



VERBATIM RECORD OF THE 36th MEETING

Chairman: Mr. ZACHMANN (German Democratic Republic)

CONTENTS

CONSIDERATION OF AND ACTION UPON DRAFT RESOLUTIONS ON DISARMAMENT ITEMS (continued)
ORGANIZATION OF WORK

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The meeting was called to order at 3.10 p.m.

AGENDA ITEMS 46 TO 65 AND 144 (continued)

CONSIDERATION OF AND ACTION UPON DRAFT RESOLUTIONS ON DISARMAMENT ITEMS

Mr. PAVLOVSKY (Czechoslovakia): I am speaking to introduce draft resolution A/C.1/41/L.22, entitled "Contribution of the specialized agencies and other organizations and programmes of the United Nations system to the cause of arms limitation and disarmament", submitted jointly by Cuba and my own country.

As is known, the item under consideration has an important bearing on the task of strengthening the central role and primary responsibility of the United Nations in the sphere of disarmament. The sponsors of draft resolution L.22 are convinced that all avenues should be effectively utilized to promote the cause of disarmament in all its aspects.

The General Assembly has already pointed out in its previous resolutions on this subject that the specialized agencies and other organizations and programmes of the United Nations system have an important role to play in the general efforts to stop the arms race and attain the goal of disarmament.

Those agencies and programmes deal with important questions of international co-operation in different areas of activity, all of which are being adversely affected by the continuation of the arms race and its political, economic, social, psychological and other consequences. On the other hand, progress in disarmament would significantly enhance and broaden the possibilities and resources those agencies and programmes now possess in discharging their functions.

It is therefore, in the view of the sponsors of draft resolution L.22, only proper to reaffirm that specialized agencies and other programmes of the United Nations system have a valuable contribution to make in this regard, while duly taking into account the relationship between disarmament and their respective areas of competence.

(Mr. Pavlovsky, Czechoslovakia)

We note with satisfaction the report of the Secretary-General, submitted pursuant to resolution 39/151 E, in document A/41/491, which describes various useful and serious activities of a number of agencies, organizations and programmes of the United Nations system that have undoubtedly contributed to the cause of arms limitation and disarmament and in many cases have provided a practical input to the elaboration of meaningful approaches to disarmament issues.

Draft resolution L.22 therefore invites specialized agencies, organizations and programmes to continue, within their areas of competence, to pursue such activities. It also requests the Secretary-General, in his capacity as Chairman of the Administrative Committee on Co-ordination (ACC), to continue to co-ordinate these activities and to submit an updated report thereon to be considered by the General Assembly at its forty-third session.

Thus the sponsors believe that it is indeed important to preserve the possibilities for the specialized agencies and programmes to contribute as much as they can to the cause of disarmament and to enable them to do so in a meaningful and purposeful fashion under the guidance of the Secretary-General and the General Assembly itself.

In elaborating this, we believe, rational though modest approach to the issue under consideration, the sponsors took into account the views of a number of delegations that offered their opinion as to the directions and extent of the activities of the United Nations specialized agencies and programmes in the promotion of the cause of arms limitation and disarmament. It is therefore our hope that draft resolution L.22 will be adopted with the broadest support in our Committee.

Mr. MOHIUDDIN (Pakistan): The purpose of this intervention is to introduce two draft resolutions sponsored by Pakistan. The first relates to the establishment of a nuclear-weapon-free zone in South Asia and has been circulated

(Mr. Mohiuddin, Pakistan)

in document A/C.1/41/L.20. The second relates to the conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and has been circulated in document A/C.1/41/L.21. Pakistan, it will be recalled, has had a long-standing interest in both subjects. This interest flows from Pakistan's principled position on the grave threat our world faces as a result of the existence of nuclear weapons.

Pakistan pursues a comprehensive approach to disarmament. In our view all disarmament measures, whether global or region, interim or of a collateral nature, deserve to be supported. With this perspective we believe that, pending the realization of the vital objective of nuclear disarmament, the establishment of nuclear-weapon-free zones represents an important collateral measure.

(Mr. Mohiuddin, Pakistan)

The Final Document of the first special session of the General Assembly devoted to disarmament states that:

"The process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons." (resolution S-10/2, para. 61)

The immediate objective for the establishment of a nuclear-weapon-free zone in a specific region would be to insulate it against the threat of nuclear attack or nuclear blackmail as well as to prevent the geographical spread of nuclear weapons and thereby contribute to the process of nuclear disarmament.

The Non-Aligned Movement has also supported the concept of nuclear-weapon-free zones. The political declaration issued at the conclusion of the Eighth Conference of Non-Aligned Countries, held in Harare in September this year, inter alia, called for the establishment of nuclear-weapon-free zones in various parts of the world with the objective of achieving ultimately a world entirely free of nuclear weapons.

The establishment of nuclear-weapon-free zones in various regions of the world is by no means an end in itself, nor is it a substitute for a global, general and comprehensive approach to disarmament. However, nuclear-weapon-free zones constitute an important partial measure in a step-by-step approach to general and complete disarmament, especially nuclear disarmament. Additionally, they derive their relevance from being important confidence-building measures.

Pakistan shares with other States of the South Asian region a deep commitment to the objective of keeping our area free of nuclear weapons. This has been reflected in the unilateral declarations made from time to time by individual States in the region in regard to non-acquisition of nuclear weapons. We believe, therefore, that appropriate conditions exist in the South Asian region to carry forward the objective of transforming it into a nuclear-weapon-free zone.

(Mr. Mohiuddin, Pakistan)

Draft resolution A/C.1/41/L.20 is on the same lines in both its preambular and operative paragraphs as the corresponding resolution adopted by the General Assembly last year. The operative part of the draft resolution urges the South Asian States, and such other neighbouring non-nuclear-weapon States as may be interested, to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and, pending that, to refrain from any action contrary to this objective.

We hope that the draft resolution will receive widespread support in the First Committee as well as in the General Assembly.

The second draft resolution - A/C.1/41/L.21 - is entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". In our statement in this Committee on 17 October 1986, we referred to the threat posed by ever expanding nuclear arsenals especially those of the major nuclear Powers. Pakistan is aware of the fact that the most effective assurance against the nuclear threat remains the complete elimination of nuclear weapons. However, until the objective of nuclear disarmament is achieved, the critical importance of credible guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons cannot be over-emphasized. Such assurances have become all the more essential since meaningful progress on nuclear disarmament does not appear to be just round the corner.

Pakistan has actively participated in the search for a viable and acceptable international agreement in this regard. It is a source of deep disappointment for us that, while no one has put forward any objection in principle to the concept of negative security assurances, the Conference on Disarmament has failed to register any progress on negotiating an internationally binding legal instrument on the subject. We therefore consider it important that the General Assembly call upon

(Mr. Mohiuddin, Pakistan)

the Conference on Disarmament to intensify its efforts to reach an agreement on a formula that would enable it to elaborate and conclude effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The unilateral declarations made by some nuclear-weapon States on this subject do not adequately meet the concerns of the non-nuclear-weapon States. Those declarations reflect the security concerns of the nuclear-weapon Powers themselves. My delegation continues to believe that assurances to non-nuclear-weapon States must, in order to be effective, be unconditional and of a legally binding nature.

The draft resolution submitted by my delegation - A/C.1/41/L.21 - has been prepared along the lines of the resolution adopted last year. In its operative paragraphs it appeals to the nuclear-weapon States to demonstrate the political will necessary to reach agreement of a legally binding character on the subject. It is the hope of my delegation that the draft resolution will receive the unanimous support of the Committee.

Mr. ROSE (German Democratic Republic): My delegation would like to speak about the draft resolutions dealing with questions of regional disarmament.

Everywhere in the world there are growing efforts for the regional safeguarding of peace through arms limitation and disarmament. We regard this as a quite natural response to the constantly increasing threat emanating from the horizontal and vertical proliferation of weapons, in particular weapons of mass destruction, to the security and existence of peoples. Whatever the concrete manifestations of such efforts, all of them have in common the determination of peoples and States to contribute, in exercising their own sovereignty, to national,

(Mr. Rose, German Democratic Republic)

regional and global security. It is against this background, that we view the draft resolutions before the Committee that have the broad approval of the States concerned and comprise almost all regions of the world.

We have especially in mind the further strengthening of the Treaty of Tlatelolco, A/C.1/41/L.59; the creation of a nuclear-weapon-free zone in the Middle East, A/C.1/41/L.19; the implementation of the Declaration on the Denuclearization of Africa, A/C.1/41/L.25 (A); as well as the establishment of a zone of peace in the Indian Ocean. We also support the draft resolution on conventional disarmament, A/C.1/41/L.66. Furthermore, we hope that the Committee will be in a position to adopt a resolution on the Stockholm Conference that reflects the consensus achieved and is acceptable to all those States that have participated. Special importance is attached to the resolution on a zone of peace in the South Atlantic, which was adopted only a few days ago by the General Assembly. Moreover, other activities also deserve great attention. among them the creation of a nuclear-weapon-free zone in the South Pacific. Thus, agreements confined to various territories and bilateral as well as multilateral efforts for the world-wide reduction and elimination of weapons complement each other and are merging to an ever greater extent into a unified process.

The Government of the German Democratic Republic welcomes this development and seeks to promote it with its own initiatives so that the safeguarding of peace with fewer weapons becomes feasible.

(Mr. Rose, German Democratic Republic)

In this light, the German Democratic Republic, together with Czechoslovakia, has submitted a proposal for the establishment of a chemical-weapon-free zone in Europe and supports the initiative of the Socialist Unity Party of Germany and the Social Democratic Party of Germany to create a nuclear-weapon-free corridor in Central Europe. Our delegation has already informed the Committee about those initiatives. We would like, in this connection, to emphasize the following.

In principle, regional measures for curbing armaments and strengthening security are generally recognized, and even demanded. However, is it not strange that some States should shrink from taking into account the European region, when it comes to the question of the reduction and elimination of weapons of mass destruction?

Owing to the tremendous concentration of weapons of all types, it is precisely in Europe where such measures are most urgently needed. The results achieved at Stockholm should give encouragement to further agreements on regional arms limitation and disarmament. Positive beginnings for that aim exist not only in Central Europe but also in the Balkans and in the north of our continent.

Weapon-free zones are, of course, limited in their range of operation. Therefore, their merit should not be questioned by arguing that weapons stationed outside the zone could strike that area. What is imperative is to ensure the inviolability of the status of such zones through relevant guarantees and strict verification, together with efforts to extend such zones.

It is apparent that the above-mentioned regional measures in Europe would have a strong favourable effect on the process of the world-wide prohibition of weapons of mass destruction. Thus, the establishment of a chemical-weapon-free zone would

(Mr. ROSE, German Democratic Republic)

be an essential contribution to bringing about a convention on the complete prohibition of such weapons and its implementation. Statements to the contrary are unfounded.

Any attempt to construct a contradiction between the establishment of a nuclear-weapon-free corridor and efforts towards nuclear disarmament is absolutely incomprehensible to us. Such a corridor would, in fact, lessen the military confrontation along the dividing line between the two alliances and would directly avert the danger of the accidental outbreak of nuclear war as well as strengthen security and confidence. At the same time, a beginning would be made with the limitation and reduction of so-called nuclear battlefield weapons in Europe. Without affecting the military balance, there would no longer be any so-called grey zone within a 300-kilometre-wide corridor.

We do not deny that such regional measures require an agreement between the States concerned that takes into account their legitimate interests. That is why the German Democratic Republic has proposed consultations and negotiations in which all aspects could be brought forward. What is required in our time is more openness towards initiatives intended to make peace secure. We hope, therefore, that our offer for negotiations will be thoroughly considered.

The two German States have jointly declared that never again must war start from their soil. This is in line with their historical responsibility and is a compelling consequence of geographical realities. We consider it indispensable to translate that commitment into concrete deeds.

Mr. CALDERON (Peru) (interpretation from Spanish): This afternoon my delegation would like to speak to draft resolution A/C.1/41/L.9/Rev.1, "Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin

(Mr. Calderon, Peru)

Weapons and on their Destruction". We congratulate the sponsors of that draft resolution for the important amendment they have introduced, replacing operative paragraphs 2 and 3 with a new paragraph that better reflects the interests of all the States parties to the 1972 Convention in the implementation of the provisions contained in the Final Declaration, which was adopted by consensus on 26 September of this year.

My delegation notes with optimism the encouraging results achieved at Geneva, reflecting as they do the determination of the States parties to continue to perfect this multilateral instrument. Those results also represent concrete steps towards a cessation of the arms race in a highly dangerous area with unthinkable consequences, among them the indiscriminate handling of bacterial and other biological and toxin agents. The collective interest has been focused on the careful, rational use of genetic engineering, biotechnology, microbiology and other associated fields for peaceful means and especially to the benefit of the developing countries.

My delegation is pleased to announce its desire to become a sponsor of the revised version of the draft resolution, A/C.1/41/L.9/Rev.1, and we share the hopes of the present sponsors that the text will be adopted by consensus.

Mr. TEJA (India): I should like to make a brief statement on agenda item 62 (a) and (b) on the reports of the Disarmament Commission and the Conference on Disarmament, which have been submitted as documents A/41/42 and A/41/27, respectively.

Even a cursory glance at the reports shows that there has been very little progress in the two bodies on the entire range of critical issues that constitute the agenda of multilateral disarmament.

(Mr. Teja, India)

For years, in the Disarmament Commission, work on the consideration of its agenda item 3 on the arms race, in particular the nuclear-arms race in all its aspects, the task of expediting negotiations aimed at eliminating the nuclear threat and the work on the elaboration of a general approach to negotiations on nuclear and conventional disarmament, has not proceeded at all.

A standardized and unstructured compilation on this item is to be found in the successive annual reports of the United Nations Disarmament Commission. That body is a deliberative organ subsidiary to the General Assembly and should give greater attention to selected aspects of the nuclear-arms race with the objective of defining guidelines for substantive work to be carried out on the subject in the Conference on Disarmament, the sole multilateral disarmament negotiating body.

(Mr. Teja, India)

The Disarmament Commission was able, at its last session, to make considerable progress in the elaboration of draft guidelines for appropriate types of confidence-building measures. We are happy to note that the section of the draft guidelines dealing with the objectives of confidence-building measures is in accordance with the principle laid down in the Final Document of the first special session of the General Assembly devoted to disarmament, which stated that measures to build confidence should be undertaken in order to create favourable conditions for the adoption of disarmament measures and to further the relaxation of international tension. We are particularly gratified that the Disarmament Commission recommended by consensus that the ultimate goal of confidence-building measures is to strengthen international peace and security and to contribute to the prevention of all wars, in particular nuclear war.

The most important and single largest group of resolutions adopted by the General Assembly over the years relates to the prevention of nuclear war, the halting of the nuclear-arms race and nuclear disarmament. In the Conference on Disarmament not even a beginning was made towards undertaking negotiations on these issues because of the systematic manner in which some States have used the consensus method of taking decisions in the Conference on Disarmament to block any progress and to prevent the setting up of subsidiary working bodies with a negotiating mandate. Since formal negotiations on important issues such as the prevention of nuclear war or a nuclear-test ban have never been instituted in the Conference on Disarmament, its great potentialities as a negotiating forum have never been realized. The limited progress made by the Conference, however, in the area of chemical weapons demonstrates in no uncertain manner that multilateral negotiations do offer a suitable framework for arms limitation and disarmament.

In the absence of multilateral negotiations in the priority areas of nuclear disarmament, nuclear-weapon States have continued to invent new and more deadly

(Mr. Teja, India)

engines of death and destruction. Instead of seeking security in nuclear disarmament, some nations are now engaged in a search for ultimate answers to defence which may, in fact, take us closer to the edge of the precipice. It is a paradox that the quest for making nuclear weapons obsolete has led to a new series of nuclear tests to develop nuclear-powered lasers and perhaps other varieties of nuclear weapons. Such efforts are bound to invite reactions and fuel the ongoing nuclear-arms race even further. Albert Einstein observed, soon after the testing of the hydrogen bomb in 1944, the apparently compulsory and progressive trend of the ghost-like character of this development. "Every step," he wrote, "appears as an unavoidable consequence of the preceding one. In the end, there beckons more and more clearly general annihilation."

The only way, we believe, to break out of this vicious and seemingly compulsory development is by putting an immediate halt to the testing of nuclear weapons by all the nuclear-weapon States followed by the commencement of multilateral negotiations on the basis of seeking the complete elimination of nuclear weapons.

Mr. CAMPORA (Argentina) (interpretation from Spanish): The cessation of the nuclear-arms race and nuclear disarmament are the central issues before this Committee. These are certainly the central issues because there revolve around them the 24 draft resolutions that have been introduced on the consequences of nuclear war and ways to prevent it, nuclear tests, nuclear-free zones and negative guarantees, among other matters. It is clear that, if the nuclear-arms race were to cease, and if nuclear disarmament were allowed to take place, none of these 24 draft resolutions would be necessary. Hence our affirmation that cessation of the nuclear-arms race and nuclear disarmament are the central issues before this Committee.

(Mr. Campora, Argentina)

Draft resolution A/C.1/41/L.33, which the delegation of Argentina is introducing now, with the co-sponsorship of Bangladesh, Cameroon, India, Indonesia, Mexico, Romania, Sweden, United Republic of Tanzania and Venezuela, reiterates once again a request to the Conference on Disarmament to find the best way to initiate multilateral negotiations on nuclear weapons.

The Conference on Disarmament has so far been prevented from taking up this subject in structured negotiations, since some delegations feel that this item belongs within the framework of bilateral negotiations, as if experience could give grounds for confidence in the results of bilateral negotiations.

Moreover, it is a fact that bilateral negotiations have, over the years, been concerned with a freeze on increasingly higher levels of nuclear weapons. It can therefore be said that bilateral negotiations have thus far been a disappointment to the international community; and, although nuclear weapons represent the greatest danger to mankind, the competent United Nations bodies have been prevented from dealing with this crucial issue.

For that fundamental reason, draft resolution L.33 reiterates a request - one which has been made in past resolutions - to the Conference on Disarmament to initiate multilateral negotiations of agreements for the cessation of the qualitative improvement and development of nuclear weapons and the cessation and ultimate elimination of such weapons.

Although it is true that the Conference on Disarmament, as is clear from its report to the General Assembly, has considered certain proposals in 1986 and although it has had a number of informal meetings on the subject, we are bound to acknowledge that, however useful that exercise may have been, it is insufficient.

It is necessary that the Conference on Disarmament should set up an ad hoc committee on the cessation of the nuclear-arms race and on nuclear disarmament. That is precisely what is proposed in draft resolution L.33, which we trust will be adopted with broad support in the General Assembly.

Mr. DJOKIC (Yugoslavia): I should like to introduce draft resolution A/C.1/41/L.53, on the implementation of the recommendations and decisions of the first special session of the General Assembly devoted to disarmament.

In the course of the debate at this year's session of the General Assembly, almost all participants have expressed serious concern at the overall state of affairs in international relations, particularly in the field of disarmament. They have pointed out that contemporary international relations continue to be plagued by the use of force against the sovereignty and territorial integrity of States, by threats, pressure and military intervention against independent States, by a deteriorating economic and social situation, particularly in developing countries, and by violations of the basic principles of the United Nations Charter.

Particular mention has been made of the fact that the arms race - the nuclear-arms race in particular - continues unabated, and that new systems of nuclear weapons are being deployed in various parts of the world. Military expenditures are rising, and by some estimates their annual amount surpasses the overall debt of all developing countries. Furthermore, we are faced with a real danger that the arms race will be extended into outer space. There has been no genuine progress in the negotiations on priority issues of disarmament, particularly nuclear issues. The danger of nuclear war is increasing. Those developments have made the world less safe for man to live in, and are threatening its very survival.

At its first special session on disarmament, the General Assembly formulated and laid the foundations for an international disarmament strategy and adopted a concrete programme of action aimed at realizing the goals we set ourselves. On that occasion we agreed, among other things, that disarmament and arms limitation, particularly in the nuclear field, are essential for averting the danger of nuclear war and strengthening international peace and security, and for the economic and social advancement of all peoples.

(Mr. Djokic, Yugoslavia)

Today, eight years later, we cannot but note with regret that the goals we set ourselves at that time have not been achieved, and that the tasks we undertook have not yet been carried out.

The sponsors of draft resolution A/C.1/41/L.53 are deeply convinced that the Final Document of the tenth special session of the General Assembly, which is the comprehensive basis for efforts to halt and reverse the arms race, retains all its validity, and that the objectives and measures contained therein still represent one of the most important and urgent goals to be achieved. The sponsors consider that in the present circumstances it is more than ever imperative that new impetus be given to negotiations on disarmament, in particular nuclear disarmament, and that genuine progress be achieved in the immediate future.

That is one of the main objectives of the group of sponsors on whose behalf I have the honour to introduce this draft resolution, a group comprising Algeria, Bangladesh, Colombia, Cuba, Ecuador, Egypt, Ethiopia, Ghana, India, Indonesia, the Islamic Republic of Iran, Madagascar, Nigeria, Pakistan, Peru, Romania, Sri Lanka, Sudan, Tunisia, Venezuela, Viet Nam and Yugoslavia.

It is the sincere desire of the sponsors through this draft resolution to give impetus to disarmament negotiations at all levels, whether in the United Nations, in the Conference on Disarmament or elsewhere. The sponsors are therefore confident that their draft resolution will receive the broadest possible support this year.

Mr. EDIS (United Kingdom): I should like to make some comments on two subjects which have cropped up in our discussion today and about which, in any case, I wanted to make some remarks.

(Mr. Edis, United Kingdom)

First of all, I should like to respond to some of the remarks made earlier today about the number and character of draft resolutions submitted this year in the First Committee. In the course of those remarks, in our view, some unfortunate language was employed by the delegation concerned: words such as "hypocrisy" and "unsavoury" were used. That does not seem to my delegation to be very parliamentary language, to say the least. But perhaps it is the coinage in use by the delegation concerned in its diplomacy. That delegation, by its very nature, must necessarily have very little diplomatic experience.

As regards the substance of what was said, or the allegation that was made - that some delegations that have called for discipline in the number of draft resolutions have themselves engaged in the proliferation of draft resolutions - that allegation, in our view, simply does not hold water. First of all, it is not even factually correct; there has not been, this year, a marked increase in draft resolutions from only one group. Indeed, the group concerned has not brought forward a markedly increased number of draft resolutions. Secondly, the draft resolutions submitted by the group of countries to which my country belongs are, in our view, constructive, and the sponsors of those draft resolutions have shown themselves very open to taking account of reasonable points in those draft resolutions. I am confident that these will be adopted either by consensus or by a very large majority. To my knowledge, already several of the draft resolutions have been amended, and announcements will be made in other cases, including one from my own delegation, which will demonstrate that willingness to take into account reasonable points put forward by other delegations.

(Mr. Edis, United Kingdom)

In fact, the group that made the charge has always been the great sinner in respect of the allegation. It has repeatedly submitted draft resolutions which, it must be aware, are provocative and controversial, at least to one group of countries represented here. It has never made any attempt to modify those draft resolutions to make them more acceptable, and the reason must be in most cases that they represent propaganda pure and simple from that group of delegations. The increasingly poor votes in favour of those draft resolutions reflects, in our view, the Committee's recognition of that.

This year, that group - and let us not forget that I did not start this exchange - has compounded the situation by submitting a number of unnecessary draft resolutions in fields where consensus or near-consensus resolutions already existed. I refer, for example, to the question of verification and the question of compliance.

I hope we do not need to hear any more of this sort of smear, which is the way I would characterize it, because it really does not carry any conviction. We are here to exchange ideas and, as far as possible, to establish common ground. That is certainly the approach of my delegation.

(Mr. Ellis, United Kingdom)

To turn now to another subject, we heard some other remarks this morning, from the representative of Romania, regarding the effect on the United Nations Institute for Disarmament Research (UNIDIR) of the involuntary absence of the Director of that Institute. I must say that I do not envy that representative's task in this respect, which seems to us to be to defend the indefensible. But I should just like to make a few comments on what was said. We have now heard a number of statements from that delegation; the story seems to change as we go along, and there seems to be an attempt to have things all ways. We noted in this morning's statement the intrusion of a certain innuendo, both about the sponsors of draft resolution A/C.1/41/L.71, of which my delegation is one, and indeed about the activities of the individual in question. So I should like to put on record our views on this case.

First, it seems incontrovertible that this is an entirely appropriate matter for this Committee. There are two reports before this Committee, one on UNIDIR and one on the Advisory Board, which substantively raise the question of the effect on UNIDIR of the involuntary absence of the Director. The appropriateness of the Committee's consideration of this matter has been confirmed by the Legal Counsel.

Secondly, we are in no doubt that because it is before the Committee, because we are talking of the case of an international civil servant, it concerns the United Nations membership as a whole. We cannot accept the statement that it has become a purely internal matter. It is quite clear from what we have heard that the Secretary-General does not regard it in that light either. It is clearly a very serious question.

As far as my own delegation is concerned, we would, of course, have much preferred the matter, having arisen, to have been dealt with quietly, by quiet diplomacy. But the fact is that the situation has gone on now for over 10 months.

(Mr. Edis, United Kingdom)

By the time we get to Christmas it will be a year. So it is quite clear that quiet diplomacy has been tried and has not got anywhere. Therefore, it was with regret that my delegation felt obliged to join the other sponsors of the draft resolution in drawing the matter more widely to the attention of the membership of the United Nations.

Another point I should like to make clear as well is that it is still not obvious from what has been said by the delegation concerned what the problem is, or why the person has been prevented from returning to his post. We have heard a number of stories, and today some innuendo about the matter. But I want to make it clear this problem is really self-inflicted by the delegation concerned. The solution is simple. There would be no problem if Mr. Bota, who is the Director of UNIDIR, were allowed to return to his post.

A number of people have said that in some way this is not an important matter, or that it is a humanitarian case, or whatever. But whatever the truth of that - and I do not see that we should not be concerned about humanitarian cases - from the formal point of view what we should be concerned about is the damage this absence is doing to an important part of the United Nations disarmament secretariat, UNIDIR. We see in the report of the Secretary-General on the subject that it is doing very serious damage indeed; that has been endorsed by the Advisory Board, which contains representatives from many of the delegations represented here this afternoon, from many groups and regions.

I wanted to make those points absolutely clear. I wish to conclude by saying that no one would be more pleased than we if this matter could be resolved in a generally satisfactory manner, if the person concerned could get back to his job and if the work of the body he heads could get on with its important business.

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): It is my honour today first of all to introduce draft resolution A/C.1/41/L.35, on agenda item 47, entitled "Cessation of all nuclear-test explosions". The draft resolution is sponsored by Finland, Indonesia, Ireland, Kenya, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia and Mexico.

Draft resolution A/C.1/41/L.35 has many points in common with the text we submitted to the General Assembly last year, which was adopted as resolution 40/80. For example, it notes that the question has been examined for more than 30 years and that the General Assembly has adopted more than 50 resolutions on it. It refers to the objective being pursued as

"a basic objective of the United Nations in the sphere of disarmament, to the attainment of which it has repeatedly assigned the highest priority".

(A/C.1/41/L.35, first preambular paragraph)

Like last year's resolution, it stresses that on eight different occasions the most fully representative body of the international community

"has condemned such tests in the strongest terms and that, since 1974, it has stated its conviction that the continuance of nuclear-weapon testing will intensify the arms race, thus increasing the danger of nuclear war". (second preambular paragraph.)

(Mr. Garcia Robles, Mexico)

In its preambular part, the draft resolution also emphasizes the fact that the three nuclear-weapon States that act as depositaries of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, in their report to the Committee on Disarmament submitted on 30 July 1980, after four years of trilaceral negotiations, stated, inter alia, that they were

"mindful of the great value for all mankind that the prohibition of all nuclear-weapon test explosions in all environments will have".

Those same countries went on to say they were also

"conscious of the important responsibility placed upon them to find solutions to the remaining problems"

and they added that they were

"determined to exert their best efforts and necessary will and persistence to bring the negotiations to an early and successful conclusion."

Furthermore, the new seventh preambular paragraph deals with the most recent events that have occurred since the adoption of the prior resolution on this subject. That paragraph recalls that the leaders of the six countries of the five-continent peace and disarmament initiative affirmed in the Declaration of Mexico, approved on 7 August 1987, that they

"remain convinced that no issue is more urgent and crucial today than bringing to an end all nuclear tests,"

adding that

"both the qualitative and the quantitative development of nuclear weapons exacerbate the arms race, and both would be inhibited by the complete abolition of nuclear-weapons testing".

The operative part of the draft resolution is a text that can, with complete justification, be described as self-explanatory. I shall confine myself, therefore, to the following comment, with the intention of dispelling any possible

(Mr. Garcia Robles, Mexico)

misinterpretation of the scope of the draft resolution. I should like to begin by stressing that the fundamental objective of the draft resolution, as set forth in paragraph 2, is to lead to multilateral negotiations of a treaty to achieve

"the prohibition of all" - and I emphasize the word "all" - "nuclear-test explosions by all States" - and I again emphasize the word "all".

Paragraph 7 makes an appeal to the three States depositaries of the so-called 1963 Moscow Treaty and of the Treaty on the Non-Proliferation of Nuclear Weapons by virtue of "their special responsibilities under those two Treaties". That appeal, however, does not mean that the sponsors of the draft resolution - or the General Assembly, when it comes to adopt the draft resolution, as we hope it will - wish to imply that the other two nuclear-weapon Powers do not also have an all-encompassing obligation, as expressly defined in operative paragraph 2.

I should now like to introduce, very briefly, draft resolution A/C.1/41/L.61, sponsored by the delegations of Indonesia, Peru, Sri Lanka, Yugoslavia and Mexico. Like the other draft resolution, but in a much more condensed fashion, draft resolution L.61 deals with the cessation of all nuclear-test explosions.

The preamble refers to the commitment entered into by the nuclear Powers in the partial test-ban Treaty and asks them to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end. It recalls the relevant provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and refers to the fact that 21 years ago the General Assembly, in resolution 2028 (XX), adopted unanimously on 19 November 1965, stressed that one of the basic principles on which the treaty to prevent the proliferation of nuclear weapons should be based was that such a treaty

"should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers".

(Mr. Garcia Robles, Mexico)

After making reference to the provisions of article II of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, which provide a procedure for the consideration and eventual adoption of amendments to the Treaty by a conference of its parties, the draft resolution concludes with two operative paragraphs. Paragraph 1 recommends that States parties to that Treaty "undertake practical steps leading to the convening of a conference to consider amendments to the Treaty that would convert it into a comprehensive test-ban treaty".

Paragraph 2 requests that States parties to the aforementioned Treaty report to the General Assembly at its forty-second session on the progress of their efforts.

The CHAIRMAN: I have received requests from a number of delegations who wish to speak in exercise of the right of reply. However, before calling upon them, I should like to remind members that, with respect to rights of reply, the Committee will follow the same procedure to which I referred earlier.

Mr. BUTLER (Australia): I should like to reply briefly to some remarks made this morning by the representative of Romania. I wish to do this because during his statement he repeatedly addressed his remarks to my delegation. While it is true that my delegation had the honour of introducing a draft resolution this morning - the draft resolution which, I gather, caused him to make the remarks he made - I should like first of all to make it very clear that the draft resolution at issue, while introduced by my delegation, was introduced on behalf of nine States Members of our Organization. Therefore, remarks concerning that draft resolution are in fact addressed to nine of us.

One of the assertions made in those remarks was that the draft resolution at issue was fundamentally concerned with the privileges enjoyed previously by Mr. Liviu Bota, during his active service as Director of the United Nations Institute for Disarmament Research. I repeat: it was said repeatedly that we were fundamentally concerned about his "privileges". Nothing could be further from the truth. Nothing I said in introducing the draft resolution, nothing that can be found in the text of the draft resolution justifies such an assertion. On the contrary, everything that was said, everything that can be found in the draft resolution itself is in fact directed not to his privileges, but to his duties. That is why the draft resolution has as its fundamental focus the requirement that the Director of the United Nations Institute for Disarmament Research be able to resume his duties - not enjoy his privileges, but resume his duties - at the earliest possible moment.

Why we have asked for that is absolutely underlined in the report on the Advisory Board on Disarmament Studies, which makes it perfectly clear that Mr. Bota's forced absence from his duties as Director of the Institute is significantly harming the ability of the Institute to carry out its work. In that context, I would note as an aside that one of the last points made this morning by

(Mr. Butler, Australia)

our Romanian friend concerned financial implications: the costs of this draft resolution - whatever they might be. It might be better if we were to turn our attention to the costs that are incurred when an important Institute of the United Nations attempts to work without its Director. This is an Institute, by the way, to which my Government annually makes a voluntary financial contribution.

We were very interested to hear this morning the statement by our colleague from Romania to the effect that no one wants a solution to this problem more fervently than Romania. We welcome that undertaking, and we also welcome the accompanying statement to the effect that the delegation of Romania would be happy to answer any questions that remain unanswered or outstanding in this case.

It was also suggested that the real purpose of the draft resolution concerned was to wage an attack on Romania. All I can say is that we are sorry the representative of Romania apparently felt that, or felt it necessary to say so. What is involved in that assertion is, of course, another complete misrepresentation of both what is said and what is intended by the draft resolution. I specifically said in my statement this morning that we nine countries want to continue to enjoy a good and constructive relationship with Romania. I specifically said that the draft resolution is not an attack on Romania, but that instead it is an attempt to defend principles that are of irreducible importance to all of us, principles affecting the conduct of the work of the Secretariat of the United Nations.

If there is a genuine wish, as was said, to solve this problem, then a step forward towards solving it would be to refrain from any further obvious and complete misrepresentation of the interest that was expressed this morning and that is represented in the draft resolution concerned.

(Mr. Butler, Australia)

I return now to the very open and unqualified offer made by the delegation of Romania this morning to the effect that it will answer any questions on this case that remain outstanding. A major part of what was stated this morning was that there is a big question that remains outstanding: why did this happen at all? In that context, this morning the representative of Romania engaged in - and here I shall borrow a word just used by the representative of the United Kingdom - a smearing of this case, by reading out seven, eight, nine or 10 articles from the Staff Regulations of the United Nations, all of them duties of officers of the international civil service - none of which had to be read out to us. But they were, and they were read out without any attempt to identify any of them as having been allegedly violated by Mr. Bota.

I want to make it clear and place on record that for my delegation such a tactic is unacceptable. It is not acceptable to quote the law and then refrain from stating the charge under the law. If the delegation of Romania is open to questioning, as it says it is, I add another question to the question I posed this morning, which was the question of why this happened at all. The question I add is: Of those staff regulations that were read out to us this morning, which is the man in question charged with having violated? If there are charges of violations, we ask when, how and by whom these were allegedly committed.

I understand that some delegations, in informal discussions, have expressed concern about the fact that the draft resolution calls specifically upon the Government of Romania to allow Mr. Bota to resume his job in Geneva. Apparently, there is some concern about whether the particular authorities involved should have been so named. I shall conclude this statement with another question: If it is not to the Government of Romania that we should address the request please to allow Mr. Bota to resume his job, then to whom should we address it?

Mr. TINCA (Romania): I wish first to reply to the representative of the United Kingdom, who was the first to refer to my statement of this morning. I have to recognize that one can see reflected in his statement his country's long experience in diplomacy. That statement contained elements which, I believe, are of a positive nature. I noted some ideas, words or concepts that were included in the statement of the representative of the United Kingdom. He asked us implicitly to understand that the United Kingdom was deeply concerned about the situation of the United Nations Institute for Disarmament Research (UNIDIR) and about the situation of its Director.

(Mr. Tinca, Romania)

At one point, the representative of the United Kingdom said that the problem was serious and its solution simple. He referred also to quiet diplomacy. He urged solution of the problem. I think this is something we might discuss.

I wish to emphasize the fact that even in reacting to my comments this morning and, maybe, to the statement by our Permanent Representative on Tuesday morning, the representative of the United Kingdom was obliged to invoke certain elements that were also invoked by my delegation in successive rights of reply in this Committee.

We recognize and respect - and I emphasize "respect" - the concerns of all here in the Committee about the situation that has been created in UNIDIR. We too have expressed our regret at that situation. We too have said that the problem is very serious. I would add that it is delicate, as almost all serious problems are. We have said that this matter should be the object of quiet discussion in the framework of a dialogue between the Secretary-General and the Romanian authorities. We are in favour of a solution to the situation of UNIDIR.

The points of disagreement that it seems to me were mentioned in the statement of the representative of the United Kingdom were principally three. The first is where the question should be examined and discussed. Here, I think that the Legal Counsel and, perhaps, our questions to the Legal Counsel were not properly understood by others. We never challenged the right of any delegation to express concern on the situation in UNIDIR. We never challenged anybody's right to express his position concerning the absence of the Director of UNIDIR. What we have questioned - and what we expected clarification from the Legal Counsel on - was whether this Committee is competent to discuss a matter within the purview of the Fifth Committee. We still maintain this, and recommend that all delegations read

(Mr. Tince, Romania)

draft resolution A/C.1/41/L.71 and judge for themselves whether that draft resolution is within the competence of this Committee or within that of the Fifth Committee, which deals with administrative and personnel matters.

I would observe, as a matter of fact, that in the report of the Secretary-General, sent to the Fifth Committee, the situation of Mr. Bota is addressed in the proper way and in the proper place, together with many other situations. We are insisting that the matter be discussed there because the Fifth Committee has the expertise to deal with such things. I have quoted the Staff Regulations of the United Nations just to establish a balance and to emphasize the fact that what is at stake here is not only the immunities and privileges, but also the duties that each and every international civil servant should have. I was not referring to the duties of Mr. Bota as Director of UNIDIR; that is something else, and I wish that to be well understood.

Another point of disagreement is that after 10 months Mr. Bota is not out of his country and is not in his office in Geneva exercising his duties as Director of UNIDIR. If the representative of the United Kingdom were to read the text of our statement of Tuesday morning, he might conclude that by its nature this case will take some time to be solved satisfactorily. So that this satisfactory solution can be reached, I would like all delegations to be kind enough to let the Secretary-General deal with the matter with the Romanian authorities. Other actions, opinions or appeals might interfere and have a damaging effect on the process.

The third point of disagreement with the representative of the United Kingdom involves our point that the manner in which the draft resolution deals with the agenda item - not the item itself - is not within the competence of this

(Mr. Tinca, Romania)

Committee. If the text were drafted differently, its introduction in this Committee might be justified. I think that as it stands the draft resolution belongs in the Fifth Committee, not the First Committee.

I turn now to what the Ambassador of Australia said. It seems to me that this constituted an effort to sell something. This is a little bit dangerous for some people; at least, the merchandise is beginning to have a certain smell. All the questions he addressed to me have been answered. I should like the representative of Australia to re-read the statement delivered on Tuesday morning by our Permanent Representative in this Committee, and to keep in mind if he can that it was an official statement by the representative of a sovereign Government.

I think the representative of Australia should not expect to get replies to all his queries; as a matter of fact, I did not promise to answer all questions on this matter. What I said is that we have proof that might be brought forward in the future to demonstrate and support what we have said. That is something else. At the same time, I should like to request him somewhat to temper his desire to mix in this affair, which, I continue to maintain, is our business. In conformity with the legal provisions of various treaties and conventions, the Secretary-General and the Romanian authorities can solve it in a satisfactory way.

Mr. MARTYNOV (Byelorussian Soviet Socialist Republic) (interpretation from Russian): Our delegation had not intended to speak in exercise of the right of reply, but I should like to make a few comments about the statement we heard a few moments ago, and since the procedural stage we have now reached in our meeting makes it impossible for me to do otherwise, I shall avail myself of the opportunity.

When we heard that our comments this morning were to be remarked upon once again by another delegation, we had a glimmer of hope. Unfortunately, our hope was that that delegation would declare its willingness to co-operate. That was not the case, as the actual tone of what was said clearly indicated. We do not intend to go into an arithmetical discussion, for we believe that in looking at the list of draft resolutions any delegation can conclude for itself why their number is far more numerous than last year.

Every delegation is also aware that my delegation has always respected the sovereign right of every State Member of the United Nations to submit draft resolutions if it so wishes. Unfortunately, the delegation that spoke dismissed the draft resolutions of all other States in a fairly summary manner, dismissing them as, to use its word, as unnecessary. That is not the kind of formulation that indicates any great readiness to co-operate.

On the other hand, my delegation was interested to hear that that delegation continues to remain open to considering any amendments on the text it has submitted. In the time remaining, we shall see how those words are borne out in practice. In any event, we do not wish to continue this verbal exchange, and we shall be ruled by an English saying, which holds that
(spoke in English)

"The proof of the pudding is in its eating."

Mr. EDIS (United Kingdom): I shall not be very long, but I should like to make just a couple of points in relation to what has just been said. Of course,

(Mr. Edis, United Kingdom)

I did not say that the draft resolutions of all other delegations were unnecessary. I referred to and gave examples of two specific instances where that group of countries has submitted draft resolutions that certainly appear to us to be totally unnecessary.

With regard to what I said myself, I did say that the group of countries to which mine belongs looks at the draft resolutions it has submitted as constructive and that the sponsors have already shown themselves open to reasonable points made to them in relation to those draft resolutions, and I said that to my knowledge already some amendments had been made and that this was true in the case of one of the draft resolutions submitted by my own country.

I can, however, agree with the representative of Byelorussia on one thing, but I am afraid I cannot say it in Russian: certainly, the proof of the pudding will be in the eating.

The CHAIRMAN: I apologize to members of the Committee for departing from the normal procedures somewhat, but Ambassador Rossides of Cyprus, whose name was inscribed on the list of speakers for this afternoon and who was unable to be present earlier, has requested to speak, and accordingly, with the Committee's agreement, I shall now call upon him.

Mr ROSSIDES (Cyprus): I should like to speak with regard to General Assembly resolution 40/151 A. An earlier resolution of 12 December 1984 called upon the Security Council to give consideration to the escalating arms race, particularly with a view to initiating due procedures, in accordance with Article 26 of the Charter, which calls upon the Security Council to enter into the question of disarmament. The Charter uses the verb "shall" with regard to the Security Council, whereas when the General Assembly is involved with disarmament, it says that it "may" consider disarmament.

(Mr. Rossides, Cyprus)

However, with regard to the Security Council, Article 26 of the Charter makes it obligatory for the Security Council to deal with disarmament. The resolution adopted in 1984 called upon the Security Council to proceed to deal with the question of disarmament in accordance with the emphatic provisions of the Charter, and nothing was done. A further resolution, 40/151 A, was therefore adopted, referring to the earlier resolution and calling upon the Security Council to proceed, but again nothing was done. No report was forthcoming from the Secretary-General on this matter.

I understand, of course, that the Secretary-General did appeal to the Security Council to submit a report, but the Security Council did not do so. Therefore, the Secretary-General was not in a position to submit a report. However, I did want to bring this matter to the attention of the General Assembly through the Committee. It is not proper for the Security Council not to submit a report when it is required to do so.

The CHAIRMAN: I now call upon the Secretary of the Committee.

Mr. KHERADI (Secretary of the Committee): It may perhaps not be necessary for me to say anything further. The Ambassador of Cyprus has himself clarified the issue he has raised. He has been informed, in private conversations and subsequently in other forms, and he has correctly recapitulated the situation, which is that the Secretary-General did in effect issue on 28 February 1986 a note to the Security Council, document S/17882, in which he brought the contents of the aforementioned resolution to the attention of members of the Security Council. In view of the absence of any communication from the Security Council on this subject, as Ambassador Rossides has noted, there is of course no report from the Secretary-General to the forty-first session of the General Assembly.

The CHAIRMAN: I hope that the answer just given by the Secretary of the Committee is sufficient, for the time being, for the Ambassador of Cyprus.

ORGANIZATION OF WORK

The CHAIRMAN: As I said in my statement this morning, on Monday, 10 November 1986, the Committee will proceed to take action on draft resolutions contained in the first cluster and thereafter proceed, within the time available, to the other clusters in sequence.

As I have already pointed out, an attempt has been made to set aside sufficient time for any necessary consultations. In this respect, I also wish to inform members that I am entirely at the disposal of all delegations whenever my assistance might be required during the process of such consultations.

The meeting rose at 4.55 p.m.