



VERBATIM RECORD OF THE 32ND MEETING

Chairman: Mr. GOLOB (Yugoslavia)

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The meeting was called to order at 10.55 a.m.

DISARMAMENT ITEMS

AGENDA ITEMS 39 TO 56, 128 AND 135 (continued)

Mr. FIELDS (United States of America): I am extremely pleased to advise the Committee that on Friday, 13 November, the United States Senate gave its advice and consent by a unanimous vote to the ratification of Additional Protocol I of the Treaty of Tlatelolco. I spoke with Washington this morning and was advised that we will be moving rapidly to deposit our instrument of ratification so that we will become a full party to that important Convention.

Mr. AHMAD (Pakistan): I take this opportunity to offer some comments by way of introducing the draft resolution submitted by Pakistan under item 54 on "Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons", contained in document A/C.1/36/L.17.

The efforts by the non-nuclear-weapon States to obtain requisite assurances against the use or threat of use of nuclear weapons has been an important preoccupation of recent disarmament negotiations in the various United Nations forums. The nuclear arsenals of the nuclear-weapon Powers, which are not of the making of non-nuclear-weapon States, threaten equally the security - indeed the survival - of the nuclear Powers, as well as the non-nuclear-weapon States. The latter, which have no control over these ever growing nuclear arsenals, have been emphasizing the special obligation of the nuclear Powers to give credible assurances that nuclear weapons will not be used against them. This special obligation is fully emphasized in the decisions of the first special session devoted to disarmament.

The most effective assurance against the nuclear threat is the complete prohibition of the use or threat of use of nuclear weapons and their eventual elimination. But until that goal is realized, it is equally important that we adopt effective interim measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The Committee on Disarmament has had intensive discussion on this subject. The progress registered earlier on the subject held out the encouraging

(Mr. Ahmad, Pakistan)

possibility that the Committee may be able to elaborate effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, before the General Assembly's second special session devoted to disarmament, scheduled for next year. It will be recalled that resolution 35/46 had called for urgent negotiations with a view to reaching agreement in this regard. However, the results of the discussions undertaken this year in the Ad Hoc Group set up by the Committee for this purpose have been disappointing. The efforts made by many delegations, such as that of the Netherlands and my own, to evolve a possible compromise common formula on the substance of such assurances to the non-nuclear-weapon States have unfortunately remained unsuccessful.

In our endeavours to arrive at a common formula, the strategic doctrines of the major nuclear Powers have so far presented insurmountable obstacles. Those nuclear Powers refer to their unilateral declarations in this regard. But these are designed to express their own narrowly conceived security concerns and cannot constitute a meaningful response to the search of the non-nuclear-weapon States for security against the nuclear threat.

In our view, such assurances to non-nuclear-weapon States, in order to be effective, must be unconditional and of a legally binding nature. We are also convinced that it is possible politically, legally and technically to extend these assurances. Pakistan, it will be recalled, submitted a formulation which was endorsed by an overwhelming majority in the General Assembly in resolution 31/189 C, which called for assurances from the nuclear-weapon States for those non-nuclear-weapon States which are not parties to nuclear security guarantees. This formulation was intended to circumvent the difficulties arising from the commitments of major nuclear Powers under their respective treaty arrangements. While Pakistan would be receptive to any proposals relating to the form of negative security guarantees, it continues to believe that the most reasonable modality for the envisaged assurances could be the adoption of an international convention. Pakistan has already submitted the draft of such a convention to the Committee on Disarmament. We do not, however, agree with the suggestion that the existing unilateral declarations of the major nuclear Powers be incorporated in a Security Council resolution, much less a General Assembly resolution, and that this could

(Mr. Ahmad, Pakistan)

serve as an effective arrangement as called for by the non-nuclear-weapon States or as envisaged by the first special session on disarmament. The unilateral declarations in their present form are different from each other in their scope and, given their qualified, conditional formulation, are subject to varying interpretations.

(Mr. Ahmad, Pakistan)

The draft resolution submitted by my delegation and contained in document A/C.1/36/L.17 has been prepared along the lines of resolution 35/155 of last year on the same subject. This resolution has been updated in its preambular paragraph by including a reference to the declaration of the 1980s as the Second Disarmament Decade which states, inter alia:

"... all efforts should be exerted ... urgently to negotiate with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament on 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'".

In a corresponding operative paragraph, the draft resolution contains a recommendation that:

"further intensive efforts be devoted to the search for such a 'common approach' or 'common formula'" ... "which could be included in an international instrument of a legally binding character ... and that the various alternative approaches, including in particular those considered during the 1981 session of the Committee on Disarmament, should be further explored ...".

My delegation believes that the objective of concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as urged in the Final Document of the first special session on disarmament, needs to be pursued with vigour and continued determination. It is therefore the hope of my delegation that the draft resolution contained in document A/C.1/36/L.17 will receive wide support in this Committee.

Mr. ELLIOTT (Belgium)(interpretation from French): At the last session of the General Assembly we adopted unanimously resolution 35/156 D. It deals with the study on all aspects of regional disarmament. I have already had an opportunity to say how gratifying this consensus was to my country which, for some time now, has been promoting the regional approach to disarmament and arms control problems.

(Mr. Elliott, Belgium)

Our satisfaction is further enhanced by the interest which has frequently been expressed in favour of this approach, more specifically in the report which the Secretary-General has prepared for us in document A/36/343, which contains the views of various States on this study. The report is in itself a very heartening development, because essentially it tends to confirm the contents of the study and the possibilities it offers.

It is no accident that the regional approach, now perhaps more than in the past, seems to be a particularly promising way of anticipating, supporting or intensifying global efforts. It is also a useful tool to ensure, on the initiative of the States belonging to the region, the specific implementation of global measures.

The very close link between these two approaches - the global and the regional - has been emphasized by everyone. Although it is self-evident that regional disarmament can only be seen in the context of general and complete disarmament, at the same time it has become obvious that inadequate progress on the global front and the necessarily general nature of universal measures all provide an incentive for us to look for geographically more restricted solutions. The present state of international relations, therefore, justifies a regional approach even more, not because that would be a substitute for other efforts being made, but because it can be an effective backstop for them.

Among the views expressed by States we can see that there is a broad area of agreement on a number of essential points. First, the fact that it is at the regional level that security requirements are most easily perceived. Secondly, what is called the golden rule of regional disarmament: the fact that States in the region themselves will have to take the initiative. Then there is the fact that the region should not be dissociated or divorced from the global context, and that relations with third States should be closely examined.

(Mr. Elliott, Belgium)

A number of topics have also been drawn to our attention as being particularly suitable for action at the regional level. Among them may I single out the following: the creation of denuclearized zones. The Treaty prohibiting nuclear weapons in Latin America is in this connexion a very striking example which has been widely quoted by many. Next, the cessation of the conventional arms race, a study of which was provided for in resolution 35/156 A, that study to give preponderant attention to the possibilities inherent in the regional approach. Finally, there is the implementation of confidence-building measures. The report on that subject has been presented by the Secretary-General in document A/36/474 and emphasizes that efforts in this area could be aimed at giving a more detailed analysis of the possibility of instilling confidence in various parts of the world.

The comments by States have also broadly focused on the various efforts which are being carried out at present at the regional level, more specifically in Europe, in the context of the Conference on Security and Co-operation in Europe, and in Vienna in the negotiations on the mutual reduction of armed forces and related measures in Central Europe. It is precisely in the light of this experience that we have been prompted to advocate a regional approach, and we can already see that there are ample possibilities for action in other parts of the world, as a number of States themselves have pointed out.

Apart from this specific context, which essentially hinges upon the will of the States in the region, a number of other suggestions were made which should also claim our attention. Some of these suggestions recommend that certain aspects of the study be spelled out in more detail, particularly those dealing with the concept of the region, as well as the underlying principles and guidelines for regional disarmament.

Some States have also suggested that the study be supplemented by further, more precise studies and analyses at the regional and subregional levels. At a subsequent stage it is also recommended that the States in a region reach agreement on long-term objectives and also on joint studies and proposed agreements, particularly in connexion with military budgets and confidence building measures. The most appropriate machinery for the regional approach is also an important element of the measures various States would like to study in more detail.

(Mr. Elliott, Belgium)

The hope that Governments will take initiatives and hold consultations in various regions in order to agree on appropriate disarmament measures is something which has also been repeated. We also think that it would be a very good idea for competent regional organizations, to consider, inter alia, the possibility of drawing up studies, carrying out consultations and taking other initiatives in connexion with disarmament matters which could usefully be dealt with at the regional level.

The field of action, whether it be at regional or United Nations level, thus remains vast. The broad areas of agreement which are identified by the report of the Secretary-General containing the views of States are undoubtedly very encouraging. That is why Belgium, together with the other sponsors of draft resolution A/C.1/36/L.37, would like the General Assembly to take note of the report of the Secretary-General and also make the necessary arrangements for the second special session of the General Assembly devoted to disarmament to carry out a fruitful examination of the regional approach to disarmament in order to promote its implementation. It is my hope that this draft resolution, which is largely a procedural one, will make it possible for the Assembly to reiterate last year's consensus in favour of a regional approach to disarmament.

Mr. WEGENER (Federal Republic of Germany): Several representatives have spoken to comment on draft resolution A/C.1/36/L.2, entitled "Prevention of nuclear catastrophe", and introduced by the Union of Soviet Socialist Republics. I refer in particular to statements by the delegations of the Netherlands, France and the United States.

They have voiced substantial doubts as to the consistency and analytical tenability of the Soviet draft. In spelling out his doubts, the representative of the Kingdom of the Netherlands strongly appealed to the representative of the Soviet Union to clarify his views further and to eliminate certain contradictions which seem to be inherent in his proposal. We have not yet had the privilege of hearing the Soviet representative on this point. This gives me the opportunity to make some additional comments on the draft resolution and to express some additional doubts which, I hope, the Soviet representative will also be in a position to deal with if and when he speaks. My own remarks are in full agreement with and in strong support of the statements of the Netherlands, France and the United States on this problem.

No delegation in this room wants to dissociate itself from the objective of making nuclear war impossible and of doing everything in our power to spare mankind the horrors of nuclear war. Indeed, the earnest pursuit of this goal is a prerequisite for our deliberations and has been set forth innumerable times in consensus documents of various United Nations bodies. Our debate, therefore, is not one in which it is necessary to go on record stating our good intentions in principle. Our task is, in a rational dialogue, to discover and then tread the most promising path for getting closer to this cherished objective.

It is in this spirit that my delegation questions the utility and the tenability of the Soviet draft resolution. In explaining my point of view, I shall limit myself to the nuclear non-first-use stipulation contained in draft resolution A/C.1/36/L.2. While the draft resolution also contains additional material - like the personal responsibility of politicians - I take it that those additional ideas and proposals flow from the main purpose of interdicting nuclear first use.

(Mr. Wegener, Federal
Republic of Germany)

My observations will deal first with the ambiguous relationship between the present and earlier proposals by the Soviet delegation, then with some possible incompatibilities between draft resolution A/C.1/36/L.2 and Soviet military doctrine as we know it, next with certain inherent contradictions in the nuclear non-first-use idea, subsequently I propose to deal with certain inconsistencies between the present proposal and the agreed concepts and principles of disarmament, and, in conclusion, I should like to test the proposal against certain provisions of the United Nations Charter.

The representative of the Netherlands has voiced his perplexity at the constantly changing form in which the Soviet delegation through the last 20 years has, at various sessions of the General Assembly and in other bodies, advanced the non-first-use idea and adduced abundant material to substantiate his doubts. My delegation is equally at a loss to understand why the Soviet delegation has seen fit to shift constantly between proposals directed at general nuclear non-use, proposals on nuclear non-first use, sometimes aimed at the interdiction of nuclear weapons only, and sometimes of nuclear and conventional weapons. Also, my delegation has noticed that the legal form which the Soviet delegation recommends is a different one in almost each case. At times the Soviet delegation calls for international conferences, then for a treaty or convention, at other times for a mere resolution of the General Assembly, and at present for a solemn proclamation. It has been pointed out that the scope and consequences of all those proposals are different, although certainly overlapping. We, like the Netherlands delegation, would think it urgent for the Soviet Union to dispel the doubts which the frequent shifts of emphasis have created, and we join the Netherlands appeal to the Soviet Union to speak up on this matter.

Some of our doubts have been generated by our study of Soviet military doctrine - to the extent that we know of it. There are strange inconsistencies between what official military writers proclaim and what the draft proposal intends. Until very recently, official Soviet military spokesmen - for instance, Sokolovski and Tscherednichenko - affirmed that Soviet nuclear armament includes the option of a first strike, and they imply that the

(Mr. Wegener, Federal
Republic of Germany)

Soviet Union's nuclear capability has been laid out precisely with that option in mind.

In a 1972 official work entitled "Marxism-Leninism on War and Army", it is stated that:

"... nuclear war has not ceased to be an instrument of policy as is claimed by the overwhelming majority of the spokesmen for pacifist anti-war movements in the bourgeois world".

On the contrary, we read the following in the same book:

"... most nuclear strikes at the armed forces of the opponent and at his key economic and political objectives can determine the victory of one side and the defeat of the other at the very beginning of the war".

In the same book it is pointed out that a preventive nuclear strike would be useful to "frustrate surprise attack" or "forestall, disrupt" or "break up" preparations for enemy attack.

As recently as 1980, Marshall Nicolai Ogarkov, Chief of Staff of the Soviet Armed Forces and First Deputy Defence Minister of the Soviet Union, expressed similar thoughts in the Soviet Military Encyclopaedia. After a review of pertinent Soviet statements in this field, a Western analyst has observed that in refuting the concept of nuclear deterrence accepted by the West:

"Soviet military thought seems to reflect a consciously straightforward approach to nuclear targeting. Once deterrence fails, nuclear weapons are to be used with whatever intensity necessary to defeat the enemy militarily."

In this connexion, the recent intrusion of a Soviet submarine, presumably equipped with nuclear weapons, into the territorial waters of a neutral State is hardly reassuring the more so since some observers have concluded from the incident that such nuclear weaponry is standard equipment on all Soviet naval units operating in the Baltic.

In a recently declassified article in "Voyennaya Mysl", a journal of the Soviet General Staff, we read:

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Republic of Germany)

"The decisive means of achieving the goals of modern war are rocket and nuclear weapons, with their unlimited effective range and tremendous destructive capabilities... The most important task of the General Staff in preparing for a modern war is the detailed planning of the employment of nuclear weapons by all services of the armed forces."

In a society as closed as that of the Soviet Union where freedom of expression on security matters is nil, nobody can doubt that those are official, governmental views.

However, those texts may very well be older expressions of Soviet doctrine. In fact, we are told, on the basis of Soviet sources, that there have been recent perceptible shifts in Soviet military strategy with a stronger emphasis on the non-first-use idea, and recent published views from the highest political authorities of the Soviet Union may point in that direction. However, that still leaves one curious. If the Soviet Union has propagated for the last 20 years, in various forms and wordings, draft resolutions in the United Nations on non-first use, in evident contradiction with its own military doctrine, as stated by authorized spokesmen, what should we think of the present text?

(Mr. Wegener, Federal
Republic of Germany)

Why would identical wording now be in keeping with the doctrine? Has the doctrine really changed, or does the text now take on a new meaning? Or has a new sensitivity for linguistic precision come to the Soviet authors of the draft? Conversely, was that sensitivity lacking on the earlier occasions? These are queries which once again we should like the Soviet Union to answer.

The Netherlands delegation has cogently raised questions on the relationship between earlier utterances of the Soviet Union in a multilateral context and the present proposal. I should particularly like to refer to the declaration made by the Soviet Union on adhering to Additional Protocol II of the Treaty of Tlatelolco of 1976. In that declaration the Soviet Union reserved its right to reconsider its obligations under the Protocol in case of an aggression, under certain conditions even an aggression from a non-nuclear country. Now, there is an inconsistency in logic here, between this express reservation and the commands of nuclear non-first use, since potentially the act of aggression referred to in the declaration could under its terms also be a conventional one.

Let me quote one more possible inconsistency between Soviet behaviour and the present proposal. When this Committee voted last year on resolution 35/152 D, on the non-use of nuclear weapons, the Soviet Union, far from seizing that opportunity, abstained, and, quite in contrast with what we are hearing now, explained its abstention by stating that it was convinced that the question of the non-use of nuclear weapons should be resolved in the context of the prohibition of the use of all types of weapons and that it regretted that in the draft resolution the question was once artificially divorced from the question of the adoption of international political and legal measures to strengthen the security of all States and the renunciation by States of the use of force in international relations. Here again an explanation of the sharp differences in views between one year and another would seem to be almost indispensable.

In the statement just cited the Soviet Union has in fact moved to a theory of general non-use of force. That is a position which not only reflects the imperatives of the United Nations Charter - and I shall shortly

(Mr. Wegener, Federal
Republic of Germany)

revert to this topic - but is indeed much closer to our own views. With the Committee's permission I should like to quote what Federal Chancellor Schmidt said in his statement at the first special session devoted to disarmament:

"The prohibition of the use or threat of force embodied in the Charter of the United Nations must therefore apply to all weapons, both nuclear and conventional. Whoever is the first to take up arms of whatever kind and to resort to or threaten military attack violates this prohibition. I repeat: this prohibition is comprehensive; either it applies totally or not at all. Those who try to restrict it to the first use of certain weapons must ask themselves whether they would consider an attack launched with other weapons less prohibited. Should a country which is threatened by a neighbour heavily armed with conventional weapons be less protected than others by the prohibition of the use of force?

"Regional agreements on conventional forces and armaments must therefore be sought on a par and simultaneously with efforts to limit armaments in the nuclear sphere; not only ... in Europe but in all regions." (A/S-10/PV.5, pp.68-70, 71)

With this quotation I have in fact moved from my inquiry into certain formal contradictions within the Soviet position, as we perceive it, to matters of substance. Very early on, the Soviet Union put forward the view, shared by all of us, that:

"all measures of general and complete disarmament should be balanced so that at no stage ... could any State or group of States gain military advantage, and that security is ensured equally for all".

That is a verbatim citation of the so-called McCloy-Sorin formula of 1961. Since then the Soviet Union has shared our concept that the preservation of unimpaired security for all partners in the disarmament process is a pivotal element of disarmament. Indeed the same idea has been solemnly proclaimed in paragraph 29 of the Final Document of the first special session and in innumerable documents thereafter.

(Mr. Wegener, Federal
Republic of Germany)

Now, if we measure the present proposal with that yardstick it does not fare very well. This becomes abundantly clear when we look at the Central European scene. Adoption of the nuclear non-first-use obligation would eliminate the deterrent effect of the NATO defence system in that region and the vast conventional superiority of the Warsaw Pact would come fully into play. In Central Europe and on the European flanks the conventional forces of the Warsaw Pact, especially its land forces but equally its navy, are clearly superior to those of NATO. The main battle-tank ratio between NATO and the Warsaw Pact in Central Europe, including the augmentation forces on both sides, is roughly three to one. The superiority in operational divisions, including those that can on short notice be adduced from the Western territories of the Soviet Union, is two to one. Even George Kennan, who, in keeping with his well known views, tends to de-emphasize Soviet military superiority, has, in an article that appeared here last week, speaking of conventional armaments, concluded that, "Of course there is a preponderance of strength on the Soviet side. Such a preponderance has existed since the Second World War". Now, if the Soviet Union could proceed without the uncertainty as to how - that is by what military means - Western European countries would organize an adequate defence if by consequence there would be a mere confrontation of conventional arms, Western Europe would be in a position of helpless military inferiority. This would almost be an invitation to apply force or at least to intensify political pressure. Especially in view of the clearly offensive doctrine of the Warsaw Pact, these are not reassuring perspectives. The military balance in Western Europe would be permanently disrupted. There would be an unequal security situation as a consequence of the proposed Soviet measure. I fully concur with the French representative, who has stated that:

"The condemnation of first use and the commitment it seeks to impose is tantamount to guaranteeing a possible aggressor - even if he himself possesses nuclear weapons - against defensive recourse to such weapons. Thus, a State which violates the undertaking not to use force stipulated by the Charter would be the beneficiary of the non-first-use commitment to the detriment of the victim of its aggression". (A/C.1/36/PV.21, p.7)

(Mr. Wegener, Federal Republic
of Germany)

Let me conclude from the various citations I have given in this part of my intervention that the Soviet nuclear non-first-use proposal, if adopted, could actually increase the danger of aggression - at least as long as no balance in other categories of weapons exists - and that it is in contradiction with the basic stipulation of unimpaired security as a consequence of disarmament measures; that by implication it sanctions other means of warfare outside the nuclear realm and conceivably places States in the dilemma of having to opt for violation of an accepted international obligation or for unconditional surrender.

Allow me to devote my concluding remarks to questions concerning the United Nations Charter. Although the terrifying effects of nuclear weapons were as a matter of principle known to the creators of the Charter, no distinction is made in that important instrument between the use of nuclear and non-nuclear weapons. The interdiction of force or the threat of force in Article 2 (4) of the Charter applies to all weapons. The ever growing quantity and cruelty of conventional weapons amply justifies such a distinction not being made. In the view of my delegation it would be very apposite to look into the possibilities of appropriately affirming Article 2 (4) of the Charter and, especially in view of the recent act of aggression by a great Power against a third-world country in Central Asia, of highlighting its significance. However, the Soviet proposal does not mention the Charter at all. Is that an accidental omission: Is Article 2 (4) less important than the "lofty ideals of the United Nations", which, unspecified, are cited?

Another Article of the Charter that is of immediate relevance to our topic is Article 51. One of the major preoccupations of my delegation is the relationship between the guaranteed rights of collective and individual self-defence under the Charter and the draft resolution under consideration.

(Mr. Wegener, Federal Republic of Germany)

Again, Article 51, does not distinguish between nuclear and non-nuclear weapons. In fact the sovereign right of self-defence enables a country against which an aggression is perpetrated to avail itself of every accessible weapon for the protection of its sovereignty and territorial integrity, although it is well accepted that the weapons applied must respect the principle of adequacy and that the terrifying effect of nuclear weapons would constrain its user not to go beyond narrowly defined defensive needs. Here again queries arise, and we should like the Soviet delegation to clarify in a convincing manner how the supreme right of collective and individual self-defence, as well as the extent of collective action under the United Nations Charter, is to be accommodated in its proposal. It would also appear necessary to delineate carefully the extent to which an immediately threatening attack with nuclear weapons could, under the Charter, conceivably be pre-empted under the self-defence principle.

These are extremely intricate questions of international law. None of them seems to have been dealt with in the present text in a sufficient manner. What we are left with, after the rapid overview of issues which I have broached, is a feeling of insufficiency and loss. Although the question of nuclear non-use and nuclear non-first-use has been raised by the Soviet delegation through so many years, the new proposal fails to address many of the urgent implications and problems which would have to be dealt with before it could become persuasive.

Let me renew the wish that the Soviet delegation should explain its position on the problems raised by so many delegations and that it should withdraw its proposals if no satisfactory answers can be given at this point.

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): Draft resolution A/C.1/36/L.22, which I have the honour of introducing now on behalf of the delegations of Ecuador, Ireland, Kenya, Pakistan, Sri Lanka, Sweden, Yugoslavia and Mexico, deals with the item entitled "Cessation of all test explosions of nuclear weapons". This is one of the most important items on our agenda and, as was stated very correctly in the Final Document

(Mr. Garcia Robles, Mexico)

of the first special session of the General Assembly devoted to disarmament, such action would unquestionably

make a significant contribution to the ... aim 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" (resolution S-10/2, para. 51).

The background to this question, which is briefly summarized in the preamble to the draft resolution, makes obvious why the non-nuclear weapon States in the Committee on Disarmament have exhibited impatience, not to say justifiable indignation, regarding the inexplicable reluctance of some of the nuclear-weapon States to respond to the repeated appeals made by the General Assembly to them on this subject.

In this preamble, first of all, three things are stressed: that the complete cessation of nuclear-weapon tests has been examined for more than 25 years and the General Assembly has adopted more than 40 resolutions on the subject; that such cessation is a basic objective of the United Nations in the sphere of disarmament, to whose attainment it has repeatedly assigned the highest priority; and that on seven different occasions the Assembly itself has condemned such tests in the strongest terms and since 1974 it has stated its conviction

"that the continuance of nuclear-weapons testing will intensify the arms race, thus increasing the danger of nuclear war"

Then the preamble repeats the categorical assertions made in previous resolutions:

"that whatever may be the differences on the question of verification, there is no valid reason for delaying the conclusion of an agreement on a comprehensive test ban".

The preamble then recalls that since 1972 the Secretary-General of the United Nations has declared

"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

MR/brs

(Mr. Garcia Robles, Mexico)

to achieve final agreement, that when the existing means of verification are taken into account, it is difficult to understand further delay in achieving agreement on an underground test ban, and that the potential risks of continuing underground nuclear-weapon tests would far outweigh any possible risks from ending such tests".

Lest it be thought that the Secretary-General may have changed his mind since he expressed those opinions, care has been taken to record also the fact that that important international civil servant, in his foreword to the United Nations report entitled "Comprehensive nuclear test ban", dated 23 May 1980, reiterated with special emphasis the opinion he expressed nine years ago and, after specifically referring to it, added: "I still hold that belief. The problem can and should be solved now" (A/35/257, p. 5).

In further reference to that report, the draft resolution goes on to say that the report was prepared in compliance with a decision of the General Assembly and that the experts who prepared it had emphasized:

"that non-nuclear-weapon States in general have come 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, adding that verification of compliance no longer seems to be an obstacle to reaching agreement".

(Mr. Garcia Robles, Mexico)

The next preambular paragraph of the draft resolution that I have been briefly describing emphasizes something that is sometimes overlooked, namely, the fact that the three nuclear-weapon States which act as depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water undertook in that Treaty, almost 20 years ago,

"to seek the achievement of the discontinuance of all test explosions of nuclear weapons for all time,"

and that that undertaking was explicitly reiterated in 1968 in the Treaty on the Non-Proliferation of Nuclear Weapons.

The background of the situation summarized in the preambular part of draft resolution A/C.1/36/L.22 mentions a number of facts that the nuclear-weapon States would like to expunge from the memories of the peoples of the world. It is for that very reason that we believe that this Assembly has a duty to keep those facts alive in its resolutions on the subject, as has been done in the draft resolution now under consideration and as was also done last year in General Assembly resolution 35/145 A.

After a careful study of the 1981 report of the Committee on Disarmament, the sponsors have deemed it necessary to repeat at the beginning of this 1982 session the appeal made to the Committee on Disarmament to create an ad hoc working group responsible for multilateral negotiations of the treaty for the prohibition of all nuclear-weapon tests. They also feel bound to deplore that the Committee, as stated in paragraph 44 of its report to the Assembly, was prevented from carrying out that exhortation due to the negative attitude of two nuclear-weapon States. The sponsors of draft resolution A/C.1/36/L.22 ask that all States members of the Committee on Disarmament should be urged

"To bear in mind that the consensus rule should not be used in such a manner as to prevent the establishment of subsidiary bodies for the effective discharge of the functions of the Committee."

(Mr. Garcia Robles, Mexico)

It has also been deemed necessary to urge all States members of the Committee on Disarmament to use their best endeavours

"in order that the Committee may transmit to the General Assembly at its second special session devoted to disarmament the multilaterally negotiated text of such a treaty."

It has been felt highly advisable to call upon the States depositaries of the Treaty on the Non-Proliferation of Nuclear Weapons and of the Partial Test-Ban Treaty, by virtue of their special responsibilities under those two treaties and as a provisional measure, to bring to a halt without delay all nuclear-test explosions,

"either through a trilaterally agreed moratorium or through three unilateral moratoria."

We are convinced that anyone who gives objective consideration to draft resolution A/C.1/36/L.22, which I have just introduced, will appreciate the constructive nature of its provisions which, if implemented, would have a positive effect on the realization of its goal, one, as I stated at the outset, that we have been pursuing for more than a quarter of a century and one whose achievement brooks no further delay. That goal is the prohibition of all nuclear-weapon tests, and this constitutes an essential element in our efforts to prevent both vertical and horizontal proliferation of nuclear weapons.

Mr. THIOUNN PRASITH (Democratic Kampuchea)(interpretation from French): I have asked for the floor a second time in order to provide some new facts about the chemical warfare being waged by the Vietnamese invaders in my country, Democratic Kampuchea. On 28 October, I provided a certain amount of evidence and proof that clearly indicated that the Socialist Republic of Viet Nam is employing toxic chemical weapons in its war of invasion in Kampuchea. Recently, on 9 November 1981, on the instructions of my Government, I sent a letter to the Secretary-General drawing his attention to the fact that chemical warfare in Kampuchea had been intensified. That letter has been circulated as document A/36/664. I should like to cite a few extracts from it:

"The Government of Democratic Kampuchea has on numerous occasions denounced that crime, which has been condemned by the international community, as well as the array of weaponry used by the enemy to perpetrate its heinous acts: conventional weapons, the weapon of hunger and those now being wielded with increasing savagery, chemical weapons.

"The chemical war was already raging in Kampuchea in 1979 and 1980, causing thousands of casualties among the population, with people killed or seriously poisoned by the firing of shells which released poison gas, the spreading of toxic chemical powder by planes and helicopters and the poisoning of the sources from which the population derives its water supply (ponds, pools, wells). The areas singled out for attack were, however, confined to those under the control of the Government of Democratic Kampuchea or those temporarily under the control of the enemy and located in isolated areas of the country, far from the population centres of provinces, districts or communes. Today, the chemical war is increasing in scale and intensity. The enemy is widening his sights to include population centres - in other words, even the civilian population temporarily under his control." (A/36/664, pp. 1-2)

(Mr. Thiounn Prasith,
Democratic Kampuchea)

Apart from the facts I have already quoted, the enemy is using two new procedures for poisoning by toxic chemicals. First, Vietnamese agents belonging to specialized corps trained in chemical warfare, in some cases numbering as many as 60 or 80 in some districts, have gone into provincial and district capitals, communes and villages. They mingle with the population and seek to distract their attention at every opportunity in order to spread toxic chemicals over fruit, vegetables, meat or other consumer products.

The Vietnamese agents arrested by the population while engaged in their criminal activities in the district capitals of Oudong, about 40 kilometres from Phnom Pehn, and Thporng, in the province of Kompong Speu, and Chamcar Loeu in the province of Kompong Cham in the east of Kampuchea, have revealed that their most common procedure is to pretend to buy foodstuffs, distracting the attention of the merchants and the people while their accomplices surreptitiously contaminate the foodstuffs within reach with the poison which they carry on them. Their second procedure consists in administering poisoned drugs to patients in hospitals.

At the time I sent my letter to the Secretary-General, our authorities had already recorded 467 dead and 94 seriously poisoned during the months of September and October alone. But according to fresh information which has reached us quite recently, the total has already reached 942 dead and 157 seriously poisoned. And in a number of places the number of casualties has not yet been determined.

In addition to the events referred to in document A/36/664 I should like to give the Committee further facts.

On 25, 26 and 27 October the Vietnamese aggressors sent helicopters to scatter toxic chemicals in the district of Chikrèng, province of Siemreap in the north of Kampuchea, specifically over the villages of Sap Pramang and Prey Khnar Phneat. A number of inhabitants were affected, of whom six are in a serious condition.

(Mr. Thiounn Prasith,
Democratic Kampuchea)

Towards the end of October in the province of Kompong Speu in the centre of Kampuchea, 150 inhabitants were poisoned and died from foodstuffs which they purchased in the market.

On 25 October in the capital city of Phnom Penh itself, 30 inhabitants were poisoned to death by foodstuffs which had been sold in the market.

In the province of Kampot on 10 October, 15 inhabitants in the district of Touk Meas in the south of Kampuchea were poisoned, 10 of them fatally, by foodstuffs sold in the market.

In the province of Battambang in the north-west on 6 October, 13 patients in the hospital of the city of Battambang, 18 patients in the district hospital of Thmar Puok and an unspecified number of patients in the Sisophon hospital died from having taken poisoned drugs.

In the province of Kompong Cham in the east of Kampuchea on 21 October, seven patients in the district hospital of Prey Chhor died from poisoned drugs.

Kampuchea is at present a vast experimental field for toxic chemical weapons from the Soviet Union. Since the end of the month of October, the Vietnamese invaders have resorted to a new type of bacteriological substance to use against the population. In Siemreap, in the northern province, they sprinkled cloth and clothing with this product. Skin in contact with this toxic substance breaks out in putrescent boils. When a certain stage is reached, the infection becomes incurable and the victim dies.

Revolted by these dastardly crimes, the population has increased its vigilance and has been able to arrest a number of Vietnamese agents who have been responsible for this systematic poisoning. I should like to cite a few typical examples.

On 15 October, after 110 inhabitants of the town of Pursat in the district of Trapeang Chornng in the province of Pursat had been poisoned, Kampuchean soldiers, who had been dragooned into the army by the Vietnamese occupiers, revolted and arrested three Vietnamese poisoners. These latter confessed that 100 Vietnamese specialists are at present operating in the province of Pursat and using Soviet toxic chemical weapons.

(Mr. Thiounn Prasith,
Democratic Kampuchea)

Also in the province of Pursat on 25 October, Kampuchean soldiers in the Svay Daun Keo market slew a Vietnamese poisoner and wounded three others while the latter were carrying out their criminal activities in a sugar-cane field.

In the province of Kampot in the south of Kampuchea on 25 October, the inhabitants of Kampot district put out of action a female Vietnamese poisoner who had been disguised as a merchant of canned fish, on whom were found two cans of yellowish chemicals.

On 12 October to the north of Phnom Penh, in the Kompong-Chamlang market, Mouk Kampoul, Kampuchean self-defence guards who had been dragooned by the Vietnamese occupiers arrested three Vietnamese agents just as they were furtively throwing poison over the meat and vegetable stalls.

In the province of Takeo, following the poisoning of four of their compatriots on 19 October in the town market of Ang-Tasom, Kampuchean soldiers carried out an inquiry and arrested two female Vietnamese poisoners. The latter confessed that they had been paid by their superior, who was a specialist in chemical warfare, in order to poison the Kampuchean population, their end aim being to replace the Kampuchean population by Vietnamese settlers.

Finally, in the district of Stung Trang province of Kompong Cham, the inhabitants of the village of Phum Meay arrested a Vietnamese poisoner who had killed three inhabitants of that village on 25 October. According to his confession, the district of Stung Trang has 60 Vietnamese agents specialized in poisoning.

The reason why the Hanoi authorities are carrying out this extreme intensification of their chemical warfare is that they are more than ever bogged down in their war of aggression against Kampuchea and since they can no longer break the resistance of an entire people, they are now taking it out on the people themselves, men, women, children and the aged indiscriminately. By their genocidal war, the Vietnamese expansionists have already further revealed their ambition, which is at all costs to absorb Kampuchea, even if drained of its population, into their "Indo-Chinese Federation".

(Mr. Thiounn Prasith,
Democratic Kampuchea)

In the letter to which I have referred, the Government of Democratic Kampuchea has requested that the Group of Experts created by resolution 35/144 C should be sent into the field in order to carry out investigations there and to collect all the necessary evidence.

My delegation would like to take this opportunity to reiterate here the profound thanks of the people and Government of Democratic Kampuchea and to all the peace and justice-loving countries which, in their desire to ensure respect for the principles of the United Nations Charter and the Protocol of 1925 banning the wartime use of asphyxiating toxic or similar gases and bacteriological methods, voted for resolution 35/144 C. The people of Kampuchea will not forget the important contribution they have made in order to condemn and to detect the actual use of Soviet toxic chemical substances by the Vietnamese invaders in Kampuchea so that effective steps can be taken to put an end as quickly as possible to these dastardly Vietnamese crimes.

Before concluding my statement, I should like to make two remarks regarding the behaviour of the Vietnamese and Soviet representatives in our Committee.

First, since last year, these representatives seem to be rather jittery. The Committee will recall the virulence with which they opposed resolution 35/144 C. Their edginess and their arrogance betray an uneasy conscience.

(Mr. Thiounn, Democratic Kampuchea)

This year they are even more nervous and more virulent, which is easy to understand. The proofs of their crimes are becoming more and more numerous, more evident and irrefutable. Neither the facts nor the law are on their side. No one is any longer impressed by their bombast, their insults or their pernicious rhetoric. Rejected as they are by the civilized world, they would be objects of compassion were they not guilty of the most heinous crimes against mankind.

Secondly, if the Vietnamese and Soviet representatives are genuinely sincere and have a clear conscience, then it is difficult to understand why they are already rejecting all the conclusions of the Group of Experts when those conclusions have as yet not even been published. They should rather welcome the adoption of resolution 35/144 C which, if they were really innocent, would make it possible to clear them of any possible charges. Their present behaviour simply confirms their guilt, even in the eyes of those who at the outset had some doubts about it.

Mr. S. M. KRISHNA (India): On behalf of the delegations of Algeria, Argentina, Bahamas, Barbados, Bhutan, Colombia, Cyprus, Ecuador, Egypt, Ethiopia, Indonesia, Jamaica, Jordan, Madagascar, Malaysia, Nigeria, Peru, Qatar, Romania, Yemen, Yugoslavia and India, I have the honour to introduce today draft resolution A/C.1/36/L.29 entitled "Non-Use of Nuclear Weapons and Prevention of Nuclear War".

It will be recalled that a similar resolution, 35/152 D, was adopted last year by the General Assembly by an overwhelming majority of 112 votes in favour, 19 against and 14 abstentions. An important feature of the voting last year was the positive vote cast by one nuclear-weapon State. That and the growing support that our initiative has been able to command have encouraged the co-sponsors to keep this item on the disarmament agenda.

During the general debate in the First Committee this year, there has been an unprecedented and universal expression of concern over the growing danger of a nuclear war. The nuclear arms race in both its quantitative and its qualitative aspects has acquired a new momentum and the international

(Mr. S. M. Krishna, India)

situation has worsened to the point that the international community has greater apprehensions than ever before that a nuclear war, with all its catastrophic consequences, may break out. In such circumstances, it is our collective responsibility to undertake all possible measures to reduce the threat of a nuclear war. What is at stake is not the security of a handful of countries or military alliances, but the very survival of the human species itself. It is the conviction of the co-sponsors of the draft resolution on the non-use of nuclear weapons and prevention of nuclear war that, pending the complete elimination of nuclear weapons, an agreement on the prohibition of the use or threat of use of nuclear weapons would reduce the threat of a nuclear war.

The draft resolution makes it clear that our ultimate objective, and indeed an objective which has been universally accepted, is the achievement of nuclear disarmament. Nuclear disarmament alone can provide the only effective guarantee against the use or threat of use of nuclear weapons. Nuclear disarmament is, however, a complex issue and may not be achieved immediately. However, the threat of the use of such weapons creates insecurity for all States, including the nuclear-weapon States themselves. Nuclear weapons cannot be regarded as ordinary weapons, as instruments of war. They are weapons of mass destruction, whose use will have disastrous consequences for belligerents and non-belligerents alike. The effects of the use of nuclear weapons cannot, because of the very nature of such weapons, be confined to national or regional boundaries. Their use will mean the mass slaughter of millions of innocent civilians, including those belonging to States which are non-belligerents. It is for that reason that the draft resolution declares that the use of nuclear weapons would be a violation of the United Nations Charter and a crime against humanity. It is true that the United Nations Charter permits individual and collective self-defence, but it would be making a mockery of the Charter to suggest that in the pursuit of its individual security concerns, a State may jeopardize the collective survival of all the States and peoples in the world. A State's choice of weapons and the means of warfare, even in the exercise of individual and collective self-defence, is not unlimited.

(Mr. S. M. Krishna, India)

The use of nuclear weapons will not merely mean the mutual annihilation of States using them, but would result in the death and permanent incapacitation of millions of human beings all over the world through the spread of radioactive fallout and the snapping of the economic and social linkages which would inevitably follow a nuclear war. We live today in a world that has, under the pressure of technological progress, become increasingly interdependent and interlinked. The massive destruction which would result from the use of nuclear weapons would destroy the delicate interlinkages which have been built up over the years and which sustain the economic and social life over our entire planet. Those disruptive effects of a nuclear war are well documented in the comprehensive study on nuclear weapons, which the draft resolution has referred to in its preamble.

The tragic experience of Hiroshima and Nagasaki indicates that not only would millions upon millions die in a nuclear war, but that succeeding generations would suffer permanent impairment as a result of radiation-induced genetic disorders. Taking all those factors into account, is it not true to say that the use of nuclear weapons would be a crime against humanity?

The draft resolution I have introduced today is similar to the text of resolution 35/152 D adopted by the General Assembly last year. However, operative paragraph 2 is different from last year's. It urges the second special session devoted to disarmament scheduled to be held next year to consider the question of an international convention, or some other agreement, on the non-use of nuclear weapons and prevention of nuclear war, taking into consideration the proposals and views of States in this regard. We are convinced that one of the urgent questions that the second special session would have to address is the prevention of a nuclear war. It is our earnest hope that the prohibition of the use or threat of use of nuclear weapons would be given the attention it deserves in that context.

Finally, the sponsors of this draft resolution venture to hope that those States, which for one reason or another have earlier opposed our initiative or abstained on it, will rise above their separate and individual security concerns and join the mainstream of international opinion in ensuring the collective survival and well-being of mankind as a whole.

Mr. DJOKIC (Yugoslavia): On behalf of a group of sponsors - Algeria, Argentina, Bahamas, Cuba, Cyprus, Ecuador, Egypt, Ethiopia, Ghana, India, Indonesia, Mexico, Nigeria, Pakistan, Peru, Romania, Sri Lanka, Venezuela, Zaire and Yugoslavia - I have the honour to introduce draft resolution A/C.1/36/L.26, on the implementation of the recommendations and decisions of the first special session of the General Assembly of the United Nations devoted to disarmament.

The first special session of the General Assembly on disarmament was of particular importance for the mobilization of the efforts of the international community in the consideration and solution of disarmament issues. It confirmed the broad conviction that the continuation of the arms race, particularly the nuclear arms race, and the constant accumulation of arms threaten the very foundations of international peace and security. It reconfirmed that the halting of the arms race and the launching of the process of disarmament, particularly nuclear disarmament, constitute the most urgent tasks of the international community, and that it is indispensable that all countries willing and able to contribute directly to those endeavours participate in the search for solutions. Furthermore, the special session determined certain principles of international co-operation in the field of disarmament, took new initiatives, defined the directions to be followed in implementing the agreed programmes, and pointed to the responsibility of some countries, particularly nuclear-weapon States and States with considerable military potential, for the launching and implementing of the process of disarmament, particularly nuclear disarmament.

The debate that we have conducted in our Committee this year has reaffirmed, as in previous years, that all members of the international community continue to attach greatest significance to the implementation of recommendations and decisions of the first special session of the General Assembly on disarmament, particularly of the measures contained in the Programme of Action. Concurrently, however, deep concern was expressed again over the fact that many agreements from the first special session remained unattained.

The development of the international situation in the period since the first special session gives cause for that deep concern. We are witnessing a considerable exacerbation of international relations, the accelerated arms race, particularly the nuclear arms race, the reborn cold-war atmosphere and the deep crisis of détente. Many negotiations on the issues of disarmament were interrupted or suspended in the course of the past year. It was not possible to

(Mr. Djokic, Yugoslavia)

achieve results in multilateral negotiations in the Committee on Disarmament. Negotiations on certain issues given the highest priority at the first special session on disarmament have not yet begun.

As in several previous years, the sponsors of this draft resolution were motivated by their deep conviction that it is indispensable most urgently and resolutely to undertake appropriate measures aimed at the implementation of the recommendations and decisions that we had unanimously adopted at the first special session. The sponsors of the draft resolution are convinced that this would be the best way to halt the present unrestrained arms race and to create conditions conducive to the launching of the process of genuine disarmament, which is one of the most essential prerequisites for the strengthening of peace and security in the world and for the free development of all States.

In the introductory part of the draft resolution it is pointed out, inter alia, that it is imperative to achieve genuine progress in all negotiations dealing with disarmament issues. In addition, the conviction is expressed that all peoples of the world have a vital interest in the success of disarmament negotiations and that they should actively participate in such negotiations, thereby contributing to the maintenance of international peace and security. Equally, it is reaffirmed that the United Nations has a central role and primary responsibility in the sphere of disarmament. In the preamble, and in operative paragraph 1 as well, deep concern is expressed about the continued arms race, in particular the nuclear arms race, which poses a growing threat to international peace and security, as well as about the lack of tangible progress with respect to the implementation of the measures set forth in the Programme of Action of the special session on disarmament.

Operative paragraph 2 of the draft calls upon all States, in particular nuclear-weapon States and other major military Powers, immediately to take steps in order to promote international security and lead to the effective halting and reversing of the arms race and to disarmament.

Operative paragraph 3 urges all States to intensify their efforts to bring to a successful end the negotiations which are currently taking place in the Committee on Disarmament and in other international forums, as well as to proceed with negotiations on items of the highest priority as laid down by the first special session devoted to disarmament.

(Mr. Djokic, Yugoslavia)

In operative paragraph 4, all States are called upon to refrain from any actions which may have negative effects on the implementation of the relevant recommendations and decisions of the first special session on disarmament.

Operative paragraphs 5 and 6 call upon all States which are engaged in disarmament and/or arms limitation negotiations outside the United Nations framework to keep the General Assembly and the Committee on Disarmament informed of the results of such negotiations, as well as to implement the results achieved, so as to create favourable conditions for further progress.

Finally, it is recommended that the General Assembly keep under review at its forthcoming sessions the implementation of its recommendations and decisions on disarmament issues.

Bearing in mind the basic goals at the achievement of which the draft is aimed, and the vital interest of all members of the international community in implementing the recommendations and decisions of the first special session of the General Assembly of the United Nations devoted to disarmament, I should like to express the conviction and the wish of the sponsors that the proposed resolution will meet with general support and that it will be adopted by consensus.

Mr. SOUZA E SILVA (Brazil): My delegation would like to comment today on draft resolutions A/C.1/36/L.7 and A/C.1/36/L.8, which touch upon the question of the extension of the arms race to outer space. At the current session of the Assembly, a draft treaty on the prohibition of the stationing of weapons of any kind in outer space has been introduced by the Soviet Union. We commend the initiative of the Soviet Union but we believe that multilateral efforts should be exerted on the wider and very timely question of the prevention of the militarization of outer space. Brazil is a party to the 1967 Treaty which declares outer space to be "the province of mankind"; it should thus be spared from the current arms race in which the most powerful military States are engaged with increasing vigour and with dire prospects for the world at large.

(Mr. Souza E Silva, Brazil)

Other delegations, notably that of the Netherlands, have commented substantively on the Soviet draft treaty and have made specific suggestions on how it could be improved. A group of Western European and other States have tabled a draft resolution on the prevention of the arms race in outer space, a general objective which comes closer to the preoccupation of my delegation. We believe, however, that multilateral negotiations to achieve this end should proceed from the conceptual framework of the Treaty on the peaceful uses of outer space, rather than single out sectorial aspects of the potential use of outer space for military purposes, as is the case in both draft resolutions. As can be clearly seen from their wording, each draft tries to call special attention to the specific aspects of the potential arms race in outer space, in which each side believes the other to be especially interested. Such an approach could be conducive to a stalemate which, I am sure, all responsible delegations would prefer to avoid.

Brazil, together with other Member States, has advocated for many years now the need for prompt action in assuring the prevention of the militarization of outer space. Even as the threat of nuclear annihilation looms larger before us, the frontiers of military competition are now expanding beyond the physical limits of the planet.

There seem to exist multiple ways in which space technology can be used militarily. Some of the most commonly mentioned examples are communications and intelligence networks, missile guidance systems, anti-submarine and ballistic-missile defence, anti-satellite weapons, laser-weapons systems and the like. As technology develops, new and potentially more dangerous ways to utilize space for destruction can be envisaged.

The international community has a duty and a responsibility to avert this danger by taking the necessary steps to prevent outer space from being used as yet another arena of confrontation and bilateral rivalry. For these reasons, my delegation believes it is high time for responsible multilateral efforts to ensure that outer space is preserved for peaceful uses alone. The 1967 outer-space Treaty provides the adequate starting point for such efforts.

(Mr. Souza E Silva, Brazil)

It is clear to us that the First Committee is not the proper forum to discuss in detail the substantive aspects involved. Concrete proposals made on the subject must be referred to an appropriate multilateral body which will examine all its implications and finally negotiate an international instrument designed to achieve the purpose of keeping outer space free from the arms race and ensuring its utilization exclusively for peaceful purposes.

Both draft resolutions A/C.1/36/L.7 and L.8 suggest that the question be submitted to the Committee on Disarmament, which is, of course, the sole multilateral negotiating body on disarmament issues. My delegation has no strong feelings about the procedural decision to be taken by the current session of the General Assembly on what should be the proper body to take up serious consideration on the matter. We would only argue that the Committee on Disarmament is currently seized of six substantive questions on its annual agenda, including two subjects to which the General Assembly has repeatedly assigned the highest priority: the nuclear test ban, and the cessation of the nuclear arms race and nuclear disarmament. By contrast, the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, which negotiated the 1967 Treaty, seems to be in a position to tackle the problem immediately. There would be no question of revising the existing Treaty, since the new agreement to prevent militarization of outer space could be dealt with in the form of an additional Protocol to that Treaty. The Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space is due to hold its next session in February of 1982, and could already have a preliminary discussion on the matter. Moreover, one question that use to be on the agenda of the Legal Sub-Committee has been referred to the parent Committee, namely the elaboration of a draft set of principles for direct television broadcasting by satellites, following a recent resolution adopted by consensus in the Special Political Committee. In that way, by entrusting the negotiation of the proposed treaty to the Committee on the Peaceful Uses of Outer Space, the General Assembly would allow the Committee on Disarmament to concentrate its efforts on the priority items already on its agenda, while at the same time ensuring that the question of the militarization of outer space is handed over to a body that has adequate representation beside technical and legal expertise on such matters.

(Mr. Souza E Silva, Brazil)

The delegation of Brazil would appreciate the comments of interested delegations on this procedural suggestion, in order to ensure a practical and effective approach to the urgent question of preventing outer space from being utilized for other than peaceful purposes.

Mr. KOSTOV (Bulgaria): I have the honour to introduce, on behalf of my delegation, a draft resolution entitled "Status of multilateral disarmament agreements". contained in document A/C.1/36/L.24.

To begin with, my delegation would like to emphasize that the draft resolution before the Committee has been inspired by the Final Document of the tenth special session of the General Assembly devoted to disarmament. As a matter of fact, a number of provisions contained in the Final Document deal explicitly or implicitly with questions related to multilateral disarmament agreements. In our opinion, the first phrase of paragraph 40 of the Final Document deserves special mention, for it gives expression to the deep conviction of the Member States of the United Nations that:

"Universality of disarmament agreements helps create confidence among States". (resolution S-10/2)

For these reasons, operative paragraph 1 of the draft resolution provides for the General Assembly to reaffirm:

"the importance of the provisions concerning the question of the universality of multilateral disarmament agreements contained in the Final Document of its tenth special session devoted to disarmament ...".

Operative paragraph 2 of the draft resolution:

"requests Member States 'depositories to such agreements to furnish the Secretary-General with information regarding their status by the beginning of each regular session of the General Assembly".

In fact, the raison d'être of operative paragraph 2 of the draft resolution is to be found in operative paragraph 3, which:

"requests the Secretary-General to prepare for each regular session of the General Assembly a composite table of signatories and parties to such agreements with a view to enabling the Assembly to take up the question of their status, if it deems it appropriate."

(Mr. Kostov, Bulgaria)

Here my delegation would like to point out that the request addressed to the Secretary-General to prepare a composite table should not be regarded as something without precedent in United Nations practice. For instance, in accordance with resolution 2200 A (XXI) of the General Assembly, reports on the status of the International Covenants and the Optional Protocol have been submitted annually to the Assembly since its twenty-second session in 1967. Furthermore, in 1978, a composite table of a kind that the draft resolution envisages to be prepared for each regular session of the General Assembly was published on the recommendation of the Ad Hoc Committee on the Review of the Role of the United Nations in the field of Disarmament (A/31/36), section II, paragraph 7 of the Special Supplement to the United Nations Disarmament Yearbook, a fact which is noted with satisfaction in the fourth preambular paragraph of the draft resolution.

(Mr. Kostov, Bulgaria)

Finally, it is known that information to that effect can be found in the United Nations Disarmament Yearbook which, unfortunately, appears after the regular session of the General Assembly has completed its work. However, we believe that it would be helpful for this Committee to have a clear picture of the status of the multilateral disarmament agreements by the beginning of each regular session of the General Assembly.

Besides, it is to be hoped that the composite table would be a reminder that the participation of States in multilateral disarmament agreements is of special importance to the attainment of their objectives which, in turn, may give impetus to the efforts aimed at achieving universality of the agreements concluded so far.

To sum up, the draft resolution purports to compile and update for the benefit of Member States information on an important subject which, owing to its very nature, is evolving and will continue to evolve. At the same time, it keeps open the possibility for the General Assembly to take up the question of the status of multilateral disarmament agreements if it so wishes.

In our view, the draft resolution is non-controversial, and we hope that it will be adopted by consensus.

The CHAIRMAN: I should like to inform the members of the Committee that so far 45 draft resolutions have been submitted for consideration and action by the Committee. Members of the Committee may recall that we have decided that on 20 November the Committee will begin to take action and vote on the draft resolutions. At tomorrow morning's meeting I shall suggest the order in which we shall take up the draft resolutions submitted thus far.

The meeting rose at 12.35 p.m.