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ENGLISH

FINAL RECORD OF THE SEVENTY-NINTH MEETING
held at the Palais des Nations, Geneva,
on Thursday, 17 April 1980, at 10.30 a.m.

Chairman:

Mr. L. Sola Vila

(Cuba)

GE.80-61021

PRESENT AT THE TABLE

Algeria: Mr. SAIAH-BEY
Mr. A. BENYAMINA

Argentina: Mr. A. DUMONT
Miss N. FREYRE PENABAD

Australia: Mr. A. BEHM
Ms. M. WICKES

Belgium: Mr. A. ONKELINX
Mr. J-M. NOIRFALISSE

Brazil: Mr. C.A. DE SOUZA E SILVA
Mr. S. DE QUEIROZ DUARTE

Bulgaria: Mr. P. VOUTOV
Mr. I. SOTIROV
Mr. K. PRAMOV
Mr. POPTCHEV

Burma: U NGWE WIN

Canada: Mr. D.S. McPHEIL
Mr. J.T. SIMARD

China: Mr. YANG Hu-Shan
Mr. LO Pen-Shia
Mr. PAN Zhen-Chiang
Mr. XING Shie-Jie

Cuba: Mr. L. SOLA VILA
Mr. F. ORTIZ
Mrs. V. BORODOWSKY JACKLEWICH

Czechoslovakia:
Mr. M. RUSEK
Mr. P. LUKES
Mr. V. ROHAL-ILKIV

Egypt:
Mr. O. EL-SHAFEI
Mr. M. EL-BARADEI
Mr. N. FAHMY

Ethiopia:
Mr. T. TERREFE
Mr. F. YOHANNES

France:
Mr. F. DE LA GORCE
Mr. J. DE BEAUSSE
Mr. M. COUTHURES

German Democratic Republic:
Mr. G. HERDER
Mr. M. GRACZYNSKI
Mr. KAULFUSS

Germany, Federal Republic of:
Mr. G. PFEIFFER
Mr. N. KLINGER
Mr. H. MÜLLER

Hungary:
Mr. I. KÖMIVES
Mr. C. GYÖRFFY
Mr. A. LAKATOS

India:
Mr. C.R. GHAREKHAN
Mr. S. SARAN

Indonesia:
Mr. M. SIDIK
Mr. D.B. SULEMAN
Mr. H.M.U. SILABAN

Iran:
Mr. D. AMERI

Italy: Mr. V. CORDERO DI MONTEZEMOLO
Mr. F. DE LUCA
Mr. C. FRATESCHI

Japan: Mr. Y. OKAWA
Mr. R. ISHII
Mr. K. MIYATA

Kenya: Mr. S. SHITEMI
Mr. G.N. MUNIU

Mexico: Mr. A. GARCIA ROBLES
Mr. M. CACERES
Miss L.M. GARCIA

Mongolia: Mr. D. ERDEMBILEG
Mr. L. ERDENECHULJUN

Morocco: Mr. M. CHRAIBI

Netherlands: Mr. R.H. FEIN
Mr. H. WAGENMAKERS

Nigeria: Mr. E.F. ALLISON
Mr. T.O. OLUMOKO
Mr. T. AGUIYI-IRONSI

Pakistan: Mr. J.K.A. MARKER
Mr. M. AKRAM

Peru: Mr. J. AURICH MONTERO

Poland: Mr. H. PAC
Mr. J. CIALOWICZ

Romania: Mr. C. ENE
Mr. T. MELESCANU

Sri Lanka: Mr. I.B. FONSEKA

Sweden:

Mr. C. LIDGARD

Mr. L. NORBERG

Union of Soviet Socialist Republics:

Mr. V.L. ISSRAELYAN

Mr. B.P. PROKOFIEV

Mr. B.I. KORNEYENKO

Mr. V.I. USTINOV

Mr. M.P. SHELEPIN

Mr. A.I. TIOURENKOV

United Kingdom:

Mr. D.M. SUMMERHAYES

Mrs. J.I. LINK

United States of America:

Mr. C. FLOWERREE

Mr. A. AKALOVSKY

Mr. M. DALEY

Mr. S. FITZGERALD

Mr. H. WILSON

Mr. C.G. TAYLOR

Venezuela:

Mrs. G. DA SILVA

Yugoslavia:

Mr. D. DJOKIĆ

Zaire:

Mr. NKONGO DONTONI LWANDA

Secretary of the Committee
on Disarmament and
Personal Representative of
the Secretary-General:

Mr. R. JAIPAL

The CHAIRMAN (translated from Spanish): Document CD/90 dated 17 April, submitted by the delegations of Australia and Canada and entitled "The prohibition of the production of fissionable material for weapons purposes", has been circulated today in the official and working languages of the Committee.

Mr. McPHAIL (Canada): I want to begin by stating that we look forward shortly to hearing of the results of the consultations you have been engaged in on a number of outstanding matters that have been troubling this Committee for some time now, for some weeks. We wish you well in these consultations. I say to you simply that on my delegation's part we shall do our best to co-operate with you in reaching a solution to two seemingly procedural matters which, however, in the views of other delegations, are matters of some substance to them, but I repeat that we will do our best to co-operate with you, and we look forward to hearing shortly from you the results of your various consultations.

Meanwhile, the life of the Committee goes on. We are dealing this week with agenda item 2, cessation of the nuclear arms race and nuclear disarmament, and it is in the spirit of "life goes on", in a substantive way, that I have the pleasure this morning, with my Australian colleague, of introducing to the Committee the document to which you referred a few moments ago, CD/90, which is entitled "The prohibition of the production of fissionable material for weapons purposes".

A brief glance at this document will adequately demonstrate that variations on this particular theme have been with us for a great many years. Nearly a quarter of a century ago the Disarmament Commission first heard of the hope that all production of fissionable material would be devoted exclusively to peaceful purposes, and that continues to be the hope today; but it is a sad commentary, I think, on our progress or lack of progress that the proposal remains but an aspiration.

It is interesting to note that some 25 years ago this hope was contained or expressed in the context of a comprehensive programme of disarmament -- indeed as the first part of a first phase of such a programme and it was in the same spirit that my Prime Minister had specified the measure, at the special session on disarmament, as part of a strategy to arrest the dynamic of the nuclear arms race. The same strategy also includes an end to the testing of warheads and of new strategic delivery vehicles. These measures are interrelated, but this does not mean that they must be pursued together as a package. That would be preferable. If it is not feasible, let us see how far we can get on the individual elements just as we have been doing for many years in the comprehensive test ban negotiations.

(Mr. McPhail, Canada)

From the beginning, as this joint paper demonstrates, those who have advocated the reservation of fissionable material for peaceful purposes have also recognized that the idea has an appropriate place in the arms control and disarmament negotiating agenda. They have also foreseen that adequate verification of any agreement along these lines is indispensable. In the intervening years the assessment of what is adequate and appropriate has become more difficult, but that is not a reason for setting the subject aside.

It is our hope, therefore, that in the presentation of this paper in association with the delegation of Australia we can once again focus attention on a significant step in the complex process leading to disarmament. We are not pressing the Committee to engage in the negotiation of such a proposal at this session or even at the next. As is clearly demonstrated in the working paper now being tabled, and on which my Australian colleague will comment in detail in a few moments, this subject is not new. It should be the object, we believe, of more detailed consideration, particularly regarding verification requirements, before concrete negotiations could begin. Moreover, we also believe, as we have stated in the past, that the CD should concentrate first on the achievement of two top priorities: a comprehensive test ban and a chemical weapons agreement. However, it appears to us that a measure such as the prohibition of the production of fissionable material for weapons purposes would constitute the kind of specific agreement that the CD should negotiate in the field of "The cessation of the nuclear arms race and nuclear disarmament" -- the subject of our agenda item for this week.

Mr. BEHM (Australia): May I associate my delegation, Mr. Chairman, with those delegations who have preceded me this month in welcoming you to the Chair, and may I also say to you that you can count on the support of my delegation in your efforts to resolve the outstanding procedural issues which remain before us.

The subject of our considerations for the last several plenary sessions of the Committee on Disarmament, "Cessation of the nuclear arms race and nuclear disarmament", is one of the key items on our agenda for this year. It is such a broad topic that it must necessarily be the subject of prolonged and detailed consideration if it is to be realized in concrete arrangements.

In his statement of 5 July last year, the leader of the Australian delegation, Sir James Plimsoll, gave a detailed commentary on this item. He registered the views of the Australian Government and asked a number of questions about its scope. In particular, he noted that this agenda item required the efforts of members of the Committee, not just those States which have nuclear weapons. Indeed, he pointed

(Mr. Behm, Australia)

out that all States, whether they were members of the Committee on Disarmament or not, had a part to play in helping to reach effective agreements, not least of all because all States had an important part to play in worldwide verification measures. Sir James Plimsoll also pointed out that members of the Committee on Disarmament had a role to play in spreading an understanding of what is involved in disarmament.

Australian statements on this item last year drew attention to its extremely wide compass, and recommended that the Committee adopt a step-by-step approach in reaching the ultimate goal of their work in the nuclear field, the cessation of the nuclear arms race and nuclear disarmament. In our view, it is important that the Committee on Disarmament set for itself practical objectives that can be adequately verified. The most immediate practical objective remains a multilateral comprehensive test ban agreement. Once this has been completed, it would be useful for the CD to begin to address substantively the issues involved in an agreement to prohibit the production of fissionable material for weapons purposes, commonly referred to as the "cut-off". I might say, Mr. Chairman, that the cut-off as it appeared historically really meant the cessation of the production, which of course, pertains only to those States which produce fissionable material. Our proposal is a prohibition which would refer to all States, whether they are now producing it or whether they intend to produce it.

As a new and significant barrier to both vertical and horizontal proliferation, a prohibition on the production of fissionable material for weapons purposes would have a number of important effects. Once a "cut-off" agreement was in force, an immediate limit would be placed on the quantity of fissionable material available to the nuclear-weapon States for weapons purposes. The agreement's impact would not, however, be restricted to the nuclear-weapon States. All States parties, both nuclear-weapon States and non-nuclear-weapon States, would make a legally binding commitment to forego the production of fissionable material for weapons purposes. The agreement would, in this sense, be non-discriminatory. As we have noted previously in this connexion, adequate verification is essential. A suitable verification system could encompass both existing international measures for detecting any diversion of fissionable material for weapons purposes and additional measures especially designed to ensure that the régime was fully effective. Hence, nuclear-weapon States and non-nuclear-weapon States could be placed on a generally comparable basis.

(Mr. Behn, Australia)

Paragraph 50 of the Final Document of the special session devoted to disarmament pointed out that the achievement of nuclear disarmament would require the negotiation of three general classes of agreement: firstly, the cessation of the qualitative improvement and development of nuclear-weapon systems; secondly, the cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes; and thirdly, a comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time. As paragraph 50 pointed out, such agreements would require adequate measures of verification satisfactory to the States concerned. Although it did not impose any specific requirements or particular time constraints on the international community, it should be noted that the Final Document described these measures as "urgent", and that the prohibition of the production of fissionable material was included as an essential step towards realizing the aims of nuclear disarmament.

The thirty-third and thirty-fourth sessions of the General Assembly of the United Nations also drew attention to the need for an adequately verified "cut-off". We would draw the Committee's attention, in particular, to the third preambular paragraph of resolution 33/91 H which gave special emphasis to the role of a non-discriminatory verification régime in the following terms:

"... the acceptance by all States of binding and verifiable controls in the form of full scope safeguards, on a non-discriminatory basis, on all production of fissionable material, so as to ensure that it is not used for nuclear weapons or other nuclear explosive devices, would contribute towards the efforts to promote non-proliferation, limit further production of nuclear weapons and facilitate nuclear disarmament".

At its last session, the General Assembly adopted resolution 34/87 D by a large majority. This resolution requested the Committee on Disarmament, at an appropriate stage of its work, to pursue its consideration of the question of an adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices. As part of this process of pursuing consideration of a "cut-off", Australia and Canada have today circulated, as an official document of the Committee, a review of the development of this proposal in the various multilateral negotiating bodies since its inception.

The Australian/Canadian paper is designed, in part at least, to remove a number of misconceptions concerning the proposed "cut-off". Because some States have never been members of any multilateral arms control and disarmament negotiating body and other States, like Australia, have only recently become members of such bodies, the

(Mr. Behm, Australia)

proposal's genealogy is not universally known. The proposal has been the subject of serious and often detailed discussion over a long period. Moreover, the scope and consequences of a "cut-off" convention have sometimes been misunderstood. While such a convention would, once in force, prevent the further production of fissionable material for nuclear weapons purposes, it would in no way impede the development of nuclear energy for peaceful purposes. Not only could a "cut-off" convention release considerable quantities of nuclear material for use in peaceful nuclear industries, but it would also mean that significant economic resources could be re-allocated from the military sector to the civil sector.

The document we have circulated demonstrates clearly that the proposal for a "cut-off" has been before the multilateral negotiation body for many years and that at no stage has the proposal been rejected as either undesirable or unattainable. The review also gives added justification to the view that the general field of nuclear disarmament is both complex and difficult, and that it cannot be carried out in a single step or through a single all-embracing convention. For, while arsenals are being stabilized, then reduced and finally eliminated, the security of all States has to be maintained. This has been a key consideration in the handling of this proposal in the precursors to this Committee.

In negotiating on nuclear disarmament, the Committee on Disarmament has a wealth of experience on which it can draw. The history of the negotiation in the various precursor disarmament bodies is instructive, and we all have much to learn concerning this present proposal. Two things, however, have remained constant: a cessation and prohibition of the production of fissionable material for weapons purposes is a necessary step in any nuclear disarmament programme; and, for the cessation and prohibition to be effective, a comprehensive verification régime is essential.

The paper which we have circulated today does not make any concrete proposals with respect to elaborating a "cut-off" this year. We continue to believe, however, that a "cut-off" is an essential and priority item in any negotiating programme on nuclear disarmament.

In conclusion, Mr. Chairman, on behalf of my colleagues of Canada and my own delegation, I would like to make two remarks expressing our gratitude, firstly to the secretariat, and in particular to Mrs. Ertan, who gave us a lot of assistance in producing the material for our review. Of course, the Canadian and Australian delegations did a lot of work; but without her help the paper really could not have been produced. Secondly, Mr. Chairman, we would also like to express our gratitude to the secretariat for its ability in circulating this paper in all the working languages so quickly. It was submitted at rather short notice.

The CHAIRMAN (translated from Spanish): I thank the representative of Australia for his kind words and I take the liberty of thanking him on behalf of the secretariat also.

Mr. MARKER (Pakistan): The Pakistan delegation had an opportunity last year to express its views in the Committee on the question of the cessation of the nuclear arms race and nuclear disarmament. I will not, therefore, repeat the importance which my country attaches to the goal of nuclear disarmament. Recent developments which portend a new spiral in the nuclear arms race do not create any optimism in this regard. The SALT II Treaty remains to be ratified by the signatories, and a comprehensive test ban treaty has yet to emerge from the trilateral negotiations. The present international circumstances have increased the responsibility of the Committee on Disarmament to make a contribution to reversing the current trends and averting a disastrous nuclear conflict.

During the formal and informal meetings of the CD on this subject last year many interesting ideas and issues were raised. My delegation believes that it would be useful, as recommended in the paper circulated by the Group of 21 (CD/36/Rev.1), to make an effort to identify the "prerequisites" and "elements" for negotiations on nuclear disarmament, taking into account our previous discussions, and to chart the course of action for the future work of the CD on the subject.

The discussions held on this item last year, I think, could be categorized into five broad areas.

First, the basic premise on which nuclear disarmament is to be pursued. We are all aware that the final goal is the total destruction of nuclear weapons. We have also agreed, in paragraph 50 of the Final Document of the United Nations General Assembly's special session, on the broad areas to be covered in achieving this goal. But there is still a distinct lack of clarity about some fundamental concepts. Specifically, many members have referred to the need to ensure "equal" or "undiminished" security for all States, and for a "balanced process of nuclear disarmament".

These concepts are quite comprehensible in the context of the bilateral negotiations between the two super Powers which have, for example, agreed to conduct the SALT negotiations on the basis of "strategic equivalence" between each other. But how is this concept of strategic equivalence or parity to be applied in broader negotiations between the five nuclear Powers whose individual capabilities are quite asymmetrical? It would be interesting to hear from the representatives of the two major nuclear Powers whether in promoting the process of global nuclear disarmament in this Committee or elsewhere, they would be prepared to accept the concept of

(Mr. Marker, Pakistan)

approximate strategic equivalence or parity with the other nuclear-weapon States. In this connexion we note that document CD/4, sponsored by one of the super Powers, says that "the existing balance in the field of nuclear strength should remain undisturbed in all stages ...". Another relevant question is how the concept of "equal" or "undiminished" security is to be applied as between the nuclear and non-nuclear-weapon States?

Second, the stages in the process of nuclear disarmament. Everyone is agreed that nuclear disarmament will have to be pursued in a step-by-step process. Paragraph 50 of the Final Document contains a broad and general indication of the different steps to be taken, i.e. a freeze in qualitative development, a halt in the production of nuclear weapons, and then a steady reduction in nuclear arsenals. However, as the representative of France pointed out, the situation is quite complex and may not be susceptible to a precise application of the framework outlined in the Final Document. There are differences among the nuclear Powers with regard to the quantitative levels of nuclear weapons and delivery systems, and also in the kinds and qualities of nuclear weaponry deployed and in the strategies adopted by each of them for defensive or offensive use of nuclear weapons. We have noted that in document CD/4 it is stated that "the degree of participation of individual nuclear States in measures at each stage should be determined taking into account the quantitative and qualitative importance of the existing arsenals of nuclear-weapon States and of other States concerned". It is self-evident that the first and most drastic steps in the process of nuclear disarmament will have to be taken by the two major nuclear Powers. The SALT negotiations are, we feel, a recognition by these two Powers of their special responsibilities. But it is also clear that considerably greater progress will have to be made by these Powers in halting the qualitative development of their nuclear weapons and delivery systems and in bringing about real and significant reductions in their nuclear arsenals in order to lend credibility to their commitment to the concept of "equal security" between themselves and the other nuclear Powers and to the objective of complete nuclear disarmament. We see among these first steps a decision to halt nuclear testing by the super Powers and the conclusion of a third SALT agreement which could deal with reductions in both strategic and medium-range nuclear weapons and delivery systems. The phase of general nuclear disarmament would then become a realistic and genuine possibility.

(Mr. Marker, Pakistan)

Third, the relationship between nuclear and conventional disarmament measures. My delegation does not endorse any defence strategy or doctrine that is based on the possibility of the use of nuclear weapons. Nevertheless, it is a fact that the defence posture of the two major alliance systems includes reliance on both conventional and nuclear weapons. Whether or not it is considered that there is an imbalance in conventional forces, in Europe or elsewhere, it seems reasonable to state that while seeking to reduce reliance on one of the components of the security equation, it will be necessary to give attention to the other component. The questions which remain to be answered are: how is the relationship between nuclear and conventional disarmament efforts to be established in the course of negotiations? Would it be advisable to deal with specific regional situations, such as in Europe, in one negotiating forum which could cover both nuclear and conventional disarmament? Whatever the answers derived to these questions, the point which needs to be stressed in this context is that in such negotiations priority must be given to reducing nuclear weapons.

Fourth, the question of verification. Many members have made the point, with which I think there can be no disagreement, that progress in the nuclear disarmament process will require that there is confidence that the implementation of each disarmament measure which is agreed upon is capable of being impartially verified. In the disarmament agreements concluded so far in the multilateral context, such as the BW and ENMOD Conventions, the major Powers have demonstrated a reluctance to accept extra-national and intrusive means of verification. We are given to understand that the problem of verification is also a central issue in the on-going restricted negotiations on chemical weapons and the CTB. At the same time, we are somewhat encouraged to note that, at least in the bilateral context of SALT II, the two super Powers have been able to accept some exceptional measures for the verification of the agreement. It is essential that a similar openness be demonstrated in the case of international agreements such as the CTB. The specific verification measures will differ in each case, but they must give equal access to all parties to the means of ensuring that the obligations involved are being fulfilled by all concerned.

Fifth, the question of negotiating forums and the role of the CD in the context of nuclear disarmament. In principle, the Pakistan delegation considers that the Committee on Disarmament, the single multilateral negotiating body in the field of disarmament, is the most suitable forum for all negotiations on nuclear disarmament. However, it is possible that certain measures of nuclear disarmament can be best

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promoted in bilateral, regional or other negotiations outside the CD. If this is so, the Committee should be prepared to encourage these negotiations, provided it is kept fully and regularly informed of their progress and is able to provide guidance and direction to such negotiations. We believe that, for the present, this is the practical approach to the SALT negotiations between the United States and the USSR. Once the bilateral process between these Powers and their alliance systems has reached a stage where it becomes possible to open negotiations between all the nuclear Powers and interested non-nuclear-weapon States, the Committee would be the most natural forum under which these could be conducted.

There are, of course, several measures in the field of nuclear disarmament which the CD can and must assume responsibility for as soon as possible. These include the comprehensive nuclear test ban and prohibition of the production of fissionable material for weapons purposes. At the same time, I think the Committee must guard against the temptation to take up measures in the nuclear field which would have the effect of further increasing the obligations assumed by the non-nuclear-weapon States merely because it is unable, at present, to come to grips with the more pressing task of arresting the nuclear arms race between the major Powers. We await with interest the outcome of the forthcoming second NPT Review Conference especially as regards the steps to be taken to introduce greater equality between the obligations and responsibilities of the nuclear and non-nuclear-weapon States.

I think it would also be useful for the CD to build upon the general agreements reached under paragraph 50 of the Final Document and inter alia to define the basic premises for nuclear disarmament negotiations, to outline with greater clarity the stages in the process of nuclear disarmament, to deal with the relationship between nuclear and conventional disarmament and to examine the kinds of international mechanisms which could assure effective and non-discriminatory verification of nuclear disarmament measures.

Apart from promoting measures for the limitation and reduction of nuclear weapons, an equally important responsibility of the CD is to erode the rationale for the possession of nuclear weapons. A fairly sound legal case could be made in support of the proposition, adopted on two occasions by the United Nations General Assembly, that the use of nuclear weapons would constitute a violation of the Charter of the United Nations and a crime against humanity. The CD has decided to consider the question under the present item. I hope that it will receive adequate consideration at the appropriate stage.

(Mr. Marker, Pakistan)

Although my delegation fully accepts the validity of the proposition approved by the General Assembly, we consider that, as a practical matter, the total prohibition of the use of nuclear weapons can be achieved in three stages. At the first stage, we should seek to exclude the non-nuclear-weapon States from the ever present threat of nuclear attack or blackmail. The Committee is seized of this matter under a separate item. Secondly, each of the nuclear-weapon States must be urged to undertake that it will not be the first to use or threaten the use of nuclear weapons. China has made such a declaration. The members of the Warsaw Treaty have proposed such an undertaking in the context of Europe. These positions could be enlarged and applied at the international level once the current perceptions of an imbalance in conventional forces of the major military alliances are rectified. At a later stage, perhaps when general negotiations for nuclear disarmament are opened with the participation of all the nuclear Powers, the complete prohibition of the use of nuclear weapons would come to be accepted by all States.

Before concluding, I would like to refer to another item and to state that my delegation has taken note of document CD/89 which was circulated yesterday. This is a telegram from a régime which my Government does not recognize. The Pakistan delegation reserves its position regarding the contents of the telegram contained in document CD/89 and also reserves the right to comment upon it at a later date.

Mr. KÖMIVES (Hungary): In my present statement I would like shortly to dwell on agenda item 2, cessation of the nuclear arms race and nuclear disarmament, which is now under discussion in the Committee according to our programme of work.

It is generally recognized that the most urgent task of our days remains the halting and reversal of the nuclear arms race, with a view to the attainment of effective advances in nuclear disarmament. Any tangible result -- however modest -- assumes special significance in the light of the forthcoming Second Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons. Questions related to nuclear disarmament figure as the highest priority items in any document dealing with disarmament. The Final Document of the special session of the United Nations General Assembly, while giving the highest priority to this issue, calls for "urgent and vigorous pursuit to a successful conclusion of ongoing negotiations and urgent initiation of further negotiations among the nuclear-weapon States".

However, one cannot but admit that developments of the recent past in the Western alliance -- on which earlier I had the opportunity to dwell in detail -- greatly inhibit moving closer to that end. Ratification of SALT II has been regrettably deferred, blocking the way for further, more substantive bilateral negotiations between the USSR and the United States of America on SALT III.

(Mr. Kömives, Hungary)

All these constitute further reasons why the Committee should pay increased attention to this vital question.

Last year the Committee had useful discussions and consultations on this issue when considering the proposal submitted by the socialist delegations on negotiations on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until their complete destruction (document CD/4). In the course of our debate it was a widely held view that the Committee is the most suitable forum for the preparation and conduct of multilateral negotiations on nuclear disarmament. The Committee, in the view of my delegation, has made an important first step towards identifying the preconditions, major elements and main line of action for multilateral negotiations on nuclear disarmament, realizing the need for further exchanges of views. My delegation is firmly convinced that the submission of working paper CD/4 proved useful, because inter alia it provoked thinking and exchanges of views on a vital issue even if the views expressed were greatly divergent.

This question was commented on also during the present session by a number of delegations. My delegation does hope that our present session will make further advances in this field.

The ideas expressed so far prompt me to explain my delegation's views on certain aspects of this complex issue. In our opinion the working paper in question embraces all major aspects of nuclear disarmament as far as it is possible within the framework of a working paper of this kind. This naturally does not mean that the document offers ready-made formulas for solving all the outstanding questions arising in connexion with nuclear disarmament. This is not contemplated and not possible either. One or two, or a group, of delegations cannot undertake that work since it is the task and duty of the Committee itself.

If we list the questions raised and reservations made concerning that document, we get an almost complete schedule of concrete tasks to be accomplished during the preparatory work for starting the substantive negotiations. My delegation definitely agrees that negotiations cannot and should not be started without adequate preparation. The document proposes that "the set of questions to be considered should be determined in the course of these preparatory consultations, during which matters connected with the organizational side of the conduct of the negotiations should also be settled". What my delegation strongly disagrees with is the demand that all the substantive issues should be clarified before the preparatory work can be started, and the attempt to assign this task to the authors alone. This is the duty of the Committee which perhaps could entrust it to a properly-constituted subsidiary body.

(Mr. Kömives, Hungary)

In the course of our deliberations ideas were put forward to the effect that, first, the two Powers with the largest nuclear arsenals should considerably decrease their capabilities and other nuclear Powers would join the negotiations after that. At first glance this idea looks attractive or even logical. However, if we look into it further, it is easy to discover the substantial deficiency of this proposal. The principle of undiminished security is a generally recognized principle in all acts of disarmament, which finds its clear reflection among others in paragraph 49 of the Final Document. The idea I referred to would hardly meet this basic requirement. One should not forget that three of the five nuclear-weapon States belong to the same political or military group. Singling out one of them only as a possible participant in acts of nuclear disarmament would be bound to upset basically the established balance.

The Committee now has the advantages of the presence of all the five nuclear-weapon States. Document CD/4 takes care of the qualitative and quantitative differences among the arsenals of different States, nuclear and others. The participation in the negotiations of all the five nuclear-weapon States is indispensable for the reasons mentioned above. That is why CD/4 proposes that "the degree of participation" of the nuclear-weapon States and not the fact of participation is subject to discussion. The present composition of the Committee makes it possible to proceed this way.

The Hungarian delegation strongly proposes that the Committee should proceed in an organized manner -- preferably in the framework of a subsidiary body -- with the consideration of the complex issue of nuclear disarmament and should make tangible advances in it as soon as possible.

I would like to comment very briefly on another item, which is the next one in our programme of work, namely that of a nuclear test ban. Though it is a specific aspect of the whole issue of nuclear disarmament, its importance hardly can be overestimated.

My delegation has repeatedly expressed its hope and desire that the obstacles standing in the way of reaching a treaty on the general and complete cessation of all nuclear-weapon tests will be abolished soon and that the Committee will be in a position to start elaborating that treaty. The presence in the Committee of all the five nuclear-weapon States, however, creates a qualitatively new situation from the point of view of the possibilities of achieving a comprehensive test ban in the real meaning of that expression. Earlier at this session we heard a useful proposal to set up a subsidiary body for that end, which has received wide support. My delegation hopes that the Committee has ceased considering that proposal only temporarily and will find it possible to set up that working group during its session this year in order to

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expedite discussions with the participation of all the nuclear-weapon States on the prohibition of all nuclear test explosions by all States for all time, as called for by resolution 34/73 of the last session of the General Assembly.

Mr. GARCÍA ROBLES (Mexico) (translated from Spanish): In my last statement on substantive questions, which I made at the Committee's 74th meeting on 1 April 1980, I took the opportunity to clarify my delegation's position with regard to the joint proposal which was submitted to us last year by the United States and the Soviet Union and which contains what are described as "major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons".

Further to that statement, I would like today to add a few words on the more general topic of "new types of weapons of mass destruction and new systems of such weapons". In that connexion, I would like to state that, in principle, my delegation regards as constructive the proposal made here for the establishment of a group of experts to keep the Committee on Disarmament informed of developments in the international situation with regard to the weapons and systems referred to in the agenda item I have just mentioned.

I said "in principle" because we consider that, in order to attain the desired objective, the greatest care will have to be taken in defining the terms of reference or mandate of the new group of experts to be set up, so that the said mandate has the unreserved support of all States which are in a position to produce new weapons of mass destruction. If this is the case, we believe that the new group of experts to be established -- a group which, as we understand it, would work independently, as the Group of Seismic Experts has been doing, and would submit reports to the Committee when appropriate -- could prove to be of positive value in dispelling the fears which are undoubtedly felt by most peoples and Governments in the world because of their powerlessness and inability to obtain a clear and up-to-date picture -- not based on "science fiction" -- of a topic such as this which can have a decisive influence on the destiny of mankind.

Mr. FLOWERREE (United States of America): On behalf of my delegation, I would like to note receipt of document CD/89, incorporating the text of a telegram from a government which the United States Government does not recognize. The text of this telegram, inter alia, includes allegations concerning the use of lethal chemical weapons of American origin in Afghanistan. I have referred this communication to my authorities, and my delegation reserves the right to make further comment in the future.

The CHAIRMAN (translated from Spanish): Representatives, you will recall that at the 77th plenary meeting, held on 10 April, I informed the Committee that I would begin consultations for the purpose of exploring possible solutions to the situation which has emerged with regard to the requests of non-member States to participate in our discussions. I have made contact with a number of delegations on this point and I regret to inform the Committee that there seem to be no possibilities of solving the present deadlock at the moment.

Accordingly, I have no option but to inform you that there is no consensus with regard to resolving the question of the remaining requests by States which are not members of the Committee. In the present situation I do not think it would be desirable to reopen this question for consideration by the Committee until circumstances favour a consensus.

Naturally, I shall follow the question closely in the remaining days of my Chairmanship in the hope of receiving encouraging signs that new circumstances may emerge, but so far the situation remains unchanged. In discharging my duty to keep the Committee informed, I must also point out that nothing prevents those delegations wishing to do so from continuing their consultations with a view to finding a solution to the present situation. I am prepared to involve myself personally in any effort which might offer any prospect of success. However, this does not seem to be the case at the moment.

I should like too to deal with another matter which, in a way, has repercussions on the discussions we have had in connexion with the requests made by non-member States. You will also remember that at our 77th plenary meeting, in response to statements made in the Committee, the Personal Representative of the Secretary-General and Secretary of the Committee suggested that we should discuss the question of documentation and related matters at informal meetings, with a view to evolving agreed guidelines for the circulation of official documents of this Committee. I thought that was a useful suggestion, and, accordingly, I announced at that meeting that the Chairman would make arrangements for the Committee to consider the questions raised in the statement made by Ambassador Jaipal.

I therefore propose that we hold an informal meeting to discuss these questions next Tuesday, immediately after our regular plenary meeting.

If there are no objections, it is so decided.

(The Chairman)

Representatives, in this connexion we have already had lengthy discussions about the documents which have or have not been officially circulated by the Committee. This happened in 1979 and again this year. Not surprisingly, anyone looking at the records would find that opinions expressed on one occasion might change on another occasion. I say "not surprisingly", because it is understandable that some difficult political problems are bound to influence the positions of delegations according to the circumstances. Since these problems cannot be solved here, we are faced with lengthy debates which in the best of cases do not produce results, and on occasions lead us into controversial discussions which are not directly connected with our work but are harmful to it. Thus valuable time is wasted, disarmament does not progress and the underlying problems remain as they are.

I have always thought that the circulation of official documents was undertaken principally with the aim of giving the Committee the information which they contain, so that the Committee might make use of it. This opinion is not shared by everybody on the Committee. I do not say I am right, I might be mistaken. But one conclusion is clear to me: in a body which operates by consensus, the ultimate responsibility for laying down guidelines for the handling of communications addressed to the Chairman, the Committee or the secretariat rests with the Committee itself. Consequently, I wish to point out that until the Committee lays down the guidelines, the Chairman will not authorize the circulation of these communications as official documents of the Committee. I repeat, because I wish to make myself quite clear on this point, that I shall not authorize the circulation of communications addressed to the Chairman, the Committee or the secretariat until the Committee lays down guidelines for dealing with them. However, such communications will be made available to members unofficially for their information. I hope that delegations will understand the position of the Chairman. It is obvious that we need these guidelines and the sooner we have them the better. I am sure that I may count on the co-operation of all members in achieving this objective.

With regard to the other question before the Committee, concerning the chairmen of the Ad Hoc Working Groups, I have pleasure in informing members that the situation has taken an encouraging turn. I hope this matter will be resolved

(The Chairman)

as soon as possible and to this end I shall continue my contacts with various delegations so that the groups can be set up and begin their work quickly. In the conversations which the Chairman is to have this afternoon with various delegations, we hope that a consensus will be reached on the appointment of the chairmen of the Working Groups.

Mr. MARKER (Pakistan): My delegation has taken very careful note of your decision, with which we are in agreement, that documents not be circulated until we have devised guidelines for this purpose. We sincerely hope that these guidelines can be very quickly agreed on so that the work of this Committee can proceed as we all desire it to. However, Sir, you would recollect that earlier today my delegation expressed certain reservations on a document which was circulated yesterday, and we had also expressed the view that we reserve our right to refer to it again in any manner that we think desirable. If you were to establish a cut-off at this point, it would amount, I submit with the greatest respect, to an element of discrimination which would prevent us from referring to this document by a method of communication similar to that which brought CD/89 before the Committee. May I suggest, therefore, that you either decide to withdraw documents which have already been issued in this way, or permit the submission of future documents which have a bearing on communications which have already been received by the Committee.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): Thank you, Comrade Chairman. I agree with your comments and would just like to suggest one change. If you succeed today, in the course of the consultations which you are planning for this afternoon, in reaching an understanding with the representatives of the groups on the question of nominations for the chairmanships of the four Working Groups, I would like to know whether it would not be possible to hold an informal meeting tomorrow if, of course, consensus is reached. We could then hold an informal meeting tomorrow morning and immediately afterwards, and once again I maintain a certain optimism, we could formalize this decision at a short formal plenary meeting tomorrow. This would make it possible for the Working Groups to begin work as early as next week and to deal with a few organizational questions, so that substantive negotiations on the four topics could begin at once at the beginning of the summer part of this session.

Mr. FEIN (Netherlands): I should like to support the proposal made by the distinguished representative of the Soviet Union.

Mr. ALLISON (Nigeria): I merely wish to bring to the attention of the Committee that a meeting of the Group of 21 is scheduled for tomorrow morning and that, if the suggestion of the representative of the Soviet Union is to be adopted, arrangements could be made between our Group and the Committee for starting times of meetings tomorrow. Perhaps the Group of 21 could meet earlier in the day. At present the meeting is scheduled for 11 o'clock in the morning. Perhaps the Committee could meet in the afternoon?

Mr. ONKELINX (Belgium) (translated from French): Mr. Chairman, my statement was to be on another topic. Perhaps you would first like to settle this question of the programme for tomorrow.

Mr. GARCIA ROBLES (Mexico) (translated from Spanish): My delegation agrees with the delegations of the Soviet Union and the Netherlands that it is urgently necessary for us to settle the question of the chairmanship of the Working Groups. Consequently, I should like, through you, Mr. Chairman, to ask the distinguished representative of Nigeria, who is the Co-ordinator of our group, the Group of 21, whether we could not hold the meeting scheduled for the Group of 21 at 9.30 a.m. This, I am sure, would make it possible for the Committee to meet at 11 a.m. As my delegation understands it, the meeting we had scheduled for the Group of 21 tomorrow was intended primarily to enable our Co-ordinator to report to the Group on the outcome of the consultations he was to have with the Co-ordinators of the other groups. In the light of what you have said, Mr. Chairman, the situation seems to have taken a favourable turn and, consequently, the purpose of tomorrow's meeting of the Group of 21 would simply be to hear, with particular pleasure, the report from our Co-ordinator.

The CHAIRMAN (translated from Spanish): We have the following idea to suggest to the Committee: that the Group of 21 should meet tomorrow at 9.30 a.m. and that our informal meeting of the Committee should be held at 11 a.m. We think that it would be possible in this way, to comply with the request of the Group of 21 and, at the same time, to hold our informal meeting of the Committee at 11 a.m.

We consider that an hour and a half is enough time for the Group of 21 to be able to meet and consider this matter.

Would this be acceptable?

In that case, the Group of 21 will meet tomorrow at 9.30 a.m. and we shall hold an informal meeting at 11 a.m.

(The Chairman)

With regard to the statement by Mr. Marker, the distinguished Ambassador of Pakistan, the Chair will take all steps to ensure that there is no discrimination in this respect -- not only in this case, but also in the case of the United States delegation which has expressed its reservations regarding the document in question.

Mr. FEIN (Netherlands): I understood that the proposal of the representative of the Soviet Union was to have an informal meeting tomorrow morning, possibly followed by a formal meeting immediately to formalize the agreement. That is the proposal I supported, and I wonder if you could take that into consideration.

The CHAIRMAN (translated from Spanish): The proposal as a whole is that the Group of 21 will meet tomorrow and, this afternoon, we shall make the necessary contacts. The informal meeting will be held at 11 a.m. If the question of the chairmanship of the Groups is solved at the informal meeting, we could straightaway hold a formal meeting and establish the working groups and appoint the Chairmen of the Groups; in other words, everything depends on how the negotiations will proceed this afternoon and tomorrow. We approach them optimistically, in the hope that a spirit of understanding will further our work.

It is so agreed.

Mr. ONKELINX (Belgium) (translated from French): Mr. Chairman, you have kept us informed of the situation and I am grateful to you for your consultations concerning the participation of non-member States; and you have expressed the wish that there should be no discussion at the present stage. But I should none the less like the record to reflect the Belgian delegation's regret that it has not been possible to bring these consultations to a successful conclusion. Above all, we are sorry that the Committee has not been able to take favourable decisions concerning the non-controversial cases. It had seemed to us that we could have taken decisions on these non-controversial cases; we have a number of countries which have expressed a great deal of interest and which would like to contribute to our work and have been waiting for a very long time. We thought that the Committee could have taken favourable decisions on these cases and such an attitude would not, I believe, have prejudiced in any way the positions of delegations concerning the controversial cases. I should like this statement to be inserted in the record.

Mr. McPHAIL (Canada): I want to endorse what has just been said by my Belgian colleague and to make it clear that my delegation associates itself with the points he has made. On 26 March I made the position of the Government of Canada very clear on the question of the need to move quickly in arranging the invitations of non-members who had expressed their desire to present their views to the Committee.

In addition, I would like to raise two related points. A question of principle arises here, quite apart from the manner of handling these individual requests. I will not, however, attempt to reopen the matter at this point, taking into account the statement from the Chair. I will refer simply to the fact that I did say at an earlier date that, if this is a procedural problem, we should employ the procedural techniques which are available to us in our rules of procedure. That is a point I would like to come back to, perhaps at our informal meeting, since this is a problem which is going to be with us in the future and we should see how it can be handled. I therefore, certainly reserve the right to come back to this question after reporting to my Government. Thirdly, the statement of the Chair this morning, about the suspension of further communications until procedural guidelines are worked out, is acceptable to me, but I would like some clarification. I take it that it is not your intention to withhold the distribution of a document submitted by a member of the Committee which relates to the substance of our work? On that basis I can accept your suggestion, but I would like to be absolutely clear on that.

Mr. EL-SHAFEI (Egypt) (translated from Arabic): Mr. Chairman, I would like to thank you on behalf of my delegation for your statement following the consultations you have held recently on important issues that concern this Committee. Here, I would like to touch on the first subject you mentioned, namely the requests by non-member States of the Committee to participate in its work. I heard you say that there was no consensus of opinion concerning the requests submitted which have not so far been studied. My delegation finds it difficult to accept this, since we have not really studied all the requests submitted.

My delegation would have liked the Committee to be in a position to consider all the requests submitted. We have not given up hope. I should like to call on you to complete your consultations on this subject with the members concerned for two main reasons. The first is that my delegation hopes that all the obstacles created by certain delegations with regard to a careful and objective study of this subject will

(Mr. El-Shafei, Egypt)

disappear. The second reason concerns the attitude and role of the Committee regarding the welcome and hearing to be accorded to delegations of non-member Governments. We are bound in the decisions we take by the decisions of the General Assembly which determine the mandate of this Committee, particularly those set forth in the Final Document of the session devoted to disarmament and the rules of procedure governing the work of this Committee.

We should also comply in the conduct of our work with the rules of procedure which we approved last year. For this reason, my delegation does not wish the subject to be closed, when only one request has been accepted and the remaining ones have not even been examined. In conclusion, I should like to express the hope that you will pursue your consultations with all those concerned so that we may achieve a positive result in this connexion.

The CHAIRMAN (translated from Spanish): With regard to the question raised by Mr. McPhail, the distinguished Ambassador of Canada, it is not our idea or our intention to hold back any substantive document which might be submitted by any of the member countries of the Committee, and we shall act as quickly as possible. As we also pointed out in our statement on Tuesday, once we finish the formal meeting we shall hold an informal meeting in order to find a solution to this problem of documentation.

What has been the idea and the feeling of the Chair in this matter? That there is a risk that we might, as the situation develops, convert the Committee into a mass of documents and confrontations which have nothing to do with the matters for which it was established. We therefore want the Committee itself to determine the necessary guidelines which will enable future chairmen -- and not us, since we are handing over the chairmanship at the end of the month -- to direct the work of the Committee.

With regard to the requests from non-member States, we can assure the Committee that, while members may experience regret at what has happened, we are sure that nobody can experience more regret than the Chair does. The intention of the Chair, from the time it brought up the question of these requests, was to endeavour to solve them forthwith, and we did so when we considered the first case of Finland,

(The Chairman)

which was in fact settled. We deeply regret that no solution has been reached and we assure you that we shall continue all our efforts in this connexion to find a solution that is satisfactory to all the members of our Committee. I am deeply grateful for the co-operation extended to me in this work of finding a solution. We do not view the Committee as a place for making accusations; we do not seek to accuse anybody, and we simply thank those who have co-operated with us. As to those who have been an obstacle to arriving at a solution, we leave it to their conscience. For our part, we would not feel able to accuse them.

Does any other delegation wish to make a statement?

The meeting is adjourned, on the understanding that we shall meet tomorrow at 11 a.m. in the Committee.

The meeting rose at 12.05 p.m.