

FINAL RECORD OF THE THREE HUNDRED AND TWENTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 August 1985, at 10.30 a.m.

President:

Mr. Mario A. Cámpora

(Argentina)

PRESENT AT THE TABLE

<u>Algeria:</u>	Mr. A. BELAID
<u>Argentina:</u>	Mr. M.A. CAMPORA Mr. R. GARCIA MORITAN Mr. G. PARINI Mr. P. VALLE
<u>Australia:</u>	Mr. R. BUTLER Mr. R. ROWE Ms. J. COURTNEY
<u>Belgium:</u>	Mr. J. RAEYMAECKERS Mr. Ph. NIEUWENHUYS
<u>Brazil:</u>	Mr. C.A. DE SOUZA E SILVA Mr. S. DE QUEIROZ DUARTE
<u>Bulgaria:</u>	Mr. B. KONSTANTINOV Mr. R. DEYANOV
<u>Burma:</u>	U MYA THAN U HLA MYINT
<u>Canada:</u>	Mr. A. DESPRES Mr. E. MORRIS Mr. R. VANIER
<u>China:</u>	Mr. QIAN JIADONG Ms. WANG SHIYUN Mr. LIU ZHONGREN Mr. LIN CHENG Mr. XIA YISHAN Ms. ZHOU YUNHUA Mr. JIANG ZHENXI Mr. LI BENSONG

Cuba: Mr. P. NUNEZ MOSQUERA
Mr. J.L. GARCIA

Czechoslovakia: Mr. M. VEJVODA
Mr. A. CIMA
Mr. J. BAJGAR

Egypt: Mr. M. BADR
Mr. F. MONIB

Ethiopia: Mr. F. YOHANNES

France: Mr. J. JESSEL

German Democratic Republic: Mr. H. ROSE
Mr. F. SAYATZ
Mr. A. BRIE

Germany, Federal Republic of: Mr. F. ELBE
Mr. W. GERMANN

Hungary: Mr. T. TOTH

India: Mr. S. KANT SHARMA

Indonesia: Mr. S. SUTOWARDOYO
Mr. A. AKBAR
Mr. N. WISNOEMOERTI
Mr. S. DARMOSUTANTO
Mr. F. QASIM
Ms. R. TANZIL

Islamic Republic of Iran: Mr. A. SHAFII

Italy: Mr. M. ALESSI
Mr. M. PAVESE

Japan: Mr. R. IMAI
Mr. K. KUDO
Mr. M. SATO
Mr. T. ISHIGURI

Kenya: Mr. P.N. MWAURA

Mexico: Mrs. Z. GONZALEZ REYNERO
Mr. P. MACEDO RIBA

Mongolia: Mr. L. BAYART
Mr. S.O. BOLD
Mr. G. GONGOR

Morocco: Mr. O. HILALE

Netherlands: Mr. R.J. VAN SCHAIK
Mr. J. RAMAKER
Mr. A.J.J. OOMS

Nigeria: Mr. C.V. UDEDIBIA

Pakistan: Mr. K. NIAZ

Peru: Mr. J. GONZALES TERRONES

Poland: Mr. S. TURBANSKI
Mr. A. CZERKAWSKI

Romania: Mr. I. DATCU

Sri Lanka: Mr. J. DHANAPALA
Mr. P. KARIYAWASAM

Sweden: Mr. R. EKEUS
Ms. E. BONNIER
Mr. L.E. WINGREN
Mr. H. BERGLUND

Union of Soviet Socialist
Republics:

Mr. Y.K. NAZARKIN
Mr. V.A. LEPLINSKY

United Kingdom:

Mr. R.I.T. CROMARTIE
Mr. D.A. SLINN
Mr. J.F. GORDON

United States of America:

Mr. D. LOWITZ
Mr. R. LEVINE
Mr. D. DORN
Mr. P. CORDEN
Mr. J. GRANGER
Mr. L. BELGARD
Mr. W. HENOCH

Venezuela:

Mr. E. TER HORST

Yugoslavia:

Mr. M. MIHAJLOVIC

Zaïre:

Mr. O.N. MONSHEMVULA

Secretary-General of the Conference
on Disarmament and Personal
Representative of the
Secretary-General

Mr. M. KOMATINA

Deputy Secretary-General of the
Conference on Disarmament

Mr. V. BERASATEGUI

The PRESIDENT (translated from Spanish): I declare open the 328th plenary meeting of the Conference on Disarmament.

In accordance with its programme of work, the Conference today continues the consideration of agenda item 7, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". In accordance with rule 30 of the rules of procedure, however, any member wishing to do so may raise any other matter relating to the work of the Conference.

The list of speakers for today includes the representatives of the Federal Republic of Germany and of Australia.

I now give the floor to the representative of the Federal Republic of Germany, Mr. Elbe.

Mr. ELBE (Federal Republic of Germany): Mr. President, my delegation wishes to speak today on the agenda item of chemical weapons. I should like to introduce a Working Paper that deals with the verification of the non-production of chemical warfare agents by means of inspections in the civilian chemical industry. The Paper is now before you and bears the symbol CD/627.

It has been a longstanding tradition of my delegation to focus its interest upon the question of verifying a future chemical weapons convention.

We note that important progress has been achieved in particular in the field of verification of the elimination of existing arsenals of chemical weapons. My delegation has frequently stated that the destruction of stocks requires primary attention since the actual threat for mankind emanates from the existing chemical warfare capabilities.

The technical possibilities, however, of producing chemical weapons anew relatively easily present an equally dangerous threat that requires effective control of the industrial sector.

My delegation has therefore paid at an early stage of our negotiations serious attention to the solution of the problem of verifying non-production of chemical weapons. The chemical industry plays a key role in the industrial performance of the Federal Republic of Germany. We are one of the most important partners in the trade in chemical products. We therefore consider it as our duty to the Conference to make our experience and knowledge available to others.

Today we attempt to introduce another contribution to the problem of verification of non-production which logically builds on previous papers.

I should like to recall our very early conceptual contributions as contained in CD/WP.265, CD/WP.326 and CD/WP.439. My delegation was the first to introduce the idea that on-site inspections should be carried out on a random basis by casting lots. This idea has been meanwhile generally accepted in the Conference.

It goes without saying that a future convention on banning chemical weapons must include a régime that submits the chemical industry to international

(Mr. Elbe, Federal Republic of Germany)

controls in order to prevent the fundamental prohibition of the development, production and stockpiling of chemical weapons being circumvented. On the other hand, the future convention must be implemented in such a manner that is designed in so far as possible to avoid hampering the economic or technological activities of States parties or international co-operation in the field of peaceful chemical activities, including the international exchange of toxic chemicals and equipment for the production, processing or use of toxic chemicals for peaceful purposes in accordance with the provisions of a future CW convention.

Obviously these two conflicting principles -- namely, an effective ban on chemical weapons and the unencumbered functioning of the chemical industry and trade -- require solutions that maintain a fine balance between them. There should be on the one hand a sufficiently stringent system of international monitoring of the relevant sectors of the chemical industry that creates the necessary confidence that no chemical weapons are produced. On the other hand, such a monitoring system should avoid unnecessary intrusiveness.

My delegation believes that its present Working Paper contributes to finding a solution that keeps the afore-mentioned conflicting principles adequately balanced.

We feel all the more encouraged to undertake a new search for such an equilibrium point because my country possesses some practical experience in this field. In 1954 the Federal Republic of Germany declared in an internationally binding form that it will not produce chemical weapons and ever since its chemical industry has been subject to international controls carried out by the Western European Union.

Under a convention prohibiting chemical weapons, the branches of the civilian chemical industry relevant to the verification of non-production would be subject to systematic international inspections.

In our view such inspections would apply in the industrial sector both to producers, manufacturing industries, and end-users.

Working Paper CD/627 surveys the range of substances involved and the scope of surveillance and outlines the industrial sector that would have to be covered.

The choice of substances for non-production inspections may cover products usable exclusively for chemical warfare (single-purpose agents), characteristic key precursors for their production, and substances that are both of military and civilian significance (dual-purpose agents).

As to the criteria for the selection of such substances, we deem it necessary that a future convention should contain a definition of the terms "key precursor".

In the opinion of the Federal Republic of Germany the precursors in the final technical reaction stage of the production of supertoxic lethal weapons which are characteristic for the toxicity of the end-product should be defined as key precursors. This definition is already contained in Working Paper CD/439 on the transfer problem submitted by the Federal Republic of Germany in 1984.

(Mr. Elbe, Federal Republic of Germany)

Notwithstanding this general rule, other precursors could be treated as key precursors if, within the meaning of the convention, they constitute a risk and if the competent body under the convention reaches agreement on this point. The designated key precursors would be listed and annexed to the convention.

We consider the combination of a definition of key precursors -- based on objective criteria -- and the application of the exception-from-the-rule principle to be a reasonable instrument providing sufficient flexibility for the purposes of the convention.

As far as supertoxic lethal chemicals and their precursors for which there is no civilian use are concerned, an explicit ban would appear to suggest itself. Such a ban should be included explicitly in a list and ought to cover any quantities in excess of a production of one metric ton per annum.

It goes without saying that key precursors for multi-component weapons for which there is no permitted use would equally have to be included in the list of banned substances. I am saying this with such explicit clarity because one delegation recently expressed the view in this forum that there were some delegations "seeking to brush aside the problem of binary weapons". My delegation, however, was unable to identify any such delegation in our midst.

As for the scope of inspections, my delegation holds the view that the intensity of inspection procedures must be such as to ensure to an adequate degree of certainty that compliance with the contractual undertaking not to produce chemical weapons is systematically and internationally verifiable.

Inspections of key precursors should be conducted on the basis of annual statistical data and on-site inspections if the total annual quantity produced exceeds one metric ton.

To ensure that the manufacturers of the key precursors in question receive equal treatment, on-site inspections should be carried out on a random basis. Companies should be determined by lot, with a competent body under the convention fixing every year the percentage of all firms to be subjected to inspections. The inspection, consisting of statistical data, the review of plant records, interviews, viewing of facility areas, as well as sampling and analysis, must ensure reliable verification of the non-production of chemical weapons.

We are quite certain that an effective monitoring régime can be established without violating the legitimate interests of the chemical industry and without disclosure of secret technological and industrial information.

My delegation expresses the hope that the present Working Paper CD/627 will contribute to facilitating the ongoing negotiations on the elaboration of an adequate system of international verification of non-production of chemical weapons.

Mr. BUTLER (Australia): As this is the first occasion, Mr. President, on which I have addressed the plenary session of the Conference under your Presidency, may I express my delegation's very great pleasure in seeing you in the chair and pledge to you our full co-operation and support.

(Mr. Butler, Australia)

I have sought the floor at short notice this morning to make a brief report to the Conference on a development which we believe is of considerable significance and relevance to the work of disarmament.

In 1983, shortly after it was first elected to office, the Australian Government proposed to the member countries of the South Pacific Forum, the 14 independent member States of that Forum, that consideration should be given to the drafting of a treaty on a nuclear-free zone in the South Pacific. At the Forum meeting in 1983, first consideration of that proposal took place and that consideration was favourable. In the following year, in August 1984, at the Forum meeting in Tuvalu, a set of principles for such a treaty was presented to the Forum, to the Heads of Government, by the Australian Government. Those principles were then adopted and the South Pacific Forum Heads of Government then agreed to establish a working party to draw up such a treaty under the Chairmanship of Australia. That work was completed earlier this year in 1985 and was submitted as a draft treaty to the Heads of Government of the South Pacific Forum countries in a meeting which took place this week. On 6 August, this Tuesday, the Forum decided to endorse the text of the draft South Pacific Nuclear-Free Zone Treaty and to open it for signature.

The draft Treaty in brief, provides that no South Pacific country which became a party to the Treaty would develop, manufacture, acquire or receive from others any nuclear explosive device. Secondly, there should be no testing of nuclear explosive devices in the South Pacific. Third, there would be no stationing of nuclear explosive devices in the territories of participating States. Fourth, nuclear activities in the region including the export of nuclear material would be conducted under strict safeguards to ensure exclusively peaceful non-explosive use. Fifth, South Pacific countries would retain their unqualified sovereign rights to decide for themselves such questions as access to their ports and airfields of vessels or aircraft of other countries. Sixth, international law with regard to freedom of the seas would be fully respected; and finally, performance of obligations by parties would be verifiable by international safeguards.

The draft Treaty also reflects the Forum's strong opposition to the dumping at sea, in the region, of nuclear waste.

There are three Protocols to the draft Treaty, the first of these invites France, the United States and the United Kingdom to apply key provisions of the Treaty to their South Pacific territories. The other two Protocols respectively invite the five nuclear-weapon States not to use or threaten to use nuclear weapons against parties to the Treaty and not to test nuclear explosive devices within the zone.

With regard to the zone there is a map attached to the Treaty, the detail of which it would not be appropriate to present at this stage, but may I say, in broad terms, that the zone provided in the Treaty extends at its eastern perimeter from the western coast of the Latin American continent (in other words, it is contiguous with the area covered by the Treaty of Tlatelolco); in the west, it extends to the western shore of the Australian continent and thus is contiguous with the Indian Ocean; in the north it extends to the equator; and in the south to Antarctica.

(Mr. Butler, Australia)

The zone that is covered by this Treaty is a truly significant part of the surface of this Earth. It is our firm view that the Treaty that has been endorsed in Raotonga this week constitutes an important contribution to disarmament, to arms control and to the maintenance of peace and stability. It is my hope to be in a position shortly to circulate to this Conference, a copy of the text of this Treaty, but I wanted on this significant occasion to report briefly to the Conference on the development which we believe to be of intrinsically considerable importance, and which, may I say, is consistent with paragraph 7 of the Treaty on the Non-Proliferation of Nuclear Weapons.

The PRESIDENT (translated from Spanish): I thank the representative of Australia for his statement and for the kind words addressed to the President. There are no more speakers on the list for today. Does any other delegation wish to take the floor?

In accordance with rule 44 of the rules of procedure, I have requested the secretariat to circulate today Working Paper CD/WP.192, entitled "Draft report of the Conference on Disarmament to the General Assembly of the United Nations" in the English version. The Working Paper contains the technical parts of the draft report. As the Secretary-General of the Conference announced last week, the other language versions will be circulated in the morning of Monday, 12 August. The Working Paper includes a list of documents received up to the afternoon of 2 August. In other words, the Working Paper goes up to, and includes, document CD/629. Documents submitted thereafter will be included in a revised draft which the secretariat will prepare at the same time as we undertake the consideration of the draft annual report.

Other working papers, which will be numbered from CD/WP.193 to 197, containing draft substantive paragraphs concerning items on which subsidiary bodies were not established will also be circulated in the morning of Monday, 12 August.

I intend to begin the consideration of the technical parts of the draft report at an informal meeting on Tuesday immediately following the plenary meeting. We shall then undertake the first reading of Working Paper CD/WP.192. That first reading will continue on Thursday, if necessary, in an informal meeting to be held immediately after the plenary meeting. On that occasion, in other words on Thursday, 15 August, we shall also begin the first reading of the draft substantive paragraphs which will be circulated as Working Papers CD/WP.193-197 next Monday.

All these arrangements are included in the time-table of meetings for the Conference and its subsidiary bodies for next week. As usual the time-table was prepared in consultation with the Chairmen of the Ad Hoc Committees. In this connection I should like to point out that next week it has not been possible to avoid parallel meetings of Ad Hoc Committees since the Committees will begin the consideration of their reports to the plenary and need extra meetings. At this stage it is not possible to organize night meetings, which would have substantial financial implications that would exceed what has been allocated to the Conference. Night meetings can only be held at the end of the session and solely in the case of the plenary. However, taking into account the concerns of some delegations it has been arranged that meetings of the Ad Hoc Committees on chemical weapons and on radiological weapons do not coincide.

(The President)

With regard to the work of the Ad Hoc Committee on Chemical Weapons, its Chairman informs me that the meeting scheduled for Friday, 16 August, at 10.30 a.m. will only be held if necessary in the light of progress in the other two meetings of the Committee scheduled for next week.

As usual, the time-table is purely indicative and may be amended as necessary. If I hear no objection I shall take it that the Conference adopts the time-table.

It was so decided.

The PRESIDENT (translated from Spanish): The next plenary meeting of the Conference on Disarmament will be held on Tuesday, 13 August, at 10.30 a.m. The meeting is adjourned.

The meeting rose at 11.15 a.m.