avenues have been explored and great ingenuity displayed in efforts to achieve a comprehensive test ban. The proposals put forward at one time or another included various forms of suspension of testing: unilateral and agreed moratoria on testing; a "threshold" above which all underground tests would be banned with or without a moratorium; a progressive lowering of the threshold as verification techniques improved; and interim measures to reduce the number and magnitude of tests and to phase them out. A number of proposals were also considered as regards verification. They included the use of automatic seismic stations ("black boxes"); a limited and variable number of on-site inspections; verification by challenge; a commission of scientists possibly from non-aligned countries to consider ambiguous events; and a "detection club" for the international exchange of seismic information. These efforts have produced no solution.
7. Irrespective of efforts to achieve agreement on a comprehensive test ban or pending such agreement, the General Assembly repeatedly called for an immediate suspension of nuclear testing.
8. Some countries maintained that existing techniques of verification were adequate and that no international inspection was required.
9. Some other countries questioned the adequacy of existing verification techniques for small underground explosions. They also doubted whether those techniques could detect and identify underground explosions conducted in "big holes" or caverns or in soft alluvium, that is, in conditions that would have a muffling or "decoupling" effect on seismic signals. They maintained that on-site inspections were necessary. It was even suggested that a series of underground tests could be so programmed as to stimulate an earthquake and its aftershocks or that tests could be so timed as to be hidden by actual earthquakes.
10. Most other countries believed those possibilities to be so remote as to be of minor significance. While a few such small-scale underground tests might escape identification, they would be of little or no importance for weapons development. In order to achieve an important advance or advantage in that respect, a series of tests would be required and the possibilities of such a series escaping detection were very small.

11. In addition to other arguments for ending nuclear-weapon tests, it was also argued that continued testing increased the danger of the spread of nuclear weapons to other countries.
12. Over the years non-nuclear-weapon States have increasingly questioned whether there was sufficient determination to bring about a cessation of nuclear-weapon testing. The USSR, the United Kingdom and the United States, for their part, repeatedly reaffirmed their intention to achieve a comprehensive test ban, but their positions as to when testing should stop and as to the extent of verification required never coincided.
13. A number of national and international scientific studies and meetings of experts established that modern technology could ensure that all underground tests could be detected and identified, except for those having a very low yield of a few kilotons. It was doubtful, however, whether the threshold of detection could ever be lowered to zero so that all small underground tests without exception could be monitored without any possibility of error.
14. It was in the light of these circumstances that the Secretary-General has, over the years, emphasized the importance he attaches to a comprehensive test ban and to its role in the efforts to halt the nuclear-arms race. In his message to the 1972 session of the Conference of the Committee on Disarmament, the first statement he made on the subject, he surveyed the problems and the significance of a comprehensive test ban. The text of his remarks is contained in appendix A.
15. As a result of the failure to stop nuclear weapon testing, many States became disillusioned and increasingly discontented. Non-nuclear weapon States in general came to regard the achievement of a comprehensive test ban as a litmus test of the determination of the nuclear-weapon States to halt the arms race.

II. NEGOTIATIONS LEADING TO THE PARTIAL TEST-BAN TREATY

1. Negotiations from 1955 to 1962

16. The development of thermonuclear weapons in the early 1950s spurred demands for the cessation of all nuclear-weapon tests. There was also growing concern, indeed alarm, throughout the world about the dangerous effects of radioactive fall-out from nuclear-test explosions. On the initiative of India, the General Assembly, in 1955, established a Scientific Committee on the Effects of Atomic Radiation to study and report on the short-term and long-term effects of radiation upon man and his environment.^{1/} The Committee continues its work and submits periodic reports to the General Assembly.

17. The question of a test ban was actively discussed in the Disarmament Commission, in its London Sub-Committee meetings, from 1955 to 1957, and in the General Assembly. The Western Powers insisted that a test ban must be part of a comprehensive programme of disarmament with adequate supervision. The Soviet Union, in 1955, called for an early and separate agreement suspending or banning all tests, with essentially only national supervision or monitoring.

18. In June 1957, the USSR formally proposed agreement on the immediate cessation of all atomic and hydrogen tests, if only for a period of two or three years, as well as the establishment of an international commission to supervise the agreement and the establishment, on a basis of reciprocity, of control posts.^{2/} The Western Powers maintained, however, that any temporary suspension of tests must be linked to the cessation of production of fissionable material for weapons purposes.

19. The increasing world-wide concern about the effects of radioactive fall-out was evidenced by a deputation of scientists led by Linus Pauling which, in January 1957, presented to the Secretary-General a petition signed by 9,000 scientists, including many Nobel laureates, from 43 countries, urging than an international agreement to stop the testing of nuclear bombs "be made now!".

20. In April 1958, Chairman Khrushchev wrote to President Eisenhower drawing attention to a decision of the Soviet Government to end nuclear testing and calling on the Western Powers to do the same, but reserving the right to resume testing if the Western Powers tested. Failure to achieve a mutual suspension led to the resumption of testing by both sides.

21. Following a United States proposal and an exchange of letters by President Eisenhower and Chairman Khrushchev, it was agreed that a conference of experts from eight countries (Canada, Czechoslovakia, France, Poland, Romania, the USSR, the United Kingdom and the United States) be convened to study the possibility of detecting violations of a possible agreement on the suspension of nuclear tests.
22. The Conference of Experts met in Geneva from 1 July to 21 August 1958 and submitted a unanimous report, in which the experts concluded that it was technically feasible to establish an effective control system that could detect and identify nuclear explosions, including low-yield explosions of from 1 to 5 kilotons. Some 20 to 100 earthquakes each year would be indistinguishable from underground tests of 5 kilotons and would require on-site inspection. Larger tests could be monitored by technical means set up in a world-wide network of some 160 to 170 land-based control posts and about 10 ships.
23. The USSR, the United Kingdom and the United States agreed to begin negotiations in Geneva on 31 October 1958 in an effort to reach agreement on a treaty for the discontinuance of nuclear-weapon tests on the basis of the experts' report. France stated that it would not sign a test-ban treaty unless the treaty were accompanied by other measures of disarmament.
24. The three Powers agreed unilaterally to suspend nuclear tests about the time of the beginning of the Conference on the Discontinuance of Nuclear Weapon Tests and continued such suspensions on a voluntary basis. In the meantime, France conducted its first nuclear explosion in 1960.^{3/}
25. Early in the Conference on the Discontinuance of Nuclear Weapon Tests (January 1959), the United Kingdom and the United States dropped their insistence that a test ban should be linked to other disarmament measures and agreed that the ban would depend solely on effective control. That was regarded as an important step forward. Thereafter, the question of verification became the main issue of the negotiations.
26. In the spring of 1959, the United States raised technical questions about the adequacy of the 1958 experts' report. It maintained that new seismic data indicated that the number of earthquakes each year, indistinguishable from 5-kiloton nuclear explosions, would be some 1,500 instead of the 20 to 100 mentioned by the experts. Moreover, deep underground explosions in large cavities would be less easily detected.

27. The Conference on the Discontinuance of Nuclear Weapon Tests made considerable progress on many issues of substance and on the broad outlines of a control organization, although differences remained concerning the composition of the control commission and its operation. Because of disagreement concerning the identification of underground tests, the parties agreed that a treaty should ban all tests in the atmosphere, in outer space and under water; underground tests above a seismic threshold of 4.75 would also be banned and there would be a moratorium on all testing below that threshold for three years, subject to the institution of a programme to improve detection procedures. The USSR proposed a quota of three on-site inspections each year, but the United Kingdom and the United States proposed a sliding scale of from 12 to 20 annual on-site inspections.

28. During 1961, political relations between the two sides deteriorated, and the conference became deadlocked. The Soviet Union stated that it could not ignore that France, as a NATO member, could improve the nuclear capabilities of the alliance by continued testing. It proposed that either a test-ban treaty be concluded on the basis of the USSR proposals, which were again based on the previous position that national means of verification were sufficient, or the question be considered within the context of general and complete disarmament. The United Kingdom and the United States maintained that the Soviet proposals for a treaty were unacceptable as they amounted to self inspection, and that to merge the test-ban issue with general and complete disarmament would "drown it".

29. On 30 August 1961, the Soviet Union announced that it would resume testing and did so on the following day; all but one of its tests were conducted in the atmosphere.^{4/} The United States and the United Kingdom proposed on 3 September that all atmospheric tests be ended without any requirement for international control. On 15 September, the United States resumed testing underground and, later, in the atmosphere.

30. The Conference on the Discontinuance of Nuclear Weapon Tests met briefly towards the end of 1961 but made no progress and finally adjourned in January 1962. At the last session, the USSR restated its opposition to any international control while the arms race continued, on the grounds that such

control could serve as a means of espionage. It proposed a draft treaty providing for a ban on all tests in the atmosphere, outer space and under water, to be supervised by national means of detection, with a moratorium on underground tests until a control system had been developed as part of the system for control over general and complete disarmament. The United Kingdom and the United States rejected the Soviet arguments and draft treaty, and declared that an uncontrolled moratorium on underground tests was unacceptable. Thus ended what had appeared to be a hopeful and encouraging effort to achieve a comprehensive test-ban treaty.

2. Negotiations from 1962-1963

31. When the Eighteen-Nation Committee on Disarmament (ENDC) convened in Geneva in March 1962 to consider the question of general and complete disarmament and also collateral measures, it created a Sub-Committee composed of the same three nuclear Powers to consider the nuclear-test ban. Their initial positions were substantially the same as they had been at the end of the Conference on the Discontinuance of Nuclear Weapon Tests. An important new development, however, had taken place. Eight non-aligned States -- Brazil, Burma, Egypt, Ethiopia, India, Mexico, Nigeria and Sweden -- had become members of the new multilateral negotiating body, the ENDC. These States stressed that a test ban was also their concern, and they played an active and moderating role.

32. In order to break the continuing deadlock, the eight non-aligned members presented a joint memorandum on 10 April 1962.^{5/} The memorandum suggested the establishment of a purely scientific and non-political system for observation and control of a test ban, based on existing networks of observation posts and institutions, together with new posts as agreed. An international commission of highly qualified scientists, possibly from non-aligned countries, would receive and process all data received from the observation posts and report on any nuclear explosion or "suspicious event" after examination of all available data. Parties to the treaty would be obligated to furnish the commission with the facts necessary to establish the nature of any suspicious and significant event, and "could invite" the commission to visit their territories and/or the site of the doubtful event. The commission would report its conclusions to the parties.

33. The joint memorandum led to considerable discussion. The USSR interpreted the memorandum as suggesting on-site inspection only on a voluntary basis. The United Kingdom and the United States, on the other hand, interpreted it as laying down a mandatory obligation for on-site inspection.

34. In August 1962, the United States and the United Kingdom submitted two alternative draft treaties. One was for a comprehensive test ban based on the principle of compulsory on-site inspections but involving an unspecified smaller number than the 12 to 20 previously proposed. The other draft treaty was for a partial test ban limited to the three "non controversial" environments -- the atmosphere, outer space and under water -- without international verification. The two Powers stated, however, that they would not accept in any form an uncontrolled moratorium on underground tests. They proposed 1 January 1963 as the cut-off date for tests under either the comprehensive or the partial draft treaty.

35. The USSR rejected both draft treaties -- the comprehensive one because it provided for compulsory on-site inspection, and the partial one because it excluded underground tests.

36. Some non-aligned members of the ENDC urged that the scientific commission envisaged in their joint memorandum should be set up immediately on an interim basis, accompanied by a suspension of underground tests for a limited period of time. If any party were to refuse a request from the commission for on-site inspection to identify a suspicious seismic event, the commission would automatically release other parties from the interim arrangement.

37. In December 1962, the USSR proposed that two or three automatic seismic stations (black boxes), in addition to existing national means of seismic detection, be established in the territories of each of the three nuclear Powers and some also in neighbouring countries. These black boxes could periodically be carried to the international commission by national personnel, but with the participation of staff of the Commission.

38. The United States considered that black boxes could be a useful adjunct to manned detection stations but that internationally manned stations and on-site inspections would still be required.

39. The General Assembly in November 1962 adopted two resolutions on a test ban. The first was a 37 Power draft which condemned all nuclear-weapon tests and asked that they cease by 1 January 1963, and endorsed the eight-nation joint memorandum of 16 April 1962 as a basis for negotiation; if no agreement was reached by 1 January 1963, it recommended an immediate agreement prohibiting tests in the atmosphere, in outer space and under water, accompanied by an interim arrangement

suspending all underground tests, taking as a basis the eight-nation joint memorandum, with a view to providing adequate assurances of detection and identification. The second resolution was a United Kingdom and United States draft calling simply for the conclusion of a comprehensive test-ban treaty at an early date with effective international verification.

40. During 1963, in the aftermath of the Cuban "missile crisis", private talks took place between the USSR and the United States on a test ban.

41. At the reconvened 1963 session of the ENDC, the discussions concentrated on a comprehensive test ban. Agreement emerged on the following principles:

(a) utilization of nationally manned and controlled seismic stations for detecting and identifying seismic events; (b) installation of automatic (unmanned) seismic stations on the territories of nuclear Powers and adjacent countries, on the understanding that delivery and removal of equipment and records would be carried out with the participation of some foreign personnel; and (c) an annual quota of on-site inspections to determine the nature of suspicious events.

42. There was disagreement, however, on the number of automatic seismic stations -- the USSR proposed three and the United States seven. There was also disagreement on the number of annual on-site inspections -- the USSR proposed from two to three, and the United States proposed from eight to ten but later reduced the figure to seven.

43. On 10 June 1963, three non-aligned members of the ENDC -- Egypt, Ethiopia and Nigeria -- submitted a joint memorandum suggesting that for the time being "three, four or so truly effective inspections a year, or an adequately proportioned figure spread over more years", might dispel mutual suspicions and facilitate agreement.^{6/}

They also considered that direct talks between the Foreign Ministers or heads of Government of the nuclear Powers could prove of great value in reaching a solution.

44. Also on 10 June, it was announced that the USSR, the United Kingdom and the United States had agreed to hold talks in mid-July on the cessation of nuclear tests.

On 2 July, the Soviet Union stated that insistence of the United States and the United Kingdom on on-site inspections made an underground test ban impossible; the USSR was therefore prepared to sign a limited treaty banning tests in the three non-controversial environments in the atmosphere, in outer space and under water. It also withdrew its previous demand that a partial test ban be accompanied by a moratorium on underground testing.

45. The trilateral negotiations began in Moscow on 15 July 1963 and ended on 25 July, when the text of the treaty was initialed. The Treaty was signed on 5 August by the Foreign Ministers of the three parties and was opened for signature in the capitals of each of the three "original parties" as they are called in the

Treaty. (For the text of the Treaty, see appendix B). The Treaty entered into force on 10 October 1963. Up to the present, 110 States have become parties to the Treaty; two nuclear-weapon States, China and France, are among those that have not adhered to the Treaty. (For the list of signatories and parties, see appendix C).

46. The commitment of the three original parties to pursue a comprehensive test ban is contained in the preamble and in article I of the Treaty. The relevant portion of the preamble reads as follows:

"Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances ..."

Article I reads as follows:

"1. Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control;

"(a) in the atmosphere; beyond its limits; including outer space; or under water, including territorial waters or high seas; or

"(b) in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the State under whose jurisdiction or control such explosion is conducted. It is understood in this connexion that the provisions of this subparagraph are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusion of which, as the Parties have stated in the Preamble to this Treaty, they seek to achieve.

"2. Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to in paragraph 1 of this Article."

47. The partial test-ban Treaty was the first international agreement of world wide scope reached in the field of nuclear-arms limitation. It was hailed as an event of historic significance that would begin to curb the nuclear arms race. It greatly contributed to reducing radioactive pollution. It brought about some relaxation of international tension. It also helped to create a climate that facilitated negotiations for other treaties in the field of nuclear arms limitation, including the non-proliferation Treaty.

48. By 1963, the USSR and the United States had already carried out extensive series of tests in the atmosphere and knew that testing underground, which would be continued, could provide most of the information required for further nuclear-weapon development. That facilitated, to a large extent, the conclusion of the partial test-ban Treaty.

49. In practice, the partial test-ban Treaty did not slow down the nuclear-arms race among the major nuclear Powers, except to the extent that it placed technical constraints on the underground testing of large thermonuclear weapons.

50. After the signing of the Treaty, the rate of testing, in fact, increased. Of 1,221 nuclear explosions reported to have been conducted between 1945 and 1979, 488 were carried out in the 13 years preceding the conclusion of the Treaty, and 733 in the 16 years after the signing of the Treaty. Thus, the rate of testing was, on average, 45 per year after the Treaty as compared to 27 per year before it. The three nuclear Powers party to the partial test-ban Treaty, namely, the USSR, the United Kingdom and the United States, account for more than 90 per cent of all nuclear explosions (see Appendix D).

51. Despite the commitment to pursue a comprehensive test ban, no actual negotiations took place for a decade.

III. TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

52. The question of a comprehensive test ban was one of the issues raised in connexion with the negotiations for the non-proliferation Treaty. The question arose because of the demands of the non-nuclear-weapon States that the nuclear Powers must provide some binding undertakings to make rapid substantial progress towards nuclear disarmament. A resolution of that question was regarded as one of the necessary elements of an acceptable balance of the mutual responsibilities and obligations of the nuclear-weapon and non-nuclear-weapon States.

53. The text of the non-proliferation Treaty contains the following preambular paragraph:

"Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions for all time and to continue negotiations to this end".

and article VI, which reads:

"Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control".

The commitment to negotiate a cessation of the nuclear-arms race obviously includes the achievement of a comprehensive test ban.

IV. DELIBERATIONS AND NEGOTIATIONS (1963-1979)

1. General Assembly resolutions

54. The cessation of nuclear-weapon tests, as a separate agenda item, has been debated by the General Assembly since 1957--longer than any other disarmament question.

55. From 1958 to 1979, the General Assembly adopted 56 resolutions dealing with exclusively with the cessation of nuclear-weapon tests;^{7/} of these, 26 were adopted after the conclusion of the partial test-ban Treaty in August 1963.

56. The General Assembly resolutions deal with various aspects of the question of the cessation of nuclear-weapon tests. In particular, the Assembly

(a) Urged that all nuclear weapon tests be suspended in all environments;^{8/}

(b) Repeatedly condemned all nuclear-weapon tests;^{9/}

(c) Called for the "highest priority" to be given to the achievement of a comprehensive test ban;^{10/}

(d) Called on all States to become parties to the partial test-ban Treaty;^{11/} and, later, repeatedly called upon all States not yet parties to the Treaty to adhere to it without delay;^{12/} it also stressed the urgency of bringing to a halt all atmospheric testing of nuclear weapons;^{13/}

(e) Called on the ENDC (later the CCD) to continue with a sense of urgency negotiations to achieve a comprehensive test ban;^{14/}

(f) Set a deadline (5 August 1973, i.e., the tenth anniversary of the signing of the partial test ban treaty) for the halting of all nuclear-weapon tests; subsequently, after the date in question had passed, it urged the Governments of the nuclear-weapon States to bring to a halt without delay all nuclear-weapon tests, either through a permanent agreement or through unilateral or agreed moratoria;^{15/}

(g) Requested the CCD to submit "special reports" on its deliberations on the question of a nuclear-test ban;^{16/}

(h) Underlined the responsibility of the nuclear-weapon States to achieve a nuclear-test ban and on occasion, stressed, in particular, the responsibility in this regard of the three nuclear Powers which were parties to the partial test-ban Treaty and the non-proliferation Treaty;^{17/}

(i) Called for immediate unilateral or negotiated measures of restraint that would suspend nuclear-weapon testing or limit or reduce the size and number of nuclear-weapon tests, pending the entry into force of a comprehensive test ban;^{18/}

(j) Called for international co-operation in the field of seismic detection,^{19/} including the provision of specific information in the context of a world-wide exchange of seismological data;^{20/}

(k) Expressed the conviction that, whatever might be the differences on the question of verification, there was no valid reason for delaying the conclusion of a comprehensive test ban.^{21/}

57. In 1977, following the initiation of negotiations on a comprehensive text ban among the USSR, the United Kingdom and the United States, the General Assembly noted that fact with satisfaction and requested the CCD to take up the agreed text resulting from the tripartite negotiations, with a view to the submission of a draft treaty to the General Assembly at its special session devoted to disarmament (tenth special session).^{22/}

58. Subsequently, in 1978, the General Assembly expressed its regret that a draft treaty had not yet been concluded; urged the three negotiating Powers to expedite their negotiations, with a view to bringing them to a positive conclusion; and requested the Committee on Disarmament to take up immediately the text that would result from the negotiations, with a view to the submission as soon as possible of a draft treaty to a resumed thirty-third session of the General Assembly.^{23/}

59. Then, in 1979, the General Assembly reiterated its grave concern that nuclear-weapon testing continued unabated against the wishes of the overwhelming majority of Member States; reaffirmed its conviction that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time was a matter of the highest priority; expressed its conviction that progress in the negotiations by the Committee on Disarmament on such a treaty was a vital element for the prevention of both vertical and horizontal proliferation of nuclear weapons and would contribute to the halting of the arms race and the achievement of nuclear disarmament; requested the Committee on Disarmament to initiate negotiations

on such a treaty as a matter of the highest priority; and called on the three negotiating Powers to bring their negotiations to a positive conclusion in time for consideration during the 1980 session of the Committee on Disarmament.^{24/}

60. In spite of all these actions by the General Assembly, including the adoption of seven resolutions condemning nuclear-weapon tests and just as **many** requesting that the highest priority be given to a comprehensive test ban, the international community is still waiting for the comprehensive test-ban Treaty. Testing is continuing notwithstanding 24 resolutions urging that all nuclear-weapon tests be suspended in all environments.

2. Main developments in the negotiating bodies

61. After the tripartite Conference on the Discontinuance of Nuclear Weapon Tests came to an end early in 1962, the task of seeking agreement on a comprehensive test ban fell mainly on the ENDC. Every year from 1962 to 1978 the Committee considered the question of a comprehensive test ban and regularly reported to the General Assembly. In addition, special reports on the subject were submitted by the Committee in 1970, 1971, 1973 and 1974, in response to requests of the Assembly.

62. In its report dated 5 September 1963, the Committee expressed satisfaction with the conclusion of the partial test-ban Treaty and "with the aims proclaimed by the negotiating parties in the preamble of the treaty".^{25/}

63. During the five years between the signing of the partial test-ban Treaty in 1963 and the signing of the non-proliferation Treaty in 1968, there was no significant movement by the nuclear-weapon States to modify their long-held positions on an underground test ban. The United States and the United Kingdom acknowledged that some progress had been made in the technique of detection and identification of seismic events, but not enough to eliminate the need for on-site inspections. They were prepared to discuss the possibility of accepting a smaller number of on-site inspections than the seven per year previously proposed but did not suggest any new **number**. The USSR continued to insist that no on-site inspections were necessary and that national detection systems were adequate and, in effect, withdrew its previous offer of from two or three on-site inspections per year.

64. The USSR continued to urge a ban on underground tests above a threshold of seismic magnitude 4.75, with a voluntary moratorium on tests below that threshold. The United States continued to reject an unverified moratorium in any form.

65. China conducted its first nuclear-weapon test in October 1964, thus becoming the fifth nuclear-weapon State. The event provided the occasion for many United Nations Members to criticize not only the testing in the atmosphere by China and France but the continued underground testing by the USSR, the United Kingdom and the United States. It was also observed that underground explosions had not been legalized by their exclusion from the partial test-ban Treaty.

66. At the ENDC session in 1964, the eight non-aligned members submitted a joint memorandum^{26/} in which they recalled that in resolution 1762 A (XVII) the General Assembly had condemned all nuclear-weapon tests. They appreciated the fact that there were differences among the nuclear-weapon Powers on the question of verification of underground tests, but they did not consider such obstacles to be insurmountable and suggested that an exchange of scientific or other information among the nuclear-weapon Powers leading to an improvement of detection and identification techniques would facilitate the achievement of a comprehensive test ban.

67. At the ENDC session in 1965, Sweden formally proposed international co-operation in the detection of underground explosions by the exchange of seismic data (the "detection club"). The eight non-aligned members of the ENDC submitted a joint memorandum^{27/} in which they called for the immediate suspension of all nuclear-weapon tests in all environments and stressed the advantages that would accrue from international co-operation in the field of seismic detection.

68. The following year, Sweden proposed a system of "verification by challenge" or "inspection by invitation", whereby a party to a comprehensive test ban suspected of a violation could provide information and invite inspection either on its own initiative or on request; failure to do so would entitle other parties to withdraw from the treaty.

69. The eight non-aligned members again submitted a joint memorandum^{28/} stressing that a comprehensive test ban would be an effective non-proliferation measure making the development of nuclear weapons by non-nuclear-weapon States practically

impossible and would inhibit the development of new nuclear weapons. On verification, the memorandum set forth the **suggestions** already presented individually by various non-aligned members, for instance the idea of a threshold treaty and the proposal of verification by challenge, and once again called on the nuclear-weapon States to discontinue tests pending the conclusion of a comprehensive test ban.

70. During the period beginning in 1965, the question of non-proliferation of nuclear weapons emerged as the dominant issue in the field of disarmament, and both the General Assembly and the ENDC devoted most of their time and attention to it. Nevertheless, as has already been noted, the question of a comprehensive test ban became one of the issues raised in that connexion.

71. In 1968, the ENDC adopted for the first time a provisional agenda. Cessation of nuclear tests was mentioned first among the measures to be discussed under the first agenda item, i.e., measures relating to the cessation of the nuclear-arms race and nuclear disarmament.

72. In a new joint memorandum,^{29/} the eight non-aligned members of the ENDC deplored the high frequency and increasing yields of underground testing, which they felt were giving impetus to the arms race. On the question of verification, they stressed that there had been considerable progress in regard to the techniques of verification of an underground test ban and suggested that efforts should be made to promote an "organized international exchange of seismic data", which would provide a better technical basis for national evaluation of underground events. They also underlined the need for a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes in the context of a comprehensive test ban.

73. At the Conference of Non-Nuclear-Weapon States, held in 1968, a resolution was adopted requesting the General Assembly to recommend that the ENDC begin, not later than March 1969, negotiations for the conclusion of a comprehensive test ban as a matter of high priority.

74. At the 1969 session of the ENDC, Sweden submitted a working paper suggesting possible provisions for a treaty of unlimited duration banning underground nuclear-weapon tests.^{30/} Each party would undertake to co-operate in good faith in an effective international exchange of seismological data in order to facilitate the **detection**, identification and location of underground events, as well as to co-operate in the clarification of any unidentified seismic event. In that

connexion, any party could invite inspection on its territory, in the manner prescribed by the inviting party. Any party could bring to the attention of the Security Council or the other parties to the treaty the fact that a party had failed to co-operate in the clarification of a particular event. A separate international agreement would be negotiated to regulate the question of nuclear explosions for peaceful purposes.

75. The Swedish working paper was welcomed by the majority of the Committee members, including all of the non-aligned members, but both the USSR and the United States had reservations on the proposals for verification.

76. The working paper was revised by Sweden in 1971.^{31/} In the revised version it was envisaged that the treaty would become fully operative after a transitional period to be negotiated, during which nuclear-weapon test explosions would be phased out in accordance with the provisions laid down in a protocol annexed to the treaty. Nuclear explosions for peaceful purposes would be carried out in conformity with the provisions of another protocol.

77. Those proposals met with no immediate response on the part of the nuclear-weapon members of the CCD, who continued to maintain their respective positions on verification.

78. Again in 1971, a joint memorandum was submitted by nine members (Burma, Egypt, Ethiopia, Mexico, Morocco, Nigeria, Pakistan, Sweden and Yugoslavia) of the Group of 12 of the CCD.^{32/} The memorandum^{33/} maintained that sufficient progress had been made in the field of seismology to permit resolution of the verification problem on the basis of national means of detection, supplemented by international co-operation and procedures. Such a system, coupled with a withdrawal clause and provisions for periodic review conferences, should ensure the required level of deterrence against clandestine testing. The memorandum also called on the nuclear-weapon States to submit their own proposals with regard to a comprehensive test ban, so that purposeful negotiations could be immediately undertaken.

79. In 1971 and subsequent years, the CCD gave increased attention to the question of international co-operation in the exchange of seismic data. The question was debated in plenary meetings, as well as in informal meetings with the participation of experts, a practice to which the CCD resorted repeatedly throughout its existence.

80. At a special meeting of the CCD held on the occasion of the tenth anniversary of the partial test-ban Treaty, nearly all speakers underlined the importance of the Treaty and the need to complete it with an underground test ban. The three nuclear-weapon Powers, in particular, stressed the role that the Treaty had played in reducing world tensions, curbing nuclear-arms proliferation and promoting arms limitation measures. At the same time, members of the Group of 12 of the CCD, supported by a number of Western countries, expressed strong dissatisfaction that the commitment of the Treaty to seek to achieve the discontinuance of all nuclear-weapon tests had not been fulfilled, and several of them specifically expressed concern that such failure could undermine the viability of the Non-Proliferation Treaty.

81. Over the years, both the USSR and the United States had repeatedly stated that a comprehensive solution should be found to the problem of underground testing. Then, on 3 July 1974, the USSR and the United States signed the Treaty on the Limitation of Underground Nuclear Weapon Tests, commonly referred to as the threshold test-ban Treaty. In the Preamble to the Treaty, the two parties recalled the determination expressed in the partial test-ban Treaty to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and reaffirmed their adherence to the objectives and principles of that Treaty. They also noted that the adoption of measures for the further limitation of underground nuclear weapon tests would contribute to the achievement of those objectives and would meet the interests of strengthening peace and the further relaxation of international tension.

82. Under the threshold test-ban Treaty, the USSR and the United States undertook not to carry out, beginning 31 March 1976, any underground nuclear-weapon test having a yield in excess of 150 kilotons and to conduct all permitted tests solely within specified testing areas. Each party would use the national technical means of verification at its disposal and was under the obligation not to interfere with the means of verification of the other party. The parties also agreed to exchange information necessary to improve the assessments of the yields of explosions.

83. The Treaty was not in force by 31 March 1976, the agreed cut-off date, and has not entered into force subsequently, but the parties stated that they would observe the limitation during the pre-ratification period.

84. In addition to the limit placed on the size of underground tests, each party committed itself to restrict the number of tests to a "minimum". However, the rate of testing activities has not diminished (see appendix D).

85. Although data necessary to design weapons with a yield much higher than the 150-kiloton threshold can be obtained from tests below that threshold,^{35/} the significance of the threshold test-ban Treaty consists mainly in that it may make more complicated the development of new high-yield warheads.

86. In the CCD several members welcomed the threshold test-ban Treaty as a step towards a comprehensive test ban. On the other hand, many members pointed out that the 150-kiloton yield threshold was so high (approximately 10 times the yield of the Hiroshima bomb) that the limitation would not contribute to the cessation of the nuclear-arms race. Moreover, the threshold exceeded by many times the level of verification capability. It was generally admitted that detection and identification of nuclear explosions of much lower size was possible. Furthermore, it was pointed out that the very concept of a threshold test-ban, which presumes the continuation of testing, was not in consonance with the objective of a comprehensive test ban.

87. The provisions of the Treaty did not extend to underground nuclear explosions for peaceful purposes. Since the parties considered that such explosions could not be distinguished from a distance from tests serving military purposes, and since the information to be provided under the Treaty was not meant for monitoring the size of explosions conducted outside the designated weapon-test sites, the USSR and the United States decided to work out a separate agreement for underground explosions for peaceful purposes.

88. On 28 May 1976, the two Powers signed the Treaty on Underground Nuclear Explosions for Peaceful Purposes, commonly referred to as the peaceful nuclear explosions Treaty.^{36/} The Treaty regulates the explosions which may be carried out by the USSR and the United States outside their nuclear-weapon test sites and which may, therefore, be presumed to be for peaceful purposes. To ensure that explosions announced as peaceful should not provide weapon-related benefits that were not obtainable from weapon testing limited by the threshold test-ban Treaty, the new Treaty established the same yield threshold for explosions for peaceful applications as had been imposed on weapon tests, namely, 150 kilotons. The restriction applies to individual explosions, but a group explosion might exceed the 150-kiloton limit and reach an aggregate yield as high as 1500 kilotons, or one-and-one-half megatons, if it was carried out in such a way that individual explosions in the group could be identified and their yields determined to be no more than 150 kilotons.

89. In checking compliance with the peaceful nuclear explosions Treaty, the parties would use national technical means of verification. They were also obliged to supply each other with relevant information. But, in addition, in certain specified circumstances, observers of the verifying party would be given access to the site of the explosion.
90. The parties agreed that the peaceful nuclear explosions Treaty could not be terminated so long as the threshold test-ban Treaty was in force, since it is an essential complement to the latter.
91. In the meantime, in May 1975, the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration, affirmed the determination, expressed in the partial test-ban Treaty and reiterated in the non-proliferation Treaty, to achieve the discontinuance of all test explosions of nuclear weapons for all time. The Conference also expressed the hope that the nuclear-weapon States parties to the non-proliferation Treaty would take the lead and make every effort to reach an early solution of the technical and political difficulties relating to the conclusion of an effective comprehensive test ban.
92. In 1975, for the first time since 1962, one of the nuclear-weapon States, the USSR, proposed a draft treaty on the "complete and general prohibition of nuclear-weapon tests". The draft treaty, which was submitted to the General Assembly, provided for prohibition of unlimited duration of all nuclear-weapon tests in all environments. It further provided that all nuclear-weapon States must ratify the treaty before its entry into force. As regards verification, the relevant provisions of the treaty were to be based on "national technical means of control", i.e., there would be no on-site inspection. They contained, however, undertakings of the parties to co-operate in an international exchange of seismic data and to consult and make inquiries, as well as a procedure for lodging complaints with the Security Council in the case of a suspected violation.
93. In 1977, the USSR submitted to the CCD its 1975 draft treaty, together with an amendment (submitted to the Assembly in 1976) providing for on-site inspections by invitation under certain conditions.^{27/}
94. Subsequently, Sweden also introduced a draft treaty^{28/} with possible transitional arrangements permitting the two major nuclear-weapon Powers to phase out their testing over a limited period of time. On verification, the draft envisaged the establishment of a consultative committee of parties to the treaty to clarify ambiguous events. The draft also provided for the withdrawal of any party if all nuclear weapon Powers had not adhered to it within a specific period. Sweden urged that a working group be set up at an early date to negotiate a concrete agreement on the matter.

95. In 1976, the CCD adopted a proposal to establish the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events. The Group held its first meeting in 1976 and is continuing its work. In 1978, the Group submitted a comprehensive report to the CCD,^{39/} recommending the establishment of a global network of seismological stations and the carrying out of practical exercise to test the proposed network. The CCD, after considering the report, decided that the Ad Hoc Group should continue its work and study the scientific and methodological principles of the possible experimental test of a global network of seismological stations of the kind which might be established in future for the international exchange of seismological data under a treaty prohibiting nuclear-weapon tests, as well as under a protocol dealing with tests for peaceful purposes which would be an integral part of the treaty. In 1979, the Ad Hoc Group submitted a second report on the subject.^{40/}

96. In 1977, the USSR and the United States, after preliminary bilateral talks, informed the CCD that the United Kingdom would join with them in negotiations on a comprehensive test-ban agreement. The United States stressed that, if such agreement was reached, the Committee could then begin to play an important role in the elaboration of an appropriate international treaty. The United States added the view that, while it would be easier to reach a broad agreement after the nuclear-weapon Powers had first succeeded in bridging their differences on the subject, informal discussions in the Committee could be useful in the meantime.

97. On the occasion of the special session of the General Assembly devoted to disarmament, in 1978, the CCD, at the request of the General Assembly, submitted a special report on the state of the various questions under consideration by the Committee, including the question of a comprehensive nuclear-test ban.^{41/} In the report, the CCD stated that "the Committee's highest priority remains the conclusion of a comprehensive nuclear-test ban".

98. At the special session, the Members of the United Nations, in the Final Document of the session, recognized that the cessation of nuclear-weapon testing would make an important contribution to the goal of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons, and of preventing the proliferation of nuclear weapons. In that context, the General Assembly stated that the tripartite negotiations in progress on a comprehensive nuclear-test ban should be concluded urgently and that all efforts should be made by the negotiating parties to achieve an agreement which, following General Assembly endorsement, could attract the widest possible adherence. In that context, various views were expressed by non-nuclear-weapon States that, pending the conclusion of such a treaty,

the world community would be encouraged if all the nuclear-weapon States refrained from testing nuclear weapons. A few countries expressed reservations on some aspects of that part of the Final Document.

99. China stated that it found those parts of the Final Document dealing with the "so-called total prohibition of nuclear tests" totally unacceptable. Likewise, France dissociated itself from the idea that the cessation of nuclear tests would make a significant contribution to the prevention of the production of new types of weapons and the proliferation of nuclear weapons. In its view, the two most heavily armed Powers had, as a result of numerous tests, accumulated sufficient data to make any qualitative improvements they might desire, without carrying out new tests.

100. The Disarmament Commission, as established by the special session of the General Assembly devoted to disarmament, at its first substantive session in 1979, elaborated the elements of a comprehensive programme of disarmament and mentioned a nuclear-test ban first in the list of measures of the programme.

101. The Committee on Disarmament, the disarmament negotiating body, also held its first session in 1979. Its agenda for the session also listed first the question of a nuclear-test ban.

102. The latest resolution of the General Assembly on the subject^{42/} contains the following two provisions:

"The General Assembly,

" ...

"4. Requests the Committee on Disarmament to initiate negotiations on such a treaty, as a matter of the highest priority;

"5. Calls upon the three negotiating nuclear-weapon States to use their best endeavours to bring their negotiations to a positive conclusion in time for consideration during the next session of the Committee on Disarmament.

V. TRILATERAL NEGOTIATIONS ON A COMPREHENSIVE TEST BAN

103. Following bilateral consultations between the Soviet Union and the United States in June 1977 on the subject of a test ban, trilateral negotiations, in which the United Kingdom joined, began in July of that year for the achievement of a comprehensive test ban.^{43/} Several rounds of these talks have since taken place, the latest of which opened in Geneva on 4 February 1980.

104. The trilateral negotiations are private, and official information in regard to them is based on the progress reports that have been provided from time to time to the multilateral negotiating body by the United Kingdom on behalf of the three negotiating parties. Three such reports have been presented so far: on 16 March 1978, 8 August 1978 and 31 July 1979.^{44/}

105. The following points have emerged from those reports concerning the substance of the negotiations:

(a) The trilateral negotiations were aimed at achieving a treaty prohibiting nuclear-weapon tests in all environments and a protocol covering nuclear explosions for peaceful purposes, which would be an integral part of the treaty.

(b) There was agreement that the treaty should provide for verification by national technical means and for the possibility of on-site inspection.

(c) The USSR, the United Kingdom and the United States shared the widely held view that an international exchange of seismic data would play a major role in verification of compliance with the treaty. They considered that all parties to the treaty should have the right to participate and to receive seismic data provided by the international exchange, whether or not they contributed seismic stations to the global network. They agreed that the guidelines for setting up and running the international seismic exchange should be laid down in an annex to the treaty, and that the detailed organizational and procedural arrangements for implementing the international exchange should be worked out after the entry into force of the treaty. The recommendations of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events would, in large measure, influence the way in which the exchange of seismic data was implemented in practice. The negotiating parties considered that a committee of experts drawn from the parties to the treaty should be established to assist in the implementation of the exchange.

(d) It was envisaged that after a certain period the parties to the treaty would wish to hold a conference to review its operation.

106. Concerning the progress of the negotiations, the United Kingdom stated, in the 1979 report, that a large measure of agreement had already been reached between the three negotiating parties. It also pointed out that although there was agreement on the main elements of verification, negotiations were still proceeding on the detailed arrangements. The United Kingdom stated that verification was a complex subject, involving many technical issues that required time to negotiate. The three negotiating partners recognized the legitimate interest of the Committee on Disarmament in the earliest completion of the negotiations -- and the calls to that effect in successive General Assembly resolutions, as well as in the Final Document of the tenth special session of the General Assembly. They were determined to achieve an agreement which would meet international expectations and attract the widest possible adherence.

107. In addition to presenting joint progress reports, the three negotiating parties have commented individually on the state of the trilateral negotiations in the Conference of the Committee on Disarmament, in the Committee on Disarmament and in the General Assembly.

108. The USSR stated that in the course of the negotiations it had suggested a number of constructive steps with respect to the issues that presented the greatest difficulty, in order to bring the matter to a speedy and successful conclusion. It had agreed to verification on a voluntary basis, to a moratorium on peaceful nuclear explosions and to the entry into force of the treaty -- even if initially not all the five nuclear Powers became parties to it. The Soviet Union considered that an early conclusion of a treaty and its entry into force would contribute to the cessation of the nuclear arms race and would create the conditions necessary for a transition to nuclear disarmament.^{45/}

109. The United Kingdom stated that its objective was to achieve a comprehensive test-ban treaty which would be non-discriminatory in that it would ban nuclear explosions by all parties, nuclear-weapon and non-nuclear-weapon States alike. It also noted that agreement in principle had been reached on many of the major issues in the negotiations, including the key point that the treaty should be genuinely comprehensive. Although much progress had been made, there were still difficult problems, particularly concerning verification. The United Kingdom believed that adequate verification measures were needed to provide the necessary confidence in regard to compliance with the treaty's obligations. It was determined to make every effort to bring to a successful and early conclusion a viable and fair treaty which would attract the adherence of as many States as possible, both nuclear and non-nuclear.^{46/}

110. The United States pointed out that the treaty that was being negotiated would be of fixed duration. It stated its determination to bring the ongoing negotiations to an early and successful conclusion but emphasized that if a comprehensive test-ban treaty was to serve its objectives effectively, it must provide for measures capable of promoting confidence that its provisions were being faithfully implemented. In that respect, a significant number of critical questions remained to be resolved. The United States pointed out that innovative co-operative measures would be required, as the negotiating parties had recognized. Work was continuing on that and other aspects but a number of problems had been less susceptible to prompt solution than the United States had hoped. It understood the strong interest of the entire world community in the success of the negotiations but was convinced that the only practical means of achieving the common objective of a comprehensive test ban was for the United Kingdom, the Soviet Union and the United States to continue their efforts to resolve the remaining differences in their negotiations.^{47/}

111. The initiation of the trilateral negotiations in 1977 was generally welcomed, and the USSR, the United Kingdom and the United States were urged to bring them to a speedy conclusion and submit a draft treaty to the CCD, with a view to the elaboration of a generally acceptable treaty. In the following years, there was increasing dissatisfaction at the fact that no draft treaty had emerged for consideration in the negotiating body and that, consequently, it had not been possible to initiate multilateral negotiations on the question that had for long been a matter of the highest priority. Many countries were also disappointed at the general nature of the information provided by the three Powers and called for more precise indication of the progress of the negotiations and of the areas where agreement had yet to be reached.

112. There have been a number of comments on some of the requirements a treaty would have to meet to be generally acceptable and effective. For instance, it has been held that the treaty should be truly comprehensive in scope, without any loopholes; that it should provide for the participation of all parties in the verification process; that all nuclear-weapon States should become parties to the treaty; and that provision should be made for its automatic prolongation, with the usual clause for withdrawal in the event the vital interests of a party were being threatened.

113. Following the 1979 joint progress report, many States argued that negotiations in the Committee on Disarmament should not await the submission of an agreed text by the USSR, the United Kingdom and the United States. The Group of 21 of the Committee on Disarmament,^{48/} in its statement on the conclusion

of the Committee's 1979 session, held that there was no justification to delay any further the initiation of concrete negotiations in the Committee on a comprehensive test ban and called for such negotiations to start at the beginning of the 1980 session as the item of highest priority.^{19/}

114. That sense of urgency in regard to a comprehensive test ban, underlay General Assembly resolution 34/33B, by which the Assembly urged the Committee on Disarmament to proceed without any further delay to substantive negotiations on the priority questions on its agenda and invited Committee members involved in separate negotiations on specific priority questions of disarmament to make every effort to achieve a positive conclusion of those negotiations without further delay for submission to the Committee and, failing that, to submit to the Committee a full report on the status of their separate negotiations and results achieved so far, in order to contribute most directly to the negotiations in the Committee as envisaged in the resolution.

VI. THE MAJOR UNRESOLVED ISSUES

115. The obstacles to effective negotiations among the USSR, the United Kingdom and the United States on a comprehensive test ban seemed to have been removed in 1977, when those States agreed that on-site inspection to verify compliance with the treaty might be carried out under certain circumstances, that explosions for peaceful purposes would be covered by a protocol which would be an integral part of the treaty, and that participation of all nuclear-weapon Powers would not be required for the treaty to enter into force. Nevertheless, the trilateral talks on a comprehensive test ban, which have now been going on for nearly three years, have not as yet succeeded in formulating a treaty text which could be submitted to the Committee on Disarmament for Multilateral consideration. The major unresolved issues, together with possible solutions, are reviewed below.

116. In considering those issues, it should be noted first that various reasons have been adduced to justify the continuation of nuclear-weapon testing. Among those most often propounded is that test explosions are necessary to maintain confidence in the reliability of the stockpiled weapons. In reply to this contention, highly qualified views have been advanced to the effect that the state of stockpiled nuclear weapons can be checked without nuclear testing.^{50/} Even assuming that the nuclear weapons were subject to deterioration, any such deterioration would affect the arsenals of all nuclear-weapon Powers. Moreover, experts who have studied the problem consider that the less confidence there is in nuclear weapons, the less would be the temptation to rely on them.^{51/}

1. Verification of the comprehensive test ban

117. The problems of verification of a comprehensive test ban necessarily differ in important respects from those of the partial test-ban Treaty. The partial test-ban Treaty which prohibits nuclear testing in three environments — in the atmosphere, in outer space and under water — did not set up any mechanism to check whether the commitments of the Parties were being complied with. The nuclear-weapon States parties were satisfied that each could monitor the terms of the Treaty unilaterally, using its own national means of verification, while other parties were also confident that a violation would not remain undetected.

118. Any presumed gains from clandestine atmospheric explosions may turn out to be relatively small when compared to the cost of concealment and the risk of detection. Actually, since the Parties are permitted to test underground, there appears to be no reason for violating the partial test-ban Treaty.

119. Because it is difficult to predict precisely the yield of nuclear explosions and because of the additional difficulties of verification of explosions near the threshold level, a threshold test ban poses many more problems for observance and verification than a comprehensive test ban.

120. Under a comprehensive test ban, secret underground testing may provide a military advantage to a violator, and it may not be possible to obtain, through the parties' own means alone, assurance that the prohibition is being observed. Provision for verification by both national and international means must, therefore, be made in a treaty banning all underground nuclear tests.

(a) Seismic monitoring

121. It is now generally recognized that seismological means are a most effective form of verification and that they can provide deterrence against clandestine underground nuclear tests. Therefore, whatever additional methods might be used by individual nations, seismological verification will constitute the principal component of a global control system for an underground test ban. In 1976, the Conference of the Committee on Disarmament (CCD) established the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

122. In its reports,^{52/} the Ad Hoc Group has suggested that these measures should include a systematic improvement of procedures at seismological stations around the globe, an international exchange of seismic data over the global telecommunications system of the World Meteorological Organization (WMO), and the processing of the data at special international data centres for use by participating States.

123. In particular, the Group of Experts considered that a seismological verification system should comprise about 50 globally distributed teleseismic stations, selected in accordance with seismological requirements, and that there should be routine reporting by these stations of basic parameters of detected seismic signals, as well as transmission of data in response to requests for

additional information regarding events of particular interest. International centres would receive the data mentioned above, analyse those data in accordance with agreed procedures in order to estimate location, magnitude and depth of seismic events; associate identification parameters with those events; distribute compilations of the complete results of those analyses, and act as a data bank.

124. Details remain to be worked out to render the proposed seismic network operative. These include the distribution of stations, particularly in the southern hemisphere, equipment for data acquisition and data communications facilities.

125. According to some sources, the envisaged network of stations would be capable of detecting and locating in the USSR and the United States seismic events of a magnitude corresponding to that of a fully contained nuclear explosion in hard rock with a yield of about one kiloton TNT. The capability for obtaining data for distinguishing explosions from earthquakes (and not merely detecting and locating them) would be somewhat less.^{53/}

126. As indicated earlier, the parties to the trilateral negotiations stated that the Ad Hoc Group's recommendations would, "in large measure", influence the way in which the exchange of data among all the parties to the comprehensive test ban was implemented in practice. They also expressed the view that a committee of experts drawn from the parties to the treaty should be established to assist in the implementation of the exchange.^{54/}

127. As a supplement to the global seismic network, the USSR, the United Kingdom and the United States are reported to be negotiating additional arrangements to meet their verification requirements. These arrangements would apparently consist mainly in the establishment of internal, so-called national seismic stations (NSS), which would have international aspects.^{55/}

128. The national seismic stations, which are still in the stage of development, would be advanced, tamper-proof stations, nationally manned, as opposed to the automatic black boxes proposed in previous years, and the data recorded by them would be transmitted outside the host country continuously and directly.

129. It is understood that the national seismic stations would help lower the detection threshold. If properly distributed, they would also provide supplementary identification data for monitoring earthquakes, thus contributing to a more confident identification of seismic events detected by a global network. Furthermore, the national seismic stations could serve to deter evasion if placed in areas whose geological structure might be considered suitable for conducting clandestine tests.^{56/} Such areas exist, for instance, in the USSR and the United States.^{57/}

130. Questions relating to the instrumentation of the national seismic stations, their number and location in each of the negotiating States^{58/}, procedures for their emplacement and maintenance, as well as the transmission of data, are to be solved.

(b) On-site inspection

131. The need for on-site inspection is being urged on the ground that although the global seismic network can provide a high degree of confidence that a comprehensive test ban is not being violated, there may still be a few events of uncertain origin. When the global seismic network is supplemented with national seismic stations, satellite observation, electronic and other means of information gathering (which can even detect preparations for tests), the need for on-site inspection would be further reduced. Ambiguous events could also be clarified by the provision of seismic data from stations not belonging to the global network, as well as other information.

132. The partners in the tripartite negotiations have agreed on the possibility of having on-site inspection.^{59/} It is understood that such inspection would be conducted on a voluntary or "challenge" basis and that a case would have to be made not only for a challenge but for a rejection.^{60/}

133. It is worth noting that "on-site observation" was agreed upon in the 1976 peaceful nuclear explosions Treaty between the USSR and the United States, which has not entered into force. A protocol to that Treaty contains detailed provisions regulating the number of observers, the geographical extent of their access, their equipment, records and immunities. These provisions might be useful in connexion with the modalities of on-site inspection for a comprehensive test ban.

(c) Participation in verification arrangements

134. Various States have expressed the view that it would be necessary to ensure that all parties to a comprehensive test ban have the possibility to participate in the verification process as envisaged in the Final Document of the special session of the General Assembly.

135. A problem which arises is whether the verification arrangements which are being negotiated by the USSR, the United Kingdom and the United States will be reserved solely for the three Powers, on the basis of reciprocity, or "multilateralized" to include other parties, both nuclear-weapon and non-nuclear-weapon States. All States have an interest in effective verification, but the nuclear-weapon States have a special interest in monitoring each other.

Consequently, problems concerning the application of the whole verification system will arise, particularly for the nuclear-weapon States, if China and France decide to participate in the comprehensive test ban.

136. Among the specific questions that might arise is whether any other States, in addition to the USSR, the United Kingdom and the United States, would be required to set up national seismic stations; whether the data from national seismic stations would be generally available; and whether on-site inspections on the territories of the three great Powers would be conducted with the participation of other States as well.

137. The three negotiating parties have stated that they consider that all parties to the Treaty should have the right to participate in and to receive seismic data provided by the international exchange, whether or not they contribute seismic stations to the global network.

138. The relation between the arrangements that are being negotiated trilaterally and those in which all parties to the treaty would participate, will have to be worked out. Some experts feel that if there are to be verification arrangements valid only for the USSR, the United Kingdom and the United States, and separate from the verification system valid for all, it would facilitate early agreement if negotiations for multilateral arrangements were initiated as soon as possible.

2. Scope of the comprehensive test ban

(a) Peaceful nuclear explosions

139. The participants in the tripartite negotiations have agreed that a treaty prohibiting weapon tests would be accompanied by a protocol, as an integral part of the treaty, covering peaceful nuclear explosions. The two documents would be of the same duration. Thus, in practice, the comprehensive test ban that is being negotiated would cover all nuclear explosions.

140. For several States, including the three negotiating parties, there is a problem of compatibility of such a comprehensive coverage with the non-proliferation Treaty, which contains an obligation to ensure that "potential" benefits from any peaceful application of nuclear explosions should be made available to non-nuclear-weapon States parties to the non-proliferation Treaty, as well as with the 1976 peaceful nuclear explosions Treaty, which regulates the Soviet and the United States peaceful explosions. However, there seems to be a consensus among the negotiating Powers that as long as peaceful programmes can be used to obtain weapon-related information, it will be impossible to separate nuclear-weapon testing from peaceful nuclear explosions. Different problems will arise in the case of non-nuclear-weapon States that are not parties to the non-proliferation Treaty.

(b) Laboratory tests

141. It may be argued that in order to be effective, a comprehensive test ban should cover all explosions without exception, including laboratory tests. On the other hand, it can be contended that a comprehensive test ban could not cover laboratory tests because they are contained and not verifiable, and also because some of them may be useful for various peaceful purposes, including the development of new sources of energy. Such tests could, for example, consist of extremely low-yield "nuclear experiments", or the so-called inertial confinement fusion.

142. Extremely low-yield nuclear experiments could involve an explosion of a device which may have characteristics of a nuclear explosive device but uses fissile material of an amount or kind that produces only a fraction of the yield of the chemical explosion that sets off the release of the nuclear energy. The question is whether such a test, which could be conducted in a containment facility at a laboratory, should be considered a nuclear-weapon test explosion.^{61/}

143. The inertial confinement concept is to use lasers or other high-power sources to heat and compress small pellets containing fusionable fuel (deuterium and tritium). If a properly shaped pulse of sufficient energy can be delivered to the pellet, the density and temperature may become high enough for fusion.^{62/} This would be a laboratory nuclear explosion of tiny proportions.

144. It will be recalled that in 1975, during the first non-proliferation Treaty Review Conference, the United States, responding to a question asked by Switzerland about the legality of contained thermonuclear micro explosions for peaceful purposes, made the following statement:

"A question has been raised with respect to energy sources, of a kind on which research has been reported, involving nuclear reactions initiated in millimeter-sized pellets of fissionable and/or fusionable material by lasers or by energetic beams of particles, in which the energy releases, while extremely rapid, are designed to be, and will be, nondestructively contained within a suitable vessel. On the basis of our present understanding of this type of energy source, which is still at an early stage of research, we have concluded that it does not constitute a nuclear explosive device within the meaning of the non-proliferation Treaty or undertakings in IAEA Safeguards Agreements against diversion to any nuclear explosive device."^{65/}

The above interpretation was supported at the Conference by the United Kingdom. The USSR did not comment.

145. Recently, the United States stated that it did not anticipate that inertial confinement fusion research would be constrained under the prospective limited duration comprehensive test ban.^{64/} The technology in question may have both civilian and military applications, but new weapons designs "cannot be based on laser fusion experimentation alone".^{65/}

3. Duration of the comprehensive test ban

146. It has always been assumed that a comprehensive test ban would be of indefinite duration. However, in recent years, a comprehensive test ban of fixed duration has been discussed,^{66/} and there are indications that the comprehensive test ban now being negotiated trilaterally may be limited to three years.^{67/} A review conference of the parties is envisaged to be held before the expiration of the treaty.^{68/} It has been suggested that such a conference could discuss the possible extension of the treaty.^{69/} It can be assumed that the protocol to the treaty, covering peaceful nuclear explosions, would be subject to the same treatment as the treaty itself.

147. As regards the duration of the comprehensive test ban, the treaty should fulfil the pledge included in the partial test ban Treaty, and reiterated in the non-proliferation Treaty, "to achieve the discontinuance of all test explosions of nuclear weapons for all time."

148. According to some views, a comprehensive test ban of short duration would create a problem with respect to the adherence of non-nuclear-weapon States, particularly for parties to the non-proliferation Treaty, which have renounced the possession of nuclear weapons and other nuclear explosive devices for a longer period.

149. Resumption of tests upon the expiration of a short-lived comprehensive test ban might be a serious setback to the cause of arms limitation and disarmament.

150. Finally, whatever the format of the comprehensive test ban, the existing commitments and the continued operation of the partial test-ban Treaty would need to be ensured so that the prohibitions contained in that Treaty will endure.

CONCLUSIONS

151. A main objective of all efforts of the United Nations in the field of disarmament has been to halt and reverse the nuclear-arms race, to stop the production of nuclear weapons and to achieve their eventual elimination.
152. In this connexion, a comprehensive test ban is regarded as the first and most urgent step towards a cessation of the nuclear-arms race, in particular, as regards its qualitative aspects.
153. Over the years, enormous efforts have been invested in achieving a cessation of all nuclear-weapon tests by all States for all time. These efforts have occupied the uninterrupted attention of the Members of the United Nations for a longer period of time than any other disarmament issue.
154. The trilateral negotiations have now been going on for nearly three years, while in the Committee on Disarmament negotiations have still not commenced. In order to bring the achievement of a comprehensive test ban nearer to realization, much more intensive negotiations are essential. Verification of compliance no longer seems to be an obstacle to reaching agreement.
155. A comprehensive test ban could serve as an important measure of non-proliferation of nuclear weapons, both vertical and horizontal.
156. A comprehensive test ban would have a major arms limitation impact in that it would make it difficult, if not impossible, for the nuclear-weapon States parties to the treaty to develop new designs of nuclear weapons and would also place constraints on the modification of existing weapon designs.
157. A comprehensive test ban would also place constraints on the further spread of nuclear weapons by preventing nuclear explosions, although a test explosion may not be absolutely essential for constructing a simple fission device.
158. In the view of the parties to the non-proliferation Treaty, a comprehensive test ban would reinforce the Treaty by demonstrating the awareness of the major nuclear Powers of the legal obligation under the Treaty "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date".
159. The arms limitation benefits of a comprehensive test ban could be enhanced, and the channels of arms competition among the great Powers further narrowed, if the comprehensive test ban were followed by restrictions on the qualitative improvement of nuclear delivery vehicles.

160. To achieve its purpose, the comprehensive test ban must be such as to endure. With the passage of time, even non-parties to the comprehensive test ban may feel inhibited from engaging in nuclear-weapon testing.

161. A permanent cessation of all nuclear-weapon tests has long been demanded by the world community and its achievement would be an event of great international importance.

Appendices

A. EXCERPT FROM THE STATEMENT OF THE SECRETARY-GENERAL TO THE
CONFERENCE OF THE COMMITTEE ON DISARMAMENT ON 29 FEBRUARY 1972,
RELATING TO A COMPREHENSIVE TEST BAN

I believe that all the technical and scientific aspects of the problem have been so fully explored that only a political decision is now necessary in order to achieve final agreement. There is an increasing conviction among the nations of the world that an underground test ban is the single most important measure, and perhaps the only feasible one in the near future, to halt the nuclear arms race, at least with regard to its qualitative aspects. There is a growing belief that an agreement to halt all underground testing would facilitate the achievement of agreements at SALT and might also have a beneficial effect on the possibilities of halting all tests in all environments by everyone. It is my firm belief that the sorry tale of lost opportunities that have existed in the past should not be repeated and that the question can and should be solved now.

While I recognize that differences of views still remain concerning the effectiveness of seismic methods of detection and identification of underground nuclear tests, experts of the highest standing believe that it is possible to identify all such explosions down to the level of a few kilotons. Even if a few such tests could be conducted clandestinely, it is most unlikely that a series of such tests could escape detection. Moreover, it may be questioned whether there are any important strategic reasons for continuing such tests or, indeed, whether there would be much military significance to tests of such small magnitude.

When one takes into account the existing means of verification by seismic and other methods, and the possibilities provided by international procedures of verification such as consultation, inquiry and what has come to be known as "verification by challenge" or "inspection by invitation", it is difficult to understand further delay in achieving agreement on an underground test ban.

In the light of all these considerations, I share the inescapable conclusion that the potential risks of continuing underground nuclear weapon tests would far outweigh any possible risks from ending such tests.

The widespread impatience and dissatisfaction of the non-nuclear-weapon States with the failure of the nuclear Powers to stop nuclear-weapon tests [has been] clearly demonstrated ...

A comprehensive test-ban treaty would strengthen the Treaty on the Non-Proliferation of Nuclear Weapons ... It would be a major step towards halting what has been called "vertical proliferation", that is the further sophistication and deployment of nuclear weapons, and would also strengthen the resolve of potential nuclear-weapon States not to acquire nuclear weapons and thereby help to prevent the "horizontal proliferation" of such weapons. On the other hand, if nuclear-weapon tests by the nuclear Powers continue, the future credibility and perhaps even the viability of the non-proliferation Treaty achieved after such painstaking effort may be jeopardized. I need not describe the greatly increased dangers that would confront the world in such event.

B. TREATY BANNING NUCLEAR WEAPONS TESTS IN THE
ATMOSPHERE, IN OUTER SPACE AND UNDER WATER

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, hereinafter referred to as the "Original Parties",

Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons,

Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances,

Have agreed as follows:

Article I

1. Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control:

(a) in the atmosphere; beyond its limits, including outer space; or under water, including territorial waters or high seas; or

(b) in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the State under whose jurisdiction or control such explosion is conducted. It is understood in this connexion that the provisions of this subparagraph are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusion of which, as the Parties have stated in the Preamble to this Treaty, they seek to achieve.

2. Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to, in paragraph 1 of this Article.

Article II

1. Any Party may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to this Treaty. Thereafter, if requested to do so

by one-third or more of the Parties, the Depositary Governments shall convene a conference, to which they shall invite all the Parties, to consider such amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to this Treaty, including the votes of all of the Original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all of the Original Parties.

Article III

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the Original Parties -- the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics -- which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all the Original Parties and the deposit of their instruments of ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force, and the date of receipt of any requests for conferences or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article IV

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty three months in advance.

Article V

This Treaty, of which the English and Russian texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate at the city of Moscow the fifth day of August, one thousand nine hundred and sixty-three.

C. LIST OF PARTIES AND SIGNATORIES TO THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER

Signed by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America at Moscow: 5 August 1963

Opened for signature at London, Moscow and Washington: 8 August 1963

Entered into force: 10 October 1963

The Depositary Governments: Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America

- (i) Signatures affixed on the original of the Treaty deposited with the Governments of the: Union of Soviet Socialist Republics (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W).
- (ii) Instruments of ratification, accession (a) or succession (s) deposited with the Governments of the: Union of Soviet Socialist Republics (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W).

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Afghanistan	(M) 9 August 1963 --	23 March 1964
	(L) 8 August 1963	12 March 1964
	(W) 8 August 1963	13 March 1964
Algeria	(M) 19 August 1963	-
	(L) 14 August 1963	-
	(W) 14 August 1963	-
Argentina	(M) 9 August 1963	-
	(L) 9 August 1963	-
	(W) 8 August 1963	-
Australia	(M) 8 August 1963	12 November 1963
	(L) 8 August 1963	12 November 1963
	(W) 8 August 1963	12 November 1963
Austria	(M) 11 September 1963	17 July 1964
	(L) 12 September 1963	17 July 1964
	(W) 11 September 1963	17 July 1964
Bahamas	(M) -	16 July 1976 (s)
	(L) -	13 August 1976 (s)
	(W) -	13 August 1976 (s) 1/
Belgium	(M) 8 August 1963	1 March 1966
	(L) 8 August 1963	1 March 1966
	(W) 8 August 1963	1 March 1966
Benin (Dahomey)	(M) 9 October 1963	23 December 1964
	(L) 3 September 1963	22 April 1965
	(W) 27 August 1963	15 December 1964

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Bhutan	(M) -	*
	(L) -	*
	(W) -	8 June 1978 (a)
Bolivia	(M) 20 September 1963	4 August 1965
	(L) 21 August 1963	25 January 1966
	(W) 8 August 1963	4 August 1965
Botswana	(M) -	5 January 1968 (s)
	(L) -	14 February 1968 (s)
	(W) -	4 March 1968 (s) <u>1</u>
Brazil	(M) 9 August 1963	15 December 1964
	(L) 8 August 1963	4 March 1965
	(W) 8 August 1963	15 January 1965
Bulgaria	(M) 8 August 1963	21 November 1963
	(L) 8 August 1963	2 December 1963
	(W) 8 August 1963	13 November 1963
Burma	(M) 14 August 1963	15 November 1963
	(L) 14 August 1963	15 November 1963
	(W) 14 August 1963	15 November 1963
Burundi	(M) *	-
	(L) *	-
	(W) 4 October 1963	-
Byelorussian SSR	(M) 8 October 1963	16 December 1963
	(L) *	*
	(W) *	*
Cameroon, United Republic of	(M) *	-
	(L) 6 September 1963	-
	(W) 27 August 1963	-
Canada	(M) 8 August 1963	28 January 1964
	(L) 8 August 1963	28 January 1964
	(W) 8 August 1963	28 January 1964
Cape Verde	(M) -	24 October 1979 (a)
	(L) -	
	(W) -	
Central African Republic	(M) -	25 September 1965 (a)
	(L) -	24 August 1965 (a)
	(W) -	22 December 1964 (a)
Chad	(M) *	*
	(L) *	*
	(W) 26 August 1963	1 March 1965
Chile	(M) 9 August 1963	*
	(L) 9 August 1963	6 October 1965
	(W) 8 August 1963	*
Colombia	(M) 16 August 1963	-
	(L) 20 August 1963	-
	(W) 16 August 1963	-
Costa Rica	(M) 23 August 1963	*
	(L) 9 August 1963	*
	(W) 13 August 1963	10 July 1967

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Cyprus	(M) 8 August 1963	21 April 1965
	(L) 8 August 1963	15 April 1965
	(W) 8 August 1963	7 May 1965
Czechoslovakia	(M) 8 August 1963	14 October 1963
	(L) 8 August 1963	14 October 1963
	(W) 8 August 1963	17 October 1963
Denmark	(M) 9 August 1963	15 January 1964
	(L) 9 August 1963	15 January 1964
	(W) 9 August 1963	15 January 1964
Dominican Republic	(M) 19 September 1963	3 June 1964
	(L) 17 September 1963	18 June 1964
	(W) 16 September 1963	22 July 1964
Ecuador	(M) 1 October 1963	13 November 1964
	(L) 1 October 1963	8 May 1964
	(W) 27 September 1963	6 May 1964
Egypt (UAR)	(M) 8 August 1963	10 January 1964 <u>2/</u>
	(L) 8 August 1963	10 January 1964
	(W) 8 August 1963	10 January 1964 <u>2/</u>
El Salvador	(M) 23 August 1963	9 February 1965
	(L) 22 August 1963	7 December 1964
	(W) 21 August 1963	3 December 1964
Ethiopia	(M) 19 September 1963	-
	(L) 9 August 1963	-
	(W) 9 August 1963	-
Fiji	(M) -	14 July 1972 (s)
	(L) -	14 July 1972 (s)
	(W) -	18 July 1972 (s) <u>1/</u>
Finland	(M) 8 August 1963	9 January 1964
	(L) 8 August 1963	9 January 1964
	(W) 8 August 1963	9 January 1964
Gabon	(M) *	9 March 1964
	(L) *	4 March 1964
	(W) 10 September 1963	20 February 1964
Gambia	(M) -	27 April 1965 (s)
	(L) -	6 May 1965 (s)
	(W) -	27 April 1965 (s) <u>1/</u>
German Democratic Republic	(M) 8 August 1963	30 December 1963
	(L) *	*
	(W) -	-
Germany, Federal Republic of	(M) 19 August 1963	*
	(L) 19 August 1963	1 December 1964 <u>3/</u>
	(W) 19 August 1963	1 December 1964 <u>3/</u>
Ghana	(M) 8 August 1963	31 May 1965
	(L) 4 September 1963	27 November 1963
	(W) 9 August 1963	9 January 1964
Greece	(M) 9 August 1963	18 December 1963
	(L) 9 August 1963	18 December 1963
	(W) 8 August 1963	18 December 1963

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Guatemala	(M) *	*
	(L) *	*
	(W) 23 September 1963	6 January 1964 4/
Guinea Bissau	(M) -	20 August 1976 (a)
	(L) -	*
	(W) -	*
Haiti	(M) *	-
	(L) *	-
	(W) 9 October 1963	-
Honduras	(M) 16 August 1963	*
	(L) 15 August 1963	2 December 1964
	(W) 8 August 1963	2 October 1964
Hungary	(M) 8 August 1963	23 October 1963
	(L) 8 August 1963	21 October 1963
	(W) 8 August 1963	22 October 1963
Iceland	(M) 12 August 1963	29 April 1964
	(L) 12 August 1963	29 April 1964
	(W) 12 August 1963	29 April 1964
India	(M) 8 August 1963	14 October 1963
	(L) 8 August 1963	10 October 1963
	(W) 8 August 1963	18 October 1963
Indonesia	(M) 23 August 1963	20 January 1964
	(L) 23 August 1963	8 May 1964
	(W) 23 August 1963	27 January 1964
Iran	(M) 8 August 1963	5 May 1964
	(L) 8 August 1963	5 May 1964
	(W) 8 August 1963	5 May 1964
Iraq	(M) 13 August 1963	3 December 1964
	(L) 13 August 1963	30 November 1964
	(W) 13 August 1963	1 December 1964
Ireland	(M) 9 August 1963	20 December 1963
	(L) 8 August 1963	18 December 1963
	(W) 8 August 1963	18 December 1963
Israel	(M) 8 August 1963	28 January 1964
	(L) 8 August 1963	15 January 1964
	(W) 8 August 1963	15 January 1964
Italy	(M) 8 August 1963	10 December 1964
	(L) 8 August 1963	10 December 1964
	(W) 8 August 1963	10 December 1964
Ivory Coast	(M) *	*
	(L) *	*
	(W) 5 September 1963	5 February 1965
Jamaica	(M) 13 August 1963	-
	(L) 13 August 1963	-
	(W) 13 August 1963	-

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Japan	(M) 14 August 1963	15 June 1964
	(L) 14 August 1963	15 June 1964
	(W) 14 August 1963	15 June 1964
Jordan	(M) 19 August 1963	7 July 1964
	(L) 12 August 1963	29 May 1964
	(W) 12 August 1963	10 July 1964
Kenya	(M) -	30 June 1965 (a)
	(L) -	10 June 1965 (a)
	(W) -	11 June 1965 (a)
Korea, Republic of	(M) *	*
	(L) 30 August 1963	24 July 1964 <u>5/</u>
	(W) 30 August 1963	24 July 1964 <u>5/</u>
Kuwait	(M) 20 August 1963	17 June 1965 <u>6/</u>
	(L) 20 August 1963	21 May 1965
	(W) 20 August 1963	20 May 1965 <u>6/</u>
Laos	(M) 12 August 1963	7 April 1965
	(L) 12 August 1963	10 February 1965
	(W) 12 August 1963	12 February 1965
Lebanon	(M) 13 August 1963	4 June 1965
	(L) 13 August 1963	20 May 1965
	(W) 12 August 1963	14 May 1965
Liberia	(M) 27 August 1963	16 June 1964
	(L) 16 August 1963	22 May 1964
	(W) 8 August 1963	19 May 1964
Libyan Arab Jamahiriya (Libya)	(M) 16 August 1963	*
	(L) 9 August 1963	15 July 1968
	(W) 16 August 1963	*
Luxembourg	(M) 13 September 1963	10 February 1965
	(L) 13 August 1963	10 February 1965
	(W) 3 September 1963	10 February 1965
Madagascar	(M) *	*
	(L) *	*
	(W) 23 September 1963	15 March 1965
Malawi	(M) -	26 November 1964 (s)
	(L) -	7 January 1965 (s)
	(W) -	26 November 1964 (s) <u>1/</u>
Malaysia (Federation of Malaya)	(M) 21 August 1963	15 July 1964
	(L) 12 August 1963	16 July 1964
	(W) 8 August 1963 <u>8/</u>	16 July 1964
Mali	(M) 23 August 1963	-
	(L) 23 August 1963	-
	(W) 23 August 1963	-
Malta	(M) -	25 November 1964 (s)
	(L) -	1 December 1964 (s)
	(W) -	25 November 1964 (s) <u>1/</u>
Mauritania	(M) 8 October 1963	28 April 1964
	(L) 17 September 1963	15 April 1964
	(W) 13 September 1963	6 April 1964

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Mauritius	(M) -	30 April 1969 (s)
	(L) -	12 May 1969 (s)
	(W) -	30 April 1969 (s) 8/
Mexico	(M) 8 August 1963	27 December 1963
	(L) 8 August 1963	27 December 1963
	(W) 8 August 1963	27 December 1963
Mongolia, People's Republic of	(M) 8 August 1963	1 November 1963
	(L) 8 August 1963	7 November 1963
	(W) *	*
Morocco	(M) 27 August 1963	18 February 1966
	(L) 30 August 1963	1 February 1966
	(W) 27 August 1963	21 February 1966
Nepal	(M) 26 August 1963	7 October 1964
	(L) 26 August 1963	7 October 1964
	(W) 30 August 1963	7 October 1964
Netherlands	(M) 9 August 1963	14 September 1964
	(L) 9 August 1963	14 September 1964 8/
	(W) 9 August 1963	14 September 1964 8/
New Zealand	(M) 8 August 1963	16 October 1963
	(L) 8 August 1963	10 October 1963
	(W) 8 August 1963	10 October 1963
Nicaragua	(M) 16 August 1963	26 February 1965
	(L) 13 August 1963	26 January 1965
	(W) 13 August 1963	26 February 1965
Niger	(M) *	3 July 1964
	(L) 24 September 1963	6 July 1964
	(W) 24 September 1963	9 July 1964
Nigeria	(M) 30 August 1963	25 February 1967
	(L) 2 September 1963	17 February 1967
	(W) 4 September 1963	28 February 1967
Norway	(M) 9 August 1963	21 November 1963
	(L) 9 August 1963	21 November 1963
	(W) 9 August 1963	21 November 1963
Pakistan	(M) 14 August 1963	-
	(L) 14 August 1963	-
	(W) 14 August 1963	-
Panama	(M) *	*
	(L) *	*
	(W) 20 September 1963	24 February 1966
Paraguay	(M) 21 August 1963	-
	(L) 15 August 1963	-
	(W) 15 August 1963	-
Peru	(M) 23 August 1963	21 August 1964
	(L) 23 August 1963	4 August 1964
	(W) 23 August 1963	20 July 1964
Philippines	(M) 14 August 1963	8 February 1966
	(L) 8 August 1963	10 November 1965
	(W) 8 August 1963	15 November 1965 2/

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Poland	(M) 8 August 1963	14 October 1963
	(L) 8 August 1963	14 October 1963
	(W) 8 August 1963	14 October 1963
Portugal	(M) *	-
	(L) 9 October 1963	-
	(W) 9 October 1963	-
Romania	(M) 8 August 1963	12 December 1963
	(L) 8 August 1963	12 December 1963
	(W) 8 August 1963	12 December 1963
Rwanda	(M) *	16 December 1963
	(L) *	22 October 1963
	(W) 19 September 1963	27 December 1963
Samoa (Western)	(M) 6 September 1963	8 February 1965
	(L) 5 September 1963	19 January 1965
	(W) 6 September 1963	15 January 1965
San Marino	(M) 24 September 1963	27 November 1964
	(L) 20 September 1963	3 July 1964
	(W) 17 September 1963	9 July 1964
Senegal	(M) 9 October 1963	12 May 1964
	(L) 23 September 1963	6 May 1964
	(W) 20 September 1963	2 June 1964
Sierra Leone	(M) 9 September 1963	29 April 1964
	(L) 4 September 1963	21 February 1964
	(W) 11 September 1963	4 March 1964
Singapore	(M) -	12 July 1968 (s)
	(L) -	23 July 1968 (s)
	(W) -	12 July 1968 (s) <u>10/</u>
Somalia	(M) 19 August 1963	-
	(L) *	-
	(W) 19 August 1963	-
South Africa	(M) -	22 November 1963 (a)
	(L) -	10 October 1963 (a)
	(W) -	10 October 1963 (a)
Spain	(M) *	*
	(L) 14 August 1963	17 December 1964
	(W) 13 August 1963	17 December 1964
Sri Lanka (Ceylon)	(M) 23 August 1963	12 February 1964
	(L) 22 August 1963	13 February 1964
	(W) 22 August 1963	5 February 1964
Sudan	(M) 9 August 1963	28 March 1966
	(L) 9 August 1963	4 March 1966
	(W) 9 August 1963	4 March 1966
Swaziland	(M) -	3 June 1969 (a)
	(L) -	29 May 1969 (a)
	(W) -	29 May 1969 (a)

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Sweden	(M) 12 August 1963	9 December 1963
	(L) 12 August 1963	9 December 1963
	(W) 12 August 1963	9 December 1963
Switzerland	(M) 26 August 1963	16 January 1964
	(L) 26 August 1963	16 January 1964
	(W) 26 August 1963	16 January 1964
Syrian Arab Republic ...	(M) 13 August 1963	1 June 1964
	(L) 13 August 1963	1 June 1964
	(W) 13 August 1963	1 June 1964
Tanzania, United Republic of (Tanganyika)	(M) 20 September 1963	*
	(L) 16 September 1963	6 February 1964
	(W) 18 September 1963	*
Thailand	(M) 8 August 1963	21 November 1963
	(L) 8 August 1963	15 November 1963
	(W) 8 August 1963	29 November 1963
Togo	(M) *	*
	(L) *	*
	(W) 18 September 1963	7 December 1964
Tonga	(M) -	22 June 1971 (s)
	(L) -	7 July 1971 (s)
	(W) -	7 July 1971 (s) <u>1/</u>
Trinidad and Tobago	(M) 13 August 1963	6 August 1964
	(L) 12 August 1963	16 July 1964
	(W) 12 August 1963	14 July 1964
Tunisia	(M) 13 August 1963	26 May 1965
	(L) 12 August 1963	26 May 1965
	(W) 8 August 1963	3 June 1965
Turkey	(M) 9 August 1963	8 July 1965
	(L) 9 August 1963	8 July 1965
	(W) 9 August 1963	8 July 1965
Uganda	(M) *	*
	(L) 29 August 1963	24 March 1964
	(W) 29 August 1963	2 April 1964
Ukrainian SSR	(M) 8 October 1963	30 December 1963
	(L) *	*
	(W) *	*
Union of Soviet Socialist Republics	(M) 5 August 1963	10 October 1963
	(L) *	10 October 1963
	(W) *	10 October 1963
United Kingdom of Great Britain and Northern Ireland <u>11/</u>	(M) 5 August 1963	10 October 1963
	(L) *	10 October 1963
	(W) *	10 October 1963
United States of America	(M) 5 August 1963	10 October 1963
	(L) *	10 October 1963
	(W) *	10 October 1963
Upper Volta	(M) *	-
	(L) *	-
	(W) 30 August 1963	-

<u>State</u>	(i) <u>Signature</u>	(ii) <u>Deposit</u>
Uruguay	(M) 27 September 1963	*
	(L) 27 September 1963	25 February 1969
	(W) 12 August 1963	*
Venezuela	(M) 16 August 1963	22 February 1965
	(L) 20 August 1963	3 March 1965
	(W) 16 August 1963	29 March 1965
[Viet Nam, Republic of South] <u>12/</u>	(M) *	-
	(L) *	-
	(W) 1 October 1963	-
Yemen, Arab Republic of	(M) 13 August 1963	-
	(L) *	-
	(W) 6 September 1963	-
Yemen, People's Democratic Republic of	(M)	1 June 1979 (a)
	(L)	
	(W)	
Yugoslavia	(M) 8 August 1963	31 January 1964
	(L) 8 August 1963	15 January 1964
	(W) 8 August 1963	3 April 1964
Zaire (Congo, Democratic Republic of)	(M) 12 August 1963	
	(L) 9 August 1963	
	(W) 9 August 1963	28 October 1965
Zambia	(M) -	11 January 1965 (s)
	(L) -	8 February 1965 (s)
	(W)	11 January 1965 (s) <u>1/</u>

- The action has not been taken.

* The action has not been taken with this Depositary.

1/ Succeeded to the Treaty by virtue of the ratification of the United Kingdom.

2/ With the following statement:

"In transmitting this instrument the Ambassador of the United Arab Republic, on behalf of his Government, wishes to express the following reservation: The ratification by the Government of the United Arab Republic of this Treaty does not mean or imply any recognition of Israel or any Treaty Relations with Israel."

3/ With the following declaration:

"The aforementioned Treaty is also applicable in Land Berlin with effect from the date on which it enters into force in the Federal Republic of Germany, taking into account the rights and responsibilities of the Allied authorities and the powers they retain in the fields of disarmament and demilitarization."

4/ With the following statement:

"The signing, approval, ratification and application by the Government of Guatemala of the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water does not imply that the Republic of Guatemala accords recognition as a sovereign State to any territory or recognition as a legal government to any régime which it does not at present recognize. Nor does it imply the establishment or restoration of diplomatic relations with those countries with which such relations are not at present maintained."

5/ With the following statement:

"The ratification by the Government of Korea of the said Treaty does not in any way mean or imply the recognition of any territory or régime which has not been recognized by the Republic of Korea as a State or Government."

6/ With the following statement:

"In ratifying the said Convention, the Government of the State of Kuwait takes the view that its signature and ratification of the said Convention does not in any way imply its recognition of Israel, nor does it oblige it to apply the provisions of the Convention in respect of the said country."

"The Government of the State of Kuwait wishes further to indicate that its understanding described above is in conformity with the general practice existing in Kuwait regarding signature, ratification or accession to a Convention of which a country not recognized by Kuwait is a party."

7/ In a note to the Secretary of State dated 30 April 1969 Mauritius stated the following:

"The Government of Mauritius declares that it considers itself bound ... [under the Treaty] as from the 12th March, 1968, the date on which Mauritius acceded to Independence."

8/ Ratification by the Netherlands is in respect of the Kingdom in Europe, Suriname and the Netherlands Antilles.

9/ With the following statement:

"In depositing the said instrument, the Philippine Government would like to state that ratification of the Treaty should not be construed as including or implying recognition by the Philippines of any State or Government party to the Treaty which has not heretofore been recognized by the Philippines."

10/ Succeeded to the Treaty by virtue of the ratification of the Federation of Malaysia.

11/ Statement communicated on 27 August 1963 to all States recognized by the United Kingdom:

"The Government of the United Kingdom wish to recall their view that if a régime is not recognized by the Government of a State, neither signature nor the deposit of any instrument by it, nor notification of any of those acts will bring about recognition of that régime by any other State."

12/ The Democratic Republic of Viet Nam and the Republic of South Viet Nam (the latter of which replaced the Republic of Viet Nam) united on 2 July 1976 to constitute the Socialist Republic of Viet Nam. At the time of preparing this publication no indication had been received from the Government of the Socialist Republic of Viet Nam regarding its position with respect to a possible succession.

D. NUCLEAR EXPLOSIONS FROM 1945 TO 1963 AND FROM 1963 TO 1979

Data on nuclear explosions is available from a number of sources, mainly non-official. A compilation of these data has been presented by the Stockholm International Peace Research Institute (SIPRI) in the SIPRI Yearbook of World Armament and Disarmament (1980). That Yearbook provides the following figures for nuclear explosions between 16 July 1945 and 31 December 1979 (the date for 1979 is marked by SIPRI as being preliminary):

I. 16 July 1945 - 5 August 1963 (the signing of the partial test ban Treaty).

USA	USSR	UK	France	Total
293	164	23	8	488

II. 5 August 1963 - 31 December 1979

a atmosphere
u underground

Year	USA		USSR		UK		France		China		India		Total
	a	u	a	u	a	u	a	u	a	u	a	u	
1963	0	14	0	0	0	0	0	1					15
1964	0	28	0	6	0	1	0	3	1	0			39
1965	0	29	0	9	0	1	0	4	1	0			44
1966	0	40	0	15	0	0	5	1	3	0			64
1967	0	29	0	15	0	0	3	0	2	0			49
1968	0	39	0	13	0	0	5	0	1	0			58
1969	0	28	0	15	0	0	0	0	1	1			45
1970	0	33	0	12	0	0	8	0	1	0			54
1971	0	15	0	19	0	0	5	0	1	0			40
1972	0	15	0	22	0	0	3	0	2	0			42
1973	0	11	0	14	0	0	5	0	1	0			31
1974	0	9	0	19	0	1	7	0	1	0	0	1	38
1975	0	16	0	15	0	0	0	2	0	1	0	0	34
1976	0	15	0	17	0	1	0	4	3	1	0	0	41
1977	0	12	0	16	0	0	0	6	1	0	0	0	35
1978	0	12	0	27	0	2	0	7	2	1	0	0	51
1979	0	15	0	28	0	1	0	9	0	0	0	0	53

III. 16 July 1945 - 31 December 1979

USA	USSR	UK	France	China	India	Total
653	426	30	86	25	1	1 221

E. PRESENT NUCLEAR ARSENALS

Strategic nuclear forces of the USSR and the United States

(a) Delivery vehicles:

	<u>USSR</u> ^{*/}	<u>United States</u> ^{*/}
Launchers of ICBMs	1,398	1,054
Fixed launchers of ICBMs	1,398	1,054
Launchers of ICBMs equipped with MIRVs	608	550
Launchers of SLBMs	950	656
Launchers of SLBMs equipped with MIRVs	144	496
Heavy bombers	156	573
Heavy bombers equipped for cruise missiles		
capable of a range in excess of 600 kilometers	0	3
Heavy bombers equipped only for ASBMs	0	0
ASBMs	0	0
ASBMs equipped with MIRVs	0	0

(b) Nuclear warheads as of 1 January 1980^{**/}

Total warheads on bombers and missiles	6,000	9,200
--	-------	-------

(Official United States estimates)

Strategic nuclear forces of China, France and the United Kingdom^{***/}

China: ICBM: 2 CSS-3 (limited range)
 IRBM: 50-70 CSS-2
 MRBM: 40-50 CSS-1
 Aircraft: about 90 Tu-16 medium bombers

^{*/} Statement of data on the numbers of strategic offensive arms as of the date of signature of the Treaty on the Limitation of Strategic Offensive Arms (SALT II), CD/29.

^{**/} Stockholm International Peace Research Institute (SIPRI).

^{***/} The International Institute for Strategic Studies, The Military Balance 1979-1980.

France: SLBM: 64 in 4 SSBN, each with 16 M-20 missiles
(2 with 16 M-4 building).
IRBM: 18 in 2 squadrons, each with 9 SSBS S-2 missiles
(being replaced by S-3).
Aircraft:
Bombers: 6 squadrons with 33 Mirage IVA
Tankers: 3 squadrons with 11 KC-135F
Reserve: 16 Mirage IVA (including 12 reconnaissance)

United Kingdom: SLBM: 4 Resolution SSBN, each with 16 Polaris A3 missiles.
Ballistic Missile Early Warning System station at Fylingdales

Notes

- 1/ Resolution 913 (X) of 3 December 1955.
- 2/ Official Records of the Disarmament Commission, Supplement for January to December 1957, document DC/112, annex 12 (DC/SC.1/60).
- 3 Resolution 1379 (XIV) of 20 November 1959.
- 4/ Resolution 1632 (XVI) of 27 October 1961.
- 5/ ENDC/28.
- 6/ ENDC/94.
- 7/ The 36 resolutions carry the following numbers: 1252 (XIII) of 4 November 1958; 1379 (XIV) of 20 November 1959; 1402 (XIV) of 21 November 1959; 1577 (XV) and 1578 (XV) of 20 December 1960; 1932 (XVI) of 27 October 1961; 1648 (XVI) of 6 November 1961; 1649 (XVI) of 8 November 1961; 1762 A and B (XVII) of 6 November 1962; 1910 (XVIII) of 27 November 1963; 2032 (XX) of 3 December 1965; 2163 (XXI) of 5 December 1966; 2343 (XXII) of 19 December 1967; 2455 (XXIII) of 20 December 1968; 2604 A and B (XIV) of 16 December 1969; 2663 A and B (XXV) of 7 December 1970; 2528 A, B and C (XXVI) of 16 December 1971; 2934 A, B and C (XXXII) of 29 November 1972; 3078 A and B (XXVIII) of 6 December 1973; 3257 (XXIX) of 9 December 1974; 3466 (XXX) and 3478 (XXX) of 11 December 1975; 31/66 of 10 December 1976 and 31/89 of 14 December 1976; 32/78 of 12 December 1977; 33/60 and 33/71 C of 14 December 1978; 34/73 of 11 December 1979.
- 8/ Resolutions 2932 (XX), 2163 (XXI), 2343 (XXII), 2455 (XXIII), 2604 B (XXIV), 2663 B (XIV), 2628 B (XXVI), 2828 C (XXVI), 2934 A (XXVII), 2934 B (XXVII), 3078 B (XXVIII), 3257 (XXIX), 3466 (XXX), 31/66, 32/78, 33/60, 33/71 C, 34/73. Prior to 1963, the General Assembly had adopted resolutions 1252 A (XIII), 1402 A and B (XIV), 1577 (XV), 1648 (XVI) and 1762 A (XVII) on the same subject.
- 9/ Resolutions 2828 A (XXVI), 2934 C (XXVII), 3078 A (XXVIII), 3257 (XXIX), 3466 (XXX), 31/66. Prior to 1963, the General Assembly had adopted resolution 1762 A (XVII) on the same subject.
- 10/ Resolutions 2934 B (XXVII), 3078 C (XXVIII), 3257 (XXIX), 3466 (XXX), 31/66, 33/60, 34/73.
- 11/ Resolution 1910 (XVIII).
- 12/ Resolutions 2032 (XX), 2163 (XXI), 2343 (XXII), 2455 (XXIII), 2604 B (XXIV), 2663 B (XXV), 2828 C (XXVI), 2934 A (XXVII), 2934 B (XXVII), 3078 B (XXVIII), 3257 (XXIX), 3466 (XXX), 31/66.
- 13/ Resolutions 2828 B (XXVI), 2934 A (XXVII), 2934 B (XXVII), 3078 B (XXVIII), 3257 (XXIX).

- 14/ Resolutions 1910 (XVIII), 2032 (XX), 2163 (XXI), 2343 (XXII), 2455 (XXIII), 2604 B (XXIV), 2663 B (XXV), 2828 C (XXVI), 2934 A (XXVII), 3078 B (XXVIII), 3257 (XXIX), 3466 (XXX), 31/66, 32/78, 33/60, 34/73.
- 15/ Resolutions 2828 A (XXVI), 2934 C (XXVII), 3078 A (XXVIII).
- 16/ Resolutions 2604 B (XXIV), 2663 B (XXV), 2934 B (XXVII), 3078 B (XXVIII).
- 17/ Resolutions 2828 B (XXVI), 2828 C (XXVI), 2934 B (XXVII), 3078 B (XXVIII), 3257 (XXIX), 3466 (XXX), 31/66, 32/78, 33/60, 34/73.
- 18/ Resolutions 2828 C (XXVI) and 2934 B (XXVII).
- 19/ Resolutions 2032 (XX), 2163 (XXI), 2343 (XXII), 2455 (XXIII), 2828 C (XXVI), 2934 (XXVII), 34/73.
- 20/ Resolutions 2604 A (XXIV) and 2663 A (XXV).
- 21/ Resolutions 2934 C (XXVII), 3078 A (XXVIII).
- 22/ Resolution 32/78.
- 23/ Resolution 33/60.
- 24/ Resolution 34/73.
- 25/ A/5488, DC/208.
- 26/ ENDC/145.
- 27/ ENDC/159.
- 28/ ENDC/177.
- 29/ ENDC/235.
- 30/ ENDC/242.
- 31/ ENDC/348.
- 32/ The Group of 12 of the CCD consisted of Argentina, Brazil, Burma, Egypt, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden and Yugoslavia.
- 33/ CCD/354.
- 34/ CCD/431.
- 35/ Effects of a comprehensive test ban treaty on United States national security interests. Report of the Panel on the strategic arms limitation talks and the comprehensive test ban treaty of the Intelligence and Military Application of Nuclear Energy Subcommittee of the Committee on Armed Services. House of Representatives, with dissenting and supplementary views. Ninety-fifth Congress, Second Session, 13 October, 1978, H.A.S.C. No. 95-90, United States Government Printing Office, Washington, D.C., 1978, p. 13. (Cited hereinafter as Effects of a comprehensive test ban treaty on United States national security interests. Report).

- 36/ A/31/125.
- 37/ CCD/523.
- 38/ CCD/526 and Rev.1.
- 39/ CCD/558 and Add.1.
- 40/ CD/43.
- 41/ Official Records of the General Assembly, Tenth Special Session, Supplement No. 2 (A/S-10/2).
- 42/ Resolution 34/73 of 11 December 1979.
- 43/ CCD/PV.750.
- 44/ CCD/PV.780; CCD/PV.798; and CD/PV.46.
- 45/ A/S-10/PV.5; A/33/PV.8; A/C.1/33/PV.7; A/C.1/34/PV.8; and CD/PV.33.
- 46/ A/S-10/PV.14; A/33/PV.10; A/C.1/33/PV.12; A/C.1/34/PV.6; and CD/PV.2.
- 47/ A/S-10/PV.27; A/C.1/34/PV.8; A/C.1/34/PV.42; CD/PV.4; and CD/PV.33
- 48/ The Group of 21 of the Committee on Disarmament consists of Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia and Zaire.
- 49/ CD/50.
- 50/ Effects of a comprehensive test ban treaty on United States national security interests. Hearings before the Panel on the strategic arms limitation talks and the comprehensive test ban treaty of the Intelligence and Military Application of Nuclear Energy Subcommittee of the Committee on Armed Services, House of Representatives, Ninety-fifth Congress, Second Session, 14, 15 August, 1978, H.A.S.C. No. 95-89, United States Government Printing Office, Washington, D.C., 1978, pp. 133 and 181. (Cited hereinafter as Effects of a comprehensive test ban treaty on United States national security interests. Hearings.)
- 51/ The Test Ban, SIPRI Research Report, Stockholm Peace Research Institute, Stockholm, October 1971.
- 52/ CCD/558 and CD/43.
- 53/ Dahlman, O. and Israelson, H., 1977, Monitoring Nuclear Explosions, Elsevier Scientific Publishing Company, Amsterdam.
- 54/ CD/PV.46, p.10.
- 55/ Effects of a comprehensive test ban treaty on United States national security interests. Report, p.29.

- 56/ Dahlman, O. and Israelson, H., 1980, Internal Seismological Stations for Monitoring a Comprehensive Test Ban Treaty, National Defence Research Institute, Stockholm.
- 57/ Evernden, J.F., "Study of Seismological Evasion". Part I. General Discussion of Various Evasion Schemes. Bulletin of the Seismological Society of America, Vol. 66, pp. 245-280; and Lukasik, S.J., Statement in Hearings on extent of present capabilities for detecting and determining the nature of underground events, before the Subcommittee on Research, Development and Radiation of the Joint Committee on Atomic Energy, Congress of the United States, Ninety-second Congress, First Session, 27 and 28 October, 1971, United States Government Printing Office, Washington, D.C., pp. 17-67.
- 58/ According to press reports, 10 stations would be installed in the USSR and the same number in the United States. See International Herald Tribune, 6 October 1978, pp. 1-2.
- 59/ CD/PV.46, p.10.
- 60/ Effects of a comprehensive test ban treaty on United States national security interests. Hearings, pp. 67 and 130.
- 61/ Herbert York and G. Allen Greb, The Comprehensive Nuclear Test Ban, Discussion Paper No. 84, California Seminar on Arms Control and Foreign Policy, Santa Monica, California, June 1979, pp. 40-41.
- 62/ Fiscal Year 1980: Arms control impact statements. Statements submitted to the Congress by the President pursuant to Section 36 of the Arms Control and Disarmament Act, 96th Congress, First Session, Joint Committee Print, United States Government Printing Office, Washington, D.C., 1979, p.246.
- 63/ Document NPT/CONF/C.II/SR.9.
- 64/ Fiscal Year 1980: Arms control impact statements, op. cit., p.249.
- 65/ Charles Gilbert, Deputy Director, ERDA Division of Military Applications, quoted by Robert Gillete in "Laser Fusion: An Energy Option, but Weapons Simulation is First." Science, Vol. 188, 4 April 1975.
- 66/ CD/PV.4, p.23.
- 67/ The consequences of a Comprehensive Test Ban Treaty, Report of Senator Dewey F. Bartlett to the Committee on Armed Services. United States Senate, Ninety-fifth Congress, Second Session, 11 August, 1978. United States Government Printing Office, Washington, D.C., 1978, p.13.
- 68/ CD/PV.46. p.9.
- 69/ CD/PV.47, pp. 6-7.



General Assembly Security Council

Distr.
GENERAL

A/35/258
S/13954
21 May 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 50 of the preliminary list*
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION
ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Thirty-fifth year

Letter dated 20 May 1980 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

I have the honour to transmit to you, for your information, the note dated 17 May 1980 sent by the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam to the Chinese Embassy in Hanoi concerning the Chinese encroachments at the northern border on land and air space of the Socialist Republic of Viet Nam, and kindly request Your Excellency to have this letter and its enclosure circulated as an official document of the General Assembly, under item 50 of the preliminary list, and of the Security Council.

(Signed) HA VAN LAU
Permanent Representative of the
Socialist Republic of Viet Nam
to the United Nations

* A/35/50.

The German Democratic Republic favours all efforts aimed at increasing assistance and relief to the suffering Kampuchean people. It rejects, however, all attempts to interfere in the internal affairs of the People's Republic of Kampuchea under the pretext of humanitarian assistance.

For all those who are really interested in increasing assistance to the Kampuchean people, there exist large possibilities of providing such aid through the already existing channels. Also the idea of holding an international conference which would truly be of a humanitarian character and with the aim of making together further contributions to assist the Kampuchean people would raise no objections.

I kindly ask you to have this letter circulated as an official document of the thirty-fifth session of the General Assembly under item 12 of the preliminary list.

(Signed) Siegfried ZACHMANN
Ambassador Extraordinary and
Plenipotentiary
Chargé d'Affaires a.i.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/260
23 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Items 12 and 22 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

THE SITUATION IN KAMPUCHEA

Letter dated 22 May 1980 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

I have the honour to forward herewith, for your information, a report by the Kampuchean News Agency (SPK) on the meeting of the Committee for Reception and Distribution of Humanitarian Aid held on 16 May 1980 to review its work and decide on new measures to expedite this task in the coming period, and I kindly request Your Excellency to have this letter and its enclosure circulated as an official document of the General Assembly under items 12 and 22 of the preliminary list.

(Signed) HA VAN LAU
Permanent Representative of
the Socialist Republic of
Viet Nam to the United Nations

* A/35/50.

ANNEX

KAMPUCHEAN AID RECEPTION AND DISTRIBUTION

COMMITTEE MEETS

HANOI VNA MAY 20--

The Kampuchean Committee for Reception and Distribution of Humanitarian Aid met last Friday (16 May 1980) to review its work and decide on new measures to expedite this task in the coming period, the Kampuchean News Agency SPK reports.

The Committee noted that the important and timely aid from Viet Nam, the Soviet Union and other socialist and non socialist countries, and various international aid organizations has helped Kampuchea basically repulse the famine left by the Pol Pot regime. It stressed the need to improve continually the reception and distribution of aid, in particular of food and rice seeds, in order to attain the target of one and a half million hectares of cultivated area in 1980.

The Committee reported that in 1979 Viet Nam aid to Kampuchea amounted to 56 million U.S. dollars for the restoration of agriculture, sanitation facilities, communication and transport, industry, fishery and other services.

In 1980 the figure is expected to rise to 62 million U.S. dollar

Soviet aid amounts to 134 million U.S. dollars including 112,000 tons of food, 130,000 tons of fuel, 8 million metres of textile, 420 motor vehicles, etc.

Laos has supplied 500 tons of rice and other goods.

Bulgaria has donated 11,810 tons of merchandises; Hungary, 137 t
Mongolia, 77 tons; Poland, 254 tons; Czechoslovakia, 133 tons (the latter has promised to give 60 million Czechoslovak crowns worth of aid in 1980); the G.D.R., 413 tons; India, 1,004 tons.

International organizations:

UNICEF, CICR, PAM, FAO: 82,463 tons; OXFAM: 17,317 tons; World Vision: 212 tons; CCE - CCA: 5,050 ; CWS - ARRK: 965 tons; American Friends Service Committee: an amount of drugs, medical equipment and other necessities; French People's Relief: 46 tons; French Committee for Medical and Sanitary Aid: 259 tons; CLDSE : 2,157 tons; Japan - Kampuchea Friendship Association: 8 tons; Japanese Communist Party: 26 tons; Hungarian Red Cross: 13 tons; HILFSAKTION VIET NAM (FRG): 100 tons; Viet Nam Fraternity (France): 50 tons; Terre des hommes (France): 42 tons.

In addition, aid has also been received from humanitarian agencies and individuals in various countries.

Speaking at the close of the meeting, the Chairman of the Committee for Reception and Distribution of Humanitarian Aid sincerely thanked the donors who, he said, have made precious contributions to help the Kampuchean people surmount difficulties caused by the Pol Pot regime. He also extended warm thanks to all those who have joined the Kampuchean people in denouncing the manoeuvres of the imperialists and international reactionaries aimed at distorting realities in Kampuchea, slandering the revolutionary power and using the "humanitarian aid" label to interfere in the internal affairs of Kampuchea./.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/261
27 May 1980
ENGLISH
ORIGINAL: RUSSIAN

Thirty-fifth session
Item 18 of the preliminary list*

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 23 May 1980 from the Permanent Representative of
the Union of Soviet Socialist Republics to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the message of congratulation addressed by L. I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics, to the States and peoples of Africa on the occasion of Africa Liberation Day.

I should be grateful if you would have this message circulated as an official General Assembly document under item 18 of the preliminary list.

(Signed) O. TROYANOVSKY

* A/35/50.

ANNEX

Message of congratulation to the States and peoples
of Africa on the occasion of Africa Liberation Day

On behalf of the Presidium of the Supreme Soviet of the USSR, the Government of the Soviet Union and the Soviet people and on my own behalf, I extend heartfelt congratulations to the Governments and peoples of the African States on the occasion of Africa Liberation Day.

This year has been marked by an outstanding success for the national liberation movement of the peoples of Africa: as a result of long years of selfless struggle by the patriotic forces of Zimbabwe against colonial, racist oppression, the people of that country have won their independence. A new State, the Republic of Zimbabwe, has appeared on the map of the world. A major step has been taken towards finally freeing Africa from the shackles of racism and colonialism.

The people of the Soviet Union also confidently await the triumph of the just cause of the liberation of Namibia, whose people are valiantly fighting for freedom and independence under the leadership of SWAPO, their recognized vanguard. The most shameful phenomenon of our time, apartheid in the Republic of South Africa, will also inevitably be done away with. The historic Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the United Nations in 1960 on the initiative of the Soviet Union, must be fully implemented, with no exceptions of any kind. That is history's command!

Consistently giving effect to the precepts of the great Lenin, the Soviet State will continue to support the anti-colonial, anti-racist liberation struggle of the peoples of Africa.

The independent countries of Africa must wage a difficult battle with imperialism in order to accomplish the task of eliminating the legacy of colonialism in every sphere of life. Imperialism is making every effort to halt the African peoples' march towards progress and prosperity and to fasten upon them the chains of neo-colonialism. The imperialist monopolies are continuing to plunder the natural wealth of Africa and are blocking the restructuring of international economic relations on a democratic, equitable basis.

The Soviet Union has always been and continues to be on the side of the African States in their struggle against the forces of imperialism and reaction.

The Soviet Union maintains solidarity with the Organization of African Unity in its activities aimed at developing good-neighbourly relations on the African continent and at the peaceful solution of disputes and conflicts whose roots lie in the colonial past. We favour unity among the independent countries of Africa and friendship and co-operation between them in the interests of their peoples and of the common struggle against imperialism, colonialism and racism.

The time is past when Africa was merely an object of exploitation and rivalry by the colonial Powers. Its voice, raised in defence of the peace, freedom and independence of peoples, now rings out loudly when pressing problems of international life are being solved. That fact is particularly important today when the international situation is being seriously exacerbated and tension is again being whipped up. There are some political figures who seek to arrogate to themselves the right to proclaim certain regions of the world as a zone of "vital interests" for their countries, who resort to crude blackmail and who threaten to use military force and in some places try to put those threats into practice. A direct challenge to Africa is posed by the attempts of imperialism to establish new military bases on African soil and to drag the countries of Africa into its dangerous adventures in order to divert them from the solution of the truly important problems which affect the vital interests of their peoples.

The role played by the independent countries of Africa in the struggle for lasting peace on earth and for international security is greatly appreciated in the Soviet Union. The present situation requires that all peace-loving States, great and small alike, make an even more vigorous effort to thwart the designs of the opponents of détente and prevent the imperialists from interfering in the affairs of other States.

I wish the peoples of Africa success in the struggle for the final elimination of the vestiges of colonialism, racism and apartheid and for peace, freedom and social progress.

L. BREZHNEV



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/262
27 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 110 of the preliminary list*

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Note verbale dated 19 May 1980 from the Permanent Mission of Afghanistan
to the United Nations addressed to the Secretary-General

The Permanent Mission of the Democratic Republic of Afghanistan to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that Mr. Gholam Mohammad Hakim, who is assigned to be a member of the Afghan Mission to the United Nations, has applied to the United States Consulate in Frankfurt for a visa to enter the United States, but the Consulate in Frankfurt has refused to issue Mr. Hakim the required visa pending instructions from Washington.

On some other previous occasions some United States missions abroad had taken the same discriminatory measures with regard to the entry of Afghan officials such as diplomatic members of the Permanent Mission of the Democratic Republic of Afghanistan to the United Nations. This Mission, in a previous note (A/35/232), expressed its deep concern about the above-mentioned measures to the Secretary-General of the United Nations and requested him to take appropriate steps to avoid the continuity of such actions by the United States authorities, the representatives of the host country of the United Nations.

However, to our surprise and regret the United States authorities still continue to create obstacles in the way of Afghan officials travelling to New York for the assumption of their duties in the Permanent Mission of the Democratic Republic of Afghanistan to the United Nations.

The Permanent Mission of the Democratic Republic of Afghanistan to the United Nations once again has the honour to request the Secretary-General of the United Nations to take appropriate measures in order to correct this inadmissible situation.

The Permanent Mission of the Democratic Republic of Afghanistan to the United Nations requests the Secretary-General of the United Nations to have this note circulated as an official document of the General Assembly under item 110 of the preliminary list.

* A/35/50.

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/263
S/13961
27 May 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 23 of the preliminary list*
QUESTION OF CYPRUS

SECURITY COUNCIL
Thirty-fifth year

Letter dated 22 May 1980 from the Permanent Representative
of Turkey to the United Nations addressed to the Secretary-
General

I have the honour to enclose herewith a letter dated 22 May 1980 addressed to you by Mr. Nail Atalay, the representative of the Turkish Federated State of Kibris.

I should be grateful if this letter were circulated as a document of the General Assembly, under item 23 of the preliminary list, and of the Security Council.

(Signed) Orhan ERALP
Ambassador
Permanent Representative

* A/35/50.

ANNEX

Letter dated 22 May 1980 from Mr. Nail Atalay
to the Secretary-General

I have the honour to attach herewith a letter dated 6 May 1980 addressed to you by His Excellency Dr. Kenan Atakol, Minister for Foreign Affairs, Defence and Tourism of the Turkish Federated State of Kibris.

I should be grateful if this letter were circulated as a document of the General Assembly, under item 23 of the preliminary list, and of the Security Council.

(Signed) Nail ATALAY
Representative of the
Turkish Federated State
of Kibris

APPENDIX

Letter dated 6 May 1980 from Mr. Kenan Atakol
to the Secretary-General

I have the honour to bring to your attention another recent attempt by the Greek Cypriot administration to curtail the freedom of travel of the Turkish people of Cyprus, by preventing, through devious means, the aircraft rented by the Turkish Cypriot Airlines from Sobel-Air of Belgium from having flights to and from the Turkish Federated State of Kibris. It is without doubt that with this recent attempt the Greek Cypriot side is aiming at one of the vital areas of the Turkish Cypriot economy, that of transportation, and is endeavouring to deal a fatal blow to it.

As I have indicated on earlier occasions, such destructive activities, which are part of the over-all economic embargo being imposed on the Turkish Cypriot people by the Greek Cypriot side since 1974, are in utter violation of the Denktas-Kyprianou agreement of 19 May 1979, point 6 of which states that the two sides would:

"... abstain from any action which might jeopardize the outcome of the talks, and special importance will be given to initial practical measures by both sides to promote good will, mutual confidence and the return to normal conditions".

Whereas the Turkish Cypriot people have exercised utmost care not to harm the prospects for the resumption of the talks and have shown the necessary goodwill aimed at reconciliation between the two peoples of Cyprus, the Greek Cypriot side has unfortunately been bent on destroying the Turkish Cypriot people politically and economically, in spite of the above-mentioned agreement. Your Excellency will appreciate that in these circumstances chances for the resumption of the talks are impaired, for it has become very clear from this recent move what intentions the Greek Cypriot side harbours towards the Turkish Cypriots and towards reaching a peaceful solution in Cyprus.

The Turkish Cypriot side protests this provocative action in the strongest terms and wishes to point out to the Greek Cypriot side that, in the face of this inhuman attitude, it will have to reassess its position vis-à-vis this party so as to defend its existence and legitimate rights in Cyprus.

(Signed) Kenan ATAKOL
Minister for Foreign Affairs,
Defence and Tourism



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/264
27 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 11 of the preliminary list*

REPORT OF THE SECURITY COUNCIL

Letter dated 19 May 1980 from the Chargé d'Affaires a.i. of
the Permanent Mission of Afghanistan to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you herewith the statement of the Democratic Republic of Afghanistan and to request you to have the enclosed text and this letter circulated as an official document of the General Assembly under item 11 of the preliminary list.

(Signed) M. Farid ZARIF
Chargé d'Affaires

* A/35/50.

ANNEX

S T A T E M E N T

OF THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF AFGHANISTAN

The US and British imperialist circles, Chinese chauvinism and their lackeys belonging to world reaction by utilizing bases in Afghanistan's neighbouring territories continue their undeclared war against the people of the Democratic Republic of Afghanistan. Joining together in a reactionary alliance, these forces resort to all efforts with a view to disturbing the peaceful lives of the Afghans. They do not feel ashamed of using any means in order to achieve their vile ends, not refraining from any base and filthy method condemned by world public opinion, the UN and all democratic countries. As shown by recent facts, they also use, in their armed struggle against DRA, dreadful savage chemical weapons against an independent state, a member of the UN and the Non-aligned Movement.

The DRA Government brings to the attention of the Moslem people of Afghanistan, all nations and national progressive forces and states of the world that on March 25, 1980, the DRA armed forces patrols in a clash wiped out a subversive band sent from abroad but its arms seized on the spot included hand grenades containing poison gas. Manufactured by the US, these cause immediate poisoning among humans with its after-effects remaining in the environment for quite some time. The DRA Government has got irrefutable evidence indicating that those hand grenades were made available to a subversive band sent into DRA from abroad and the band included foreign military personnel.

The Afghan Government expresses its preparedness to carry out, together with authorized representatives of international community a number of tests on these US-made hand grenades and the use thereof, supplies to bands of mercenaries sent into Afghanistan from abroad.

The DRA Government deems it necessary to point out that, as has been proved clearly, the US has used on a wide scale various kinds of chemical weapons during its criminal war in Vietnam despite protests by international circles, killing civilians and seriously damaging the environment. As is known, it is not accidental that some time ago the mass media in the US controlled by the CIA and the Pentagon, raised a hue and cry as if a poisonous chemical is used in Afghanistan against the subversive bands. Further, the US and other Western press claim that the limited Soviet military contingents stationed in our country at the request of the Afghan Government in accord with the provisions of international law and of the UN Charter have resorted to the use of chemical weapons against the civilians. This claim has been nothing but a shameful lie and slander. Now in the light of the recent facts, the object this hullabaloo has been made clear and that is to cover up their own criminal acts through

absurd and groundless claims. The DRA Government expressing its profound indignation and resentment against the sending into our country of mercenary bands and arming them with chemical weapons by international imperialism and regional reaction and strongly protests the use of these weapons against civilian which constitutes an unprecedented savage act.

The DRA Government draws the attention of the governments of neighbouring countries which made available their territories for subversive activities by others against peace-loving Afghanistan to this fact that by allowing US espionage agencies and deploying chemical weapons on their soil with which the bandits, saboteurs and terrorists are armed against Afghanistan, they are taking on their shoulders very heavy responsibilities indeed.

The DRA Government asks all democratic states, national progressive movements and the entire human society to condemn the criminal acts of US imperialist circles in Afghanistan and thus prevent from the implementation of their vile designs on the Democratic Republic of Afghanistan.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/265
23 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 12 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Note verbale dated 23 May 1980 from the Permanent Representative
of Hungary to the United Nations addressed to the Secretary-General

The Permanent Representative of the Hungarian People's Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the Secretary-General's telegram received on 10 May 1980, has the honour to inform him of the position of the Government of the Hungarian People's Republic on the international Meeting on Humanitarian Assistance and Relief to the Kampuchean People.

The Government of the Hungarian People's Republic has always considered assistance to the long-suffering Kampuchean people as a question of primary importance. In accordance with its possibilities, it has always striven to contribute to the implementation of objectives aimed at the reconstruction of Kampuchea and the improvement of the living conditions of the Kampuchean people. The letter of the Permanent Representative of the Hungarian People's Republic to the United Nations dated 9 May 1980 (A/35/254) contained detailed information to this effect. The Hungarian Government intends to pursue this assistance in the future as well.

The Government of the Hungarian People's Republic - as was already pointed out during the first regular session of 1980 of the Economic and Social Council - holds that the existing channels of assistance and relief provided to Kampuchea, as well as the conditions of reception and distribution, are adequate for future practical arrangements concerning assistance and relief. At the same time, it follows with sympathy efforts towards increasing humanitarian assistance and relief. It cannot, however, take part in the work of an international meeting which has been convened without appropriately taking into account all circumstances and without unambiguously ensuring that the meeting would really serve the

* A/35/50.

A/35/265

English

Page 2

proclaimed humanitarian goals. Therefore, the Government of the Hungarian People's Republic has decided not to be represented at the international meeting to be convened at Geneva on 26 May 1980.

The Permanent Representative of the Hungarian People's Republic to the United Nations kindly requests the Secretary-General of the United Nations to have this letter circulated as a document of the General Assembly under item 12 of the preliminary list.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/266
23 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 12 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Note verbale dated 23 May 1980 from the Permanent Representative
of Poland to the United Nations addressed to the Secretary-General

The Permanent Representative of the Polish People's Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and, in reply to the note of the Secretary-General (SO 570 KAMP) dated 9 May 1980, has the honour to inform him of the following.

The Government of the Polish People's Republic has already, on numerous occasions, submitted information about its assistance to the Kampuchean nation.

The aid given by Poland has, until now, reached the amount of 70 million zlotys.

Rendering humanitarian assistance to the people of Kampuchea in food, medicines, medical equipment, clothing and different types of consumer products as well as means of transportation, Poland remains in direct contact with the Government and the proper authorities of the People's Republic of Kampuchea. In our opinion, the bilateral channel is the most proper and effective of all forms in which the assistance is being rendered.

Poland appreciates all initiatives to render the greatest and most effective international humanitarian assistance and realizes the importance of that coming to Kampuchea through the intermediary of the agencies of the United Nations system. As is known, this aid is urgently needed by Kampuchea. We are not opposed to such international efforts as would be aimed at real mobilization of the world community for the cause of assistance. However, such actions cannot by any means be used against the legitimate Government of Kampuchea.

* A/35/50.

The Government of the Polish People's Republic has reasons to state that the aforesaid cardinal principle was not taken as a guideline at the time when Economic and Social Council resolution 1980/23 was adopted. The premises of this resolution do not give the guarantee that the Conference will be held in a genuinely humanitarian spirit. Moreover, they envisage discussing questions related exclusively to the competence of the Kampuchean Government without the representative of this country being present. Therefore, the Government of the Polish People's Republic does not consider it possible to take part in the Meeting on Humanitarian Assistance and Relief to the Kampuchean People scheduled to be held on 26 May 1980 at Geneva.

The Permanent Representative of the Polish People's Republic to the United Nations requests that this note, containing the reply to the invitation, be distributed as a document of the General Assembly under item 12 of the preliminary list.



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/267
27 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 12 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Note verbale dated 23 May 1980 from the Permanent Representative
of Czechoslovakia to the United Nations addressed to the
Secretary-General

The Permanent Representative of the Czechoslovak Socialist Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the Secretary-General's telegram dated 9 May 1980, has the honour to advise him of the following in connexion with the invitation to attend the Meeting on Humanitarian Assistance and Relief to the Kampuchean People, to be held at Geneva on 26 and 27 May 1980.

The Czechoslovak Socialist Republic fully endorses all genuine efforts to provide the most effective humanitarian assistance and relief to the Kampuchean people through bilateral and multilateral channels, with a view to redressing the immense damage caused to the people and the economy of that country by the former anti-popular genocidal régime. For its part, the Czechoslovak Socialist Republic, together with other socialist countries, continues to provide considerable free assistance to the Kampuchean people. For the year 1980, the Government of the Czechoslovak Socialist Republic decided to provide assistance to the People's Republic of Kampuchea in the amount of 60 million crowns, which will be used for the purchase of grain, trucks, mobile cranes, medicaments, medical equipment, textiles, etc. This assistance is in addition to an earlier grant to the People's Republic of Kampuchea to the value of 55 million crowns extended towards the end of last year.

As was emphasized in the statement dated 5 May 1980 by the Ministry of Foreign Affairs of the People's Republic of Kampuchea (A/35/219), the reception and distribution of this humanitarian aid granted by socialist countries as well as that provided by the international community had been conducted normally and had recorded encouraging results. The experience so far has thus shown that the

* A/35/50.

existing machinery is fully suitable for the granting of further necessary assistance to the Kampuchean people by all interested countries and, moreover, there is no objection to the holding of an international meeting which, in a truly humanitarian spirit, would have the aim of mobilizing additional assistance and relief to the Kampuchean people.

However, the meeting scheduled to take place at Geneva on 26 and 27 May 1980 pursues quite different goals, as is apparent from the statements made by some of its initiators. The convening of the meeting is motivated not by humanitarian but by political objectives. It is a clear attempt to discuss, under the pretext of humanitarian aid, questions that fall exclusively within the competence of the Government of the People's Republic of Kampuchea and to do so without the participation of its representatives. It is an obvious attempt at gross interference in the internal affairs of a sovereign State, the People's Republic of Kampuchea.

For the above-stated reasons, the Czechoslovak Socialist Republic will not participate in the planned conference.

The Permanent Representative of the Czechoslovak Socialist Republic to the United Nations has the honour to request the Secretary-General to have this note circulated as a document of the General Assembly under item 12 of the preliminary list.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/268
28 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 106 of the preliminary list*

REPORT OF THE SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF THE
PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS

Letter dated 21 May 1980 from the Permanent Representative of Iraq
to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you the text of confessions made by one of the elements of an Iranian client party, the so-called Al-Da'awa Party, which proves very clearly how agents of that party planned to transform Iraq into a Persian province as well as planning so many criminal acts against the Iraqi masses and their leadership.

I would like this note together with the text concerned to be circulated under item 106 of the preliminary list.

(Signed) Salah O. AL-ALI
Permanent Representative

* A/35/50.

ANNEX

Grave Confessions by one of the
elements of a Client Party , the so-called al-Da'awa Party.
How the agents planned to transform Iraq into a
Persian Province

One of the leaders of the client al-Da'awa Party revealed the liaison of that suspicious group with the regime of the racist Persian Khomeni and his criminal schemings against our masses and their giant revolution under the leadership of the party of the Arab revolution the Arab Baath Socialist Party .

Agent Abdul Ameer Hameed al-Mansouri talked in his confessions shown by Baghdad T.V. on 24th April ,1980 of the decisions of the Qum-based racist Persians reflecting their vicious dreams and hallucinations to convert Iraq into a Persian Province, thereby demonstrating their deep-rooted enmity to the Arab nation and revolutionary Iraq .

Mansouri also talked of the dirty subversive methods used by the agents of al-Da'awa Party such as the hurling of explosive materials on the masses during religious and national occasions and terrorising people attending prayers at Mosques .

/...

The agent also talked about the instructions issued by the Persian leadership of the client al-Da'awa Party through the broadcasting stations of the racist Khomeni regime. The instructions called for following up the racist programmes broadcast by those stations , among which were instructions to manufacture local bombs and use them in subversion and the killing of innocent citizens .

The agent revealed that the client Iranian regime opened special centres along the Iranian - Iraqi Frontiers to provide al-Da'awa Party gangs with arms and money and facilitate their entry into and departure from Iran .

Agent Abdul Ameer Hameed al-Mansouri also talked about the crime of throwing nitric acid on the faces of people attending prayers and mixing poisons with the food and water prepared for visitors of the holy shrines to shake the citizens confidence in our country and vigilant security forces and spread chaos in the country . Agent Mansouri said that the aim behind these acts was to keep the citizens away from gatherings and demonstrations and spread rumours that the popularity of the Arab Baath Socialist Party had dropped .

The agent explained the methods used by the renegade al-Da'awa Party and its links with racist Iranian regime and the racist Persian Orientation of that client Party and its liaison with the racist, imperialist agents meeting in Qum .

Agent Mansouri elaborated on the money which members of the client al-Da'awa Party used to receive from the racist Khomeni regime to facilitate the implementation of their criminal schemings . The agent referred to the one million Dinars which the security forces found out in one of the hideouts of the agents, the members of the so-called al-Da'awa Party , who masquerade behind Islam .

Agent Mansouri also explained the cooperation between the traitorous al-Da'awa Party and the Previous Shah's regime to implement all the old and new Persian Schemings directed against Iraq, the Arab Baath Socialist Party , and the Arab nation .

The Agent talked about the telegrams exchanged between Mohammed Baqir al-Sadr, one of al-Da'awa leaders, and the new Shah represented by Khomeni. The agent said that the relations between al-Da'awa Party and the Khomeni regime were consolidated after the overthrow of the Shah .

Baghdad T.V. presented specimens of the tools and instruments used by the traitorous al-Da'awa Party to carry out their crimes . These tools instruments were captured by the security forces in the hideouts of the Khomeni imperialist and Zionist agents Among the instruments were different types of machine-Guns, Bombs, Poisons

and other kinds of weapons in addition to large
Quantities of ammunition sent to them by the client
regime in Iran .



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/269
28 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 22 of the preliminary list*

THE SITUATION IN KAMPUCHEA

Letter dated 26 May 1980 from the Permanent Representative
of Viet Nam to the United Nations addressed to the
Secretary-General

I have the honour to forward herewith, for your information, the Declaration, dated 20 May 1980, issued by the International Conference in Support of the Kampuchean People held in Phnom Penh and kindly request you to have this letter and its enclosure circulated as an official document of the General Assembly under item 22 of the preliminary list.

(Signed) HA VAN LAU
Permanent Representative
of the Socialist Republic of Viet Nam
to the United Nations

* A/35/50.

ANNEX

DECLARATION

issued by the International Conference in Support of
the Kampuchean People

On the initiative of the World Peace Council, an international conference was held on May 20th in Phnom Penh, Capital of the People's Republic of Kampuchea to reaffirm the militant solidarity and all-round support of the forces of national independence, democracy, peace and social progress, and of the justice-loving social activists throughout the world to the Kampuchean people, victims of Pol Pot - Ieng Sary - Khieu Samphan utterly ruthless genocidal clique and, of the Chinese great-nation expansionism and hegemonism, they have now returned from death back to life under the leadership of the Kampuchean United Front for National Salvation and the People's Revolutionary Council of Kampuchea.

The representatives from various social strata, political leanings, international organizations, from different continents are extremely shocked and indignant at the genocidal crimes, second to none in history, committed by the Pol Pot - Ieng Sary - Khieu Samphan clique. Following the Maoist pattern and under the direct guidance of the Chinese advisers, the Pol Pot - Ieng Sary - Khieu Samphan clique killed some three million Kampuchean people, regardless of sex and age, they also massacred many foreign residents in Kampuchea, all mankind cannot forgive those mass killers who destroyed the Angkor civilization and opposed international law.

The Conference warmly hails the young People's Republic of Kampuchea born on January 7th, 1979, after so many days of struggle, of sacrifices and hardships, the Kampuchean people stood up massively and buried for ever the most brutal regime in Kampuchea's history rigged up blood-thirsty fascists subservient to Beijing expansionist hegemonism, with the great victory of January, the Kampuchean people have regained the right to live, to be a man, the right to free movement, to family reunion, to education, to health care and other freedom and democratic rights, including the greatest of all i.e. the right to be master of their Motherland.

The delegates to the Conference are greatly moved and happy at the achievements, scored in just over a year by the Kampuchean people in all fields : economic, political, cultural and social. These achievements are just a beginning but of extremely great significance, these are Spring flowers promising a bright future in the process of rebirth and growth of a Kampuchea full of vitality. The destiny of Kampuchea is now in the hands of the Kampuchean people, this is an irreversible process.

The Conference unanimously approves the report made by the representative of the People's Republic of Kampuchea and expresses its all-round solidarity with the Kampuchean people in their defence and reconstruction of their country. The Conference also conveys its deep sympathy with the critical difficulties that the Kampuchean United Front for National Salvation, the People's Revolutionary Council of Kampuchea and the entire Kampuchean people have to overcome, difficulties due to colonialism, to the aggressive war waged by American imperialism and the political sway of the Beijing expansionism and hegemonism.

The birth of the People's Republic of Kampuchea, the building of Kampuchea into a peaceful, independent, democratic, neutral and non-aligned country, step by step advancing toward socialism, Kampuchea's foreign policy of peace, friendship and cooperation with other countries, particularly with its neighbouring countries on the basis of respect for the independence, sovereignty, territorial integrity of the others, of non-interference in each other's internal affairs, equality and mutual benefit, are important factors in stabilizing the situation in Southeast Asia.

The Conference values highly the selfless all-round assistance that Viet Nam gives to Kampuchea in keeping with the age-old tradition of solidarity between the two nations in the common struggle against imperialism and colonialism in which they have shared weal and woe, in accordance with the United Nations Charter and the Treaty of Peace, Friendship and Cooperation signed between the two countries in February 1979, in conformity with the principles of the non-aligned movement. Such assistance for the sake of the two peoples aims at ensuring that each country manages its own affairs, without foreign interference, in the interests of the safeguard of peace, stability and security in Southeast Asia.

The Conference warmly hails the great and precious aid that the Soviet Union, the other socialist countries as well as many non-aligned countries, many peace- and justice-loving countries, many international organizations and all persons endowed with conscience in the world have provided to the Kampuchean people thus wholeheartedly helping them come back to life and overcome innumerable difficulties in their defence and reconstruction of their country.

The conference appeals to all countries, national and international organizations and persons of good will to give the Kampuchean people the greatest possible help, material and spiritual, including food grains and foodstuffs, medicines, school implements, working tools, means of transportation, etc. The Conference calls on all countries to recognize as soon as possible the People's Revolutionary Council of Kampuchea which is the only genuine legitimate representative of the Kampuchean people, is effectively controlling the whole territory of Kampuchea and all aspects of Kampuchea's affairs. Early recognition of the People's Revolutionary Council of Kampuchea conforms to both the actual situation in Kampuchea and international law and contribute to stabilizing the situation in Southeast Asia.

The Conference calls on the United Nations and its agencies to expel immediately the genocidal Pol Pot - Ieng Sary - Khieu Samphan out of its ranks and return the seat of Kampuchea to the People's Revolutionary Council of Kampuchea. Only the People's Revolutionary Council of Kampuchea - the sole genuine and legitimate representative of Kampuchea - can have the right to represent the Kampuchean people at the United Nations as well as in all other international organizations and forums.

The delegates to this international conference in solidarity with the Kampuchean people severely denounce Beijing, U.S. imperialism and other counter-revolutionary forces for their continued intervention in the internal affairs of Kampuchea and their setting up of "sanctuaries" in Thailand to attack Kampuchea. They must bear the entire responsibility for the tension in Southeast Asia. The Conference demands that they stop at once and for ever their attempts to revitalize the genocidal Pol Pot - Ieng Sary - Khieu Samphan clique and all activities of intervention in the internal affairs of Kampuchea.

With the splendid Angkor civilization Kampuchea is a source of pride for human civilization.

Kampuchea cannot be destroyed.

Kampuchea has come back from death and Kampuchea will live ever lastingly. No expansionist, imperialist and counter-revolutionary forces can subjugate her.

Solidarity with the People's Republic of Kampuchea is the heart and mind deed of billions of people.

Let the forces of national independence, democracy, peace and progress in the world, let the whole progressive mankind give the Kampuchean people the most unfailing solidarity and greatest support !

Phnom Penh, May 20, 1980

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/270

S/13963

28 May 1980

ENGLISH

ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY

Thirty-fifth session

Items 12 and 22 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL

Thirty-fifth year

Letter dated 27 May 1980 from the Permanent Representative of
Democratic Kampuchea to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith, for your information, the statement of 26 May 1980 by the Ministry of Foreign Affairs of Democratic Kampuchea on the international Meeting on Humanitarian Assistance and Relief to the Kampuchean People.

I should be grateful if you would have this text circulated as an official document of the General Assembly, under items 12 and 22 of the preliminary list, and of the Security Council.

(Signed) THIOUNN Prasith
Ambassador
Permanent Representative
of Democratic Kampuchea

* A/35/50.

ANNEX

STATEMENT BY THE MINISTRY OF FOREIGN AFFAIRS
OF DEMOCRATIC KAMPUCHEA

ON THE INTERNATIONAL CONFERENCE ON
HUMANITARIAN ASSISTANCE AND RELIEF
TO THE KAMPUCHEAN PEOPLE

- 26 May 1980 -

Today, under the United Nations's auspices, the Ministerial International Conference on Humanitarian Assistance and Relief to the Kampuchean people starts.

The Government of Democratic Kampuchea totally supports the holding of this Conference. Meanwhile, it would like to draw the attention of the whole mankind and countries attending this Conference, on the plight of the Kampuchean people 17 months after the invasion of Democratic Kampuchea by the Le Duan clique:

1. More than 2 millions of Kampuchean already died, victims of the genocide committed by the Vietnamese troops of aggression which have resorted to this end, to conventional weapons, chemical weapons and more particularly to the weapon of famine they have deliberately and systematically created in the whole Kampuchea. More than 200,000 other Kampuchean people have been forced to take refuge abroad including 150,000 in Thailand. Several millions of others have become refugees in their own country, fleeing continuously the Vietnamese troops to escape from their raids of massacre and living in an undescrivable misery for the economy of Kampuchea has been destroyed and utterly sacked by the Vietnamese troops.

2. The humanitarian relief intended for the Kampuchean people and sent by the humanitarian organizations to the Vietnamese administration in Phnom Penh has not reached the Kampuchean people. All this relief has been diverted for the benefit of the Vietnamese occupying troops and the officials of the Vietnamese administration in Kampuchea. Sometimes, it has been sold for gold.

Because of the presence of more than 250,000 Vietnamese troops, the special war of genocide is raging throughout Democratic Kampuchea, bringing about unspeakable sufferings to the population, causing everywhere mournings and separations, and creating along the Kampuchea-Thailand border a situation of permanent tension which is imperiling peace, stability and security in South-East Asia, in the Pacific, in Asia and in the world. That is why, on the occasion of this International Conference, the Government of Democratic Kampuchea calls upon the attendant countries to increase their aids to the Kampuchean people. It expresses once again its warm thanks to all the donor countries and humanitarian organizations which have devoted all their efforts to assist the Kampuchean people.

Meanwhile, the Government of Democratic Kampuchea wants to make a pressing appeal to all donor countries to take all necessary measures so that all humanitarian relief can really reach the Kampuchean people by making it be distributed directly by an adequate number of personnel of the international humanitarian organizations or the United Nations. It is essential to prevent the Le Duan clique which is trampling on the noble sentiments of generosity of the donors and is misleading them, from diverting this humanitarian relief to supply its special war of genocide against the Kampuchean people. At the same time, the Government of Democratic Kampuchea asks for an adequate increase of humanitarian relief distributed through the Kampuchea-Thailand border where more and more people are going to and take in fresh supplies.

3. All peace- and justice-loving countries are clearly aware that the one and only root-cause of the present incommensurable sufferings and misfortunes of the Kampuchean people is the war of aggression waged by the Le Duan clique. Many governments of the countries attending this 26 May International Conference in Geneva have considered that this Conference should tackle the problem at its root. The Government of Democratic Kampuchea shares totally this relevant and just point of view, and calls upon the Conference to pay all its attention to the source of the boundless sufferings and misfortunes which are striking the Kampuchean people so as to take appropriate measures and to bring about an efficient and definitive solution to this problem.

The Government of Democratic Kampuchea reiterates its position that only the total, immediate and unconditional withdrawal of Vietnamese troops from Kampuchea, enabling the Kampuchean people to choose themselves their own national government in conformity with the United Nations Resolution 34/22, can assure again the Kampuchean people of peace, normal life, work, adequate food and medical cares. It is also in these conditions that the Vietnamese people could eat their fill, that the tension along the Kampuchea-Thailand border could end, and peace, stability and security could be preserved in South-East Asia, in the Pacific, in Asia and in the world.



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/271
28 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 26 of the preliminary list*

THE SITUATION IN THE MIDDLE EAST

Letter dated 27 May 1980 from the Permanent Representative of Lebanon
to the United Nations addressed to the Secretary-General

Once more, I am writing on instructions from my Government to bring to your attention further acts of hostility in South Lebanon, in violation of Security Council resolutions.

On Friday, 23 May 1980, Israeli shells hit the city of Sidon, and more specifically the market-place, at a crowded hour of the day, causing the death of 5 Lebanese civilians and injuring no less than 14. Severe damage to and destruction of property resulted from the shelling, which did not spare the city's ancient Church and Seat of the Maronite Archdiocese.

Though the city of Sidon is well beyond the "area of operation" of UNIFIL, the timing of the aggression does not seem to be wholly unrelated to the implementation of resolution 467 (1980). Indeed, that very day, the Commander-in-Chief of UNIFIL was in Beirut to discuss with my Government and the Lebanese Army's command the various ways and means that would be conducive to peace and security in the South and the gradual restoration of total Lebanese authority.

It has undoubtedly been noticed that, since resolution 467 (1980) was voted on, on 24 April 1980, a new pattern of aggression has developed, and has been ceaselessly and relentlessly pursued, with sea and air support. Although some UNIFIL positions have not been spared, there was greater concentration of attacks at targets outside the "area of operation", from Tyre to the capital city of Beirut, with grave consequences, military, political, social and economic, that cannot yet be fully assessed.

The Security Council may want to examine this new situation at an appropriate time. As the present mandate of UNIFIL nears its conclusion, it becomes imperative to decide the measures that must be taken to enable the Force to fulfil its mission

* A/35/50.

A/35/271

English

Page 2

unhampered and to see to it that the operative provisions of resolution 467 (1980) should not continue to be challenged and flouted.

My Government will feel compelled to call for an urgent meeting of the Security Council if the situation should further deteriorate in a manner that renders resolution 467 (1980) and the previous resolutions unimplementable.

You are kindly requested to have this letter circulated as an official document of the General Assembly under item 26 of the preliminary list.

(Signed) Ghassan TUENI
Ambassador
Permanent Representative



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/272
29 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 12 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Letter dated 27 May 1980 from the Permanent Representative of the
German Democratic Republic to the United Nations addressed to
the Secretary-General

I have the honour to forward to you information on the aid of the German Democratic Republic for the People's Republic of Kampuchea.

I kindly ask you to have this information circulated as official document of the General Assembly under item 12 of the preliminary list.

(Signed) Peter FLORIN
Deputy Minister for Foreign Affairs
Permanent Representative of the
German Democratic Republic to
the United Nations

* A/35/50.

ANNEX

Information

Aid of the German Democratic Republic for the People's Republic of
Kampuchea

Under an economic assistance agreement with the People's Republic of Kampuchea, which covers the years 1979 and 1980, the German Democratic Republic has supplied, without payment, fabrics, medication, trucks, bicycles, food, radios, soap, disinfectants and scholastic materials totaling some 20 million marks.

During the friendship visit which a delegation of the National United Front for the Salvation of Kampuchea (NUFSK) led by Heng Somrin, Chairman of the NUFSK's Central Committee and Chairman of the People's Revolutionary Council, paid to the German Democratic Republic last March, the two sides agreed on an additional 12 million marks worth of medication, medical apparatus, tissues, food, sewing machines, bicycles and other relief goods to be supplied by the German Democratic Republic without payment in 1980.

Moreover, in pursuance of arrangements concluded, the German Democratic Republic is aiding the People's Republic of Kampuchea with a team of doctors to help on the spot to develop the national health system, and providing assistance in Kampuchean's vocational, collegiate-level and academic training as well as in other areas.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/273
29 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 12 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Note verbale dated 23 May 1980 from the Permanent Mission of Bulgaria
to the United Nations addressed to the Secretary-General

The Permanent Mission of the People's Republic of Bulgaria to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to his telegram dated 9 May 1980, has the honour to inform him of the position of the Government of the People's Republic of Bulgaria on the convening at Geneva of the Meeting on Humanitarian Assistance and Relief to the Kampuchean People.

The Government of the People's Republic of Bulgaria is fully aware of the need for urgent humanitarian assistance to the Kampuchean people in order to help them overcome the devastating consequences of an unprecedented national catastrophe caused by the genocidal policies of the former régime. The Bulgarian Government is also conscious of the need for further financial contributions with the aim to continue the implementation of existing programmes through the channels and machinery established by the international organizations concerned, and it would favour any initiative to this end, provided it is purely humanitarian and does not serve any other purposes.

Unfortunately, this is not the case with the meeting envisaged in Economic and Social Council resolution 1980/23. In the view of the Bulgarian Government, it cannot serve any humanitarian objective since it is to be convened without the prior consent and the direct participation of the People's Revolutionary Council, the sole legitimate Government of Kampuchea, and since it has been appointed to consider problems which fall exclusively within the competence of that Government. This meeting, as it became obvious during the consideration of this problem in the Economic and Social Council, would only be used as a pretext for yet another attempt to interfere in the internal affairs of the People's Republic of Kampuchea. For all these reasons the Bulgarian Government cannot accept the invitation to participate in the aforementioned meeting.

* A/35/50.

A/35/273

English

Page 2

The People's Republic of Bulgaria has already rendered substantial assistance for the reconstruction of Kampuchea amounting to approximately \$12.5 million. True to its international obligations and its solidarity with the Kampuchean people, the Bulgarian Government is determined to continue to provide such assistance on a bilateral basis.

The Permanent Mission of the People's Republic of Bulgaria to the United Nations kindly requests the Secretary-General of the United Nations to arrange for this note to be circulated as an official document of the General Assembly under item 12 of the preliminary list.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/274 + Add.1
29 May 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 79 of the preliminary list*

INTERNATIONAL YEAR OF DISABLED PERSONS

Letter dated 16 May 1980 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

I have the honour to forward herewith the decision of the Government Council of the Socialist Republic of Viet Nam dated 18 April 1980, on the establishment of the Viet Nam Committee of International Year for Disabled Persons and request you to have this letter and its enclosure circulated as an official document of the General Assembly under item 79 of the preliminary list.

HA VAN LAU
Permanent Representative of the
Socialist Republic of Viet Nam to
the United Nations

* A/35/50.

ANNEX

PRIME MINISTER'S OFFICE

No. 123/CP

Socialist Republic of Viet Nam
Independence-Freedom-Happiness
=====

Ha Noi, April 18, 1980

DECISION OF THE GOVERNMENT COUNCIL ON THE ESTABLISHMENT
OF THE VIET NAM COMMITTEE OF INTERNATIONAL YEAR FOR
DISABLED PERSONS

The Government Council

Pursuant to the resolution of the 31st Session of the United Nations General Assembly, which proclaimed 1981 as International Year for Disabled Persons,

In consideration of the Report No. 1243/VP dated August 14, 1979 submitted by the Ministry for the Invalids and Social Affairs,

After making recommendations to and obtaining the approval of Acting President Nguyen Huu Tho,

Decides:

Article 1: To establish Viet Nam Committee of International Year for Disabled Persons, composed of the following comrades:

A. Chairman: Cr. Nguyen Huu Tho, Acting President of the Socialist Republic of Viet Nam,

B. Secretary General: Cr. Duong Quoc Chinh, Minister for the Invalids and Social Affairs,

C. Members:

- Cr. Nguyen Kien, Deputy Minister for the Invalids and Social Affairs,

/...

- Cr. Vo Dong Giang, Deputy Minister for Foreign Affairs,
- Cr. Vo Thuan Nho, Deputy Minister for Education,
- Cr. Cu Huy Can, Deputy Minister for Culture and Information,
- Cr. Dang Hoi Xuan, Deputy Minister of Health,
- Cr. Hoang Xuan Tuy, Deputy Minister of Higher and Secondary Vocational Education,
- Cr. Phan Van Huu, Deputy Minister of Labour,
- Cr. Nguyen Minh, Deputy Head of the Job-Training General Department,
- Cr. Nguyen Tam Ngo, Member of the Secretariat of Viet Nam General Federation of Trade Unions,
- Cr. Nguyen Tien Phong, Secretary of the Ho Chi Minh Communist Youth Union,
- Cr. Vu Thi Chin, Vice-President of Viet Nam Women's Association.

Article 2: The tasks of Viet Nam Committee of International Year for Disabled Persons are as follows:

a. Proceeding from the significance of the International Year for Disabled Persons to popularize the world people's attached to the lines and policies of our Party and Government towards the disabled with a view to promoting knowledge and responsibility of various branches, levels and of the entire people towards disabled persons.

b. To publicize the results obtained by the organization, guidance and assistance provided to the disabled, to gain the assistance from the bodies concerned of the United Nations and from the humanitarian organizations in regard to the disabled persons in Viet Nam.

c. To coordinate efforts among branches, levels and mass organizations with a view to ensuring an effective implementation of a two-year 1980-1981 practical program of mobilizing, educating and assisting the disabled.

Article 3: Viet Nam Committee of International Year for Disabled Persons will be possessed of a secretariat with representatives of a number of branches concerned.

Article 4: At the level of provinces or cities directly placed under the authority of the central level, the provincial and city People's Committees have the task to coordinate and direct other levels, branches and mass organizations in their respective localities in carrying out programs and plans worked out by Viet Nam Committee of International Year for Disabled Persons.

Article 5: Viet Nam Committee of International Year for Disabled Persons is authorized to have a private seal.

Article 6: Cr. Minister of the Prime Minister's Office, Heads of the branches represented in Viet Nam Committee of International Year for Disabled Persons, Presidents of People's Committees of provinces or cities directly placed under the authority of the Central level, organizations concerned and the above listed comrades are responsible for the implementation of this decision.

FOR THE GOVERNMENT COUNCIL

Prime Minister

(signed)

Pham Van Dong



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/274/Add.1
19 September 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Agenda item 79

INTERNATIONAL YEAR OF DISABLED PERSONS

Letter dated 18 September 1980 from the Permanent Representative
of Viet Nam to the United Nations addressed to the Secretary-
General

Further to my letter dated 16 May 1980 (A/35/274), I have the honour to forward herewith the resolution on the Programme of Action for the International Year of Disabled Persons in Viet Nam adopted by the Viet Nam Committee for the International Year of Disabled Persons at its first session, held on 31 July 1980, and kindly request Your Excellency to have this letter and its enclosure circulated as an official document of the General Assembly under agenda item 79.

(Signed) HA VAN LAU
Permanent Representative of the
Socialist Republic of Viet Nam
to the United Nations

ANNEX

THE VIET NAM COMMITTEE
FOR THE INTERNATIONAL
YEAR OF DISABLED PERSONS

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness
=====

R E S O L U T I O N

ON THE PROGRAMME OF ACTION
FOR THE INTERNATIONAL YEAR OF
DISABLED PERSONS IN VIET NAM

In response to the Resolutions of the United Nations General Assembly adopted at its thirty-second, thirty-third and thirty-fourth sessions on the International Year for Disabled Persons, the Government Council of the Socialist Republic of Viet Nam, in its decision 123/CP of April 18, 1980, has decided to set up the Viet Nam Committee for the International Year of Disabled Persons with State Acting President Nguyen Huu Tho as Chairman.

The Viet Nam Committee for the International Year of Disabled Persons held its first session on July 31, 1980 to survey the condition of disabled persons in our country, the care given to them so far, and to adopt a resolution on the Programme of Action for the International Year of Disabled Persons in Viet Nam.

A. CONDITION OF DISABLED PERSONS IN OUR COUNTRY AND THE CARE PROVIDED THEM
SO FAR.

Our nation has overcome all difficulties and hardships, and made innumerable sacrifices during half a century of resolute and indomitable struggle to liberate the country and defend our motherland. The policies of exploitation, repression and terror of the colonialists, the atrocious wars of aggression waged by the Japanese, French and American imperialists, and the Chinese hegemomists and expansionists, as well as the cultural evils of colonialism and neo-colonialism have left in our country numerous complex social problems of wide scope, among which the problem of disabled persons. According to still incomplete figures, the number of disabled people in our country reaches more

than one million, if one takes only into account those who are very retrained in all normal activities and encounter many difficulties in living. The greater part of these disabled persons are victims of war. Healed hastily in penurious conditions of war, their wounds have left many unforeseeable sequels to their health and life and sometimes with effects on following generations. In addition, the poverty due to an underdeveloped economy ravaged by decennaries of war, the insufficiency in technical equipment, failing in carrying out legislative measures aimed at preventing disabilities are also important causes of disabilities.

Immediately after the August 1945 Revolution and since the beginning of the resistance against the French second invasion, our Party and State have already paid attention to the problem of disabled persons, and promptly adopted policies and orientations for its solution. Priority was given to disabled persons and to disabled children. At every stage of development of our resistance, new policies and concrete measures have been adopted, many plans carried out, and particularly, nation wide vigorous campaign promoted in order to encourage the entire people to assist disabled persons, bringing them a secure, healthy and happy life.

At present, with the attention and care of our Party and State, with the solicitous affection of the entire people, disabled persons in our country have their life guaranteed in many aspects : health care, medical treatment, restoration of health, moral assistance, education and vocational training, suitable jobs ... Many of them are able to take part in and make contribution to the construction and defense of the homeland in proportion to their capabilities thus performing their rights and their duties with equality as other citizens.

Those who cannot secure themselves their life receive social assistance at state and community levels. The State also gives attention in promoting measures in many aspects to prevent disabilities.

Nevertheless, in the actual conditions of our country, on account of its poor economic, scientific and technical development, the above limited achievements cannot yet satisfy our desires and requirements.

B. OBJECTIVES AND PROGRAMME OF ACTION FOR THE INTERNATIONAL YEAR OF DISABLED PERSONS IN VIET NAM.

In order to defend the principles of peace and human dignity, to promote social justice and the basic rights to liberty proclaimed in the United Nations Charter, and to implement the Declaration of the rights of mentally retarded persons and the Declaration of the rights of disabled persons, the United Nations General Assembly, at its thirty-fourth Session, asserted that the theme of the International Year for Disabled Persons will be "Full participation and equality" (Full participation of disabled persons in the social life and development of the societies in which they live, equality with other citizens in their society, and an equal share in the improvement of living conditions resulting from social and economic development).

Basing itself, on the revolutionary objectives of our Party, i.e. national liberation, class liberation, construction of a social regime free from oppression and exploitation, elimination of all forms of justice, equality, democratic liberty, decent and happy life for all workers, our State has approved and responded to the ideas, conceptions and theme that the United Nations General Assembly has set forth for the International Year of Disabled Persons.

In our society the care provided to disabled persons is based on our view-point of communist humanitarianism. This demonstrates the superiority of our social regime. The creation for disabled persons of appropriate conditions for their "Full participation and equality" in their society is an active effort to liberate and develop these citizens with special difficulties in their individual life, as well as in their participation in social life. It also shows the attention that the State of proletarian dictatorship gives to all workers, part of them are disabled persons, in ensuring them the conditions to exercise entirely their right to mastery.

At the Fourth Congress of our Party, the question of giving care, assistance and bringing a secure, hearty and happy life to all disabled persons and victims of war and neo-colonialism has been debated and treated as an item in the contents of the Congress resolution.

the closest co-operation between the relevant branches). To gradually realize a comprehensive work of rehabilitation, in 1981 priority will be given to the treatment of sequels of wounds by war and sequels of infantile diseases causing disability, social and professional rehabilitation, at the same time, will be continued.

4. To carry out wide - spread prevention of disabilities. To closely combine organizational, educational, administrative mass - mobilization ... measures, in order to ensure an effective prevention in all aspects.

5. To step up the form of labour organization in which disabled persons are introduced into agricultural or handicraft co-operatives.

6. To build more enterprises and other production establishments particularly reserved for disabled persons, thus securing them the possibility of taking adequate part in productive labour.

To secure the attention of different scientific, technical and industrial services for study and production of tools and facilities suitable for different kinds of disabled persons.

7. To consolidate the existing classes and schools for disabled children, and according to available possibilities, to expand the network of these classes and schools. To set up some vocational schools (in which study is co-ordinated with rehabilitative training) for young disabled who are over the school age.

To build pilot - centres in the localities where facilities are available and gradually expand the co-ordination of rehabilitative instruction with education in creches, kindergartens for disabled children.

To make active preparation to form in some years a system of common and vocational schools for different kinds of disabled children under the control of the educational service.

8. To have a plan to strengthen and expand step by step the material basis (buildings and equipments) for the benefit of all kinds of disabled persons:

services of health care, orthopaedy, functional rehabilitation, health resorts, therapeutic centres, and for the prevention of disabilities.

To readjust the management of important institutional centres and improve the material and spiritual life of war invalids and disabled persons living there.

9. To facilitate the participation by disabled persons in cultural activities. To give them priority in attending artistic performances, to found cultural houses and clubs sectors for disabled persons. To found cultural houses particularly reserved for disabled persons in the localities where conditions permit.

To help disabled persons to compose and perform artistic works according to each kind of disability.

To promote the creation of cultural and artistic works in service of disabled persons.

To organize the production and distribution of cultural articles suitable for each kind of disabled persons.

To help disabled persons to take part in suitable sports activities.

Different services concerned with the management of everyday life have the obligation to create for disabled persons favorable conditions in the domains of housing, transport, information, shopping ... so that they can ever more participate in the social life.

10. To supervise and rectify the implementation of the promulgated policies and regulations concerning war invalids and disabled persons. To study the amendments to be added to these policies, regulations and norms, so as disabled persons have the conditions required for their physical and vocational rehabilitation, study and productive activities ... To organize the study and drafting of a legislation securing them the citizen rights and the right to equality and suitable job (the services in charge of war invalids and social affairs will look after the drafting of the legislation in co-ordination with the relevant branches).

To create for the Vietnamese Association of the blind the conditions to step up its activities, for example : To broaden and strengthen its organization and to step up the education and mobilization of its members and of the masses, the education and the organization of productive and cultural activities for blind persons.

To help this Association broaden its foreign relations for the purpose of exchanging experience and receiving aid from the organizations of blind in other countries.

To create, on the basis of the activities of the Viet Nam Committee of the International Year of Disabled Persons, the conditions to merge this Association into the " Viet Nam Committee (or Association) for Disabled Persons" in conformity with the Government council circular 202/CP on the assistance for old persons, homeless orphans and disabled persons.

11. To make preparations to take part in international activities and conferences on disabled persons, in order to exchange experiences with other countries in the domain of solving different problems on disabled persons, broaden friendly relations between disabled persons of Viet Nam and disabled persons in other countries, especially in socialist countries. In the two fraternal countries, Laos and Kampuchea, the countries struggling for national independence and freedom, and the friendly countries in South-East Asia, to call on the United Nations Organization and the humanitarian organizations of different countries to assist disabled persons of Viet Nam.

MAJOR ACTIVITIES IN 1981 :

- To conduct a public campaign in all branches, at all levels and among the entire people and encourage them to take part in the implementation of the programme and plan of action of the International Year of Disabled Persons.
- To carry out a basic survey on disabled persons,
- To begin the establishment of an organization system for orthopaedy and rehabilitation at all levels throughout the country.

- To strengthen the existing establishments and set up new ones to help settling the problem of disabled persons.

- To step up the drafting of a legislation on the rights and obligations of disabled persons.

- To expand foreign relations, in order to create more favorable conditions for the implementation of the programme of activities of the International Year of Disabled Persons in Viet Nam.

AUGUST 18, 1980



UNITED NATIONS

GENERAL ASSEMBLY SECURITY COUNCIL

Distr.
GENERAL

A/35/275
S/13971
30 May 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 78 of the preliminary list*
OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER
FOR REFUGEES

SECURITY COUNCIL
Thirty-fifth year

Letter dated 29 May 1980 from the Permanent Representative
of South Africa to the United Nations addressed to the
Secretary-General

With reference to my letter of 16 May 1980 in respect of Mr. Zinjiva Winston Nkondo alias Victor Matlou, I wish to bring to Your Excellency's attention the contents of a note which the South African Department of Foreign Affairs and Information addressed to the Lesotho Ministry of Foreign Affairs on 28 May 1980. The text of the note reads as follows:

"As the Honourable C. D. Molapo, Minister of Foreign Affairs of the Kingdom of Lesotho, will be aware, the arrest and detention of Mr. Zinjiva Winston Nkondo on South African territory while he was en route to Lesotho, was the subject of various discussions during which it was explained that his arrest was entirely in accordance with the rules of international law.

"It will be recalled that during these discussions the relevant considerations of law which pertained to Mr. Nkondo's arrest and detention were explained to the Lesotho delegation and that the Honourable C. D. Molapo subsequently indicated that his delegation was not concerned with legalities but that its request for Mr. Nkondo's release was based on considerations of good neighbourliness. Mr. Nkondo's subsequent release was, therefore, an act of goodwill towards the Lesotho Government and was done in order to promote friendship and better understanding between the two States.

"However, since Lesotho, in its letter of 14 May 1980 to the United Nations Secretary-General, 1/ claims that the release of Mr. Nkondo was gained on legal consideration, the Department desires to place on record the South African Government's view on the effect of the relevant rules of law and international conventions:

* A/35/50.

1/ A/35/234-S/13944.

"1. There is today universal acknowledgement that every State has complete and exclusive sovereignty over its superjacent air space. It follows that it is in the complete discretion of each State whether to allow or prohibit the flight of foreign aircraft over its territory, and that any right of passage must depend on conventional arrangement. This principle was confirmed in the Chicago Convention on International and Civil Aviation of 1944.

"2. In consequence of the rule enumerated under 1 supra, there exists no general right of transit at customary international law. That being so, it follows that by that law South Africa is under no general obligation to accord passage to or from Lesotho.

"3. There is general acknowledgement of the paramount right of every State to take all such steps as are necessary in the interest of self-preservation, and it follows that South Africa may lawfully deny even a conventional right of transit to Lesotho - or to any other country for that matter - in circumstances where its exercise may be dangerous to her peace and security. South Africa remains the sole judge of whether those circumstances have in fact arisen.

"4. Such rights of transit as there are, are regulated by treaty:

"(a) In terms of the Agreement relating to Air Services between the Republic of South Africa and the Kingdom of Lesotho, 1967, the designated airlines of the two States may operate between certain airports situated in their respective territories.

"(b) Since both States are parties to the Chicago Convention on International Civil Aviation, 1944, they both enjoy rights of air transit over each other's territory in respect of such of their civil aircraft as do not belong to a scheduled international air service.

"(c) In terms of the International Air Services Transit Agreement, 1944, South Africa and Lesotho are obliged to accord to each other (and the other parties to that agreement), in respect of scheduled international air services

(i) the privilege to fly across its territory without landing, and

(ii) the privilege to land for non-traffic purposes.

"All the rights and privileges that are derived from the above-mentioned international treaties, are, of course, subject to the limitations enumerated in those instruments.

"It is therefore clear that there is no rule of customary public international law nor any provision in a convention or treaty which dictates that South Africa erred when it arrested and subsequently detained Mr. Nkondo."

As the letter from the Chargé d'Affaires a.i. of the Permanent Mission of Lesotho to the United Nations addressed to Your Excellency on 14 May 1980 was circulated on 16 May 1980 as a document of the General Assembly, under item 78 of the preliminary list, and of the Security Council (A/35/234-S/13944), I should appreciate it if this letter could be likewise circulated.

(Signed) J. Adriaan EKSTEEN
Permanent Representative

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/276
S/13973
2 June 1980
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Thirty-fifth session
Item 22 of the preliminary list*
THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Thirty-fifth year

Letter dated 30 May 1980 from the Permanent Representative of
Democratic Kampuchea to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith, for your information, the press communiqué dated 17 May 1980 issued by the Prime Minister's Office of the Government of Democratic Kampuchea concerning the provisional political map of Kampuchea at the end of April 1980.

I should be grateful if you would have this text circulated as an official document of the General Assembly, under item 22 of the preliminary list, and of the Security Council.

(Signed) THIOUNN Prasith
Ambassador
Permanent Representative
of Democratic Kampuchea

* A/35/50.

ANNEX

PRESS COMMUNIQUE

ISSUED BY THE PRIME MINISTER'S OFFICE
OF THE GOVERNMENT OF DEMOCRATIC KAMPUCHEA

CONCERNING
THE PROVISIONAL POLITICAL MAP OF KAMPUCHEA
AT THE END OF APRIL 1980

According to the analysis of the results of the 1979-80 dry season, summed up after the defeat inflicted by the Army, the guerrilla units and the people of Kampuchea on the Vietnamese Le Duan clique's mopping up operations aiming at destroying the resistance of the people and the Army of Kampuchea, the Government of Democratic Kampuchea holds that this victory of strategic significance has been won thanks to:

1- the lofty patriotism of the Army, the guerrilla units and the people of Kampuchea and also to their perfect concrete implementation of the line of the guerrilla warfare on the battlefields;

2- the large union of the Kampuchean people at all social strata, arising resolutely and heroically by the side of the Government of Democratic Kampuchea and the Patriotic and Democratic Front of Great National Union of Kampuchea, fighting in all forms against the Le Duan clique. This confirms the experience of the history of the world as well as that of Kampuchea, that is without the active support from the people's forces, the victory of the struggle over the Vietnamese aggressors would have never been achieved. Such is the irrecusable truth of the facts;

3- the high spirit of responsibility of all ministerial departments and administrative services in fulfilling their tasks, and their wholehearted and strenuous devotion to the struggle on the battlefield and to the work within the people;

/...

4- the increasing active and multiform assistance and support from the peoples and governments the world over to the just struggle of the Kampuchean people;

5- especially the ever improved implementation by the Army, the guerrilla units, the ministerial departments and administrative services, of the political programme and of the new strategic policy, which both constitute a vital political base for the union of the Kampuchean people and a catalyser for the ever growing assistance and support throughout the world in favour of the struggle of the Kampuchean people.

*

* * *

Following this victory in the dry season over the Vietnamese Le Duan clique's troops of over 250,000 men, based on reports from all grass root levels throughout the country, referring to the military map showing the zones of the Government of Democratic Kampuchea, the guerrilla zones and bases, and according to the real activities of struggle waged by the population, the local committees propped up by the Le Duan's clique itself, the Khmer self-defence guards and soldiers forcibly enlisted by this clique, the Prime Minister's Office has drawn up a political map at the end of April 1980, giving a breakdown of the population by group siding with Democratic Kampuchea and group putting on a double-faced attitude.

Hereafter this breakdown:

/...

REGIONS and PROVINCES	Percentage of the population siding with Democratic Kampuchea	Percentage of the population putting on a double-faced attitude
<u>I. NORTHEASTERN REGION:</u>		
1. Rattanakiri	98%	2%
2. Stung Treng	95%	5%
3. Mondulkiri	98%	2%
4. Kratie	85%	15%
<u>II. CENTRAL REGION</u>		
1. Kampong Cham (right-bank of Mekong only)	85%	15%
2. Kampong Thom	80%	20%
<u>III. NORTHERN REGION</u>		
1. Oddar Meanchey	90%	10%
2. Siemreap	80%	20%
3. Preah Vihear	90%	10%
<u>IV. NORTHWESTERN REGION:</u>		
1. Pursat	80%	20%
2. Battambang	80%	20%
<u>V. WESTERN REGION</u>		
1. Kampong Chhnang	95%	5%
2. Kampong Speu (Northern part)	90%	10%
3. Koh Kong (Kampong Som included)	80%	20%
<u>VI. SOUTHWESTERN REGION:</u>		
1. Kandal (Southern part)	80%	20%
2. Kampong Speu (Southern part)	90%	10%
3. Takeo	95%	5%
4. Kampot	90%	10%
<u>VII. EASTERN REGION</u>		
	60%	40%

- NOTICE:
1. Are considered to be siding with Democratic Kampuchea the population whom the Government of Democratic Kampuchea politically and organizationally control at different levels and under different forms, and who are living in the zone of the Government of Democratic Kampuchea, in the guerrilla zones and bases as well as in the zones temporarily under the Vietnamese enemy's control.
 2. Are considered to be putting on a double-faced attitude the population who, although supporting Democratic Kampuchea, are living in the fear of the Vietnamese enemy in the zones temporarily controlled by the latter, or dread to face the Vietnamese mopping up operations. Are also included in this group, the small minority of the population who remain undecided.

*
* *
*

EVALUATION OF THE POPULATION IN DIFFERENT ZONES

1. Population living in the zone of the Government of Democratic Kampuchea: 1,300,000 inhabitants.
2. Population living in the zones temporarily controlled by the Le Duan clique : 1,000,000 inhabitants.
3. The rest of the population are living in the guerrilla zones and bases. Their number remains still pointedly undetermined due to the entanglement of battle-fields and the changings which are going on continuously there.

*
* *

/...

MOTIVATIONS OF THE POPULATION OPTION

The population base their option on the following motivations:

1. The Kampuchean population see the army and the guerrilla units of Kampuchea as the ardent and resolute patriots by their outstanding daily struggle under the leadership of the Government of Democratic Kampuchea.
2. They also see that, in the actual conditions of this extremely harsh struggle, the Government of Democratic Kampuchea has proved self-sacrifice, sharing hopes and hardship with the people on the very spot, leading their combat for the nation survival and the safeguard of the perennality of Kampuchea and the Kampuchean people.
3. Furthermore, even in such extremely tragic conditions of the country completely ravaged by the devastation war of the Le Duan clique, this Government, this army, these guerrilla units devoted themselves whole-heartedly to serve the people of Kampuchea in all fields.
4. The Government of Democratic Kampuchea shows its loyalty at any ordeals towards the nation and the people of Kampuchea, its high spirit of responsibility in its tasks to serve the nation and the people. In this respect, for the safe and survival of the nation and the people of Kampuchea, it has never been reluctant to draw up every lessons from experience to correct any mistakes.
5. The people of Kampuchea and the compatriots living abroad favourably welcome the political programme of the Patriotic and Democratic Front of Great National Union of Kampuchea and the new strategic political line of the Government of Democratic Kampuchea. They testify a growing confidence in the Government of Democratic Kampuchea owing to its sincere implementation of the new political line at home and abroad. This implementation contributes to the consolidation of the great national union, and to the victory of strategic significance at the end of the 1979-80 dry season.

Besides, there is no Kampuchean who is not victim himself or his kinship of the acts of aggression of the Le Duan clique, of the untold devastations widespread over the country by this clique, of the famine and genocidal crime committed by the same clique and which have brought about death to millions of Kampucheans. Those criminal acts are going on. They raise hatred and prompt people to resolutely fight back the Le Duan clique in all forms in co-operation and coordination with the army, the guerrilla units and the Government of Democratic Kampuchea.

ESTIMATES OF
THE VERDICT OF THE KAMPUCHEAN PEOPLE

IN

THE COURSE OF AN EVENTUAL ELECTION
UNDER THE UNITED NATIONS SUPERVISION

FOLLOWING THE WITHDRAWAL OF
ALL THE VIETNAMESE TROOPS OF AGGRESSION
FROM KAMPUCHEA

After the examination of the current political map of Kampuchea aboved drawn up, the Prime Minister's Office of the Government of Democratic Kampuchea has come to the firm conclusion that, if the Vietnamese troops of aggression are withdrawn from Kampuchea, and if a free and general election, with universal and direct suffrage and secret ballot, is proceeded under the supervision of the United Nations Secretary General or his representatives, with the assistance of the UN staff to supervise this election in every constituency, the majority of the population will surely vote for the candidates of the Patriotic and Democratic Front of Great National Union of Kampuchea as their true representatives. For, they regard these candidates as ardent and resolute patriots deeds-tested in their particularly difficult struggle against the Vietnamese aggressors, expansionists, land-grabbers and racial exterminators, for the survival of the nation and the people of Kampuchea.

The people of Kampuchea are endowed with a lofty patriotism, a high political consciousness. Their history is rich with experiences of struggles against foreign aggressors and their followers. They can perfectly tell their friends from their enemies, their real friends from the sham ones, the patriots from the traitors. The Le Duan clique is well aware of this nature and these moral qualities of the Kampuchean people. It fears more than anything else the ardent patriotic spirit of the Kampuchean people, so much as to mobilize over 250,000 troops to invade and savagely ravage Kampuchea in an attempt to subjugate the Kampuchean people. The Le Duan clique fully realizes that without these hundreds of thousands of troops, it would have never been able to invade Kampuchea. Such is the truth in this matter.

The Le Duan clique is vowing to fool the world, echoed from its supporters, that itself and its shadow, the Vietnamese administration in Phnom Penh, get the support from the Kampuchean people. If it were so, why the Le Duan clique

would not withdraw all its troops from Kampuchea, leaving the people of Kampuchea to choose their parliament and their national government through general election under the direct supervision and guarantee of the United Nations for the regularity and sincerity of the ballot? The reason is that the Le Duan clique is being faced to general condemnation from the Kampuchean people, to fierce resistance throughout the country. Even over 250,000 troops with tens of thousands of Vietnamese nationals sent in Kampuchea to handle the administration at all levels and in all fields, have not gained the control of Kampuchea and her people.

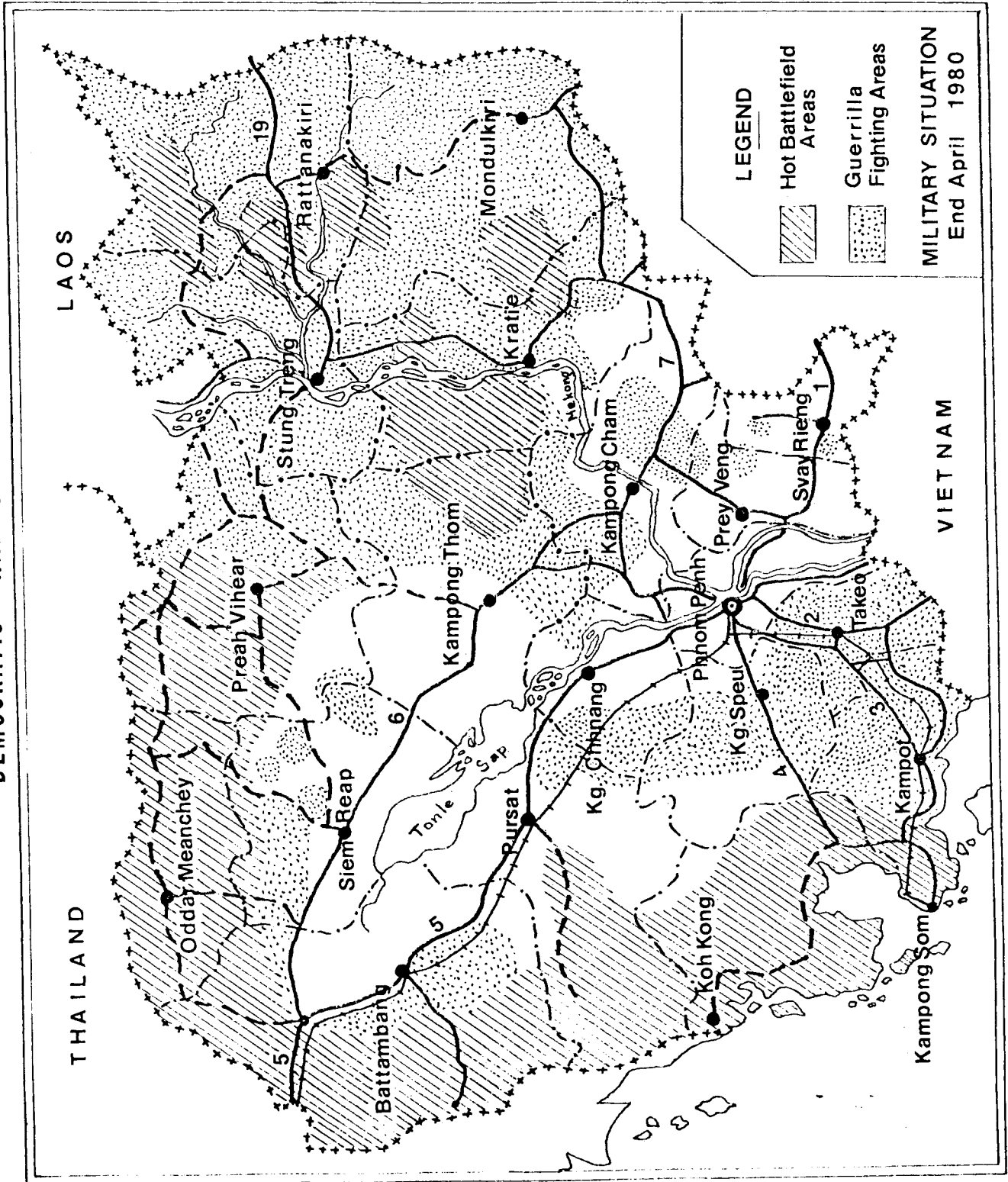
The Prime Minister's Office of the Government of Democratic Kampuchea calls upon all the Governments of the countries in the five continents, the United Nations, all the international organizations, all peoples and mass-organizations, all prominent personages and mass-media, who cherish peace and justice the world over, to kindly give their attention to this reality, that is the Kampuchean people do not back at all the Vietnamese aggressors, expansionists, land-grabbers and racial exterminators. Being seething with hatred, the Kampuchean people are rising up everywhere in the country, under the leadership of the Government of Democratic Kampuchea, resolutely fighting back the Vietnamese aggressors.

The Prime Minister's Office of the Government of Democratic Kampuchea appeals the army and guerrilla units, all the ministerial departments and administrative services and all grass root levels to strive to ever improve the implementation of the political programme of the Patriotic and Democratic Front of Great National Union of Kampuchea and the new strategic policy, at home and abroad, so as to win new and greater victories. Let us all stand up, and the Vietnamese aggressor enemy will be inevitably driven to their defeat.

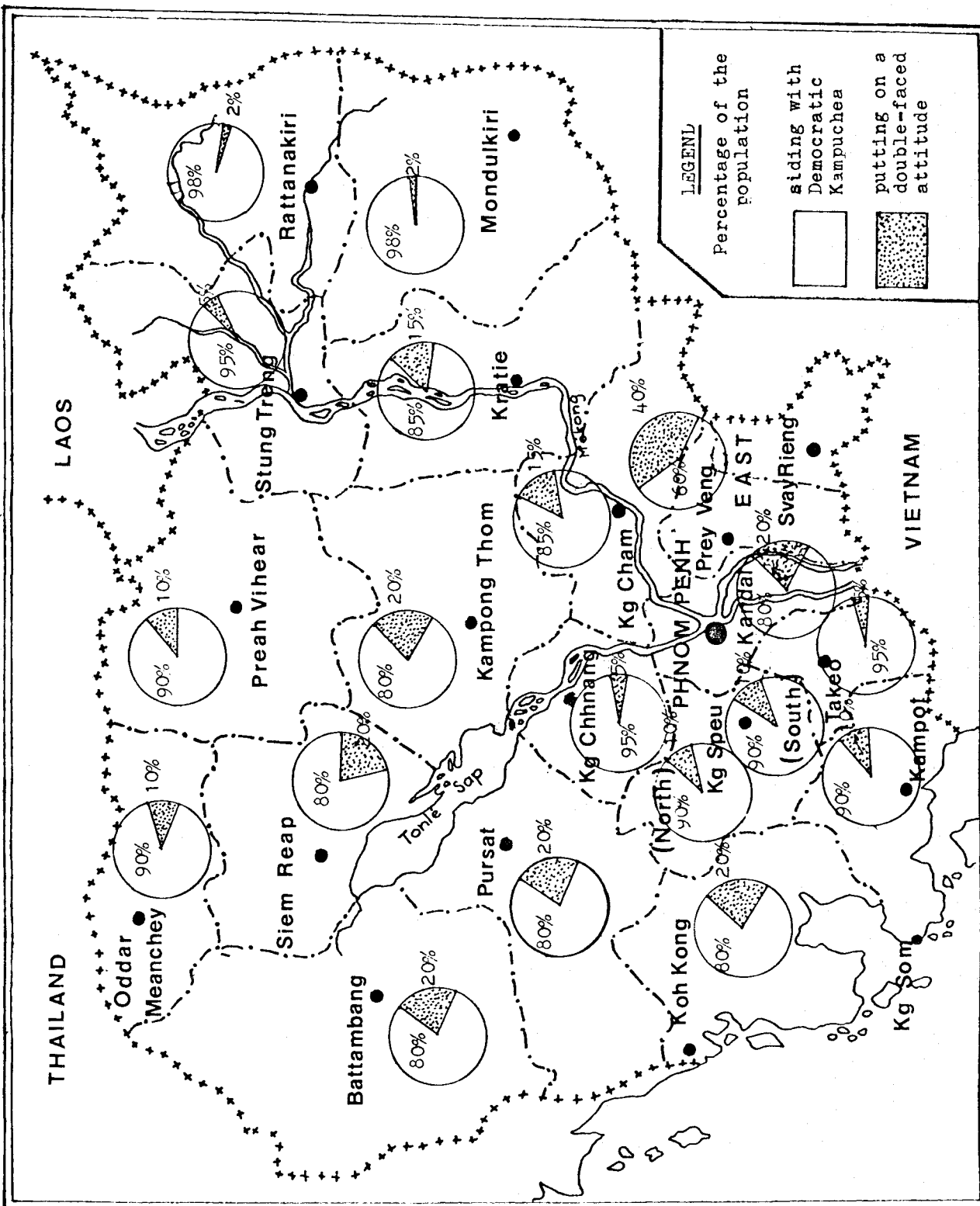
Democratic Kampuchea,
May 17, 1980

KEAT CHHON
Minister attached to
the Prime Minister's Office

DEMOCRATIC KAMPUCHEA



POLITICAL MAP of KAMPUCHEA (END of APRIL 1980)



UNITED NATIONS



GENERAL ASSEMBLY SECURITY COUNCIL

Distr.
GENERAL

A/35/277
S/13975
3 June 1980
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Thirty-fifth session
Item 22 of the preliminary list*
THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Thirty-fifth year

Letter dated 2 June 1980 from the Permanent Representative of
Democratic Kampuchea to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith, for your information, a news release by the Ministry of Information of Democratic Kampuchea concerning the popular war of national resistance against the war of aggression and racial extermination being waged by the Vietnamese expansionists.

I should be grateful if you would have this text circulated as an official document of the General Assembly, under item 22 of the preliminary list, and of the Security Council.

(Signed) THIOUNN Prasith
Ambassador
Permanent Representative
of Democratic Kampuchea

* A/35/50.

Annex

NEWS RELEASE CONCERNING THE POPULAR WAR OF NATIONAL RESISTANCE
AGAINST THE WAR OF AGGRESSION AND RACIAL EXTERMINATION BEING
WAGED BY THE VIETNAMESE EXPANSIONISTS

Provisional report of losses inflicted on the Vietnamese troops during April 1980:

I. North-western front:

1. Samlaut sector: 1,353 killed and wounded; a lorry, seven military cantonments and an ammunition depot destroyed.
2. Pailin sector: 1,075 killed and wounded.
3. Bavel sector: 890 killed and wounded; a camp seized.
4. Sector south of Highway No. 5: 1,078 killed and wounded, including two majors; 15 prisoners taken, including a lieutenant; 14 surrendered; two tanks and four guns destroyed.
5. Thmâr Puok sector: 749 killed and wounded, including a lieutenant and a major; three lorries and two trenches destroyed.

II. Northern front:

(Comprising the provinces of Oddar Meanchey, Siemreap and Preah Vihear):
1,564 killed and wounded, including a divisional commander and a major;
11 lorries, six vehicles and a boat destroyed.

III. North-eastern front:

(Comprising the provinces of Stung Trèng, Rattanakiri, Mondulkiri and Kratié):
1,200 killed and wounded; six camps and command posts destroyed.

IV. Eastern front:

(Provinces of Svay Rieng, Prey Vèng and East Kampong Cham): 325 killed and wounded.

V. Central front:

(Provinces of West Kampong Cham and Kampong Thom): 902 killed and wounded;
four lorries destroyed.

VI. South-western front:

1. Koh Kong-Kampong Som area: 1,931 killed and wounded; five lorries destroyed and five villages liberated.
2. Western Leach area: 1,702 killed and wounded, including a major; six lorries and four camps destroyed, 10 posts captured.
3. Takeo, Kampot and South Kampong Speu provinces: 618 killed and wounded; five lorries and a boat destroyed.

VII. Western front:

(Provinces of Kampong Chhnang and North Kampong Speu): 708 killed and wounded; three lorries destroyed.

Three search-and-destroy operations crushed:

According to dispatches from the front dated 20 and 29 May, the guerrillas and the National Army of Democratic Kampuchea checkmated three search-and-destroy operations launched by the Vietnamese troops on 9, 15 and 22 May against the districts of Mongkolborei, Bavel and Sisophon (north-western Battambang province). The enemy forces committed were one division, supported by four tanks, in the first operation and 300 men, in three columns, in the second operation. In the third operation, the Vietnamese troops sent out a battallion, supported by three tanks and three 105-mm guns, in an attempt to retake the village of Takong.

The guerrillas organized the counter-offensive, with small groups attacking from all sides and driving the enemy into the minefields. In this way, all three operations were crushed within 24 hours of being launched. The enemy losses were 250 killed and wounded.

(New release by the Ministry of Information of Democratic Kampuchea)



Distr.
GENERAL

A/35/278
S/13976
3 June 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 51 of the preliminary list*
PEACEFUL SETTLEMENT OF DISPUTES BETWEEN
STATES

SECURITY COUNCIL
Thirty-fifth year

Letter dated 2 June 1980 from the Chargé d'Affaires a.i. of the
Permanent Mission of Jordan to the United Nations addressed to
the Secretary-General

Upon instructions from my Government, I would like to draw your attention to the following acts of criminal terrorism conducted by the leaders of the Zionist entity in Palestine:

1. On the morning of 2 June 1980, another criminal act of terrorism was committed by the Zionist leadership in Palestine against our Arab people in the occupied territories of the West Bank of Jordan. Three time bombs were planted in cars belonging to Mr. Basam Al-Shaka', Mayor of the city of Nablus; Mr. Karim Khalaf, Mayor of the City of Ramallah; and Mr. Ibrahim Al-Taweel, Mayor of the City of Al-Beireh. Two of these bombs exploded, causing the dismemberment of the two legs of Mr. Al-Shaka' who is now in a very critical condition. The explosion of the second bomb also caused dismemberment of one of Mr. Khalaf's legs and damaged his hand. The third bomb, which exploded in the car belonging to Mr. Al-Taweel, caused complete damage of the car and a bomb expert lost his sight.

The Jordan Government, while condemning these barbaric and lawless practices, holds the Zionist occupation authorities responsible for these acts. The Jordan Government states clearly that security and safety of the civilian citizens under occupation are the responsibility of occupation authorities as provided by international law and the Fourth Geneva Convention of August 1949. 1/

The Jordan Government is convinced that these acts and practices are within the main stream of Zionist governmental strategy to quell Arab's fundamental rights and aspirations for self-determination and resistance against the establishment of Jewish settlements on Arab land.

* A/35/50.

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

A/35/278
S/13976
English
Page 2

2. Under the guise of inciting violence, the Israeli authorities revoked the licences of the two leading Arabic newspapers, Al-Fajr and Al-Shab, and banned indefinitely their distribution in the occupied West Bank of Jordan.

I would like to call upon Your Excellency to use your good offices in urging the Government of Israel to put an end to its criminal and terrorist acts against the inhabitants of the occupied Arab territories.

I kindly request that this letter be circulated as an official document of the General Assembly, under item 51 of the preliminary list, and of the Security Council.

(Signed) Saleh AL-ZUBI
Minister Plenipotentiary
Chargé d'Affaires, a.i.



Distr.
GENERAL

A/35/279
S/13978
3 June 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 24 of the preliminary list*
QUESTION OF PALESTINE

SECURITY COUNCIL
Thirty-fifth year

Letter dated 2 June 1980 from the Chairman of the Committee on
the Exercise of the Inalienable Rights of the Palestinian
People to the Secretary-General

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and on its behalf, I have the honour to bring to your notice the most recent in a series of outrages committed on the Arab inhabitants of the territories illegally occupied by Israel, and to express the deep concern of the Committee at these terrorist operations.

Mr. Bassam Al Shaka, the elected Mayor of Nablus, suffered serious injuries this morning when his car was blown up, with the result that both his legs had to be amputated.

At about the same time, Mr. Karim Khalef, the elected Mayor of Ramallah, suffered the same fate when his car also exploded, resulting in severe damage to both his feet, one of which had to be amputated.

Mr. Ibrahim Tawil, the elected Mayor of Al Bireh, was saved from a similar fate, although a bomb squad expert was blinded by a bomb rigged to a garage door which exploded in his face.

Furthermore, bombs exploded near an Arab elementary school of Al-Khalil (Hebron), killing 7 and wounding 14 Arab inhabitants.

In a separate incident, two students of Bir Zeit University were shot without provocation by soldiers of the Israeli Army, one in the back and the other in the leg and side.

In addition, since 28 May 1980, Israeli authorities have arrested 31 students in the Ramallah-Al Bireh area, all in their final year of high school and in the middle of their final examinations. The Israeli authorities have, moreover, banned the distribution outside Jerusalem of two Arab dailies, the "Al Fajr" and the "Al Shaab".

* A/35/50.

It is clear that this campaign of terror, waged by Israel's occupation forces on the Arab inhabitants of the occupied Arab territories, is intended to silence their demands for their just rights and constitutes a further instance of Israeli violations of established principles of international law in general and of the Fourth Geneva Convention of 1949 in particular. 1/

These actions and the policy which Israel persists in following can only exacerbate tension in the region and constitute a serious threat to international peace and security. It is imperative that the Security Council should take urgent and decisive action to prevent a deterioration of the situation.

I shall be grateful if you would have this letter circulated as a document of the General Assembly, under item 24 of the preliminary list, and of the Security Council.

(Signed) Falilou KANE
Chairman

of the Committee on the Exercise of the
Inalienable Rights of the Palestinian People

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/280
S/13980
4 June 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 50 of the preliminary list*
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Thirty-fifth year

Letter dated 3 June 1980 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

I have the honour to forward herewith, for your information, a statement, dated 31 May 1980, by the Spokesman for the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam to protest against China's installation of a radio beacon on a Vietnamese island and kindly request you to have this letter and its enclosure circulated as an official document of the General Assembly, under item 50 of the preliminary list, and of the Security Council.

(Signed) HA VAN LAU
Permanent Representative
of the Socialist Republic of
Viet Nam to the United Nations

* A/35/50.

ANNEX

S T A T E M E N T

by the Spokesman for the Ministry of Foreign
Affairs of the Socialist Republic of Viet Nam
to protest against China's installation of
a radio beacon on Vietnamese island

According to Xinhua, the Chinese authorities have recently put into operation a radio beacon for aircraft guidance on the Linh Con Island (which China calls Tong Island) on the Hoang Sa Archipelago, allegedly to serve international flights.

Following the designation of four danger zones North of the Hoang Sa Archipelago and the inclusion of a number of islands of the Hoang Sa and Truong Sa archipelagoes in the list of Chinese aviation regions, the above-mentioned action of the Chinese authorities is a gross violation of Viet Nam's territorial sovereignty and an attempt to legalize their illegal activities in the Hoang Sa region and to realize step by step their scheme to control and eventually occupy the Eastern Sea, causing tension in the Southeast Asian region.

The Foreign Ministry of the Socialist Republic of Viet Nam severely condemns that illegal act of the Chinese authorities, and reaffirms Viet Nam's sovereignty over the Hoang Sa and Truong Sa Archipelagoes. The Vietnamese Government and people resolutely defend their sacred territorial sovereignty over those two archipelagoes. Any action by any foreign country, such as occupying, building, investigation, or conducting scientific research on the Hoang Sa and Truong Sa Archipelagoes without prior agreement from the Government of the Socialist Republic of Viet Nam, is illegal.

Ha Noi, May 31, 1980

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/281
S/13983
4 June 1980
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Thirty-fifth session
Item 57 of the preliminary list*
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES AFFECTING
THE HUMAN RIGHTS OF THE POPULATION OF
THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Thirty-fifth year

Letter dated 3 June 1980 from the Permanent Representative
of Bahrain to the United Nations addressed to the
Secretary-General

As Chairman of the Arab Group for the current month, I have the honour to transmit herewith a copy of the letter addressed to you by Mr. Yasser Arafat and to request you to circulate it as an official document of the General Assembly, under item 57 of the preliminary list, and of the Security Council.

(Signed) Salman AL-SAFFAR
Ambassador and Permanent Representative
Chairman of the Arab Group

* A/35/50.

ANNEX

Letter dated 3 June 1980 from Mr. Yasser Arafat, Chairman of the
Executive Committee of the Palestine Liberation Organization, to
the Secretary-General

The Zionist occupation authorities have deliberately created an extremely critical situation in the occupied Palestinian territories in an attempt to deprive those territories of their national leaders by every possible means, in order to make the Palestinian people in the occupied homeland submit to occupation and drive out the population of Palestine. They carried out four bombing operations in the cities of Hebron, Nablus, Ramallah and Bireh. These attacks left 10 people wounded, including the Mayor of Nablus, Bassam al-Shaka, who lost both legs, the Mayor of Ramallah, Karim Khalef, who lost his left foot; the Mayor of Bireh, Ibrahim Tawil, escaped, thanks to his discovery of the time bomb which had been placed in his car.

At the same time, the security forces and the army open fire on groups of unarmed Palestinian demonstrators. The ongoing escalation of the crimes being committed by the Zionist occupation authorities against our unarmed Palestinian people and their national leadership is proof of the failure of those authorities to overcome our people's heroic resistance to the Zionist occupation, the Camp David conspiracy and the autonomy talks.

The repressive methods being used by the occupation authorities are a reflection of the official and organized terrorism being practised by Israel against our defenceless people who are subjected to the odious Israeli occupation. The Zionist occupation authorities would not dare to commit these crimes, were it not for the hesitation of the United Nations and its specialized agencies to impose sanctions on Israel for its constant violations of United Nations resolutions and international agreements and their failure to insist on the implementation of their resolutions, as in the case of the Security Council resolution calling for the return of the exiled mayors to Palestine.

The Palestine Liberation Organization calls upon the United Nations to take the necessary measures to prevent the continuation of these crimes against our defenceless people. The United Nations imposed sanctions on the former racist régime in Rhodesia. It is regrettable that the United Nations stands by with its hands tied as our people are exposed to these campaigns of subjugation, annihilation and racist oppression.

The Palestine Liberation Organization calls upon the Secretary-General to take the necessary steps to ensure the protection of our defenceless Palestinian people against official and organized Zionist terrorism.

(Signed) Yasser ARAFAT
Chairman of the Executive Committee of
the Palestine Liberation Organization
Commander-General of the Forces of the
Palestinian Revolution



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/282
9 June 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Item 26 of the preliminary list*

THE SITUATION IN THE MIDDLE EAST

Letter dated 6 June 1980 from the Permanent Representative of Israel
to the United Nations addressed to the Secretary-General

I wish to draw your attention to the attached excerpts from the "political programme" and the "resolutions" adopted at the Fourth Congress of the al-Fatah murder organization which was held in Damascus at the end of May.

As is wellknown, al-Fatah, headed by Yasser Arafat, is the largest single component in the terrorist PLO. Its aim has been consistently in accord with that set out in the so-called "Palestinian National Covenant" - namely, the destruction of the State of Israel.

As will be seen from its "political programme", as published by the Beirut newspaper, al-Liwa, on 2 June 1980, al-Fatah's aim is said to be "to liquidate the Zionist entity politically, economically, militarily, culturally and ideologically". The liquidation of Israel is advocated two more times in the course of this "programme".

The documents provide further proof, if such were necessary, of the true character and aims of the organization in question, and, inter alia, of the concrete purpose of its activities within the United Nations system.

I have the honour to request that this letter and its attachments be circulated as an official document of the General Assembly under item 26 of the preliminary list.

(Signed) Yehuda Z. BLUM
Ambassador
Permanent Representative of Israel
to the United Nations

* A/35/50.

ANNEX I

Excerpts from the political programme approved by the al-Fatah Congress and published by "al-Liwa" (Beirut) on 2 June 1980

Since the launching of al-Fatah, international imperialism, led by the U.S.A., which is strategically allied to international Zionism taking its base in Palestine, has been trying to destroy our armed revolution." These attempts took the form of direct military strikes at one time, and "the form of conspiracies and liquidative schemes" at another. Among the conspiracies during the past ten years were the war in Jordan in 1971 and the war in Lebanon.

In the present stage, the programme said, "the imperialist offensive against the region has intensified" by presenting a variety of "settlement schemes." The al-Fatah Congress "believes that resisting these schemes is the duty of all Arab liberation forces."

"Al-Fatah is an independent national revolutionary movement, whose aim is to liberate Palestine completely and to liquidate the Zionist entity politically, economically, militarily, culturally and ideologically.

"The battle for liberating Palestine is part of the nationalist (pan-Arab) struggle and, therefore, it is the duty of the entire Arab nation to support this battle with all its moral and material means.

"The only way to achieve our aim is through the armed popular revolution. The armed revolution of the Palestinian Arab people is a decisive factor in the battle of liberation and the liquidation of the Zionist presence.

"This struggle will not stop until the Zionist entity is liquidated and Palestine is liberated."

ANNEX II

Resolutions of the Fourth Congress of al-Fatah
(Radio "Falastin", Beirut, 1 June 1980)

Part One: Palestine

On the basis of the unity of the Palestinian people, its land and political representation, and in order to express the independent national will for the complete success of the revolution,

Whereas the popular armed revolution is the only and inevitable way to the liberation of Palestine, with liberation through unity, establishing democracy as the correct and dominant system of Palestinian ties,

The Fourth Congress of al-Fatah emphasizes the following points:

- (1) National Palestinian unity within and without the occupied land under our leadership, within the PLO framework, with the aim of continually escalating all forms of Palestinian struggle.
- (2) Developing the movement as the major factor within the PLO, as an independent organization.
- (3) Escalation of the armed struggle inside the occupied territory and across all frontiers of confrontation with the Zionist enemy.
- (4) Increased effort to organize our people wherever they reside, expansion of professional and national organizations, defence of the temporary Palestinian presence in these places against oppression, exploitation or assimilation.
- (5) Strengthening of the steadfastness of our people in the occupied land at all levels, to escalate its struggle and develop its national organizations, with a special effort to strengthen ties with our Palestinian masses in the land captured in 1948, to enable them to withstand plots aimed at impairing their unity and blurring their Arab identity.
- (6) Independence of Palestinian decision-making and action, enabling the various Palestinian factions to assert Palestinian independence of action.
- (7) Given the leadership of al-Fatah and the legitimacy of the PLO, the Palestinian National Council **resolutions** are part of the political programme of al-Fatah.
- (8) The role of the Palestinian woman will be enhanced in all fields.

Part Two: Inter-Arab Affairs

Palestine is part of the Arab fatherland, its people part of the Arab nation, its revolution - the vanguard of the Arab struggle to liberate Palestine.

(1) Our ties with the Arab masses are strategically important, their participation is crucial for the revolution, and they must wage all forms of struggle against the Zionist-imperialist base in Palestine, against all our enemies and they must destroy imperialist and colonialist interests in the region.

(2) Solidarity with all Arab nationalist and progressive movements for a joint battle for the liberation of Palestine and the attainment of Arab goals: liberation and a progressive society.

(3) Solidarity with the Lebanese national movement against common foes, for a united Arab Lebanon. All negative factors must be eliminated.

(4) Collaboration with the heroic Lebanese, to prove to all Arabs the validity of alliance with the Palestinians.

(5) The Jordanian front is of vital importance to the revolution as a main base for struggle against the Zionist enemy.

(6) Joint struggle with the people of Egypt to foil the Camp David Accords and return Egypt to Arab ranks, where she will resume her proper place in the Arab struggle.

Part Three: Relations with Arab States

Relations with Arab régimes will be defined in positive terms, as follows:

(1) The principles of al-Fatah spell out its aims and methods.

(2) There is no contradiction with the strategic ties to the Arab masses.

(3) The attitude of each régime to the PLO, to the armed struggle and to the defence of the PLO (will determine al-Fatah's relationship to those régimes).

(4) Non-intervention in our internal **affairs**; **prevention of any attempt to control our people or exploit it**, negation of any attempt to resettle (Palestinians) outside Palestine.

(5) Prevention of any attempt to deny freedom of action for the revolution wherever our people may be living.

(6) The revolution will carry out its struggle through all Arab territories in order to regain the lands of Palestine, and will utilize the full Arab potential, including oil, as a weapon towards these ends.

(7) The Steadfastness Front will be strengthened, to bolster the PLO, to continue the struggle with the enemy, to negate all attempts to eliminate and solve the (Palestine) question, to reject all forms of (peaceful) settlement and to denounce any attempt to grant legitimacy to the Camp David Agreements.

(8) A broad national front will be established as defined by the Steadfastness Front to withstand imperialism, Zionism and Camp David.

Part Four: The International Arena

Palestine is the major cause of the Arab nation in its just struggle against the Zionist-imperialist enemy. It is also in the strategic Middle East, where a struggle is going on between the camp of our friends and the camp of our enemies.

Al-Fatah is part of the international liberation movement which struggles against imperialism, Zionism, racism and their lackeys, in accordance with its principles and the Palestinian National Covenant.

International Organizations

(1) The PLO will utilize all resolutions relating to the Palestinian people's rights in all international fora, to isolate the Zionist and American enemy in these bodies.

(2) The General Assembly resolution condemning Zionism as a form of racism and discrimination will be translated into action for sanctions against the Zionist base in Palestine according to the United Nations Charter.

(3) United Nations positions rejecting Camp David will be defended and developed to prevent any form of settlement at the expense of our cause.

Friendly Forces

(1) Strengthening the strategic alliance with the Socialist countries led by the U.S.S.R. This alliance is necessary in order to effectively block American-Zionist plots against Palestine and world liberation.

(2) Strengthening our ties in the struggle with the world liberation movement as we stand together against U.S. imperialism, racist Zionism, fascism and reaction, to fight oppression everywhere.

(3) Strengthening our external relations, increasing our political activity, making alliances with democratic and progressive forces that support us.

(4) Strengthening ties with the Islamic revolution in Iran, which overthrew an American base and stands with us to liberate Palestine.

(5) Strengthening our ties with the Islamic world, Africa, the non-Aligned bloc, to encourage their support of Palestine and the struggle, as well as

recognition of the PLO as the sole and legitimate representative of the Palestinian people.

The American Position

The U.S.A. is the leader of the enemies of our people and nation. It pursues a hostile policy to our nation, revolution, and Arab nation, strengthens the Zionist entity and makes military alliances designed to subjugate the region militarily, to despoil our national treasures. We have no choice but to strengthen the international front against the U.S.A., wage war on its policies and strike at U.S. interests in the region.

As for the position of Western Europe, the Common Market, Japan and Canada - political efforts will be made to utilize the support of democratic progressive forces there to reduce and eventually eliminate support for the Zionist entity, isolating it by obtaining the recognition of the PLO by these countries as the sole legitimate representative of the Palestinian people, and getting maximal political and material help for the Palestinian cause and struggle.

The States of Western Europe and Canada still follow policies that do not recognize our national rights, thus identifying with U.S. policies and plots in the region.

Japan is not far from this policy. There is no choice but to intensify efforts to oppose and topple any scheme or initiative that does not correspond with our national rights.

Finally, the Congress stresses the need to defend political gains worldwide which have made the Palestinian question the vanguard of the international liberation movement.

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/283
S/13988
9 June 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 24 of the preliminary list*
QUESTION OF PALESTINE

SECURITY COUNCIL
Thirty-fifth year

Letter dated 6 June 1980 from the Permanent
Representative of Yemen to the United Nations
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you the following statement issued by the Ministry of Foreign Affairs on the recent Israeli terrorist acts committed against the mayors of Nablus, Ramallah and Al Bireh in the Arab occupied territories on 2 June 1980:

"As it had always done, the Israeli Government has lately pursued terrorist acts against the civilian population in the occupied Palestinian and Arab land. The latest criminal acts against the mayors of Nablus, Ramallah and Al Bireh revealed the heroic resistance of the population of the West Bank and the Gaza Strip against the Israeli plantation of Jewish settlements and self-rule conspiracies.

"Unable to sustain such formidable resistance, the Israeli Government resumed its brutal acts in contravention of all principles of international law and practice which provide protection to the civilian population under foreign occupation.

"The Government of the Yemen Arab Republic, while denouncing and deploring these latest acts and all such terrorist acts committed by the Israeli occupation authorities against the unarmed civilian population, appeals to the international community, mainly the United Nations, to shoulder its responsibility in condemning and putting an end to such criminal acts.

"The United Nations is, therefore, obviously required to make a stand by imposing the will of the international community and prevailing on Israel to desist from carrying out such inhuman practices. Unless Israel complies with United Nations resolutions and respects its Charter, it should be disassociated from all international organizations and their activities.

A/35/283

S/13988

English

Page 2

"By its latest acts, Israel once more proves beyond any doubt that it is a mere amalgam of terrorist groups that respect neither international law nor human morality."

I shall be grateful if you kindly circulate this letter as a document of the General Assembly, under item 24 of the preliminary list, and of the Security Council.

(Signed) Mohsin A. ALAINI
Ambassador
Permanent Representative

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/284
S/13990
10 June 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 26 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Thirty-fifth year

Letter dated 9 June 1980 from the Permanent Representative of
Israel to the United Nations addressed to the Secretary-General

Further to my letter to you of 6 June (A/35/282), I wish to draw your attention to an attempt made on 7 June 1980 by a gang of PLO terrorists to enter Israel from Jordan not far from Ne'ot Ha-Kikar, 12 miles south of the Dead Sea.

The terrorists were spotted by an Israel Defence Forces patrol and, in the course of the pursuit after them, two of the gang were killed and apparently one or two other terrorists were injured. They were carrying, inter alia, Soviet-made Kalatchnikov assault rifles and hand grenades.

As is its wont, the PLO, through a spokesman in Damascus, immediately took responsibility for this incident (as broadcast on Radio Monte Carlo on 8 June 1980).

I have the honour to request that this letter be circulated as an official document of the General Assembly, under item 26 on the preliminary list, and of the Security Council.

(Signed) Yehuda Z. BLUM
Ambassador
Permanent Representative of Israel
to the United Nations

* A/35/50.

UNITED NATIONS



GENERAL
ASSEMBLY



SECURITY
COUNCIL

Distr.
GENERAL

A/35/285
S/13991
11 June 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session
Item 27 of the preliminary list*
QUESTION OF NAMIBIA

SECURITY COUNCIL
Thirty-fifth year

Letter dated 9 June 1980 from the President of the United
Nations Council for Namibia to the Secretary-General

I have the honour to transmit to you the text of the Algiers Declaration and Programme of Action adopted by the United Nations Council for Namibia at its 328th meeting, held at Algiers on 1 June 1980.

In conformity with the decision of the Council taken at the same meeting, I should like to request that the Algiers Declaration and Programme of Action be circulated as an official document of the General Assembly, under item 27 of the preliminary list, and of the Security Council.

(Signed) Paul J. F. LUSAKA
President
of the United Nations Council for Namibia

* A/35/50.

ANNEX

Algiers Declaration and Programme of Action on Namibia

I. DECLARATION

1. The United Nations Council for Namibia held a series of extraordinary plenary meetings at Algiers from 28 May to 1 June 1980. The meetings were held in accordance with General Assembly resolution 34/92 A of 12 December 1979 in order to carry out an appraisal of the critical situation in Namibia resulting from the continued illegal occupation of the Territory by South Africa and a review of the current efforts of the United Nations to implement the resolutions of the Security Council, in particular, resolutions 385 (1976) and 435 (1978). Such an appraisal assumed greater urgency in view of the insidious schemes of South Africa aimed at installing a neo-colonial puppet régime in Namibia, to the total exclusion of the South West Africa People's Organization (SWAPO), which is recognized by the United Nations General Assembly as the sole and authentic representative of the people of Namibia and is a respected member of the international community.

2. Inaugurating the extraordinary plenary meetings of the Council, His Excellency Mr. Mohamed Seddik Benyahia, Minister for Foreign Affairs of Algeria, stated:

"... The people of Namibia have a right to expect, at this critical stage for Namibia's future, that the international community will render it decisive moral and material support ... On this African soil which today hosts your Council, the Algerian people, who until only recently were oppressed and exploited, cannot but display their firm solidarity with the people of Namibia as they have done in the past with regard to the genuine initiatives aimed at the liberation of peoples. Having won its independence after a long armed struggle of national liberation, Algeria appreciates the exemplary nature of SWAPO's struggle for the emancipation of Namibia and its rejection of the barbarous practice of apartheid. The very history of decolonization has shown that liberation can be born only out of peoples' own struggle. Independence has always been won by violent actions and many-sided struggles against totalitarian régimes which had denied the very existence of freedom or based social order on so-called racial superiority."

3. Greeting the Council on the occasion, the Secretary-General of the United Nations said in a message:

"The Council has fully succeeded in presenting to the international community the nature of the problems at stake in Namibia ... The choice (in Namibia) is clearly between a conflict which risks daily escalation or the rapid transfer of power to the people of Namibia on the basis of free and fair elections under the supervision and control of the United Nations."

4. In the weeks preceding its extraordinary plenary meetings, the Council sent missions of consultation to Australia, Barbados, Canada, Cuba, Ecuador, France, Germany, Federal Republic of, Guyana, Jamaica, Mexico, New Zealand, Panama, Trinidad and Tobago, the United Kingdom and the United States. The missions held consultations and exchanged views at the highest possible political level in order to identify ways in which efforts could be intensified to secure implementation of the resolutions of the General Assembly and the Security Council designed to ensure the speedy independence of Namibia. Another mission of the Council is expected to leave at the conclusion of these extraordinary plenary meetings for similar consultations with the Governments of the Libyan Arab Jamahiriya, Kuwait and Iraq.

5. The Council considers that its extraordinary plenary meetings at Algiers, coming in the wake of the independence of Zimbabwe, have marked a new stage in the struggle for the independence of Namibia at a time when colonialism and racism are making desperate attempts to prevent their final disappearance from the face of the earth. It hails the victory of the Patriotic Front forces in Zimbabwe as the victory of all the liberation forces in southern Africa, one which has provided a powerful inspiration to the oppressed people of South Africa and laid the foundations for the early independence of Namibia.

6. The General Assembly, in its resolution 2145 (XXI) of 27 October 1966, declared Namibia a direct responsibility of the United Nations. In its resolution 2248 (S-V) it established the Council with the responsibility of administering the Territory until independence. Despite the consistent efforts undertaken by the United Nations since that date, the aspirations of the Namibian people for self-determination, freedom and national independence remain unfulfilled. South Africa has continuously defied all demands of the General Assembly and the Security Council to withdraw its illegal administration from the Territory and allow the Namibian people to achieve self-determination, freedom and national independence in a united Namibia on the basis of free and fair elections under United Nations supervision and control. The refusal of South Africa to comply with the resolutions of the United Nations on the question of Namibia constitutes a grave challenge to the authority of the United Nations.

7. In view of the background of South Africa's continued illegal occupation of Namibia and its persistent refusal to co-operate with the United Nations in efforts designed to terminate peacefully that occupation, the people of Namibia have had to resort to armed struggle to protect their national integrity and to strive for the liberation of their country, under the leadership of SWAPO, their sole and authentic representative. As a result of that intensification, heavy losses in personnel and equipment have been inflicted on the South African army and its morale is being constantly undermined by the heroic stand of the Namibian patriots leading to cases of desertion, refusal of service and conscientious objection.

8. Namibian patriots today, therefore, face a ruthless escalation of the brutal and repressive actions by which the colonialist and racist illegal administration

of South Africa intends to perpetuate its exploitation of the people and resources of Namibia. The Namibian people are being subjected to constant harassment, detention and inhuman practices as well as to massive displacement of communities, to serve the military objectives of the illegal occupation régime. Mercenaries are being constantly recruited to participate in the genocidal violence unleashed by the racist exploiters in an attempt to break the spirit of Namibian patriots conducting a courageous war of national liberation in the Territory. Members and supporters of SWAPO are being jailed, tortured and killed for resisting racist oppression and exploitation in their country. The illegal South African occupation régime continues to increase its militarization of the Territory, where it maintains over 70,000 troops and a continuously expanding number of military bases. South Africa has also attempted to increase its intimidation of independent African countries through the development of a nuclear weapons capability which further threatens international peace and security.

9. The Council strongly condemns the continuous and systematic aggression which has been committed by the racist régime of South Africa against both Zambia and Angola, the latest instance being the armed aggression against Angola on Sunday, 25 May 1980, resulting in substantial destruction of property and the loss of over 200 Angolan lives.

10. At the same time that the Pretoria régime is unleashing this reign of terror and death against SWAPO and against neighbouring African States, it is engaged in a number of manoeuvres whose undisputed purpose is the creation of administrative structures controlled by neo-colonialist puppets under an entity which would be masquerading as an independent government but which would, in fact, be a tool of Pretoria's expansionist and exploitative designs in southern Africa.

11. These manoeuvres are being relentlessly and determinedly carried out by South Africa behind the facade of its apparent willingness to negotiate with the United Nations on the implementation of Security Council resolution 435 (1978). South Africa's deliberate prevarication and delaying tactics throughout these negotiations and its most recent response of 12 May 1980 in respect of the proposed establishment of a demilitarized zone between Namibia and Angola and Namibia and Zambia in the context of implementation of that resolution, constitute yet further confirmation of its contempt for the United Nations, its desire to perpetuate its illegal occupation of the Territory, to frustrate the achievement of the legitimate aspirations of the Namibian people to self-determination and national independence and to deceive the international community into acquiescing in these efforts. The Council expresses its deep concern at the most recent response of the South African Government. The Council concludes that the response is a negative step which indicates that South Africa is not prepared to implement the United Nations plan for Namibia.

12. The Council deplores the fact that South Africa's Western collaborators have permitted the pursuit of these insidious manoeuvres by refusing to exert the necessary pressure on the Pretoria régime to comply with the decisions of the United Nations on Namibia. The Council also deplores in the strongest terms the

fact that these States have continued their collaboration with the racist régime, thus fortifying it in its defiance of the United Nations. This collaboration continues even in the face of South Africa's continued contempt for the settlement plan originally proposed by the Western Powers and accepted by the international community.

13. The Council vehemently condemns the colonialist and racist régime of South Africa for its systematic attempts to perpetuate its illegal occupation of the Territory of Namibia and to undermine and eliminate SWAPO as the sole and authentic representative of the people of Namibia. The Council also condemns in the strongest terms South Africa's attempts at undermining the unity and the national and territorial integrity of Namibia. In this regard it vigorously condemns South Africa's bantustanization policies, its policy and practice of apartheid, and its unilateral and illegal acts, such as the extension of the territorial sea and the proclamation of an economic zone off the coast of Namibia.

14. The Council declares that Namibia must accede to independence with its territorial integrity intact, including Walvis Bay. The Council unequivocally reaffirms the relevant decisions of the General Assembly and of the Security Council to the effect that Walvis Bay is an integral part of Namibia and that any action by South Africa to separate Walvis Bay from Namibia is illegal, null and void. The Council further reaffirms that the territorial integrity of Namibia is inviolable and that any additional steps which South Africa may undertake in the future to undermine the unity and integrity of Namibia are illegal, null and void.

15. The Council reaffirms its support for SWAPO as the sole and authentic representative of the Namibian people. The Council also commends the heroic people of Namibia, under the leadership of their liberation movement, SWAPO, for having intensified the armed struggle for the liberation of their Territory from South Africa's illegal occupation. At the same time the Council considers it proof of SWAPO's statesmanship and its love of peace that it has displayed sincerity, flexibility and a spirit of accommodation throughout the process of negotiations, and has always expressed readiness to participate in fair and free elections.

16. The Council reaffirms its solidarity with the southern African front-line States which have been forced by South Africa to pay such a high price, both in terms of life and of property, for their devotion to freedom and national independence in the region.

17. The Council reaffirms that the natural resources of Namibia are the inviolable heritage of the Namibian people. The rapid depletion of the natural resources of the Territory as a result of the systematic plunder by foreign economic interests in collusion with the illegal South African administration is a grave threat to the integrity and prosperity of an independent Namibia. In particular, the continuous illegal exploitation of Namibian uranium is to the detriment of Namibia and its people. It was in this context that the Council declared in its Decree No. 1 for the Protection of the Natural Resources of

Namibia that "no person or entity, whether a body corporate or unincorporated, may search for, prospect for, explore for, take, extract, mine, process, refine, use, sell, export, or distribute any natural resource, whether animal or mineral, situated or found to be situated within the territorial limits of Namibia without the consent and permission of the United Nations Council for Namibia or any person authorized to act on its behalf for the purpose of giving such permission or such consent". a/ The Council underlines the importance of effective implementation of this Decree, which was approved by the General Assembly at its twenty-ninth session, on 13 December 1974 (resolution 3295 (XXIX), sect. IV), and condemns its violations, including the illegal exploitation of Namibia's marine resources in its territorial waters.

18. The Council solemnly reaffirms its unswerving commitment to the service of the Namibian people. The creation of the United Nations Fund for Namibia, the establishment of an indicative planning figure for Namibia in the United Nations Development Programme, the establishment of the United Nations Institute for Namibia at Lusaka, with the support of the Government of Zambia, and the Nationhood Programme for Namibia represent areas of positive benefit for the people of Namibia. In 1980 the Council, with the support of the Government of Angola and the assistance of the International Labour Organisation, is establishing a basic vocational centre to be situated in Angola to contribute to the increase of the productive skills of Namibia.

19. The Council expresses its appreciation for the generous support which Member States have been giving to SWAPO, the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia, thus facilitating the expansion of programmes of assistance to the Namibian people.

II. PROGRAMME OF ACTION

20. Having assessed the current situation in Namibia, the Council considers that, in view of South Africa's continued illegal occupation of Namibia, its intransigence as demonstrated most recently by its communication to the Secretary-General dated 12 May 1980 (S/13935), along with its repeated acts of armed aggression against the people of Namibia and the neighbouring African States, the situation in Namibia constitutes a threat to international peace and security. It accordingly adopts the following programme of action in order to ensure South Africa's compliance with the resolutions and decisions of the United Nations on Namibia and to attain the objective of peace in the region.

21. The Council invites the attention of the Security Council to the present critical situation in Namibia and requests it to convene urgently to impose comprehensive and mandatory sanctions on South Africa as provided for under Chapter VII of the Charter of the United Nations.

a/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24 A (A/9624/Add.1), para. 84.

22. The Council calls on the international community to intensify efforts for the complete and effective isolation of South Africa and, in this regard, calls for the exposure to the widest international scrutiny of those foreign economic and other interests whose collaboration with the racist Pretoria régime buttresses the machinery of exploitation in Namibia and contributes to the perpetuation of the subjugation of the people of the Territory.

23. The Council urges all Member States not to recognize any so-called internal settlement of the question of Namibia. Free and fair elections under the supervision and control of the United Nations are an essential prerequisite to any peaceful settlement in Namibia.

24. The Council calls upon the international community to increase all possible support to every plan of action which would enable SWAPO to pursue its strategies in the military, political and diplomatic fields and so disabuse South Africa of any notion that it can rest secure on its alleged military strength.

25. The Council decides to promote every effort for the speedy implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. Steps will be taken to strengthen the legal basis of Decree No. 1 by clarifying the existing link between the Decree and the relevant resolutions of the Security Council to make it more effective in those countries whose Governments consider it to be a mere recommendation of the General Assembly. The Council will continue to monitor the illegal exploitation of Namibian uranium to reveal to the international community the reckless and destructive actions of South African and other foreign economic interests against the welfare of the Namibian people. As a first step, the Council will conduct hearings on Namibian uranium in July 1980 to determine what further action can be taken by the United Nations to ensure compliance with the decisions of the General Assembly.

26. The Council calls upon the international community, in solidarity with the southern African front-line States which have borne and continue to bear great sacrifices on behalf of the oppressed people of Namibia, to intensify efforts to render as a matter of urgency all support and assistance which would enable them better to exercise their legitimate right of self-defence in respect of South Africa.

27. The Council calls upon the Security Council to declare categorically that Walvis Bay is an integral part of Namibia and that the question should not be left as a matter for negotiation between an independent Namibia and South Africa.

28. The Council will undertake all necessary action to ensure that South Africa's false claims with respect to the Penguin and other islands along the coast of Namibia are declared illegal, null and void by the relevant organs of the United Nations.

29. The Council, recalling the Maputo Declaration of 1977, b/ recommends that the General Assembly should request the Secretary-General to prepare, in consultation with the President of the Council and in co-operation with the Organization of African Unity, for consideration by the Assembly at its thirty-fifth session, a proposal to convene in 1981 an international conference in support of the struggle of the Namibian people.
30. The Council, mindful of South Africa's communication to the Secretary-General of 12 May 1980, urges the international community to join in a massive campaign of mobilizing international opinion against South Africa and its illegal occupation of Namibia, giving massive public exposure to the Pretoria régime's acts of terrorism against SWAPO members and supporters as well as against neighbouring independent African States and its attempts to undermine SWAPO as the sole and authentic representative of the people of Namibia and to confer legitimacy on its puppets.
31. The Council intends, through the organization of seminars on Namibia and related activities, systematically to expand contacts with non-governmental organizations, journalists, students, trade unions and others, in order to promote the cause of the struggle of the people of Namibia for freedom and independence.
32. The Council decides to counter South Africa's acts to extend illegally, in its own name, the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia. The Council intends to use its own authority to extend the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia.
33. Against the background of the preceding analysis of the current situation in Namibia, in this final phase of the liberation struggle of the people of Namibia, the Council solemnly renews its commitment to the mandate conferred upon it by the General Assembly and dedicates itself afresh, and with the utmost energy, to fulfilling the terms of that mandate. In this regard, it considers that the Programme of Action represents a commitment to SWAPO and to the people of Namibia, and expresses its determination to continue to explore all possible options which would help to hasten South Africa's withdrawal from Namibia and the recovery by the people of that Territory of their freedom and independence.

b/ A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/286
11 June 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Items 28 and 80 of the preliminary list*

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE

Letter dated 6 June 1980 from the Chairman of the Special Committee
against Apartheid to the Secretary-General

I have the honour to transmit herewith the Declaration and Recommendations of the International Seminar on Women and Apartheid, held at Helsinki from 19 to 21 May 1980.

The International Seminar was organized by the Non-Governmental Organizations Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, in co-operation with the Special Committee against Apartheid, the secretariat of the World Conference of the United Nations Decade for Women and the United Nations Educational, Scientific and Cultural Organization.

I have the honour to request you, on behalf of the Special Committee, to circulate the Declaration and Recommendations of the International Seminar as a document of the General Assembly, under items 28 and 80 of the preliminary list, and to bring them to the attention of the World Conference of the United Nations Decade for Women to be held at Copenhagen from 14 to 30 July 1980.

(Signed) B. Akporode CLARK
Chairman
of the Special Committee against Apartheid

* A/35/50.

ANNEX

Declaration and Recommendations
of the International Seminar on Women and Apartheid
held at Helsinki from 19 to 21 May 1980

1. The International Seminar on Women and Apartheid - organized by the Non-governmental Organizations Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, in co-operation with the United Nations Special Committee against Apartheid, the Secretariat of the World Conference of the United Nations Decade for Women and the United Nations Educational, Scientific and Cultural Organization (UNESCO) - met in Helsinki, Finland, from 19 to 21 May 1980.
2. The participants included representatives of the United Nations and specialized agencies, the Office of the United Nations High Commissioner for Refugees, the Organization of African Unity, the Southern African Liberation Movements recognized by the Organization of African Unity (OAU), Governments and organizations from front-line countries in Africa, and organizations from the Nordic countries, and more than fifty non-governmental organizations, as well as a number of individual experts. The Nordic Governments and a number of other Governments were represented as observers.
3. The Seminar was convened in pursuance of the objectives of the Decade to Combat Racism and Racial Discrimination, and the Decade for Women, particularly in order to contribute to the World Conference of the United Nations Decade for Women, to be held in Copenhagen in July 1980, which will give special attention to the problem of women under apartheid.
4. Its main purpose was to expose the oppression of millions of women in southern Africa under the criminal policy of apartheid, to stress the plight of refugee women and children, to highlight the heroic struggle of women for liberation from racist tyranny, and to formulate means to promote widest international solidarity with the struggle of the women and their national liberation movements to destroy apartheid and build a just society.
5. After a full discussion of the situation and extensive consultations among the participants, the Seminar adopted the following Declaration and recommendations. It commends them for action by Governments, the United Nations system, intergovernmental and non-governmental organizations and individuals.
6. The International Seminar on Women and Apartheid pays tribute to the heroic and victorious struggle waged by the people of Zimbabwe under leadership of the Patriotic Front, heartily congratulates them on their recent independence, and welcomes Zimbabwe to the international community.
7. The Seminar draws the attention of all governments and peoples to the oppression, exploitation and persecution of millions of women under apartheid in southern Africa and to their heroic struggle to eradicate apartheid.
8. It appeals to them for urgent and concerted action in support of the women under apartheid in their legitimate struggle.
9. Apartheid is a system of oppression, under which the black women and children suffer most.
10. The abolition of this system must be a matter of utmost priority for all those committed to the abolition of racism and to the equal rights of men and women.

11. Apartheid is not merely a gross violation of human rights, nor simply a forcible imposition of racial discrimination and segregation. It is, above all, a system of oppression and exploitation of indigenous people of South Africa, who constitute the great majority of the population of the country, after the alien settlers and colonialists succeeded through a series of wars in dispossessing them of their land and in destroying their traditional society.

12. It is the domination of the country by a racist minority, to whom power was transferred by the erstwhile colonial power.

13. It is a special form of colonialism established by the illegitimate regime of the white minority in order to consolidate and perpetuate racist domination and exploitation.

14. Apartheid is a criminal system which cannot be "reformed". The liberation movements have stressed that the task is, therefore, no less than to ensure the seizure of power by the people, to destroy all the structures of apartheid and to enable all the people to establish a democratic non-racial society, ensuring equal rights for all men and women.

15. They have further declared that armed struggle has become indispensable to the national liberation movements of the oppressed people and have called for support of that struggle through material assistance and the imposition of sanctions against the racist regime of South Africa.

16. The Seminar expresses its full understanding and support of the position of the liberation movements and respects their right to choose their means of struggle.

17. The Seminar notes with appreciation the advance of the liberation struggle in South Africa and Namibia led by their respective national liberation movements - the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC), and the South West African People's Organization (SWAPO) - as evidenced by the progress in the armed struggle, the mass demonstrations of black students and other developments.

18. It recognizes that the struggle of women in South Africa and Namibia is, in the first place, a struggle of the African people for inalienable rights to their land and its resources, their dignity, and their honour, and for national liberation.

19. The Seminar recognizes that this struggle of the women of South Africa and Namibia and their national liberation movements is a major contribution to the purposes and principles of the United Nations and to international peace.

20. Support for women under apartheid requires assistance not only to them in their struggle against all manifestations of injustice, deprivation and dehumanization, but also to their national liberation movements.

21. Further, it requires assistance to enable the oppressed women to make their rightful contribution to the liberation struggle and to the reconstruction of their country.

22. The Seminar declares that apartheid is not only a crime against humanity but a danger to international peace and security. The nuclearization of South Africa, and the recent detonation of a nuclear weapon by the racist regime, threaten all people of Africa and world peace.
23. Apartheid must be eradicated by collective action of all governments and peoples committed to peace, freedom, human dignity and international co-operation.
24. The Seminar draws particular attention to the heinous crimes of the apartheid regime in killing and maiming women and children in peaceful demonstrations against injustice; to the forcing of thousands of villagers into concentration camps in northern Namibia; to the acts of aggression against neighbouring States, especially Angola and Zambia; and to the bombing of women and children in refugee centres.
25. Women and children fleeing from the barbaric and appalling persecution of the apartheid system constitute the majority of the refugee population from South Africa and Namibia in the neighbouring countries. They require the granting of durable asylum, food, shelter, medical care, legal protection and guarantee of fundamental human rights, intensive counselling, education, training and employment.
26. The Seminar denounces the hypocrisy of those governments which profess abhorrence of apartheid but prevent the United Nations from deciding on mandatory sanctions against South Africa. It particularly deplores that the Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, which are permanent members of the Security Council, veto proposals for effective action against apartheid.
27. The Seminar notes with alarm and indignation that certain Governments - such as the Federal Republic of Germany, France, Israel, Japan, the United Kingdom, the United States of America, Belgium and Italy - transnational corporations and other interests continue to collaborate with the Pretoria regime in military, nuclear, economic, political and other fields. It declares that any collaboration with the Pretoria regime is a crime against all peoples and against peace.
28. The Seminar hails the heroic role of women in the liberation struggle in South Africa and Namibia, and pays tribute to the many leaders and martyrs in that struggle.
29. The plight of the women and their role in the struggle must be publicized so as to mobilize world public opinion for action in solidarity with the women of South Africa and Namibia.
30. The Seminar expresses its appreciation to the Secretary-General of the World Conference of the United Nations Decade for Women for the excellent work her Secretariat has done in preparation for the consideration of the agenda item on the Effects of Apartheid on the Status of Women in Southern Africa at the World Conference. The Seminar urges that the second half of the United Nations Decade for Women, in the light of its themes of Equality, Development and Peace, focus a special emphasis on women in South Africa and Namibia where conditions for women have steadily worsened during the first half of the Decade. It further urges full support of the Copenhagen Conference as an expression of the solidarity of the women of the world with the oppressed men and women in South Africa and Namibia.

It welcomes General Assembly resolution 34/93 K of 12 December 1979 on women and children under apartheid.

It commends the Special Committee against Apartheid for giving special attention to women under apartheid and promoting co-ordinated and intensified action in solidarity with the struggle of women in South Africa and Namibia and their national liberation movements.

It notes with appreciation the programmes and activities of UNESCO, FAO, ILO, UNHCR, WHO and other United Nations agencies in support of women in South Africa and Namibia. It also notes with appreciation the material and moral support that various non-governmental organizations give to the fighting people of southern Africa.

31. The Seminar recommends the following:

(a) Condemning the political, military, nuclear, economic, sports and cultural links with the South African regime which are maintained by States, especially certain Western States, in violation of the resolutions of the United Nations calling for an end to all such collaboration, the Seminar calls for and commits itself to mobilizing for total sanctions against the racist regime of South Africa, including an effective embargo on all military and nuclear collaboration, oil and oil products, loans, investments, trade, tourism and sports and cultural contacts. It recommends that all organizations publicize and support the upcoming initiatives of the United Nations and OAU for the implementation of sanctions against the South African regime.

(b) The Seminar calls for urgent action by the international community to grant all necessary assistance to the oppressed people of South Africa and Namibia and their national liberation movements in their legitimate struggle.

(c) The Seminar calls for the immediate withdrawal of the illegal South African occupation regime from Namibia in accordance with the provisions of Security Council resolution 385 (1976), and demands the immediate implementation of resolution 435 (1978) of the Security Council. It supports the position of SWAPO as the sole authentic representative of the people of Namibia, including Walvis Bay, which is an integral part of the Territory.

(d) The Seminar condemns the aggression by South Africa against Angola and Zambia. It commends the front-line States for their assistance to and solidarity with the oppressed people of South Africa and Namibia, and their national liberation movements. It urges increased international assistance to and co-operation with the front-line States, including assistance, at their request, to prevent and repel acts of aggression by the racist regime of South Africa.

(e) The Seminar expresses concern over the plight of refugee women, victims of apartheid, and commends the United Nations High Commissioner for Refugees for the protection and humanitarian assistance his Office is providing to refugee women and children from South Africa and Namibia, and strongly urges all Governments and humanitarian organizations to increase their moral as well as material support for the High Commissioner's humanitarian actions in favour of southern African refugees.

It commends non-governmental organizations that have provided assistance to refugees from apartheid and freedom fighters, and urges them to intensify such assistance.

(f) The Seminar strongly supports the campaign launched in South Africa for the release of Nelson Mandela and all other political prisoners.

It calls on governments and organizations all over the world to support that campaign.

It recommends that the period from Africa Liberation Day, 25 May, to the Day of Solidarity with South African Political Prisoners, 11 October, be devoted to an intensified campaign for the release of South African and Namibian political prisoners through petitions, demonstrations, etc.

(g) The Seminar condemns the inhuman and vengeful persecution by the racist regime of South Africa of many women leaders and dependents of political prisoners - in particular the severe restrictions imposed under banning orders to isolate them.

It invites organizations and individuals to send greetings and letters to them in order to assure them of the concern of people of conscience everywhere.

(h) The Seminar requests the Commission of Human Rights to investigate crimes against women and children in South Africa and Namibia.

(i) The Seminar recommends that the United Nations, in consultation with the OAU, proclaim an International Day of Solidarity with the Struggle of Women of South Africa and Namibia in order to promote the widest mobilization of world public opinion in support of the righteous struggle of the women of South Africa and their national liberation movement, as well as all necessary assistance to them to ensure the speedy triumph of that struggle.

It recommends that, in the meantime, all organizations should publicize the struggle of women in South Africa and collect material assistance for them through the national liberation movements.

(j) The Seminar urges the World Conference of the United Nations Decade for Women to give high priority to the question of measures of assistance to women in southern Africa in the final preparation of the Programme of Action in the second half of the United Nations Decade for Women.

(k) The Seminar notes with appreciation the report of the Secretary-General of the World Conference on measures of assistance to women in southern Africa (A/Conf. 94/6), which were endorsed by the Preparatory Committee of the World Conference and which will be considered in Copenhagen, and encourages the Conference to further strengthen the measures in the light of the conclusions of this Seminar.

(l) The Seminar urges the Special Committee against Apartheid and the Secretary-General of the World Conference, in consultation with the national liberation movements and other concerned organizations, to plan the establishment of effective machinery to implement the World Programme of Action regarding assistance to women in Southern Africa and mobilize the international community for this purpose.

(m) The Seminar appeals to all governments and organizations to support the various projects of the national liberation movements, especially those designed for women and children.

(n) The Seminar expresses appreciation to those organizations whose participation in the campaign for the release of Victor Matlou has forced the racist South African regime to release him.

It urges that such campaigns be continued and intensified to free other political prisoners and to prevent the execution of freedom fighters like James Mange.

It condemns the kidnapping of many surviving victims, both men and women, of the infamous South African raid on Cassinga in 1978, their detention in secret military prisons and the maiming and mutilation of these prisoners. It calls for the application of the Geneva Convention of 1949 on the treatment of prisoners of war, and the protocol thereto, to these imprisoned Namibians, as well as all other freedom fighters captured in the national liberation struggle in southern Africa.

(o) The Seminar recommends that the United Nations, governments, non-governmental organizations and the whole international community mount immediate campaigns to oppose the bill presently being debated in the South African Parliament which, if passed, will make it a criminal offence for the press to publish any details whatsoever regarding persons detained without trial.

It also recommends a related campaign to end all detention without trial in South Africa and Namibia.

(p) The Seminar expresses great appreciation to the International Defence and Aid Fund for Southern Africa, under the leadership of the Reverend Canon L. John Collins, for its assistance to political prisoners, banned persons and their families in Southern Africa, as well as for its efforts in publicizing the oppression of women under apartheid and the heroic struggle of women against that inhuman system.

It appeals to Governments and organizations to make increased contributions to that Fund in order to enable it to provide adequate assistance to women in southern Africa in this crucial period.

(q) The Seminar invites the United Nations and specialized agencies, Governments and organizations to assist women from the national liberation movements and from women's organizations in the front-line States to attend conferences, seminars and educational and other institutions in different regions of the world. This should take the form of all necessary financial or other assistance for adequate representation and also, for the liberation movements, the issuing of travel documents or the recognition of travel documents.

The Seminar also suggests that regional and national organizations hold meetings focussing on the plight of women under apartheid and their fight for liberation.

(r) The Seminar urges the United Nations, UNESCO, FAO, ILO, WHO and other specialized agencies and United Nations bodies, as well as non-governmental organizations, to strengthen and augment programmes of assistance to national

liberation movements recognized by the OAU, including projects of co-operation with women of national liberation movements for promoting their participation in the liberation struggle and in training programmes for future national reconstruction, and to furthermore augment funds from their regular budgets in order to implement these programmes.

Governments are requested to contribute and/or increase their contributions to the various funds established by the United Nations and specialized agencies and by intergovernmental, regional and non-governmental organizations that support the oppressed peoples of South Africa and Namibia.

The Seminar further requests organizations of the United Nations system to involve women of national liberation movements in all programmes of the United Nations system, including invitations to experts' meetings and training seminars, as well as involvement as consultants and beneficiaries of projects.

The women in national liberation movements should be consulted by the United Nations specialized agencies and other organizations to determine women's needs and wishes. Women should participate fully in planning, formulating and implementing all assistance programmes and they should have equal opportunities for obtaining grants, scholarships and training. If otherwise qualified women lack certain academic credentials or training to qualify for grants and scholarships, they should be given the necessary prerequisite education and training rather than being disqualified from assistance from which they would benefit.

Women in southern Africa must be provided all necessary assistance to upgrade their present skills and acquire new skills that will enable them to participate fully in both the present struggle for national liberation as well as in national reconstruction. Increased support should be provided to the national liberation movements for their women's sections or programmes and opportunities made available for the training of women in appropriate fields, in accordance with the needs of the national liberation movements.

(s) The Seminar calls for a greater role by women and women's organizations all over the world in solidarity with the struggle for liberation in South Africa and Namibia. It recommends greater co-ordination of action by all such organizations in co-operation with the Special Committee against Apartheid and the United Nations Council for Namibia.

(t) The Seminar urges the Voluntary Fund for the United Nations Decade for Women to consider generous assistance to the national liberation movements of South Africa and Namibia for their information activities and other projects.

(u) The Seminar urges that United Nations and its specialized agencies, all governments and non-governmental and other organizations collect information on the situation of women in South Africa and Namibia and their fight for freedom and that they give the widest possible dissemination of such information through existing means, including publications, films, photographic exhibits, radio programmes, etc. It further advocates the development of new means of communication and distribution of such information in order to reach and mobilize new and wider audiences. Such intensified dissemination of information on apartheid, invited also by the Mass Media Declaration of UNESCO, is an essential element of the struggle towards a new international information order.

(v) The Seminar urges the Special Committee against Apartheid, the Secretary-General of the World Conference of the United Nations Decade for Women and any follow-up machinery for the Programme of Action of the Decade, UNESCO, non-governmental organizations and others, in consultation with the national liberation movements, to mobilize the international community in support of the women of southern Africa in their struggle for national liberation.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/287
11 June 1980
ENGLISH
ORIGINAL: FRENCH

Thirty-fifth session
Item 22 of the preliminary list*

THE SITUATION IN KAMPUCHEA

Letter dated 10 June 1980 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

At the request of His Excellency Mr. Hun Sen, Minister for Foreign Affairs of the People's Republic of Kampuchea, I have the honour to transmit to you herewith a statement issued on 6 June 1980 by the Ministry of Foreign Affairs of the People's Republic of Kampuchea demanding the cessation of all acts of intervention and sabotage originating in Thailand and expressing Kampuchea's willingness to resolve all problems by means of negotiation. I would request you to circulate this letter, together with the statement, as an official document of the General Assembly under item 22 of the preliminary list.

(Signed) HA VAN LAU
Permanent Representative of the
Socialist Republic of Viet Nam
to the United Nations

* A/35/50.

ANNEX

Statement by the Ministry of Foreign Affairs of the People's
Republic of Kampuchea

For more than a year, following the historic victory of 7 January 1979 over the genocidal Pol Pot-Ieng Sary-Khieu Samphan régime, which was a lackey of Peking expansionism, the Kampuchean people, under the leadership of the Kampuchean Front of National Union for National Salvation and the People's Revolutionary Council of Kampuchea, have been overcoming many difficulties and obstacles. They have achieved signal successes in national defence and reconstruction; production, primarily agricultural production, has made encouraging progress; and the famine bequeathed by the genocidal Pol Pot-Ieng Sary-Khieu Samphan régime has been checked. Life for the population has gradually improved both spiritually and materially. Security and social order have been preserved. The over-all situation is becoming more stable every day and Kampuchea is now on the road to renewal and development.

This shows that the People's Republic of Kampuchea is a factor of peace and stability for the region of South-East Asia; in spite of the sabotage schemes of every kind engineered by the Peking ruling circles, in collusion with United States imperialism and other reactionary circles, the Kampuchean revolution is irreversible.

Refusing to accept their defeat and cherishing the illusion that they can regain the position they lost, the Peking expansionists, in collusion with United States imperialism and other reactionaries, are continuing to muster and sustain the remnants of the Pol Pot-Ieng Sary-Khieu Samphan gang and Khmer reactionaries of all sorts, to use Thai territory as a spring-board for attacks on the People's Republic of Kampuchea and to heighten tension along the Kampuchean-Thai frontier in order to sabotage the peace, independence, sovereignty and integrity of the People's Republic of Kampuchea, thus in fact jeopardizing the security and sovereignty of the Kingdom of Thailand. Furthermore, Peking is seeking to create ill-feeling between the ASEAN countries and the three countries of Indo-China and to block the prospects for negotiation among those countries, so that it can put into effect its great-power policy of expansionism and hegemonism, thus seriously threatening peace and stability in South-East Asia.

The People's Revolutionary Council of Kampuchea strongly denounces and sternly condemns these dark designs, and demands an end to all acts of intervention and sabotage against the independence, sovereignty and territorial integrity of the People's Republic of Kampuchea and to the use of Thai territory against the Kampuchean people.

The people and the People's Revolutionary Council of Kampuchea are determined to defend the independence, sovereignty, peace and security of their country. They are also determined to strengthen their solidarity with Viet Nam, Laos, the Union of Soviet Socialist Republics, the socialist countries and peace-and-justice-loving peoples throughout the world so as to foil all schemes and activities aimed at weakening the three countries of Indo-China.

In keeping with its foreign policy of peace, friendship, and non-alignment, the People's Republic of Kampuchea also wishes to have long-term relations of friendship and co-operation with all countries, and in particular with the countries of South-East Asia, on the basis of mutual respect for the independence, sovereignty, territorial integrity and political system of each country, the non-use of force or of the threat of force in their mutual relations, non-interference in the internal affairs of others and the principle that any dispute should be settled by peaceful negotiations.

In accordance with this foreign policy of fairness and goodwill, the People's Revolutionary Council of Kampuchea, taking into account the actual situation now prevailing, is prepared to have meetings with the Government of the Kingdom of Thailand at any level - the sooner the better - in an appropriate form for the discussion of urgent measures to end the tense situation in the frontier region between the two countries and settle other problems of concern to both parties so as to promote good-neighbourly relations, thus helping to make South-East Asia a region of peace and stability. Peking's great-power expansionism and hegemonism cause a direct and permanent threat to the independence, sovereignty, peace and security of the countries of South-East Asia, and any form of confrontation between the countries of that region can only benefit Peking expansionism. The only proper way of resolving problems concerning relations between the countries of the region is to talk together in a climate of understanding, friendship and mutual respect.

The People's Revolutionary Council of Kampuchea hopes that the Royal Government of Thailand will respond positively to the People's Republic of Kampuchea's policy of fairness and goodwill.

Sustained by the strength of an entire nation which is master of its own destiny and is determined to build up life and happiness in independence and freedom, and by the active solidarity among the three countries of the Indo-Chinese peninsula, the support of the Union of Soviet Socialist Republics and the other fraternal socialist countries and the unanimous backing of progressive humanity, the People's Revolutionary Council of Kampuchea is firmly convinced that the Kampuchean people will win a resounding victory in the task of national defence and reconstruction.

Phnom Penh, 6 June 1980

UNITED NATIONS

GENERAL
ASSEMBLY



SECURITY
COUNCIL



Distr.
GENERAL

A/35/288
S/13992
11 June 1980
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY

Thirty-fifth session

Items 22, 34 and 76 of the preliminary list*

THE SITUATION IN KAMPUCHEA

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL)

WEAPONS

INTERNATIONAL COVENANTS ON HUMAN RIGHTS

SECURITY COUNCIL

Thirty-fifth year

Letter dated 10 June 1980 from the Permanent Representative
of Democratic Kampuchea to the United Nations addressed to
the Secretary-General

I have the honour to transmit to you herewith, for your information, releases dated 31 May and 6 June 1980 by the Ministry of Information of Democratic Kampuchea condemning the use of toxic chemicals by the Vietnamese occupation forces.

I should be grateful if you would have the text of these releases circulated as an official document of the General Assembly, under items 22, 34 and 76 of the preliminary list, and of the Security Council.

(Signed) THIOUNN Prasith
Ambassador

Permanent Representative of Democratic Kampuchea

* A/35/50.

ANNEX I

RELEASE BY THE MINISTRY OF INFORMATION OF DEMOCRATIC KAMPUCHEA
CONDEMNING THE USE OF TOXIC CHEMICALS BY THE VIETNAMESE
OCCUPATION FORCES

- 31 May 1980 -

From 10 to 20 May 1980, the Vietnamese occupation forces mixed poison with dried milk (diverted from international humanitarian relief supplies) and also poisoned a number of water points along the highways from the Kampuchean-Thai frontier to the Bavel district (north-western Battambang province). According to first reports, 125 persons were killed: 22 old people, 31 women, 45 men and 27 children. In addition to these victims, there are several hundred cases of serious poisoning which will inevitably result in death.

Autopsies disclosed intestinal lesions.

The Vietnamese occupation forces who are poisoning the water in the frontier region are showing even greater cruelty in the more remote areas, where they use the full range of chemical weaponry, from poison gas to the spreading of chemical products, and including such practices as the poisoning of drinking water and the distribution of poisoned food and medicine. Hanoi has been intensifying these murderous crimes in a systematic and planned way throughout Kampuchea since the middle of the dry season, when its military situation began to deteriorate, having realized from its experiences during the dry season that it will not be able to break the people of Kampuchea. Despite the tremendous grief and devastation inflicted on them by the Vietnamese troops, the people of Kampuchea are standing firm in their struggle, ready to face any privation and, in concerted action with the national army and the guerrillas of Democratic Kampuchea, are continuing a resolute fight, under the leadership of the Government of Democratic Kampuchea and the Patriotic and Democratic Front of Great National Union of Kampuchea, against the genocidal expansionist Vietnamese aggressors, in order to defend and perpetuate their nation and their race.

It is because of the increased strength of the nation and people of Kampuchea, who stand solidly united and inspired by a great will for independence, and because of its own ever-increasing military and political difficulties, that the Lê-Duan clique is intensifying the use of chemical weapons, in addition to the weapon of starvation and conventional weapons of all kinds, to exterminate the people of Kampuchea.

On behalf of the victims and of all the people of Kampuchea, the Ministry of Information of Democratic Kampuchea most forcefully condemns these crimes of extermination and appeals to the United Nations and all peace- and justice-loving countries to take effective measures to prevent Viet Nam from committing more of them and force it to withdraw all its troops from Kampuchea, leaving the Kampuchean people to decide their own destiny without any foreign interference, in accordance with the United Nations resolution of 14 November 1979.

/...

ANNEX II

RELEASE BY THE MINISTRY OF INFORMATION OF DEMOCRATIC KAMPUCHEA

- 6 June 1980 -

For four consecutive days, from 27 to 30 May 1980, the Vietnamese occupation forces poisoned the watercourses up-stream from Kaun Kok, district of Thmar Sar, province of Koh Kong.

The substances used cause abdominal spasms and stiffening of the jaw, followed by loss of consciousness and subsequent death, or attacks of hysteria. According to the first reports there were six dead, including three children, five persons in a hysterical condition, including two pregnant women, and 20 other victims.

In an effort to exterminate the people of Kampuchea, Hanoi used several types of poison gas and toxic substances throughout the last dry season. Some of them cause blurred vision, dizziness, choking and bleeding from the mouth, nostrils and rectum, and death occurs within half a day. Others make the throat dry and cause vomiting, followed by stiffening of the jaw, paralysis and fever. Others again cause burns and fever upon contact, and the victims spit blood. Still others cause oedema and gangrene. These substances are all deadly.

The number of victims of poison gas and toxic substances is already very high, particularly in the forest and mountain regions. Viet Nam is now using chemical weapons in a systematic and planned way throughout Kampuchea, with the aim of exterminating the entire people of Kampuchea and thus eliminating any force capable of resisting it. Regarding such weapons as a component of its war of racial extermination, it is employing them on all fronts, particularly the north-eastern, central, northern, north-western, western and Koh Kong fronts, and is using Kampuchea as a testing-ground. If they are allowed to use chemical weapons in Kampuchea at will, Viet Nam and the USSR will not hesitate to use them against other countries and other peoples.

On behalf of the victims and of all the people of Kampuchea, the Ministry of Information of Democratic Kampuchea most forcefully condemns these savage crimes and calls upon the United Nations and peace- and justice-loving countries throughout the world to take strong and effective measures to put an end to them. However, the most effective and just way of protecting the Kampuchean people and preventing Hanoi from violating international law and the Charter of the United Nations is to force Hanoi to withdraw all its troops from Kampuchea and leave the Kampuchean people to settle their problems for themselves without foreign interference, in accordance with the United Nations resolution.



UNITED NATIONS
 GENERAL
 ASSEMBLY



Distr.
 GENERAL

A/35/289
 19 June 1980

ORIGINAL: ENGLISH

Thirty-fifth session
 Item 65 (c) of the preliminary list*

CRIME PREVENTION AND CONTROL

Implementation of the conclusions of the Fifth United Nations
 Congress on the Prevention of Crime and the Treatment
 of Offenders

Report of the Secretary-General

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 3	2
II. CHANGES IN FORMS AND DIMENSIONS OF CRIMINALITY: TRANSNATIONAL AND NATIONAL	4 - 23	3
III. CRIMINAL LEGISLATION, JUDICIAL PROCEDURE AND OTHER FORMS OF SOCIAL CONTROL IN THE PREVENTION OF CRIME	24 - 58	8
IV. THE EMERGING ROLES OF THE POLICE AND OTHER LAW-ENFORCEMENT AGENCIES	59 - 74	18
V. THE TREATMENT OF OFFENDERS, IN CUSTODY OR IN THE COMMUNITY, WITH SPECIAL REFERENCE OF THE STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS ADOPTED BY THE UNITED NATIONS .	75 - 117	23
VI. ECONOMIC AND SOCIAL CONSEQUENCES OF CRIME: NEW CHALLENGES FOR RESEARCH AND PLANNING	118 - 127	37
VII. CONCLUSIONS	128 - 140	40

* A/35/50.

I. INTRODUCTION

1. In its resolution 32/59 of 8 December 1977, the General Assembly considered the report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva from 1 to 12 September 1975, as well as the recommendations made by the Committee on Crime Prevention and Control at its fourth session. The General Assembly recognized the seriousness of crime problems, which had assumed new forms and dimensions in many countries and had, in fact, transcended national boundaries. The Assembly also expressed concern about the high social and material costs of crime and its adverse effects on development and the betterment of life.

2. Under paragraph 4 of that resolution, the General Assembly invited Member States to give maximum attention and support to the relevant conclusions of the Fifth Congress and to provide the Secretary-General with information relating to measures taken in this respect. The Secretary-General was then requested, under paragraph 7, to prepare a report on the information received from Member States, for submission to the Sixth Congress as well as the General Assembly at its thirty-fifth session.

3. In pursuance of this request, the Secretariat transmitted an inquiry to Member States on 6 March 1979, requesting relevant information for the purpose of preparing the present report. Follow-up notes were sent on 27 August and 10 October 1979, in order to attain the highest possible rate of response. By the end of April 1980, replies had been received from the following 46 Member States: Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, Cuba, Czechoslovakia, El Salvador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Iraq, Italy, Jamaica, Japan, Kenya, Lebanon, Luxembourg, Mauritius, Mexico, Morocco, Netherlands, Pakistan, Philippines, Poland, Portugal, Romania, Saudi Arabia, Seychelles, Spain, Sweden, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Venezuela and Yugoslavia. This report is thus based on the information submitted by the responding States and is structured along the substantive agenda items dealt with at the Fifth Congress.

II. CHANGES IN FORMS AND DIMENSIONS OF CRIMINALITY: TRANSNATIONAL
AND NATIONAL

4. A number of countries drew attention to the limited reliability of crime statistics as indicators of the incidence of crime and also pointed out that reporting practices and the categories of crime covered by crime statistics differed among countries. With these caveats, the responses received from Member States presented three broad categories of countries with regard to recent crime trends, these being countries reporting a decline in the overall crime rate, those reporting an increase and those reporting stable crime rates over the period under consideration (post-1975).

5. It must be pointed out that the statistical information provided by various countries lacks a uniform basis. While a few countries provided reasonably detailed statistics, a large number of countries did not provide any statistics at all. Many countries provided no information on recent trends in the forms and dimensions of criminality. Thus, a global view of crime trends could not be constructed from the figures provided.

6. About 10 countries reported an overall decline in their crime rates in recent years, although some of these also mentioned an increase in certain categories of crime in spite of the overall decline. Increases were noted in crimes committed by juveniles and were attributed to an increase in youth problems, in general, and not necessarily those of youth from poorer families. Problems were reported to be associated with strains and stresses in the family, the school or society in general. Increases were also reported for traffic offences, attributable to an increase in road traffic, and also for crimes of violence, offences against property, economic and environmental offences.

7. The second category was that of countries reporting an increase in the overall crime rate, but with different rates of increase or decrease in certain types of crime. Again, this category included countries in which the increase was a continuation of a steady rise in crime rates over a long period of time and also countries in which the increase fell into a pattern of fluctuation.

8. At a lower level of detail, crime patterns in this second group of countries also presented a complex picture, ranging from steady or stable rates in particular categories of crime, through declining, fluctuating or rising rates for others. Thus, crimes involving theft and burglary showed a marked decline in some countries and an increase in others: in one case different patterns of increase and decrease were reported for the same category of crime (burglary) in different parts of the same country. Increases in violent crimes were considered related in an unusual degree to the use of alcohol in one country which had recently liberalized its laws regulating the use of alcoholic beverages. In this same category of countries, some reported a rise in petty crimes resulting from increased rural-urban migration and youth unemployment and also increases in traffic offences; while a few others reported increases in "modern" crimes connected with economic development, such as embezzlement, forgery and the like.

/...

9. In a few countries, such as the United Kingdom of Great Britain and Northern Ireland, the increase in the crime rate had overloaded the capacity of the criminal justice system, in terms of a heavy work-load for the police, the courts and an increase in the average daily population of prisons and other corrections facilities. Such an overload was considered to have exceeded the possibility of effective action by crime control agencies, in some cases, but in a few others, the criminal justice system was expected to be able to bear the strain and to devise new methods for dealing with the situation, although the risk of a breakdown in the effectiveness of the system was present nevertheless.
10. The third category was that of countries reporting stable crime trends over the period under consideration. This stability apparently applied to all categories of crime in most cases and was often attributed to the relative stability of traditional institutions and spiritual and social traditions.
11. Less than half of the responding States reported that they engaged in the forecasting of future crime trends and of the future needs of the criminal justice system as a regular feature of criminal justice planning. For those countries which did not engage in forecasting, the reasons given were usually one or more of the following: the unreliability of the basic statistics upon which predictions of future trends could be based; the relatively low priority attached to criminological forecasting as against other demands on criminal justice personnel; the non-existence of adequately-trained staff to engage in such forecasting; and finally, the unsatisfactory nature of past efforts at forecasting. Several countries which had not hitherto engaged in forecasting because of the imperfections of their crime statistics systems considered the possibility of developing systematic forecasting programmes as part of an overall programme of improvements in their statistical systems, while those experiencing manpower constraints expected to resort to forecasting after adequately-trained staff had been acquired or by the provision of specialized training to existing staff.
12. It was noted in the response of the United States of America, for instance, that researchers had devoted more effort to the testing of hypotheses on the determinants of crime than to the prediction of future crime rates. Even so, scientific knowledge as to the determinants of crime was far from perfect, and the state of the art with regard to forecasting models and practical applications was even more imperfect. Yet any law-enforcement activity involved a certain amount of forecasting, even in the more immediate and short-term functions such as the mounting of police patrols in anticipation of criminal activity in specific locations and particularly at the macro level of long-term national or state planning and policy making, where it was necessary to anticipate the various kinds of demands that would be brought to bear on the criminal justice system and to allocate commensurate resources efficiently with sufficient lead time. Most of the forecasting activity reported by various countries were, thus, rather tentative or experimental in nature; besides, it was often found more profitable to engage in only short-term or medium-term forecasting or to apply forecasting to particular subsystems only, because of the high margins of error involved in comprehensive and long-term forecasting.

13. The point was made, for example, by Hungary, that long-term forecasts covering a period longer than 15 years cannot be scientifically substantiated, and that while medium-term forecasts covering 5 to 15 years may be appropriate only short-term forecasts for a maximum period of 5 years can be of practical value. This was corroborated by the practices of several other countries, which relied mainly on simple models based on stable data in particular categories of crime or sectors of the criminal justice system.

14. In terms of the organizational and methodological approach to forecasting and to policy making in crime prevention as a whole, one particularly important feature noted in the responses of a large number of countries was a regular and often institutionalized practice of evaluating and analysing recent crime trends in the context of relevant sociological and economic factors. A number of countries had established permanent official bodies which engaged in such activity, while others relied on ad hoc commissions or on the academic community for this purpose. And although the main emphasis of such activity was not always on criminological forecasting, the availability of comprehensive scientific analyses of crime data and other socio-economic information was a vital prerequisite for future planning and policy-making in various sectors of the criminal justice system and the overall socio-economic system.

15. Forecasts of future crime trends were made in individual categories of crime as well as across the board, using different prediction variables. In one specialized application of forecasting, a study on rape in Finland had related an increased incidence to the increased size of the relevant age group and led to the prediction that the prevailing trend was likely to be of short duration. Forecasts of the prison population had also been used to plan construction work on prisons, but with full recognition of the fact that future legislative reforms could have a much greater effect on the size of the prison population than the projected development of criminality based on current data. In yet another example, in Finland, a case for the reform of legislation on drunk-driving criminality was built on the relationship between drunk-driving, the number of motor vehicles and alcohol consumption.

16. One study in Australia, on Population Movements and Crime (1976), had observed that the group from ages 15 to 24 was disproportionately represented in the prevailing criminal population: this led to the prediction that an expected decline in the proportionate size of that age group would lead to a steady but significant decrease in crime. Furthermore, a major study on Patterns and Trends of Crime in Australia, 1900-1976, conducted by the Australian Institute of Criminology (which had not been completed at the time the Australian reply had been submitted) was expected to provide detailed analyses of the relationships between crime data and relevant socio-economic variables. But certain findings had been made in the meantime, these being that property crimes had increased during the Great Depression and also during the post Second World War economic growth, while offences against the person showed a remarkable stability during the entire period. The completed study was expected to satisfy the need for high quality and consistent time-series data necessary for policy making and planning in the broader socio-economic sphere as well as for forecasts of short-term future trends.

17. Criminological research in Australia was conducted under the framework of a 1971 enactment which established the Australian Institute of Criminology and the Criminology Research Council; the duties of these bodies included not only research and training at the federal level but also the funding of relevant research projects by universities, other government departments and members of the general public. Other State Governments within the federation also had their own research and statistical institutions, and the Australian Bureau of Statistics was also collaborating with the Institute of Criminology and relevant State and federal agencies in the establishment of a national system of uniform crime statistics.

18. In Japan, the Research and Training Institute of the Ministry of Justice had analysed the correlations between crime rates and social changes in such areas as population, industry, finance, labour, welfare, education, police activities and so forth. It had been found, for example, that rates of theft were in inverse proportion to the affluence of the society as a whole and that fraud was liable to occur when and where people lacked economic strength. Other correlations had been found between rates of homicide and what may be called socio-pathologic phenomena such as the rates of divorce or suicide or the shortage of hospital accommodations and also between juvenile delinquency and unsettled labour and living conditions. The National Research Institute of Police Science also conducted ongoing research into the socio-economic correlations of crime and had published a Review on the Research for Predicting Crime in Japan, in connexion with a seminar held in 1976 under the auspices of the International Criminal Police Organization. The Institute's forecasting research used step-wise multiple regression analysis as a predictive formula, in conjunction with selected socio-economic indices such as city population and industrial activities, and it had been found that for most crimes, the accuracy of this formula was quite high, errors being no more than 10 per cent in the majority of cities.

19. In the Netherlands, the prediction and interpretation of expected trends was approached from the angle of three target groups for various groupings of crimes, these groupings being serious crimes, minor crimes, road traffic offences and economic and environmental offences. The target groups around which these evaluations were made were the victims, the offenders and the offences. An analysis of the victims established which sections of the population ran the risk of falling victim to particular types of criminality and the resultant material, physical and mental damage. With regard to offenders, an attempt was usually made to forecast the number and disposition of potential delinquents, while the offence-oriented approach examined the type and number of cases reported to the police as well as those handled by the criminal prosecution authorities. Not only were police and crime statistics used for this purpose but "dark-figure" studies were also conducted to estimate the full extent of criminality. Similarly, in the Federal Republic of Germany several "dark-figure" studies had been undertaken to improve empirical knowledge of the actual extent and distribution of criminality, and a continuing exploration of the manifestations and causes of criminality was expected to create the basis for more reliable prognostic studies.

20. The prediction of trends in criminality in the framework outlined above, in the Netherlands, was made by reference to both risk and time-series analyses, the former being an identification and study of population groups that were at risk in particular situations and the latter being an attempt to project current trends into the future. The prediction exercise took account of social, economic and planning information in conjunction with crime statistics. Among the social factors taken into account were the extent of social control, life-styles, emancipation, strength of family ties and the degree of independence of growing children, while the economic factors were income levels and the development of recreation and leisure activities. The planning information that was brought to bear on these evaluations were the level of urbanization, the range of facilities available in the community (such as shops, multiple stores, hospitals), the density of traffic and the type of developments (large-scale, small-scale, open spaces, etc.).

21. In the United Kingdom, forecasts of the crime rate, the work-load of the courts in terms of the number of offenders and the prison population and the need for probation service personnel were made as part of long-term crime prevention planning. These forecasts were largely based on projections of past trends, assuming no changes in factors affecting those trends. On the basis of available data, it had been predicted that demographic changes would increase the work-load of the criminal justice system in the 1980s, but that there would be a respite in the 1990s. However, it seemed equally likely that over a longer period, other factors such as the level of unemployment among young people would influence the crime rate. These conclusions were tentative ones since research into these effects was still in its infancy.

22. Similarly, in Canada, forecasting efforts of a somewhat experimental nature had been started in March 1979. Various projects had been initiated on the projection of crime data by individual crime categories, using different methods of projection. The applicability and reliability of these methods would then be tested in the light of actual trends; such testing would also extend to a number of socio-economic variables thought to affect crime rates, to determine their impact on the projections. These efforts may also be viewed against the background of a large number of studies conducted over the years, using a computer-simulation model developed at Carnegie-Mellon University in the United States. Also, since the Fifth Congress, the Law Reform Commission of Canada had produced a series of in-depth working papers and reports addressing important criminal justice issues. These evaluations will be examined in the following section.

23. In sum, forecasting was used in a number of countries to determine trends in the dynamics and structure of criminality and the responses and measures that were required to deal with these trends in the future. The degree of systematization in forecasting methodology and practices naturally varied among countries, but even at the higher levels of sophistication, it was generally recognized that forecasting tended to be open to high margins of error in view of the inherent unpredictability and conflicting tendencies in society and the uncertainty as to the probable effects of these tendencies on the level of criminality. Criminological forecasting had not, therefore, been developed to the level of a precise science. However, the need for evaluation and planning dictated a constant use of forecasting in spite of its admitted shortcomings, and this required a continuing effort to develop more accurate and more reliable methods.

III. CRIMINAL LEGISLATION, JUDICIAL PROCEDURE AND OTHER FORMS OF SOCIAL CONTROL IN THE PREVENTION OF CRIME

24. Under this item, the Congress focused on the need for periodic evaluation of the criminal justice system, with a view towards necessary reforms of criminal law and criminal procedure so as to adapt these to changing social needs. The Fifth Congress stressed the adoption or expansion of non-judicial forms of social control and emphasized the importance of a cross-sectoral approach to crime prevention and control, as well as the integration of criminal policy within the general social policies of Member States. Most responding States, accordingly, treated this topic as an aspect of the evaluation and planning of crime-control policies. Such evaluations were usually undertaken either within the criminal justice administration - such as by Police Departments, Public Prosecutor's Offices, or relevant Government Ministries - or by special commissions or bodies set up for that purpose.

25. Examples of such evaluative studies recently undertaken by various Member States are examined in the following paragraphs. One example of a comprehensive evaluation was the Review of Criminal Justice Policy, recently published as an official document in the United Kingdom. This review traced the development of crime-control policy and measures over the preceding decade, examined the future needs of the criminal justice system in the light of prevailing trends and recommended measures for the reduction of the prison population as a major policy objective in view of a heavy work-load for the criminal justice system and a steady increase in the prison population. The review further recommended a continuing study of the assumptions upon which the criminal justice system had been operating, such as an examination of the preventive function of the police and of the deterrent effect of the penal system - especially given the decline in confidence, in the United Kingdom in the treatment value of imprisonment. Finally, the report emphasized the need to involve other governmental departments, local government and the general public in view of the acknowledged limited capacity of criminal justice agencies in dealing with the incidence of crime.

26. In Sweden, an official report on Crime: Trends and Recent Developments had reviewed crime trends over the period from 1950 to 1978, and sought to explain these trends by reference to relevant socio-economic factors. There were analyses of such issues as female criminality - which was reported to be much lower than that among men; insurance frauds, on which a further study was proposed; the relationship between crime rates and police operations; drug trafficking, both national and international; and post office and bank robberies. This report had also identified the need for a regular system of information on social problems among children, to provide early warning signals of situations that might lead to criminality among young persons. In Spain, the National Commission for Crime Prevention had been established to deal with research, planning, formulation and co-ordination of policy and action programmes on crime prevention. But proposals for the restructuring of this Commission were currently being studied for the purpose of improving its effectiveness. It was also hoped to achieve a better co-ordination of ministerial departments concerned with crime-prevention, as well as the consideration of any further legal reforms.

27. Apart from the Australian study on Patterns and Trends of Crime referred to in the preceding section, various other official studies had been undertaken over the years by the Australian Institute of Criminology and the Criminology Research Council, on such issues as the principles of sentencing, a national employment strategy for prisoners, the management of long-term prisoners, the treatment of young offenders and evaluations of Tasmania's work order scheme and of the Western Australian prison system. Relevant studies were also undertaken by various official bodies at the State level, such as the evaluation of the New South Wales work-release scheme and statistical surveys and analyses of certain offences and of persons dealt with by the courts. Some of these studies had led to recommendations for action in a number of areas, such as security measures against armed robbery. The Australian Law Reform Commission as well as similar State-level bodies also conducted studies and made recommendations for law reform in various areas. These are examined below in the discussion of new legislation.

28. In Portugal, there had been comprehensive changes in the socio-economic and political order following the revolution of April 1974, particularly with the promulgation of the new Constitution in 1976. These changes had also been reflected in a new criminal justice system, which operated on the basis of constitutional guarantees of individual liberties and human rights. Generally, the situation with respect to crime was reported to be similar to that prevalent in other European countries. New forms of criminality also appeared in Portugal, including economic offences and white-collar crime, environmental offences, crimes connected with the tourist industry and drug offences. While it had become accepted that the elimination of criminogenic conditions could be effected through socio-economic measures and the correction of inequalities, new kinds of criminality often arose which were not always a question of mere deviance but also struck much deeper at basic assumptions and the ethical and social foundations of society. Research and evaluation, therefore, were a constant task of the criminal justice system: In this regard, the establishment of a National Institute of Criminological Policy was being considered for the purpose of coping with the increasing responsibilities involved in crime prevention and control. Comparative studies had also been conducted by existing criminological institutes to determine the applicability of various documents on criminological problems produced by the United Nations and the Council of Europe.

29. In Barbados, a Crime Prevention Panel, on which 16 organizations were represented, was established in 1978. The objectives of that Panel were to study and disseminate information on crime prevention to local organizations, industries and the general public and to serve as a liaison between the public and the police in the dissemination of crime prevention information. A Probation Service report for the years 1974-1978 had also reviewed crime trends and had paid particular attention to increased criminality among youth. In Finland, an Expert Committee appointed to prepare a general reform of the penal law completed its report in 1977. This report, which included a draft for a new penal code, examined such issues as an equitable distribution of the costs and suffering caused by crime; an emphasis on predictability and equality in the application of punishment; the de-criminalization of certain offences and new headings for criminalization in response to the general development of society, with particular attention being paid to acts with harmful consequences to society which were still outside the scope of the criminal law.

30. The Netherlands provided a list of studies of the penal system that had been undertaken by the Research and Documentation Centre of its Ministry of Justice. These studies covered 16 main topics, including general evaluations and cross-cultural studies of the criminal justice system; recorded and unrecorded criminality; delinquency prevention; diversion measures, corrections practices and alternative sanctions; various aspects of police work; the role of the judiciary; probation and after-care service; the protection of young children; criminal victimization; fear and unrest with regard to criminality; causes of criminality; and several studies of specific types of offences. Apart from these studies, an Advisory Council on Government Policy also examined criminological issues as part of its over-all examination of government policies.

31. In the United States, the Law Enforcement Assistance Administration (LEAA) and the whole federal machinery for criminal justice research and planning had undergone intensive review in recent years. Evaluations of the LEAA programme had been undertaken by a Justice Department study group, the National Academy of Sciences, as well as by a Congressional sub-committee - the latter having produced a report on The Federal Role in Crime and Justice Research, in November 1977. After an intensive and open process of evaluation, the Justice Department had come to the conclusion that comprehensive criminal justice planning had only had very limited success and had, furthermore, not been cost-effective since, in most instances, it only planned for the 3 or 4 per cent of State and local activities represented by federal expenditure. Furthermore, the funding system had been found to be too complicated and the research and development effort had not been responsive. A number of legislative proposals designed to eliminate wastage and improve the linkages between research and action programmes, among other issues, had been presented to Congress, and the future role and status of the programme was still uncertain.

32. The basic framework of the LEAA programme was designed to enable federal funding of crime prevention and control projects. The federal agency also conducted research and planning, often through outside contracts, for policy making or background information at both federal and local governmental levels. The office of Programme Evaluation undertook phased evaluations of the various LEAA grant projects, under a National Evaluation Programme. A large number of such project evaluations had been undertaken over the years in such areas as police operations (including police training programmes and liaison with the public, prosecutors, the courts and correction agencies); court-watching programmes, sentencing practices and the operation of Neighbourhood Justice Centres as alternative and supplementary dispute settlement institutions; "target-hardening" and neighbourhood-watch programmes involving specific crime-prevention efforts with the direct participation of residents in the neighbourhood; and evaluations of various corrections and diversion programmes such as probation, employment training and placement, the treatment and rehabilitation of addicted prisoners and the like.

33. In the Federal Republic of Germany, evaluation studies of the criminal justice system had been conducted for a long time. The last few years had seen a trend towards practice-oriented research. Apart from the "dark figure" studies referred to in the preceding section, there had been studies on the workload of the courts

and of innovative responses such as new treatment methods for offenders. Sanctions research had become a major focus of national research. There had also been studies on the over-representation of defendants from the lower stratum of society in criminal proceedings. The economic and social effects of criminality were likewise included in current research. Thus, the federal registration system of judgements dealing with business crimes also recorded and evaluated the material damage caused by such crimes, while various victim-oriented studies also examined the social damage caused by criminality in general.

34. In Canada, recent evaluation studies of the Law Reform Commission were under active review by the Government. In addition, a National Task Force on the Administration of Justice had been established in 1976, with a view to reducing disparities of criminal justice services throughout Canada, developing a means of evaluating the impact of changes in legislation on the services, reducing duplication and generally improving the quality of services. There had also been increasing re-examination and redefinition of the objectives of criminal justice programmes. A wide range of royal commissions, working groups and task forces - at both federal and provincial levels - had also conducted studies and made recommendations for solving particular problems. The recommendations of one parliamentary sub-committee had led to reforms in penitentiary practices, and there was ongoing work on the law-enforcement and security activities of the Canadian Mounted Police as well as on a major overhaul of the federal criminal code.

35. In Japan, the Research and Training Institute of the Ministry of Justice conducted ongoing evaluations of the criminal justice system. This included some research already referred to, on socio-economic determinants of crime. The Institute had also made a yearly comparison of recidivism rates and found that during a three-year period the rates of recidivism had dropped by one half in 1975. This finding served as a warning against recent increases in the revocation of suspended sentences. In Jamaica, a special committee had completed an examination of flogging as a form of punishment and its recommendation for the abolition of flogging was currently being studied. Two other committees were also currently examining the operation of the Gun Court and of capital punishment, respectively.

36. Other studies and evaluations recently completed or currently under way in other countries included the preparation of a new penal code and code of criminal procedure by an expert committee in Chile. In Pakistan, studies of juvenile delinquency and of organized crime were conducted by the Bureau of Police Research and Development. A further study had been made in conjunction with the National Institute of Psychology on socio-psychological causes of certain offences. In Italy, annual reports had been prepared by the Attorney-General's office on crime trends in the context of socio-economic change. In the Philippines, several interdepartmental conferences had recently been held among the judiciary, public prosecutors, the military and police authorities and other bodies, from which guide-lines for the improvement of the criminal justice system had been formulated and were being implemented. In Argentina, two expert committees were working on reforms of the penal and procedural laws.

37. In Czechoslovakia, a permanent working group of various Government Ministries had been established to work out a plan of activities for the

implementation of relevant recommendations of the Fifth Congress. This had involved the dissemination of information on recommendations of the Fifth Congress to all relevant public bodies and institutions of higher learning, as well as interagency collaboration in the formulation of legislative reforms. A number of proposed reforms were to be placed before the legislative council in the first half of 1980. Similarly, in Poland, there had been a programme of public information on the proceedings of the Fifth Congress, involving the publication of a book and a series of articles as well as the translation of various documents connected with the Congress for use by people interested in crime prevention. Material from the Fifth Congress and other information from the United Nations had been included in the work programmes of scientific research centres and other State authorities in Czechoslovakia, where intensive preparations for the Sixth Congress - for which the conclusions of the European Regional Preparatory Meeting had also been used - were in progress. The permanent working group had, in particular, conducted studies of the protection of airports and planes against hijacking and the prevention of illegal trafficking in cultural artifacts and similar monuments, as well as of trafficking in narcotic drugs.

38. The point was consistently made in most of the replies that the enforcement of the criminal law was only one, although a highly important one, of various means of crime prevention and control and that a more effective crime prevention programme required a cross-sectoral approach in planning and implementation - including the involvement of such other sectors as social welfare agencies, educational institutions and voluntary and community organizations. Such a broad-based and cross-sectoral approach, which had been emphasized in the report of the Fifth Congress, was reflected in virtually all of the evaluation and policy-making activities reviewed above.

39. There was, thus, a clear distinction as well as complementarity between over-all measures of primary prevention - as reflected in general socio-economic and welfare-oriented programmes - and special prevention through the law-enforcement activities of criminal justice agencies. The distinction was also presented in some cases in terms of social prevention as against legal prevention. The issue of primary or social prevention had a two-fold aspect, inasmuch as economic and social development either contributed to criminality or reduced it by eliminating or reducing criminogenic conditions. The main objective of primary prevention was, therefore, to pay particular attention to what was sometimes described as the infrastructure of crime, conditions of unemployment, poor education, inadequate job skills, poverty, limited opportunities for advancement, lack of recreational opportunities, social injustice and the like, and to strive to eliminate these in the general process of socio-economic development.

40. It was reported by a number of socialist countries, such as the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Romania and the Union of Soviet Socialist Republics, that crime prevention and the treatment of offenders were based on strict respect for socialist legality and on the broad involvement of the working masses and community organizations with the objective of bringing about the eradication of crime and of the causes and conditions conducive to it through socio-economic transformation. This, therefore, embraced social prevention which

operated across the whole fabric of the socio-economic system, which was reported to have led to a general downward trend in the incidence of crime as well as to the elimination of certain types of criminality that were characteristic of other societies, such as organized crime and professional crime. The proportion of crimes against the State was also reported to have declined sharply in these countries.

41. In the socialist countries, evaluations of the criminal justice system as well as policy-making in crime prevention were undertaken in the context of integrated planning by various State bodies, which involved the participation of ministries and departments, community organizations, labour collectives, trade unions and the general public at various levels. The decisions and measures arrived at were then incorporated into both the social development programmes of respective bodies and into comprehensive plans for crime prevention. The general aims and methods of social prevention were reported to be the liquidation or elimination of objective conditions generating delinquency and the creation of social awareness and responsibility through education and instruction. These operated in conjunction with legal prevention activities of law-enforcement agencies. The exercise of preventive influence by voluntary people's organizations, community organizations, worker's collectives and other similar groups was quite often effective in obliging a person to observe laws which reflected the interests of society.

42. Reforms of varying scope, in various areas of criminal law and procedure, had been effected in recent years in a large number of countries. These were often the result of ongoing evaluations of criminal justice systems as discussed above, and in several countries such recently initiated evaluation and reform processes had not yet been concluded. Massive information about new legislation was reported by various countries, so that it became necessary to aggregate the information around the most frequently treated topics, at the cost of more detailed examinations.

43. It was reported by Hungary that its legal system had been further developed by significant enactments directly related to several questions discussed at the Fifth Congress. A parliamentary act passed in December 1978 had superseded a 1961 legislation on the Criminal Code. Moreover, various Presidential Law Decrees for the enforcement of the Criminal Code had been issued in recent years. Among other issues that had been dealt with were new categories of crime, added in view of the recent increase in acts of terrorism and kidnapping for ransom, particularly on the international scene. The United Kingdom had also passed a Terrorism Act in 1978 (among other legislation), to give effect to the European Convention on the Suppression of Terrorism. In the Federal Republic of Germany, new statutory provisions had been enacted in 1976 making it punishable to form a terrorist organization, to support it or to make propaganda for it, or to advocate certain serious crimes or incite others to commit such crimes. In Japan, new legislation had been passed in 1978 imposing heavy penalties on kidnapping for ransom, in addition to previous legislation on the suppression of terrorism and the hijacking of aircraft; while in Chile, a clearer legal definition of terrorism was among a number of issues dealt with in recent legislation. Also, in Spain, new legislation widening police powers, under judicial control, for the surveillance and investigation of terrorist groups, as well as for protecting urban safety and security, were passed in 1978 and 1979 respectively (along with other new laws).

/...

44. Economic crimes had also been the subject of legislation in a number of countries, in view of recent increased perception of the phenomenon within the international community. In the Federal Republic of Germany, the First Act to Combat Economic Crimes had entered into force in 1976. It sought to eliminate certain shortcomings of previous laws by defining new criteria for offences such as credit and subsidy fraud, fraudulent bankruptcy, usury, computer crimes and embezzlement of wages. New provision had also been made for increased protection against misleading advertising, manipulation of tenders for goods and services, deceptive offers of capital investment and other dishonest practices. Similarly, in Australia stringent responsibilities were imposed on directors of corporations in respect of breaches of the Companies Act. Furthermore, provisions of the criminal law applicable to directors, corporations and members of the public prohibit secret commissions and fraudulent inducement to invest, among other crimes. Securities legislation also prohibit false trading, market rigging and the making of false statements about securities, while legislation on trade practices prohibit a wide range of conduct detrimental to the consumer.

45. In Finland, the uncovering of tax fraud and other economic crimes through increased control had become a high priority task in recent years; Chile also reported new legislation on economic crimes which had made possible the prosecution of many individuals involved in "gilded criminality", while in the Philippines, recent items of legislation included presidential decrees on the control of graft and corruption, theft by employees or at workplaces, anti-piracy and anti-robbery, anti-cattle rustling and the like.

46. New provisions punishing damage to the environment and nature, as well as more severe penalties for the theft, wilful damage, smuggling and receipt of stolen museum pieces were included in the new Criminal Code of Hungary, while the Federal Republic of Germany and Chile reported that new measures were being taken against environmental pollution, and Brazil reported the establishment of a special Department for Environmental Protection.

47. There had also been new legislation or amendments of existing ones on narcotic drugs (or such laws were in the process of being finalized) in Australia, Brazil, the Federal Republic of Germany, Hungary (more severe penalties in the new Criminal Code), and the Philippines. In Australia, a recent amendment of customs legislation at the federal level provided for the forfeiture of money and goods acquired from drug trafficking. The courts could impose pecuniary penalties equivalent to the benefit gained by the accused from drug trafficking, as well as "freeze" the assets of such persons during court proceedings. Jail penalties up to a maximum of life imprisonment could be imposed where "commercial" quantities were involved, while lesser penalties were provided for in respect of "traffickable" quantities.

48. In the United Kingdom, the new Criminal Law Act of 1977 reformed the substantive law on conspiracy and criminal trespass; the procedure with regard to criminal trials including the trial of young offenders; the system of fines for a number of offences, as well as the system of compensation for victims. There had also been a number of miscellaneous amendments with respect, among other

illegalities, to road traffic offences, bomb scares or hoaxes, drug abuse and obscene publications. With regard to conspiracy, the previous law was simplified and limited to an agreement by two or more people to commit a criminal offence, with the penalty being limited to the maximum for the completed offence. Two old features of the previous law were thereby abolished, the first being the previous offence of conspiracy in cases where the object of the conspiracy itself was not a criminal offence but was considered to be unlawful and the second being the imposition of penalties which could substantially exceed the maximum penalty for the offence itself. Other provisions on criminal procedure, bail and penalties are examined below.

49. In Australia, a variety of new laws had been passed and others were in the process of being passed at both the federal and state levels. Apart from legislation on economic offences and drug-trafficking referred to above, legislation had been introduced at the federal level for the establishment of a Human Rights Commission, and the decriminalization of certain types of conduct had occurred or was under consideration in various state jurisdictions. New South Wales had abolished the offences of drunkenness, vagrancy, soliciting for purposes of prostitution, begging alms and certain "victimless" offences. On the other hand, although the state of Victoria retained the offences of drunk and disorderly conduct as well as vagrancy, the number of prison sentences for these offences had decreased drastically in recent years, while treatment procedures had been introduced for drug-related offences. Similar programmes were also applied in New South Wales for drunk-driving and drug offences, while in Tasmania there were prescribed courses of instruction for first-year drivers convicted of drunk-driving. On the other hand, South Australia had introduced a new offence of rape in marriage, and the juvenile justice sector was under intensive review in almost every jurisdiction.

50. In Canada, a new gun-control law designed to reduce the number of firearms incidents had been passed as part of the federal Government's "Peace and Security" programme. The Philippines also reported a ban on firearms among recent items of legislation.

51. In Cuba, a broad programme of crime prevention operated with a continuous emphasis on social prevention through balanced and harmonious development, but also through such legislation as the new Penal Code, new Criminal Procedure Code, new Act of Civil, Administrative and Labour Procedure, the Children and Youth Code and the Family Code. These new laws, as well as the elimination of maltreatment or torture and other degrading practices of pre-revolutionary society were an expression of the new order reflecting the rising level of economic and social development, as well as an endorsement of the recommendations of the Fifth Congress. The new Penal Code had eliminated certain offences which had become obsolete in that they applied essentially to pre-revolutionary society - such as fraudulent bankruptcy, insolvency and non-payment of debts. Other outstanding features of the new Penal Code were the possibility of reduced sentences for offenders under 20 years old; a reduction of maximum sentences of imprisonment; rules governing conditional commutation of sentences; probation; and more severe sentences for serious offences and for recidivists. No less important were new provisions on the

social control of ex-convicts by effective care following imprisonment, either after the full term or under the benefits of probation.

52. In Yugoslavia, there had been substantive adjustments in criminal law and procedure to conform with the constitutional changes of 1974. The amendments reflected the prevailing level of socio-economic development and were too numerous to discuss in detail. But the most essential element was the reduced scope of criminal-legal coercion to those areas where it was absolutely necessary in order to protect the basic values of the self-managing socialist society. A number of research projects had also been carried out since the Fifth Congress, on such topics as the etiology of crime in specific regions as well as on their effects, for the purpose of determining effective crime-prevention measures.

53. In Iraq, the National Centre for Social and Criminal Research was conducting an ongoing study on crime trends, and a research paper on crime trends for 1962-1972 had already been published in the Centre's journal. With regard to legislation, an act for the reform of the legal system, promulgated in 1977, had emphasized some crime-prevention and corrections principles agreed upon at the Fifth Congress and, in particular, indicated that penal policy must be based on a full awareness of the socio-economic determinants of criminality, on the specific consideration of the circumstances surrounding an offence in the determination of the personal responsibility of the offender and on the deterrent and rehabilitative purpose of criminal sanctions. In the event of recidivism, a study must be made of the factors which impeded the rehabilitation and social integration of the offender to enable corrective measures to be taken in future cases. This act also required the review of all criminal legislation in Iraq in accordance with these principles as well as on principles established by the national socialist revolution of 1968.

54. The treatment of juvenile offenders had been dealt with in a number of countries either through specific legislation on juveniles or on the welfare of children or as part of other new legislation on criminal proceedings. These will be considered in section V below, together with other information on corrections. The various approaches to the problem of juvenile delinquency embraced both preventive and curative or treatment measures - which, while differing in terms of detail, at the same time showed remarkable similarity in concept, design and objectives, in all countries addressing the issue. The emphasis was invariably on the diversion and rehabilitation of delinquent youth, either in a home environment or in special youth centres and institutions - the various diversion measures being mostly of an educational and vocational nature.

55. There was a marked tendency in many countries towards decriminalization and the use of alternative sanctions in a variety of areas, as well as towards the simplification and rationalization of trial procedures and systems and the use of custody during trial. In a few instances new or improved provision had also been made for the compensation of victims of crimes and for wrongfully detained persons. The decriminalization of minor offences was still under consideration in several countries. Examples of decriminalization already effected were in such areas as homosexuality between consenting adults, bestiality, drunkenness in public and abortion, in Finland, and certain "victimless" crimes in the

Philippines. Fines in place of custodial sentences for relatively minor offences had been provided for in several countries, for example, in the United Kingdom, the abolition of imprisonment for drunk and disorderly conduct; in Italy, the substitution of administrative penalties for all offences previously subject to fines only, except in a few cases such as offences relating to labour relations, alimony, water pollution; and in the Soviet Union, the waiver of criminal liability and sanctions in favour of administrative and social measures for offences which posed no grave danger to society and in respect of which the offender could be reformed and rehabilitated without the imposition of criminal sanctions. In Spain, the age of consent with regard to crimes against decency had been reduced to 18 years, and the manufacture, sale and advertising of contraceptives had been depenalized.

56. A variety of new statutes or amendments to existing legislation dealing with trial procedures had been passed in various countries. These new provisions fell into three major categories: first, those designed to accelerate the trial process by reducing the number and categories of trials and appeals or by simplifying trial procedures; second, those dealing with compensation for victims of offences or for judicial error and unlawful imprisonment; and third, those dealing with conditions for bail or for custody pending or during trial. The first category of provisions often dealt with the investigative phase as well as the trial and appeal phases. Several countries had streamlined police activities at the investigative phase by laying down formal rules for interrogations and by requiring prompt reporting to the prosecuting authorities. In some countries, preliminary hearings were required within specified time-limits to determine whether an accused person ought to be committed to trial or released. However, in a few other countries such preliminary proceedings had been abolished as part of the streamlining of the trial process and direct trials were required in all cases. A few countries had also increased the number of their prosecution and judicial personnel and in some cases, the number of criminal courts.

57. A number of countries, such as Austria, Australia, the Federal Republic of Germany and the United Kingdom reported that their criminal procedure laws provided for the payment of compensation to victims of crimes (in the case of the Federal Republic of Germany, to victims of violent crime and their dependants). In addition, Italy and El Salvador reported the adoption of new provisions requiring the payment of compensation to victims of judicial error and Italy, for unlawful imprisonment. In Austria, the courts could arrange an advance payment of compensation to a victim if the offender could not pay such compensation because of a prison sentence or the payment of a fine.

58. A variety of new provisions on the granting or refusal of bail pending trial or prior to final judgement was also reported by a number of countries. Several countries required bail or provisional release to be granted to accused persons as a matter of right, except in certain specified situations mostly having to do with the gravity of the offence, the integrity of the trial process and the safety as well as the previous criminal record of the defendant. In some countries, money bail had been abolished. Bail could thus be granted only on conditions other than the payment of money. The various bail provisions also indicated a tendency towards decreased use of remand or detention pending trial. The non-penal nature of remand or custody prior to the passing of judgement was emphasized by several countries. The status of a person under remand was thus that of a defendant in criminal proceedings rather than that of a prisoner, and this entailed the preservation of all procedural rights while the person was still subject to the rules of the penitentiary or place of detention.

IV. THE EMERGING ROLES OF THE POLICE AND OTHER LAW-ENFORCEMENT AGENCIES

59. Under this agenda item, the Fifth Congress made a number of recommendations on the following major issues: police professionalism and accountability; the need for high standards in the selection, training and performance of police officers; the need for necessary adaptation in police activities in response to changing forms of criminality; the importance of healthy police-community relations; public involvement and co-operation in crime prevention and control; the supplementary role of private security agencies in crime prevention and control and the legal regulation of such agencies; the role of the police in the formulation of legislation; and international police co-operation in the investigation of transnational crimes and the extradition of fugitive offenders.

60. The information supplied by Member States for purposes of this report dealt mainly with issues pertaining to domestic police activities and their general law-enforcement function and, in some cases, with international police co-operation as well. In the international arena, the recommendation of the Fifth Congress with regard to an international code of police ethics has been fulfilled in the adoption of a code of conduct for law enforcement officials by the General Assembly at its thirty-fourth session (General Assembly resolution 34/169 of 17 December 1969).

61. All of the national responses dealt with the normal functions of the police with regard to the protection of the socio-economic and political order, of life and property, the preservation of peace and the prevention and detection of crime. It was noted by several countries, however, that police activities were not restricted to the enforcement of the criminal law but also included a broad range of social services and welfare-oriented functions. In fact, a number of countries maintained separate police forces for the enforcement of the criminal law and the maintenance of public order, respectively. Accumulated research in the United States had shown that the crime-fighting and paramilitary model was not an adequate description of police activities; the perpetuation of that image resulted in a situation in which the police were trained to address only about 20 per cent of their task fairly well (crime fighting) and the other 80 per cent only poorly (social service). Although in some countries (such as Australia) there had been efforts to remove "extraneous duties" from the area of police responsibility to enable them to concentrate on their primary law-enforcement function, there was still a general acceptance of a broader scope for police functions and for the maintenance of a wide access to the public through a wide range of activities.

62. With regard to recruitment and training, all responding States sought to achieve and maintain high standards both in the level of entry qualifications and in the quality of training - although considerable difficulty was often encountered, particularly in the developing countries, in attracting better-qualified personnel into the service. The broader social role of the police and their crime-prevention function itself necessitated the broadening of training programmes to include the study of social science and behavioral subjects, and a large number of countries reported innovations in this respect. Recent

anti-discrimination legislation in several countries sought to ensure equal treatment for men and women in police recruitment. All countries mentioning this subject did provide equal conditions of service and equal pay for male and female officers.

63. Most responding States engaged in continuing and specialized training in order to upgrade the capabilities of police personnel and to develop appropriate responses to an increased incidence or new forms of criminality such as drug-trafficking and white-collar crimes. The improvement of police professionalism also involved ongoing evaluations of police productivity and efficiency, such evaluations having been undertaken in several countries in such areas as patrol activities and responses to public calls for service, the success rate in the investigation of criminal cases and adequate documentation of vital evidentiary facts in such investigations. There was also an increasing resort to technological aids, such as the computerization of records, advanced radio communications and radar equipment, although a number of developing countries reported that their general programmes of police modernization and expansion were often handicapped by limited resources.

64. In addition to efforts to achieve high standards of performance, a number of countries also reported measures in the area of police accountability. In several cases, police powers with respect to arrest, searches (particularly body-searches and searches of persons in custody) had been reviewed and clarified, but the accountability issue was dealt with most often by the establishment of disciplinary bodies, complaint procedures, the promulgation of codes of conduct for law-enforcement officials, public education on citizen's rights and the investigation of illegal conduct by outside bodies, such as an ombudsman.

65. Most countries reported the use of specialized police squads or divisions to combat particular types of crime. Thus, new specialist squads were often formed as the need to deal with special situations arose. Examples of such specialist squads cited by various countries were the flying squads in Chile, as well as special units dealing with sexual, drug and juvenile offences. In Kenya, such special units had been formed to deal with exchange control offences, poaching of wildlife in game reserves, cattle raids, smuggling of coffee and other commodities, fraud, armed robberies and other unlawful acts. In the Seychelles, a special patrol group had been formed in 1979 to conduct "saturation policing" of high crime areas. In the United Kingdom, there were specialist squads dealing with fraud, burglary, car theft and other ordinary crimes as well as specialist training programmes developed to combat sophisticated computer crime. In the Netherlands, special units had been formed to deal with organized crime and with international trafficking in illegal drugs. In Botswana, the creation of new police districts was contemplated in response to the opening of new diamond mines in certain parts of the country.

66. Specialist units were used not only to combat particular types of crime but also to conduct crime-prevention campaigns and to cultivate police-community co-operation. In the Federal Republic of Germany, special police units were used in the fight against terrorism, economic crimes and drug trafficking as well as in pilot projects on juvenile delinquency involving special "youth officers". In

Japan, an annual nation-wide crime-prevention campaign was conducted involving such civic activities as the organization of meetings with local residents, public education, police patrols with citizen participation and home visits. In 1979, a "model areas" project was initiated to strengthen these activities and evaluate their effectiveness. There had also been special programmes to combat theft from homes, occupational crime and international terrorism. In the United States, various neighborhood-watch programmes, combining changes in environmental design as well as citizen participation, were conducted in selected communities, often resulting in dramatic reductions of the crime rate in those areas. Similarly, in Canada, the police conducted community-based crime-prevention campaigns and also used citizen-advisory councils and the media in these efforts. In Jamaica, the police used their involvement in the running of Youth Clubs and other community-oriented activities to build up healthy police-community relations. In Australia, Community Affairs Sections had been established to play a co-ordinating role in the social involvement of operational police and in the conduct of crime-prevention campaigns; cadet training also involved community work to emphasize community involvement.

67. In Finland, neighbourhood police-activity had been initiated on an experimental basis, while juvenile work in high-problem residential areas was based on voluntary police work. In Sweden, particular emphasis was placed on the relationship of the police with the public and on its crime-prevention work among youth. Similarly, in Austria, the police stressed the services rendered to the population rather than their law and order function only. There were "contact officers" at certain police centres to assist as consultants. Crime-prevention measures within neighbourhoods, particularly with regard to the protection of property, were conducted with the support and participation of the public. In the United Kingdom, the Police Act of 1976 introduced a new element of accountability into the relations of the police with the rest of the community, by providing for prompt official response to public complaints of police misconduct or illegality. Furthermore, crime prevention panels had been established in many areas consisting of representatives of the police and of local organizations. "Community constables" and liaison officers had been used to patrol given areas and to cultivate healthy relations with particular communities. Various crime prevention campaigns had been conducted with neighbourhood participation, and a variety of community projects, such as "inner-city partnerships", summer play schemes and camps and community centres, provided means of building up police-community co-operation as well as serving to control crime.

68. In the Byelorussian Soviet Socialist Republic, as well as in the Soviet Union as a whole, voluntary people's associations operated in co-operation with the public law-enforcement agencies and stations in specific crime-prevention activities, such as the maintenance of public order in the streets, stadiums, parks, squares and other public places. In addition, such voluntary bodies as well as community organizations and workers' collectives also performed crime-prevention functions as discussed previously in the broad context of social prevention of delinquency. Several other socialist countries, such as Romania and the German Democratic Republic, involved working people in the development and application of law-enforcement measures as part of the systematic, co-ordinated activity of state agencies and people's associations.

69. A number of responding States, such as Australia, Finland, the Netherlands, Pakistan, the Philippines, Portugal and Sweden, reported actual or proposed changes in the organizational structure of their police services. In the Philippines, the integration of a large number of municipal and city police departments into the Integrated National Police was reported to have transformed the police forces into a more functional and dynamic tool for the preservation of law and order and further facilitated the formulation of nation-wide crime-prevention programmes. In the Netherlands, plans to reorganize the police force were connected with proposals to change the system of regional governments, and it was envisaged that the preparation of necessary legislation for this purpose would take a number of years. In Portugal, the police system had been reorganized in various divisions - such as the Judicial Police and the Administrative Police with its sub-divisions - and emphasis was being placed on the education of a new generation of police officers free from the image of the old political police. In Finland, certain police functions had been centralized from local district level to the level of co-operative districts, while criminal investigation was centralized at the province level. In Sweden, a special committee had recently proposed the decentralization of decision-making processes, involving greater autonomy for local police boards. In Pakistan, the recommendations of a Police Commission had been approved for implementation, these being the separation of the "watch and ward" police from the detective police, the transfer of prosecution work from the police to a separate agency and the establishment of a Police Academy for senior officers. Finally, the Australian Capital Territory and Commonwealth Police forces had been merged into a new Federal Police Force, and a Commonwealth State Ministerial Police Advisory Council had been formed to stimulate co-operation between the Federal and State police forces, particularly in light of the increased incidence and complexity of crimes of violence, terrorism and white-collar crimes.

70. With regard to international police co-operation, Chile reported that it had been able to take action against certain types of transnational crime through the use of inter-police agreements. The United Kingdom emphasized the value which it had always attached to international police co-operation and its continuing commitment to the International Police Organization. In 1979, the Commissioner of Police had taken the initiative in convening a conference at London on "Capital Policing Europe 1979", which afforded a valuable opportunity for Chiefs of Police from many European countries to discuss common problems. In Japan, an International Criminal Affairs Division had been established in 1975 in view of recent increases in transnational crimes. This unit co-operated with foreign investigative agencies and had initiated biannual seminars on international criminal investigations with the participation of police officers from other countries and also with organizations such as INTERPOL. Canadian officials actively co-operated with other Member States in the development of effective strategies to combat international terrorism and in the development and testing of police equipment and technological aids to criminal investigation. In Morocco, the criminal justice authorities engaged in international and regional co-operation with various foreign police forces and other agencies, such as with United Nations institutions and commissions, the International Criminal Police Organization, the Arab Organization for Social Defence, the International Society of Criminology and the International Society for Social Defence.

71. A number of countries reported that their police services also played active roles in the legislative process. It was the practice in the United Kingdom to involve the police in proposed amendments of the criminal law and criminal justice system or to give serious consideration to initiatives of the police in legislation. In the Federal Republic of Germany, the police participated in the planning, debate and implementation of legislative measures in criminal law and crime prevention and in Canada, there had been increasing police involvement in the formulation of legislation at federal, provincial and municipal levels, major examples being police participation in the Law Reform Commission's "Police Powers Project" and police initiatives in amendments to building codes to improve safety standards in both residential and commercial buildings.

72. The role of private security agencies (private police) in crime-prevention was also addressed in a number of responses. It was pointed out by the United States and the Federal Republic of Germany, that such agencies performed a vital role in the policing of private property and business enterprises, but that the public police took over all criminal investigations and the apprehension of offenders. There thus had to be a certain degree of co-operation between the private and public police. In Canada, various official studies had been conducted on the operations of the private security industry. Likewise, in the United Kingdom, the question of regulation had been studied by the Government, following public expressions of concern, and was currently under public debate.

73. Several countries also dealt with the question of extradition. The Suppression of Terrorism Act passed by the Parliament of the United Kingdom in 1978 sought to eliminate or restrict the possibility of terrorists evading extradition by pleading that their crimes were political offences. Since 1975, Canada had entered into extradition agreements with the Federal Republic of Germany, France (ratification pending), Sweden (1975), and with the United States (1976, amending an earlier agreement). In Japan, the extradition law had been amended in 1978 to promote greater international co-operation in the extradition of fugitive offenders. This enabled extradition to be effected even in the absence of a treaty between Japan and a requesting State, provided that reciprocal assurances were given by that State. The extradition treaty with the United States had also been reviewed in 1978 to enlarge the scope of extraditable offences as a countermeasure to the increase in transnational crimes.

74. It may be seen from the foregoing that all responding States attached great importance to the performance of their police organizations; this was caused as much by the importance of their law-enforcement function as by their symbolic role as the personification of the law. This concern was reflected in the adoption of innovative approaches in recruitment and training, particularly in continuing specialist training of serving officers, in the modernization of police equipment and increasing application of technological aids and in the general improvement of police efficiency and police-community co-operation. The adoption of the Code of Conduct for Law Enforcement Officials by the General Assembly at its thirty-fourth session (General Assembly resolution 34/169) was a major development in the direction of improving standards of performance for police officers and other law-enforcement officials in all countries. A number of responding States also emphasized the role of international police co-operation in their efforts to combat an increased incidence of transnational crimes; further, international co-operation in the extradition of offenders and the facilitation of extradition between a larger number of countries may be seen as an important major objective of recent measures taken in several countries.

V. THE TREATMENT OF OFFENDERS, IN CUSTODY OR IN THE COMMUNITY,
WITH SPECIAL REFERENCE TO THE IMPLEMENTATION OF THE STANDARD
MINIMUM RULES FOR THE TREATMENT OF PRISONERS ADOPTED BY THE
UNITED NATIONS

75. Four main topics were dealt with by the Fifth Congress under this agenda item, these being: alternatives to imprisonment; factors in correctional reforms; the Standard Minimum Rules in the climate of change; and the protection of all persons against torture and other inhuman or degrading treatment or punishment - on which a Declaration proposed by the Congress was unanimously adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975. The monitoring of the implementation of this particular Declaration has since been undertaken by the Secretariat under the mandate of General Assembly resolutions 32/63 of 8 December 1977 and 33/178 of 20 December 1978, and national replies submitted in this respect have already been published as reports of the Secretary-General (A/33/196 and Add.1-3, and A/34/144); this precludes detailed examination of the issue in the present report.

76. It must be noted, though, that all responding States reported that torture and all other human rights violations were already prohibited by their domestic laws, including constitutional provisions as well as human rights statutes and Police and Prison Regulations and also by international conventions applicable in these countries. Most countries also reported that violations of the legal prohibitions against torture were subject to penal sanctions against the law enforcement or public officials who perpetrated or aided in such acts against prisoners or accused persons, and a complaints procedure was usually available for initiating investigation of such cases and for instituting prosecutions or disciplinary action where appropriate. Several countries (France, Italy, Japan and Sweden) also reported that special provisions were available for awarding compensation, reparations or damages in favour of victims of such violations, and liability for paying such compensation was either borne by the State or by the public official responsible for the violation. Further, most responding States reported that any evidence or confession obtained as a result of torture, violence or other act of coercion or undue pressure was not to be admitted against the accused person in court and could not, therefore, be used as the sole basis of a conviction. The exclusion of such evidence was discretionary in some countries.

77. One significant feature of a number of replies, such as those of Chile, Finland, the Philippines, and the United Kingdom, was a reported erosion in confidence in the deterrent value of imprisonment. There was, in any case, a general tendency in most countries towards the deinstitutionalization of corrections practices, that is, a decreasing use of imprisonment and shorter terms of imprisonment and an increasing use of alternative sanctions. The various alternative sanctions included fines, community-service or work orders, mandatory reporting to law-enforcement agencies at given points in time, compulsory curing or detoxification of offenders with drug or drinking habits, probation and suspended sentences coupled with supervision.

78. Alternative sanctions were applied either in a specifically rehabilitative framework, a deterrent framework or simply as a movement away from custodial sentences, even in countries which did not specify the underlying philosophy of their corrections system. The debate on whether the primary goal of sentencing should be retribution, deterrence, rehabilitation or some other goal, was raging anew in some countries but the purpose of corrections, where specified, was invariably reported to be either deterrence or rehabilitation, with emphasis tending towards the former in a number of countries, but with a combination of both in most countries. There was unanimity as to the general deterrent purpose of corrections, but not necessarily on the deterrent effect of particular sanctions. But there was considerable, though not unanimous, support for the rehabilitative function of corrections.

79. It had become accepted among crime-control experts in Finland, for instance, that the stronger the measures which society directed against an offender, the greater the probability that the offender would later on become a recidivist. On the other hand, it had also been observed that institutional measures could not be expected to have any general decreasing effect on recidivism, and, indeed, an expert committee on the reform of the penal system had recently recommended the rejection of the notion that criminals could be effectively "treated" in penal institutions. This committee had consequently called for a general reduction in the use of prison sentences in favour of fines, warnings, short-term detention and various non-custodial measures. It was believed, furthermore, that the differences between forms of punishment had only a very slight effect on the level of criminality in general. Therefore, Finland was trying to create new alternatives which would have as much general deterrent effect as imprisonment, but would result in less suffering to the offender in addition to being more economical to the State.

80. The use of alternative sanctions in Finland antedated the recommendations of the expert committee on penal reform in 1977. A 1975 statute on the treatment of prisoners had required that the essence of punishment could be nothing more than the deprivation of liberty. This law, thus, required that prison conditions should approximate the conditions prevailing in free society as closely as possible. Imprisonment in a penitentiary, bread-and-water sentences and confinement to cells with hard beds were all abolished, as was confinement in chains except as an extreme and short-term measure only to prevent escape during transportation or to curb violence. The use of indeterminate sentences had been considerably curtailed since 1971, and an act which came into force in 1977 provided for uniform sentencing practice and narrowed down the discretion of the courts in this respect. Capital punishment was entirely abolished from the system of sanctions in 1972, and before then, the last sentence of capital punishment enforced in Finland in times of peace was in 1824.

81. Furthermore, quite apart from a number of decriminalizations in Finland, already referred to in section III above, the use of fines as an alternative to imprisonment had been increased, particularly in respect of theft offences. In fact, fines were regarded as the most important alternative to imprisonment, and constituted over 90 per cent of all sentences passed by the courts. The day-fine system had been in effect since the 1920s and had been amended in 1976 to make it a more severe sanction for wealthy people.

82. In the Federal Republic of Germany, new legislation in force from 1975 emphasized the rehabilitation of offenders and their reintegration into society. This was particularly so in the case of juvenile offenders. The minimum prison sentence had been set at one month, on the realization that shorter terms of imprisonment left no room for meaningful treatment of offenders. Similarly, in Hungary, the minimum prison sentence had been raised from one month to three months since the previous sentence was considered too short for the punishment to achieve its purpose. The new legislation in the Federal Republic of Germany also made it possible for shorter prison sentences to be replaced with fines, which may be assessed by reference to the income and assets of the offender. Since 1974, there had been a continuous decrease in the proportion of prison sentences and an increase in the proportion of fines - which reached 83.1 per cent of all sentences in 1977. Besides, prison conditions were to approximate general living conditions as much as possible.

83. In Canada, the general themes of various Parliamentary and Law Reform reports were very much in harmony with conclusions of the Fifth Congress with regard to the protection of the rights of offenders, the reform of corrections policy and practices and the importance of establishing or maintaining close working relations between corrections and national health and social welfare services. In recent years, several provinces had introduced such new sentencing programmes as community service orders, restitution to victims and fine-option programmes entailing the performance of some form of work in lieu of payment of a fine. Legislation had previously been proposed to provide similar community-based alternatives at the federal level, and it was likely that this effort would be renewed. Also, at the federal level, research and demonstration projects continued on the development of diversion services. Legislative proposals published recently promoted the adoption of a wide range of non-custodial alternatives for juvenile offenders. Capital punishment had already been abolished, in 1976, and minimum mandatory sentences had been established with regard to the use of firearms in the commission of an indictable offence. A number of significant changes had been introduced in the federal penitentiary system following the report of a parliamentary sub-committee in 1977, including new inmate grievance procedures, the establishment of citizens advisory committees and improved penitentiary staff training. On the whole, 51 of the sub-committee's 65 recommendations had either been fully implemented or were in the process of being implemented, and 9 more were under review.

84. The constitution of Venezuela contained guarantees against torture and other forms of cruel, inhuman or degrading treatment or punishment and also penalized persons who committed such acts. These guarantees were embodied in prison legislation and were strictly enforced by the courts. There had also been two recent enactments dealing with penitentiary matters. The Act on the Registration of Criminal Records, enacted in November 1975, effected reforms in the previous system of registration which had applied not only to persons convicted of an offence but also to those who had been investigated as suspects or accomplices. This act sought to eliminate the social stigma previously attached to individuals as a result of the registration system, which had been an obstacle in their reintegration into free society. It restricted registration to only those cases

Significant innovations introduced by Law No. 354 were with respect to remunerative work for prisoners, leaves of absence, parole under the control of the social service, the régime of partial freedom and early release from prison. The régime of partial freedom consisted in granting a convict permission to spend part of the day outside the penal institution in order to engage in work, educational activities or other activities useful to his re-entry into society. One or more leaves of absence, with a total of 45 days per year, may also be granted to a prisoner who had been approved for the régime of partial freedom. Finally, early release may be granted to prisoners who had demonstrated particular involvement in the rehabilitation process. This benefit consisted of a reduction of 20 days for every semester of time served.

92. In addition a new draft law dealing with the penal and procedural laws in Italy had proposed, among other things, the substitution of short-term prison sentences with part-time detention, freedom under surveillance, and fines. Part-time detention entailed the obligation to spend at least 10 hours daily in penal institutions. A violation of any of the obligations or prohibitions connected with part-time detention or freedom under surveillance automatically converted the remainder of the sentence into a prison term.

93. In the Philippines, new approaches and different corrections measures other than imprisonment had been developed in the face of mounting evidence against the deterrent capacity of imprisonment and to ease over-population in penal institutions. These measures emphasized the expansion of community-based programmes for the rehabilitation of offenders and sought to satisfy the need for less costly and less stigmatizing non-institutional measures. An adult probation system as an alternative to institutionalization for certain types of offenders had been put into effect with the promulgation of the Probation Law of 1976. Another measure involved the diversion of certain types of offenders to other community service agencies considered more capable of handling their problems. There were such community service agencies as Halfway Houses, Youth Residence, Friendship Homes, Rehabilitation Centres for Drug Addicts and Boys and Girls Protectories, the services of which were often used by criminal justice agencies as another alternative towards the decongestion of prisons as well as to meet the growing clamour for more humane treatment of offenders.

94. In Sweden, the Penal Code of 1965 was a first step towards the greater use of non-institutional corrections in lieu of imprisonment. This had reversed the continuous increase in the prison population, which then steadily declined up to and including 1976, after which there had been a slight increase. Criminological research had also shown that imprisonment was an inefficient means of correction as seen from the point of view of crime prevention. Two committees had thus been established by the Government in 1979 - dealing with imprisonment and non-institutional corrections, respectively - the specific terms of reference of which include a review of existing scales of punishment to bring them in line with present-day criminal policy; the introduction of more precise rules concerning the choice of penalty and the meting out of punishment; a revision of current provisions on parole and the use of probation; and the introduction of alternative penalties such as intensive supervision, semi-detention, periodic detention, community service and civil commitment.

95. Moreover, a new law entering into force in January 1980 had restricted the special penalty of imprisonment for juveniles (between 18 and 21 years old) to only those situations where there were special reasons for depriving a young person of his or her liberty. The age-limit for sentencing youthful offenders to life imprisonment had been raised from 18 to 21 years, and a previous provision allowing milder punishment for any offence committed by a person under 18 years of age had also been amended raising the minimum age to 21 years. Finally, a 1979 report of the Swedish Ministry of Justice had reviewed the use of internment - a penalty of indeterminate detention intended for recidivists who could not be deterred from continued grave criminal activity by any less radical measure - and come to the conclusion that it did not serve the stated objectives of providing treatment and preventing recidivists from committing further crimes. It was thus recommended that the penalty of internment should be abolished with effect from July 1980. The recommendations embodied in this report were being examined by various authorities and institutions.

96. In Mexico, social rehabilitation had replaced the punitive objective of corrections. This had resulted in new legislation and policies in all jurisdictions and in the creation of new institutions such as the Department of (Crime) Prevention and Social Rehabilitation, which co-ordinates the work of Social Rehabilitation Centres at local and federal levels and Women's Rehabilitation Centres, Guardianship Councils for juvenile offenders. There had also been improvements and renovations of prison premises and the construction of new detention centres. Sentencing reform had involved the replacement of short prison sentences with fines, shorter prison sentences for property offences and certain offences involving narcotics and increased penalties for organized crime. The scope for provisional release had been expanded, making such release possible after three fifths of a sentence, rather than two thirds, had been served. Interdisciplinary technical councils comprising prison officials, educationists and medical officers (among others) had been established to perform certain tasks pertaining to the individualization of sentences and corrections practices to suit the personality of individual offenders. Two amnesty acts, promulgated in May 1976 and October 1978, had benefited about 244 prisoners, and two prisoner-exchange treaties entered into with the United States of America (November 1976) and Canada (November 1977) had resulted in the exchange of a large number of prisoners to serve their sentences in their countries of origin.

97. In Kenya, institutional treatment was used more often than community-based treatment such as probation. For instance, in 1977 a total of 65,669 offenders were sentenced to various terms of imprisonment, compared with 3,400 placed on probation. The corresponding figures for 1978 were 57,136 and 3,982 respectively. As a result, the need to extend the probation services was recognized. Although imprisonment was a punishment in itself, punishment was not considered as the most efficient method of crime prevention. An offender was thus placed in custody as a punishment but not for punishment. Prison in Kenya was, therefore, primarily a place for the rehabilitation and treatment of offenders. The reform of social conditions which promoted criminality was considered an ancillary function carried out by other governmental and social agencies, and while in prison, offenders were inculcated with the work ethic and trained in such fields as agriculture, the building trades,

industry, and in general education - depending on the particular needs of individual inmates. Although the expansion of such training facilities had not kept pace with increases in the prison population, constant efforts were being made in that direction.

98. The Probation Service in Kenya enabled certain offenders to remain in open society, with the provision of assistance to equip them to lead useful and productive lives. Probation had the added advantage of being much less expensive than institutional treatment. Each case was given individual diagnosis and treatment, and such programmes often involved the participation of family members. The proportion of offenders put on probation was considered to be too low, as may be observed from the figures given above, and it was hoped that the increased use of probation as well as of alternative sanctions such as fines, week-end programmes and an instalment system for the payment of fines, would provide the means for considerable reductions in the prison population - particularly since the bulk of prison sentences was for short terms of six months or less.

99. In Chile, there had been increasing awareness of the limited results that could be achieved by imprisonment. A number of projects had thus been devised aimed at broadening existing alternatives to imprisonment and widening the scope of alternative measures such as community work, night-time and week-end imprisonment, probation, new forms of conditional release, one week of "honour leave" every three months for prisoners at penal colonies set up as education and work centres and an expansion of the system of unsupervised leave, covering approximately 20 per cent of all prisoners. The Standard Minimum Rules for the Treatment of Prisoners had been incorporated into Chile's national legislation since 1965.

100. In the United States, sentencing objectives and policies continued to generate much controversy, reflecting disillusion with virtually every kind of sentencing practice or measure. Although it had long been established by the Supreme Court that retribution was no longer the dominant objective of the criminal law and that the rehabilitation of offenders was an important goal of corrections practice, none of the several rehabilitation programmes that had been evaluated over the years had been found to reduce recidivism in any significant respect. But while support for the goal of rehabilitation had slackened substantially, remnants of rehabilitation as a policy goal still persisted. The use of indeterminate sentences with consequent wide disparities and a large degree of uncertainty and arbitrariness in the administration of rehabilitation programmes continued to be the subjects of attack.

101. Efforts had been made, in various jurisdictions in the United States, to structure the exercise of sentencing discretion, such as by the use of fixed sentences, sentencing panels, appellate review and sentencing guide-lines, although none of these had been found to provide totally satisfactory solutions. In the drafting of a new federal criminal code, which has seen various versions, a Senate draft made provision for the establishment of a sentencing commission - which would formulate guide-lines intended to greatly reduce current sentencing disparities. These guide-lines would utilize established federal offence categories and the offender's prior criminal history. In view of the fact that the history of

sentencing reform in the United States had seen broad swings in both sentencing goals and practices, the commission model appeared to be the most attractive alternative presently in sight, although whether it could stand the test of time remained to be seen.

102. In Australia, sentencing policies and practices varied from one state or local jurisdiction to another; the daily national average number of prisoners fell from 10,581 in 1972-1973 to 8,718 in December 1977, these figures respectively representing imprisonment rates of 80.8 and 62.3 per 100,000 of population. The overall imprisonment rate rose to 69.5 (per 100,000), in June 1979. This reflected the increasing use of imprisonment for certain categories of offences in a number of jurisdictions, for example, for serious driving offences, drug-related offences, armed robbery, homicide and assault. But recent statistics also showed that there were approximately twice as many offenders under probation supervision as there were in prison and approximately one half as many offenders on parole compared with the number in prison. In absolute terms, various state jurisdictions showed a decreasing use of imprisonment and an increasing use of fines and probation orders. Finally, in the various jurisdictions, provision had been made or proposed for an increased resort to community-service or work orders, particularly to replace imprisonment for non-payment of a fine.

103. In Hungary, the new Criminal Code of 1978 and Law Decree No. 11 of 1979 on the Execution of Penalties had reformed the penal system in significant respects. The new code had given wider scope to the use of parole, introduced the day-fine system with which other countries had had favourable experiences and considerably widened the scope of supplementary or alternative penalties. The day-fine system took into account the gravity of the crime, the culpability of the offender, as well as the size of the offender's income in determining the amount of the fine. Supplementary penalties may be substituted for principal penalties in respect of crimes punishable with not more than two years imprisonment. Previously, probation or the suspension of penalties for a probationary period had been applicable to minors only. This had now been extended to adults other than recidivists. Further, in view of the close relationship between alcoholism and delinquency, emphasis had been placed on effective criminal-law means of suppressing alcoholism, including the compulsory curing of alcohol addicts who committed crimes.

104. Hungary also used supervision to assist in the control and orientation of offenders and in their reintegration into society. This was applied to offenders who had been placed on probation, those who had been given suspended sentences or those released on parole. Such supervision was mandatory in cases of provisional release from severe confinement. Finally, the suspension of the execution of punishment was regulated in a new way. A sentence of imprisonment not exceeding one year or a fine may be suspended for a probationary period if, in consideration of the offender's personal circumstances, it was considered that the purpose of the punishment could be achieved without its execution. Such suspended execution of sentence may also be applied in deserving cases where the sentence of imprisonment was over one year but less than two years. The execution of a principal penalty may be replaced by one year of probation in case of a fine, or by one to five years of probation in case of imprisonment for a misdemeanour. However, these alternative measures were not available for recidivists, who were subject to imprisonment at a more severe grade and also forfeited any rights to probation or suspended sentencing.

105. In Romania, Decree No. 218 of 1977 had established important measures for punishment and the re-education of offenders within the community. Thus, work-penalties without deprivation of liberty could be substituted for penalties involving less than five years' imprisonment, taking into account the gravity of the offence, the circumstances in which it was committed and the general conduct of the offender. Further, juvenile offenders between 14 and 18 years of age were to be handed over to the community within which they studied or worked, upon trial by special trial councils at the unit or community level and were to be subjected to prescribed rules of discipline and conduct to be followed under the supervision of the community and family. A study of the number of persons convicted in the year before and after the adoption of this legislation showed that the proportion of offenders sentenced to various terms of imprisonment had dropped from 66.3 per cent in 1976 to 32.5 per cent in 1978 and 29.4 per cent in the first three months of 1979, while the corresponding proportion of those sentenced to work penalties had risen from 5.2 per cent in 1976 to 39.7 per cent in 1978 and 41.6 per cent in the first three months of 1979.

106. In the German Democratic Republic, two new statutes had been passed in 1977, dealing with the execution of sentences of imprisonment and the reintegration of ex-convicts respectively. These laws were based on the prevailing level of social development and took account, in particular, of society's increased ability to re-educate prisoners and reintegrate offenders into social life. The main emphasis was on further development of proven principles and methods of education and self-education, in particular by differentiating the execution of sentences, securing the participation of prisoners in the production process, enlisting the co-operation of social forces and organizations and encouraging the prisoners' desire to prove their worth by providing general and vocational education - especially to youths and young adults. Local authorities in whose jurisdiction the offenders lived, as well as managers of enterprises or institutions where they worked, were involved in preparing and effecting their reintegration into society.

107. In the Union of Soviet Socialist Republics, there had been a trend towards narrowing the field of application of criminal sanctions, primarily with regard to offences which did not involve great public danger and expanding the scope of application of administrative sanctions and community-based treatment. The emphasis was on the correction and re-education of offenders by avoiding, as far as possible, the deprivation of their freedom. Union-wide legislation allowing alternatives to criminal punishment provide for the institution of administrative proceedings or the transfer of the case to comrades' courts or to the custody of social organizations or workers' collectives or, in the case of minors, to appropriate juvenile affairs committees. The application of such alternative measures had led to a reduction in the use of short-term imprisonment for petty crime. Offenders who had been exempted from criminal liability may be obliged to pay fines or to perform corrective labour at their place of work for a period of one to two months.

108. Furthermore, the grounds for the deferment of the execution of a criminal sentence had been broadened with regard to minors and also with regard to women who were pregnant at the time of the sentence or to convicted mothers of infants under 3 years of age. The rules for conditional release from imprisonment and for conditional conviction with mandatory employment had also been codified. The

law stressed that conditional conviction without deprivation of freedom should not isolate the convicted person from society and also provided for the supervision of such convicts in a production collective for a determined period.

109. In Yugoslavia, the various socialist republics and autonomous provinces had recently adopted their own laws on the enforcement of criminal sanctions, in the context of the overall deterrent purpose of punishment as provided for in the criminal law of the Socialist Federal Republic. Criminal sanctions were executed either in freedom under supervision or in penal institutions. With regard to the former, amendments to the criminal law made in 1976 had introduced suspended sentences and protective supervision, in addition to judicial admonition, all of which can be used in substitution for imprisonment. With regard to the latter, United Nations standards on the treatment of prisoners had long been incorporated into Yugoslav law, with some improvements as well. There was, for instance, emphasis on the individualization of corrections to suit the personality of the offender, in order to achieve a more successful reintegration of the offender into the community. Depending on the effect of corrections in particular cases, conditional release was often used, thus enabling considerable portions of sentences to be waived.

110. In Poland, sentencing figures for 1978 showed the following breakdown of penalties: imprisonment (32.6 per cent); suspended sentences (35.3 per cent); curtailment of liberty (14.9 per cent); and fines (17 per cent). Capital punishment may be imposed for acts aimed at undermining the security, defence and economy of the Republic and for murder, armed robbery or robbery with dangerous weapons. However, even in those cases, there was always the possibility of imprisonment as an alternative and stringent safeguards with regard to possibilities for reprieve and the exhaustion of all possible appeals and reviews. Various efforts had been made to improve prison conditions after the Fifth Congress, and emphasis was placed on the rehabilitation of offenders for their reintegration into society. Among relevant practices in the rehabilitation framework were individualized corrections, early release of reformed offenders, special programmes for juveniles, women, those convicted of involuntary offences, recidivists and those requiring special educational or medical treatment such as detoxification of alcoholics. There were also expanded programmes for cultural, educational and sporting activities, family contacts and post-release supervision and also a number of open prisons where prisoners worked without surveillance.

111. In Argentina, the policy of rehabilitation was expressed in constitutional and statutory provisions and was implemented through individualized treatment of offenders for the purpose of effecting their reintegration into society. These programmes usually culminated in conditional or early release, depending on the circumstances of each case, accompanied by post-release supervision with the participation of discharged prisoners' aid societies and similar organizations. Similarly, in El Salvador, constitutional provisions prescribing the education and social rehabilitation of offenders as a basic objective of corrections and crime-prevention was elaborated upon by the Penal Code, Code of Penal Procedure and legislation on the administration of penal and rehabilitation centres. In providing for specific measures of a curative, educational and preventive nature, the provisions of these laws sought to incorporate modern trends in crime-

prevention and corrections policy, with due regard to local traditions and conditions. The support of the community was also sought in the implementation of crime-prevention and corrections programmes, particularly pursuant to article 73 of the act governing penal and rehabilitation centres and the role of prisoners' aid societies.

112. In Spain, constitutional provisions on the deprivation of liberty and the confinement of offenders were oriented towards rehabilitation and social reintegration. Various other constitutional guarantees of human rights and individual liberties were incorporated into the penal legislation, including the General Prison Law. Capital punishment had been abolished except for war crimes under military law. Custody measures were to exclude the use of forced labour. Convicts serving prison sentences still enjoyed their fundamental rights except those rights expressly limited by the conviction verdict, and they enjoyed the right to a salaried job and corresponding benefits. The fundamental basis for the treatment of prisoners had been determined in the prison law, and there was provision for a range of alternative sanctions such as fines, week-end detention, suspended sentences and conditional remission of penalties. To facilitate the social reintegration of released prisoners, a social assistance commission with representatives from various social groups and sectors was to be established to provide necessary assistance to released convicts.

113. In Morocco, penal legislation and the prison administration were reported to be modern and adequate, and the Directorate of Rehabilitation and Penal Reform effected the rehabilitation of prisoners and their reintegration into society through the vocational training provided at its establishments. The response of the United Republic of Cameroon placed great emphasis on the prevention and treatment of juvenile delinquency, through the application of preventive and therapeutic measures at three main levels - these being the primary level, involving mainly educational, social, cultural and health measures; the secondary level involving early detection of deviant tendencies and the application of diversion measures; and the tertiary or post-cure level involving the application of measures to combat recidivism among youthful offenders. In Iraq, there had been increasing use of penalties other than imprisonment. Over the period 1962-1972, there had been a consistent increase in the number of fines imposed, in the number of suspended sentences, as well as in the number of persons released against an undertaking of future good conduct. As indicated in section III above, the main purpose of corrections policy was rehabilitation and the social reintegration of offenders. Recidivists were more likely to receive prison sentences than first offenders; fines were used more often on the basis of the seriousness of the offence and instalment payment was often allowed in order to avoid imprisonment for non-payment; prescribed penalties may be reduced by the court, for stated reasons, if the circumstances of the case and the personal situation of the accused made this necessary; finally, suspended sentences were mandatory for certain crimes in specific circumstances, mainly with respect to crimes which posed no threat to the community and which were largely motivated by personal circumstances.

114. Further, Iraq had promulgated a number of acts in 1978 and 1979 providing for amnesty for a large number of prisoners who had served at least half of their sentences, and efforts were made to reinstate the released prisoners in their former jobs or occupations to help towards their reintegration into society.

The sentences of other prisoners who had not been granted amnesty were also reduced by half. The Standard Minimum Rules for the Treatment of Prisoners were being applied in Iraq, with particular regard to the keeping of accurate records on prisoners; the application of self-management programmes giving inmates some degree of responsibility in the organization and implementation of work, educational and rehabilitation programmes; and the involvement of social workers to counsel inmates and serve as intermediaries between them and the prison administration. Male and female prisoners were completely segregated and young prisoners were also kept in special institutions suited to their reform and rehabilitation needs and separated from adult prisoners.

115. In Cuba, the treatment of prisoners, ex-prisoners and their families were undertaken in the broader context of social prevention of delinquency, which was primarily a combination of Government action, educational measures and social action by mass organizations. Rehabilitation and social reintegration were, consequently, the cardinal principles of the corrections system. Young offenders accused of lesser crimes could not be subjected to preventive detention in Juvenile Re-education Centres for more than 90 days, and for persons charged with major crimes, the term of preventive detention could not exceed the minimum prescribed for the crime in question. Centres for the Evaluation and Classification of Prisoners had been established in various provinces, and centres for post-institutional treatment had also been organized in all provinces with the task of guaranteeing the placement of both ex-prisoners and those on probation on the labour market; also there was more effective supervision of ex-prisoners for the purpose of preventing recidivism. The Standard Minimum Rules were reflected in the prison regime, and there had been substantial and continuing improvements in the quality of prison installations.

116. In Brazil, important modifications of the execution of punishment and of preventive detention had been effected by a new law, passed in May 1977. A special committee to examine and to make recommendations regarding the prison system had been established in 1979, together with a committee on crime and the socio-economic environment. According to the 1977 law, pre-trial detention was to be used only when necessary for justice, social security and public order, and sentences involving deprivation of liberty were to be used only for the most serious crimes. There was individualization of treatment depending on the seriousness of the crime and the personality of the offender. Prisons were divided into maximum-security, medium-security and open-institutions, and prisoners could be granted the right to return to the community, work outside the prison, visit their families and participate in other activities designed to facilitate their reintegration into society. Community assistance to prisoners and ex-prisoners and their families was being expanded to involve regional and local authorities as well as a number of public and private organizations. In particular, a pilot project had been initiated with the participation of the Ministry of Works, Ministry of Justice and local authorities, for work-training for prisoners, involving over 20,000 prisoners during the year 1978-1979.

117. The most prominent feature of the information on corrections was obviously a general tendency towards increasing use of non-custodial sanctions in a large number of countries, as a result of widespread and increasing disillusionment

with the "treatment" function of imprisonment and a desire to adopt more humane and more effective corrections measures. General deterrence continued to be a constant objective of punishment; however, in spite of considerable disillusionment with "treatment" in a custodial setting, rehabilitation continued to be a major objective of corrections practices in most countries, but with an increasing emphasis on the application of diversion and rehabilitation measures in a community setting.

VI. ECONOMIC AND SOCIAL CONSEQUENCES OF CRIME: NEW CHALLENGES
FOR RESEARCH AND PLANNING

118. Under this agenda item, the Fifth Congress had examined such issues as the identification and assessment of the consequences and costs of crime and the use of interdisciplinary research in the integrated planning of crime-control policies, the need for socio-economic planning for the purpose of minimizing and redistributing the costs of crime and the use of interdisciplinary research in the integrated planning of crime-prevention as part of the over-all socio-economic policies of Member States. With regard to questions of evaluation and planning activities of crime-prevention agencies, the view was expressed in the reply of the United Kingdom that evaluation, forecasting and planning were essentially interconnected parts of a rational approach to policy-making for the future and more balanced and coherent results could be obtained by dealing with these issues jointly. Similarly, the responses of most other Member States dealt with issues of research, evaluation and planning, jointly. Information provided in this regard has already been reviewed in sections II and III, above.

119. The present section will, therefore, be devoted mainly to research on the economic and social consequences of crime. The information provided on this issue indicated a large degree of uncertainty in this area. For instance, it was stated in the reply of Italy that "as far as research on the cost of criminality is concerned, no such studies are in progress at present, nor are they being envisaged, since both the literature available in this field and the efforts made so far seem to indicate that it is impossible to achieve unambiguous results". In addition, the available information was entirely too divergent in scope, level of analysis and orientation to allow for its practical use.

120. On this item, Sweden reported that efforts were being made to develop theoretical models for more rational and systematic planning and evaluation of the criminal justice system. A number of models had been developed in different countries, but there was an evident lack of documentation and information on practical applications and on the real impact of these models and systems, at least at policy and programme planning levels. A quantitative computer-based planning model for the criminal justice system, called SVEJUS, was being developed at the Ministry of Justice in Stockholm, based partly on a model created at the Carnegie Mellon University in the United States. Canada had also used this model for background reports on the criminal justice system, but it had been found there that more detailed models were needed at the planning level.

121. The Swedish (SVEJUS) system had been used for describing and evaluating the criminal justice system as well as for the study of probable effects of proposed modifications within the system and anticipated changes in the environment. It had also proved useful at an early stage of the law-making process in identifying solutions which were realistic from a purely economic point of view. Also, it had been found useful at the implementation stage when the creation of an administrative set-up was discussed. It was pointed out that although legal structures and judicial organizations varied as between countries, it was possible

to transfer planning instruments and general ideas and to implement them in a new context. The Swedish Ministry of Justice had fruitful co-operation in this respect with agencies and other organizations in Canada, Finland, the Federal Republic of Germany, and the United States.

122. In the Netherlands, increasing attention was being paid to the assessment of various financial and economic consequences of crime. The basic problem here was reported to be a lack of input and output analyses and accompanying quantification of the material, personal, social, fiscal and psychic harm caused by crime. Some initial action had been taken by the Inter-ministerial Committee for Cost/Benefit Analyses (COBA) and the Bijsterveld Committee (on the financial consequences of tax fraud), as well as in the form of victimology studies by the Ministry of Justice. These studies showed that the material cost of petty crime in the Netherlands amounted to 500 million guilders per annum. Efforts were being made to obtain an impression of costs and benefits by using a simulated market model, in which the loss or damage caused by burglary and theft offences was compared with the cost of prevention and of legal proceedings. But the impressions gained from such efforts indicated that the whole problem of public order could not be so easily described in terms of the quantities of an econometric model.

123. In Japan, the Research and Training Institute of the Ministry of Justice conducted research in various areas, especially on crime-prevention measures and on the effects of crime on victims and others. It had been demonstrated through such research that the consolidation of the social defence scheme, such as increased budgets for police activities, contributed significantly to the suppression of crime, and also that the effects produced by offences against life and against the person were extremely serious.

124. The United States in its reply devoted much attention to various methods of assessing the socio-economic costs of crime and crime control. Sophisticated analytical tools to assess these costs had only recently begun to be developed and applied by economists and other researchers. These showed that the costs of crime could be seen in terms of the material economic costs of the criminal act itself, the quantifiable psychic costs of criminality observable within the community and the resource costs of crime-prevention activities, including both private costs, such as property-protection devices, and the resource costs of law-enforcement agencies. Because the goal of crime-control is to minimize the sum of all costs associated with crime, it was important to balance the costs of crime-control against the social costs of crime itself, since it was uneconomical and inefficient for the former to exceed the latter, as was often the case.

125. However, practical questions such as the manner in which such social costs were to be minimized, the mode of budget allocation among the police, the courts and correctional institutions, the costs and deterrent effects of various forms of punishment, were very complex questions which could not be answered without detailed empirical knowledge. A number of empirical studies had been undertaken by various social scientists, but these were usually devoted to particular crimes or particular neighbourhoods, examples being estimates of the costs of reported cases of burglary, robbery and larceny over the period 1968-1977 and estimates

/...

of the effects of crime on property values in Chicago, San Mateo County, California, Rochester, New York and in other major cities. With regard to the costs of law-enforcement, studies of four municipal police departments in California had shown that their costs had been between 15 per cent and 100 per cent above their efficient level. This had been attributed to a tendency to utilize too many police officers relative to civilian labour and capital equipment. It could thus be stated tentatively that the expenditures of law enforcement agencies tended to exceed the costs necessary to provide the corresponding levels of crime control.

126. In the Federal Republic of Germany, the assessment of the economic and social effects of criminality was a major area of criminological research. Similarly, in Canada the major development in this area has been a programme of victimization research designed to provide data for the evaluation of the impact and cost-effectiveness of criminal justice policies and programmes. Victimization surveys in Canada were aimed at gathering information not only on the frequency and distribution of selected crimes which could be contrasted with official crime statistics, but also on the impact of these crimes on victims in terms of financial loss, physical and psychological injury, level of fear and the factors associated with the risk of being victimized.

127. With regard to the economic costs of criminal justice intervention, research had been undertaken in Canada, on the patterns of criminal justice expenditures. Preliminary results from this research indicated substantial escalations in crime-control spending by the Federal Government. These increments did not appear to be unique or disproportionate when viewed in the broader national or international framework, but were probably best viewed as indicators of general expansion, fuelled by inflation, in public sector activities. There was also ongoing research on the social costs of the intervention by the criminal justice system. Such research was aimed at establishing an inventory of the range of social costs attributable to criminal justice operations, in order to inform policy-makers on such issues as decriminalization, alternatives to imprisonment and diversion.

VII. CONCLUSIONS

128. Certain conclusions have already been indicated in the main body of this report on the information supplied by Member States with regard to recent developments in their criminal justice systems. These will be summarized here. In addition, a number of observations may be made with regard to the modalities for reporting on the implementation of the recommendations of the Fifth Congress, for the benefit of future monitoring activities.

129. It is quite apparent that all responding States continued to attach great importance to crime prevention policies and measures. The importance of crime-prevention was by no means diminished in countries where criminality was considered to be fairly stabilized or even declining, but was emphasized even further in countries where the crime rate and the workload of the criminal justice system had increased greatly. Great emphasis was thus being placed in all responding States, on crime prevention and corrections practices and the evaluation of the performance of criminal justice systems as well as on new legislation.

130. In this respect, the majority of countries seemed to adopt an innovative or dynamic approach in their criminal justice policies and measures, although the basic objectives of crime-prevention and control remained the same. Most countries reported adaptations and innovations in existing policies in accordance with perceived changes in crime trends and in the underlying socio-economic conditions, although there was invariably a time-lag of several years between the recognition of a problem and the formulation and adoption of measures to deal with it.

131. The reform of policies and practices thus tended to be more in reaction to changing circumstances than in anticipation of such change. The use of anticipatory forecasting in policy-making was still very limited in scope, even in the relatively small number of countries which used criminological forecasting to any extent. Constant efforts were being made in many countries to refine forecasting methods and to increase their reliability in order to ensure their usefulness in policy-making and planning.

132. Crime-prevention and control were also viewed in a broader socio-economic context as part of the general drive for the improvement of socio-economic conditions. The improvement of socio-economic conditions, quite apart from being an end in itself, was seen as one way of eliminating or minimizing crime. This view thus entailed the involvement of the whole community in actual crime-prevention activities, either in terms of public co-operation in police activities and crime-prevention campaigns, or in terms of the involvement of other public agencies in the formulation and adoption of crime-prevention policies.

133. There seemed to be a tendency in a large number of countries toward the decriminalization of what were considered to be relatively minor offences, so as to allow greater attention to be paid to the control of more serious offences.

/...

Quite significantly, the evaluation of the performance of criminal justice systems often included continuing study of the decriminalization option. It may reasonably be expected that the trend towards decriminalization and an increasing use of non-penal measures will spread to a greater number of countries, at least in so far as minor offences and certain "victimless" crimes are concerned. This would seem to be one way of devoting limited crime-prevention resources to the most urgent and serious areas of criminality.

134. A great deal of new legislation had been passed in various countries in order to deal with new forms of criminality, including terrorism, environmental and economic offences. This, too, may be seen as a trend. In addition, more onerous penalties were often imposed for crimes considered to pose increased public danger, such as drug trafficking and terrorism. A large number of new laws was also reported in the area of criminal procedure, with a certain common trend, namely a general desire to accelerate the system of trials by eliminating cumbersome procedures and by streamlining the trial process. There also seemed to be a tendency in a number of countries towards ameliorating the harsh effects of the use of pre-trial custody.

135. There was a definite trend towards the decreasing use of imprisonment and the increasing use of alternative, non-custodial sanctions in a large number of countries. This indicated a growing reassessment of the supposed deterrent function of imprisonment, as well as greater concern for human rights considerations. Nevertheless, deterrence continued to be a major objective of most criminal justice systems. A number of countries had also lost faith in the treatment function of imprisonment, although most penal systems continued to place their primary emphasis on the rehabilitation of offenders, either in a prison environment or in community-based programmes.

136. A wide range of alternative sanctions were being used increasingly in place of imprisonment, in the majority of responding countries. Most of these countries did not give any precise indication of the extent to which their corrections systems were being deinstitutionalized, in terms of proportions of custodial as against non-custodial sentences. A few national responses, however, clearly indicated that prison sentences constituted a small minority of sentences passed by the courts. A tendency towards that end could be expected in other countries as well, as a result of recent reforms. Much emphasis was placed on the use of suspended sentences and on partial suspension of sentences and on the use of probation, during which time offenders usually participated in rehabilitation programmes. Such other sanctions as fines, usually for relatively minor offences, community service, work orders and mandatory reporting, were being used increasingly in place of imprisonment.

137. A number of countries reported that the Standard Minimum Rules for the Treatment of Prisoners had been embodied in local legislation or that their prison conditions as far as possible approximated conditions generally available in open society. The use of torture was reported to be prohibited in all responding States, although it did seem that the practice of actually prosecuting public officials who violated such prohibitions could be given greater emphasis.

138. With regard to the utilization of research information in crime-prevention planning and policy-making, a number of distinctions must be made. Most countries made use of special commissions or "think-tanks" for the purpose of examining policy changes or new legislation in specific areas. In addition, a large number of countries reported the existence of institutionalized systems for evaluating the performance of the criminal justice system or for studying certain functions of the system. These may be distinguished from the use of specialized social science research projects at high levels of sophistication, either as an integral or additional resource in crime-prevention planning. This latter type of research input seemed to be used in only a relatively small number of countries, and even in these, not nearly to the full extent. The level of sophistication in research data that were being utilized as direct inputs in the formulation of criminal justice policies thus varied considerably as between countries. This may indicate a pressing need to bridge a communications gap between researchers and policy-makers.

139. It did appear that a reasonably large number of responding States did not rely on criminological research to any appreciable extent in policy-making and crime-prevention planning. In most cases, this was a result of the scarcity of trained personnel and of an urgent need to meet more basic demands, but in other cases it would appear that academic institutions could be more actively involved in such needed research. A number of developing countries, including Botswana, Jamaica, Kenya, Morocco and Seychelles, requested the provision of international assistance in the development of their own staff and material resources for such research activities and for the strengthening of regional training institutes and the establishment of new ones under the auspices of the United Nations in order to provide much-needed training for personnel in all spheres of crime-prevention and control. Increased international co-operation at the global level was also considered necessary for this purpose.

140. With regard to the actual reporting activities, it would seem that the utilization of a wider base of information would be more useful. This could be attained through the establishment of a regular system of reporting by Member States to the Secretariat on the implementation of recommendations and resolutions adopted by the Congress, as well as by the involvement of other United Nations agencies and of intergovernmental, regional and non-governmental organizations. It may also be said that, while the co-operation of the 46 responding States had made possible the preparation of the present report, the question of future reporting activities may be examined with a view towards increasing the rate of national responses in such reporting, in a manner calculated to maximize the usefulness of resolutions adopted by the congress in the efforts of States to deal with their crime problems. The implications of a number of national responses would appear to be that such impact evaluation must become part of the regular activities of the Secretariat.