

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT

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CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT
FINAL VERBATIM RECORD OF THE TWO HUNDRED AND NINETY-FIFTH MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 21 March 1967, at 10.30 a.m.

Chairman:

Mr. A. ZELLEKE

(Ethiopia)

GE.67-5470

PRESENT AT THE TABLE

Brazil:

Mr. A. F. AZEREDO da SILVEIRA

Mr. D. SILVEIRA da MOTA

Mr. A. da COSTA GUIMARAES

Mr. L. de ALENGAR ARARIPE

Bulgaria:

Mr. K. CHRISTOV

Mr. B. KOSTANTINOV

Mr. T. DAMIANOV

Mr. D. KOSTOV

Burma:

U MAUNG MAUNG

U KYAW MIN

U PE MYINT AUNG

Canada:

Mr. E. L. M. BURNS

Mr. S. F. RAE

Mr. C. J. WEBSTER

Mr. C. J. MARSHALL

Czechoslovakia:

Mr. P. WINKLER

Mr. T. LAHODA

Mr. V. VAJNAR

Ethiopia:

Mr. A. ZELLEKE

Mr. B. ASSFAW

India:

Mr. V. C. TRIVEDI

Mr. K. P. JAIN

Italy:

Mr. F. CAVALLETTI

Mr. G. P. TOZZOLI

Mr. E. FRANCO

Mr. F. SORO

Mexico:

Mr. A. GARCIA ROBLES

Mr. M. TELLO MACIAS

Nigeria:

Alhaji SULE KOLO

Mr. B. O. TONWE

Poland:

Mr. J. GOLDBLAT

Mr. E. STANIEWSKI

Romania:

Mr. N. ECOBESCO

Mr. O. IONESCO

Mr. C. UNGUREANU

Mr. A. COROLIANU

Sweden:

Mr. R. H. BERGSTROM

Mr. A. EDELSTAM

Mr. T. WULFF

Mr. U. ERICSSON

Union of Soviet Socialist
Republics:

Mr. A. A. ROSHCHIN

Mr. O. A. GRINEVSKY

Mr. T. I. CHEPROV

Mr. V. B. TOULINOV

United Arab Republic:

Mr. H. KHALLAF

Mr. A. A. SALAM

Mr. M. SHAKER

United Kingdom:

Lord CHALFONT

Mr. B. J. GARNETT

Mr. R. I. T. CROMARTIE

Mr. I. F. PORTER

United States of America:

Mr. W. FOSTER

Mr. G. BUNN

Mr. C. G. BREAM

Mr. C. GLEYSTEN

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

Deputy Special Representative
of the Secretary-General:

Mr. W. EPSTEIN

1. The CHAIRMAN (Ethiopia): I declare open the 295th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.
2. Mr. GARCIA ROBLES (Mexico) (translation from Spanish): At the beginning of my first intervention in the Committee on Disarmament at the opening meeting of its 1967 session on 21 February (ENDC/PV.287) I ventured to explain that I proposed to put before the Committee, for the information of the representatives of member States, the Treaty for the Prohibition of Nuclear Weapons in Latin America which was adopted unanimously in Mexico City on 12 February (ENDC/186).
3. Today I should like to begin by expressing my sincere appreciation to all the members of the Committee who have spoken for their kind references in their statements to the modest contribution which, as Chairman of the Preparatory Commission for the Denuclearization of Latin America, I was able to make to that noble Latin-American collective enterprise which culminated so happily in the signing of the Treaty of Tlatelolco.
4. I would add that as representative of Mexico, whose Government was appointed Depositary Government of the Treaty, I was particularly gratified to note that among the representatives who voiced the greatest praise for that instrument were the representatives of the three nuclear States participating in the work of the Disarmament Committee. This gives me reason to hope that Additional Protocol II of the Treaty will be signed in the not too distant future by representatives of their Governments.
5. Concerning the content of the Treaty, I shall make only a few general observations on one aspect which I consider fundamental. These observations, I repeat, will be general and strictly objective, since the Treaty of Tlatelolco has been transmitted to us in accordance with a resolution of the Preparatory Commission purely for information because, as is stated in the resolution itself -- adopted on 12 February and appearing in the Final Act as 23(IV) --, it was considered to constitute "a distinguished contribution by the signatory States to the international community's effort to avert the danger of proliferation of nuclear weapons." (ibid., p.34)
6. Therefore I do not think that this is either the time or the appropriate forum for a discussion of the significance and scope of the articles of the Treaty. The position of the Government of Mexico in this regard was clearly and adequately indicated in the official documents of the fourth session of the Preparatory Commission. As for the interpretation of the provisions of the Treaty: in the event of any

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differences of opinion concerning them between the Contracting Parties -- that is, between the States for which the Treaty will enter into force --, the instrument itself recognizes in its article 24 the competence of the International Court of Justice, which, should it some day be called upon to decide such a case, would certainly apply the rule it has already enunciated, that --

"It is a fundamental principle of interpretation that words must be interpreted according to the meaning they would normally bear within their context unless ... such an interpretation would have ridiculous or absurd results."

7. I shall therefore merely repeat that in my view the chief merit of the Tlatelolco Treaty is as I had occasion to point out in my previous intervention, that it reconciles the comprehensive and absolute prohibition of nuclear weapons, without any exception or reservation, with the rights of States members of the future Latin-American organization to peaceful use of the atom for their economic and social development. Both principles -- that of the prohibition and that of the use -- are embodied in the Treaty. However, whereas the prohibition (article 1) is absolute and unconditional, the use -- and this could not be otherwise -- is subject under articles 17 and 18 to the condition that it may not involve a violation or breach of that unrestricted prohibition.

8. A system of effective international control (articles 12 - 16, article 18, paragraphs 2 and 3) and an objective definition (article 5), for the purpose of the Treaty, of "nuclear weapons" -- from which the Preparatory Commission deleted at its fourth session the subjective element of intention which had been included in the draft prepared at its third session -- guarantee effectively and adequately that the relevant provisions of the Treaty may not be overtly or covertly violated and in particular that it will be impossible, under the pretext of carrying out nuclear explosions for peaceful purposes, to attempt to test or manufacture nuclear weapons.

9. I shall now put forward some considerations concerning the treaty on the non-proliferation of nuclear weapons which the Committee has been instructed to prepare. They likewise will be very general since my delegation feels that at the present stage of our work, before any new draft has been put before us, such considerations are better justified and may perhaps prove more constructive.

10. I shall begin by asserting that we consider it essential to endeavour to prevent our close scrutiny of the trees from making us lose sight of the wood. In other words, we must endeavour at all times to have in mind the essential and immediate

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objectives of the treaty we are to draw up. We believe it can be maintained that basically there is only one objective, although it has two different facets: avoidance of any form of proliferation or dissemination of nuclear weapons, and at the same time protection of the right of non-nuclear States to use atomic energy for peaceful purposes and to participate fully in the progress and benefits which may be derived from nuclear technology.

11. Starting from the foregoing premise, my delegation considers it essential that the obligations which are to be undertaken by the contracting parties and which, according to the order followed in the two drafts considered by the Committee last year, (ENDC/152 and Add.1; ENDC/164) will constitute the first two articles of the treaty should be as broad and precise as necessary, so that the treaty, in accordance with the first of the five principles approved by the United Nations General Assembly in its resolution 2028 (XX), may --

"... be void of any loop-holes which might permit nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form" (ENDC/161). My delegation, which has in past years maintained that this is a problem to be solved in the first instance by the two so-called nuclear super-Powers and their allies, has been gratified to see that apparently the time is near when a formula better than that contained in earlier drafts will be devised and, we venture to hope, generally accepted.

12. Regarding the provisions on the peaceful uses of nuclear energy that should be included in the treaty, we think the appropriate place for these is an article, not the preamble. Perhaps an adequate form for such an article would be a general declaration that no provision of the treaty should be interpreted as detracting from the right of the contracting parties to use nuclear energy for peaceful purposes in any manner not contrary to the obligations assumed under the treaty itself.

13. This negative declaration might be followed by another enunciating a number of positive points and indicating that the foregoing general principle would imply in particular an undertaking that the repeated declarations we have heard in the Committee from representatives of the nuclear Powers should be put into full effect: for instance, that (a) the benefits resulting from the use of nuclear energy for peaceful purposes shall be available to all parties on a basis of absolute equality and equity; (b) the parties must share all the knowledge and benefits that may be derived from future progress in nuclear technology for peaceful purposes, and may continue in their

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respective territories to develop that technology; (c) the nuclear States shall make their effective co-operation available to the non-nuclear States without any discrimination for the promotion of that development.

14. In regard to nuclear explosions for peaceful purposes, we maintain the view expressed in my previous intervention: that unless technological progress one day makes it possible to distinguish clearly between nuclear explosives for peaceful purposes and nuclear explosives for warlike purposes -- which in the opinion of all the experts whom we have been able to consult so far, and in the opinion of the highly-qualified experts who in this hall informally exchanged views with members of the Committee a few days ago, does not appear to be definitely possible at present --, it will be necessary to seek a solution which precludes the spread of nuclear weapons and at the same time enables the non-nuclear States to obtain without difficulty and without discrimination the incalculable benefits which their economic development might derive from such explosions.

15. In this connexion let me repeat what I said on 21 February:

"As an immediate remedy, we believe that the possibility should be explored of creating at world level, within one of the existing international organizations such as the United Nations or the International Atomic Energy Agency or independently, a special programme similar to that which already exists for economic development, with the specific aim of helping all States in need of such assistance to carry out on their territories nuclear explosions for peaceful purposes -- once it has been shown, of course, that absolutely no danger is involved. With such help those countries would not have to squander their limited resources unnecessarily in themselves manufacturing the essential explosive." (ENDC/PV.287, para. 66).

We are confident that such a provision can be included without difficulty in the future treaty, either in a special article or in one of the paragraphs of the general article dealing with the peaceful uses of the atom.

16. We also consider that inclusion in the non-proliferation treaty of the fifth of the principles enunciated in resolution 2028 (XX) will help to facilitate the achievement of that dual fundamental and immediate purpose to which I have been referring. Indeed, the establishment of denuclearized zones with a legal status designed to keep them free for ever of nuclear weapons, as the recent Latin-American

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Treaty does, undoubtedly constitutes the most radical form of non-proliferation. We therefore consider that the future non-proliferation treaty should contain an article along the lines of the one proposed by the Mexican delegation last year, clearly stipulating that the treaty shall not detract from or limit in any way the right of any group of States to conclude regional treaties in order to guarantee the complete absence of nuclear weapons from their territories.

17. I should also like to mention specifically, because of the decisive importance it will have for the good operation of the treaty, the need to establish an international control system offering the most ample guarantees of efficacy and absolute impartiality.

18. Another point which must not be omitted, even in so general a statement as the present one, is that concerning the principle, reiterated a number of times by the United Nations General Assembly, that the non-proliferation of nuclear weapons should not be considered as an end in itself but as "a step towards the achievement of general and complete disarmament and more especially of nuclear disarmament". We believe that that principle should be adequately reflected in the treaty. Thus, for instance, during the recent debates on non-proliferation in the First Committee of the General Assembly, my delegation ventured to suggest as a possible solution the incorporation in the treaty of a declaration of intention of the nuclear Powers to negotiate agreements designed to bring about the implementation of tangible measures to halt the nuclear arms race and to reduce and limit progressively the stockpiles of such weapons and their delivery vehicles, with a view to their ultimate elimination.

19. On the problem of security, my delegation considers that the Committee should give the greatest attention to the express request made to it by the General Assembly in operative paragraph 4 of resolution 2153 (XXI) to --

"... consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they will not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories, and any other proposals that have been or may be made for the solution of this problem" (ENDC/185)

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20. I have almost come to the end of this intervention, since rather than presuming to make it exhaustive I have deliberately limited it, for the reasons which I indicated at its beginning, to an account of the points that my delegation considers to deserve special attention by the Committee because their appropriate solution will determine in the final analysis the success of any treaty we draw up here. I should not like, however, to end this statement without outlining some general conclusions which in our opinion emerge from the objective analysis of the work connected with disarmament and so-called related disarmament measures -- done in this Committee and in the bodies which have preceded it, in the United Nations General Assembly, and in the Preparatory Commission for the Denuclearization of Latin America. Those conclusions are the following:

(1) the aphorism which reminds us that "the best is the enemy of the good" applies with especial force to work such as that which has been entrusted the Committee;

(2) Where the conclusion of a treaty on the non-proliferation of nuclear weapons is concerned, we must remember that the United Nations General Assembly urged in its resolution 2153 (XXI) "the earliest conclusion" of such a treaty, and stressed in the same resolution and in resolution 2149 (XXI) that the absence of an effective brake on the proliferation of nuclear weapons "would endanger the security of all States" and "may lead to the aggravation of tensions between States and the risk of a nuclear war".

(3) The conclusion of a non-proliferation treaty, however imperfect, seems infinitely better in relation to the basic objective we pursue than no treaty at all.

(4) Experience shows that the imperfections and lacunae from which a treaty may suffer theoretically very often do not impair its effective and beneficial operation in practice. For instance, I am certain that many technical criticisms could be applied to the content of the Antarctic Treaty, the Moscow Treaty on nuclear tests (ENDC/100/Rev.1) and the Treaty on the denuclearization of outer space (A/RES/2222 (XXI)). Nevertheless,

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I am equally certain that all of us will agree that the first two treaties I have mentioned have worked completely satisfactorily and that there is no reason to believe that the third treaty would not do so too.

(5) If it were claimed that the non-proliferation treaty should be as comprehensive and detailed as the Treaty for the Prohibition of Nuclear Weapons in Latin America, the work of our Committee would almost certainly be doomed to failure in advance. The privileged conditions which fortunately prevail in Latin America in regard to nuclear armaments are very different from the conditions in other areas of the world. A treaty of universal scope therefore encounters difficulties and problems immeasurably greater than those -- by no means negligible -- which had to be overcome in order to conclude the Tlatelolco Treaty.

(6) In order to facilitate the general acceptance of a universal treaty on non-proliferation, perhaps the main difficulty to be overcome is to reconcile the position of those States which wish the treaty to include the largest possible number of clear-cut provisions on all the points which they consider related to its subject matter, with the position of those which, on the contrary, maintain that it should contain the fewest possible articles worded in general terms.

(7) My delegation considers that if it should prove impossible to reconcile completely those two divergent points of view despite the mutual concessions that we hope will be forthcoming, it will be advisable to find the solution elsewhere. We do not believe that any State could feel that its national interests are harmed because a non-proliferation treaty is given an opportunity of undergoing the decisive test of its confrontation with reality and its practical application over a reasonable period of time. Consequently, the disagreement of some States with certain aspects of the treaty which the Committee succeeds in drafting might be reduced or even dispelled completely -- subject to the need to make the contractual obligations sufficiently stable -- if sufficient flexibility were given to the clauses of the treaty governing revision, amendment and withdrawal.

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21. To illustrate this assertion by a concrete example, I will say that my delegation considers that the article to be incorporated in the treaty concerning the holding of a conference of the parties to examine the operation of the treaty and also, if necessary, any amendments that might seem advisable in the light of that study, might also provide that the conference should be convened before the date appointed by the article whenever one-third of the States parties to the treaty consider that there has come about in the development of nuclear technology some new fact or situation important enough to justify revision of the treaty.

22. The Mexican delegation will always be ready to do all it can to enable the various points of view already expressed or still to be expressed in our Committee to be brought together in a treaty most likely to obtain the spontaneous accession of all the peoples and governments of the world.

23. The attitude of Mexico towards disarmament in general, and more particularly to collateral matters such as denuclearization and non-proliferation, is well known. I need only recall that on 22 March 1962, scarcely one week after the beginning of the work of this Committee whose fifth anniversary we have just commemorated, the representative of my country announced in this same hall, at the Committee's seventh meeting, that the Mexican Government had already resolved at that time "neither to possess nor to admit to its national territory nuclear weapons of any sort ..." (ENDC/PV.7, p.8). The recent signing by the Government of Mexico of the Treaty for the Prohibition of Nuclear Weapons in Latin America, and the forthcoming unconditional ratification of the Treaty, will transform into an international commitment what was previously only a unilateral declaration.

24. We hope that the Disarmament Committee's work on non-proliferation will in the not too distant future enable all States, both nuclear and non-nuclear, to join in Mexico's irrevocable decision -- which President Diaz Ordaz has emphasized particularly on various occasions -- that the imponderable force of the atom shall be used solely "for life, not for death".

25. LORD CHALFONT (United Kingdom): I am very glad to be back with the Committee today. As some of my colleagues will know, I have come back, and come back invigorated, from a visit to one of the most fascinating and exciting of all the countries represented at this Conference. Although the purpose of my journey was not connected directly with the subjects we are discussing here, I must say that it was for me a most impressive experience to see the great new capital, Brasilia, on the occasion of the inauguration of President Costa e Silva. It was heartening, too, to reflect that that great city is rising up in the heart of a continent which, God willing, will never know the presence of nuclear weapons.

26. Before taking up the main subject before the Committee, I should like to let my colleagues know of a change in the British delegation. My deputy on my left, Mr. Bernard Garnett, is leaving us for other duties, and his place is being taken by Mr. Ivor Porter, to whom I am sure all members of the Committee will extend the same co-operation that we have enjoyed in the past.

27. But to return to the business before us. I have read with very great interest the statements made by my colleagues while I was away. It is heartening to see that at this awkward moment in our negotiations it has still been possible to maintain a constructive tone, and to avoid exaggerated demands or the expression of policies which might be right in an ideal world but which can serve no useful purpose at this time. The only exceptions, I regret to say, have been a series of intemperate attacks on the Federal Republic of Germany, backed up with a ragbag of quotations from assorted public figures of more or less importance -- usually less. And the technique of selective quotation has been worked up into a fine art which, from an aesthetic point of view, I suppose one has to admire however unreal the final picture may be.

28. This time, of course, there has been plenty of material for the artists to work on, since in Germany, as in many other countries all over the world, the imminence -- as I hope -- of a non-proliferation treaty has led to a lively debate. I see nothing wrong in that. It is true that successive resolutions of the General Assembly have invited this Committee to draw up a treaty on non-proliferation, and the main substantive discussions have been and will be centred in this Committee. But that does not and cannot take away the right of public opinion in countries not represented in this Committee to express views on the treaty, nor can it take away the right of consultation within alliances.

(Lord Chalfont, United Kingdom)

29. I hope that no one here will think that this kind of debate and this kind of consultation derogates from the special position of the Eighteen-Nation Committee. On the contrary, in my view it will help to clarify the issues to be discussed in the Committee and make the negotiations here, which will deal with world-wide rather than regional considerations, that much less difficult.

30. The main arguments put forward in this public debate that has been going on in criticism of the text as it stands, or as many people believe it to stand, relate to the treaty's impact on peaceful nuclear activities. I see nothing sinister in that, though it is true that there have been a number of misunderstandings. Some of the arguments -- not, I may say, the ones put forward by the Federal German Government but some of those raised in public discussion in Germany and in other countries -- are without foundation. No non-proliferation treaty is meant to impede civil nuclear development, and no treaty must be allowed to do so.

31. I think the Soviet Government must accept at least a part of the blame for some of the misunderstanding, since it was that Government which in January alleged that the German Government -- the only Government, I remind the Committee again, which has already undertaken an obligation not to manufacture nuclear weapons -- had been using its peaceful nuclear activities as a cloak for military preparations. No one seriously believes that charge. But what could be more calculated to arouse suspicions in Germany that the non-proliferation treaty would be used to prevent that country's legitimate peaceful nuclear development? And a charge like that makes it more rather than less difficult to achieve a treaty. It brings the debate back into the narrow, sterile area of the cold war -- narrow geographically because the scope of this treaty is far wider than Central Europe, and certainly narrow and outdated ideologically. It makes it much more difficult to get a text tabled for this Committee to examine; and that is clearly the next step and a step which should not long be delayed.

32. As the representative of the United Arab Republic pointed out on 16 March (ENDC/PV.294, paras. 9 et seq.), we already know the general lines which a non-proliferation treaty must follow. With, as we hope, a text before us, recommended for our examination by the two co-Chairmen, it will be possible for proper and effective multilateral negotiations to begin where they should begin -- within the framework of the Eighteen-Nation Committee. I should like to suggest to the Committee very briefly one or two general considerations concerning that stage of the negotiations, the stage which we all hope will begin soon.

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33. First, the discussions only have any meaning as long as the common ground between the two main alliances --- or, to put it more precisely, between the two most powerful States -- remains common ground. That sort of bilateral agreement is by no means all that we need for a non-proliferation treaty, but it is an essential condition of such a treaty.

34. There are two ways in which that common ground might be eroded. The first is by inordinate delay, either before or after the tabling of a draft text of a treaty. The representative of the United Arab Republic, in the speech to which I have just referred, said that we must avoid a treaty which would founder at the first political storm (ibid., para.19). My delegation would entirely agree with that. But even more precarious than a fragile treaty of that sort is the situation we have at the moment. There are plenty of potential political storms which, if they broke loose, could destroy the present precarious and limited understanding between the great Powers.

35. Another way in which that understanding might be broken is by insistent demands from the non-nuclear Powers for measures of arms control to be effected in conjunction with a non-proliferation treaty, measures on which the two sides cannot, at this time at least, agree. To press for such measures at this stage in the negotiations would throw the whole non-proliferation issue back to what one pessimistic journalist has called "square nought" -- that is, back to the bilateral stage of the negotiations from which we are, I hope, just emerging with a sense of considerable relief. It is encouraging that members of this Committee seem generally to have recognized that danger, and I think we have avoided it during this session.

36. On 14 March the representative of Canada recalled the first meeting of this Committee five years ago (ENDC/PV.293, para.3), and if these five years of negotiations had served no other purpose they would still be valuable as showing the limits of the positions held by the two alliances in which most of the world's arms are concentrated. They show the sticking-points of each side, particularly over the central problem of the verification of arms control agreements. Even more important, to anyone who studies the records of these meetings they show the slow and painful pace at which those positions have shifted, to draw closer together. No one can pretend to hope for a sudden shift overnight, or for a sudden agreement on drastic and detailed reductions of nuclear arms achieved from one day to the next.

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37. I believe that that shift will come once we have achieved a non-proliferation treaty. As I said last time I spoke (ENDC/PV.288 para.26), I do not believe a treaty would last long anyway if measures of disarmament by the nuclear Powers did not follow within a reasonable time. The bilateral talks which it is hoped will take place soon, dealing with the defensive and offensive missiles of the two great Powers, are a very good augury. But I think we must be clear that any long delay now in getting a non-proliferation treaty may mean no treaty at all. Members of this Committee have dwelt in the past on the risk of nuclear weapons spreading if we do not succeed in getting a treaty, and of the threats to stability and peace in a proliferated world. But an even more immediate and dangerous consequence of our failure might be a loss of faith in the policy of détente, and a step backwards towards the cold war.

38. Here perhaps I may say a word about one of the European aspects of this problem of non-proliferation. As a representative of a Government whose declared intention it is to seek membership of the European Communities provided the conditions are right, I am fully conscious of the regional considerations that we must take account of in examining the text of a treaty. In Europe we have a region that has already, in less than fifteen years, developed a remarkably high degree of civil nuclear collaboration. This collaboration, besides, is subjected by the countries concerned to the most elaborate and rigid controls that exist in the world today. Operated as it is between equal and sovereign States, it is necessarily a delicate mechanism. Nobody's interest -- and certainly not that of my Government as a potential member of it -- would be served by throwing it overboard in a thoughtless or cavalier way.

39. Those of the European Community therefore have a legitimate concern that a treaty to which they are generally anxious to adhere should not do damage to the instrument that they have created in the interests of peace as well as of their own economic betterment. I do not believe that any such damage is necessary. For obvious reasons, any provision for safeguards in a worldwide non-proliferation treaty must be fitted into a worldwide framework. But I see no reason why an effective and successful compromise cannot be brought about, especially if we are prepared to allow time for the necessary transition to take place.

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40. Other countries in other parts of the world will have to take account of similar considerations appropriate to their own areas. But I am above all conscious, both as a European and as a delegate to this Conference, that if we fail now here there is, as I have said, a grave risk that the present move towards a détente will be halted and turned back and, should that happen, that the immediate damage to the political situation in Europe, in Asia, in America and in Africa will far outweigh any sacrifice of regional interests which may be needed to achieve a treaty. And I am not convinced that any real sacrifices of this kind are needed.

41. If, on the other hand, one looks at the positive possibilities in the situation, it is evident that even from the political angle the prizes are considerable. For the first time since the partial nuclear test ban of 1963 (ENDC/100/Rev.1) we have virtual agreement among the nuclear Powers represented at this Conference. The degree of co-operation between them inherent in this agreement, if we get a non-proliferation treaty, will be much greater than in the partial nuclear test-ban Treaty. It is not too much to hope that in this situation the absurdity of piling up enormously expensive weapons suitable only for use against each other will become too obvious to be tolerated, and that the main obstacle to real nuclear disarmament -- mutual suspicion -- will begin to recede.

42. I have tried to strike this very rough balance of what we have to lose and what we have to gain in the immediate political sphere in order to provide some kind of background for our detailed debates and for the detailed negotiations on a draft treaty which I hope will begin soon.

43. I should like to conclude by referring once again very briefly to the continent from which I have just returned. The agreement to form a nuclear-free zone in Latin America (ENDC/186) has rightly been acclaimed as a remarkable achievement. It has been the result of intricate negotiation and hard bargaining. As has been made apparent in this Committee, one or two of its provisions are still the subject of controversy. The Treaty has not yet come fully into effect, but the main lines are complete. In this context I should like to wish bon voyage to Mr. Garcia Robles, one of the Treaty's chief architects, as I understand he is leaving the Committee temporarily in a few days' time. In doing this may I express the hope that in the coming months we here can achieve an equal degree of success in our even harder task?

44. U MAUNG MAUNG (Burma): My delegation, speaking for the first time in this session, wishes to thank the delegations of Canada, the Soviet Union and the United States of America for the kind words of welcome they have extended to us. We also wish to welcome the new members of this Committee; and we hope that all delegations will be able during this session to arrive at the successful conclusion of one important step in the great task of the Eighteen-Nation Committee on Disarmament.

45. Our Committee has resumed its work this year in circumstances generally favourable to meaningful negotiations on various disarmament questions. Of course conditions in the world are far from what they ought to be; but the new and welcome signs in certain spheres of international relations which have appeared since we last met, reinforced by the perceptibly-growing awareness in the world of the dangers to humanity inherent in the armaments race, and the increasing and irresistible pressure of world public opinion for effective and timely measures to curb, halt and eventually reverse it, enable us to hope, cautiously but with some assurance not possible before, that we may at this session succeed in working out certain tangible agreements, limited in scope, small in relation to the overall magnitude of the armaments problem, but potentially far-reaching in their effect on the further course of human history.

46. These positive trends which are emerging are strengthened by a number of decisions and agreements of great consequence in the field of disarmament which have been arrived at recently.

47. First, the Treaty governing the activities of States in the exploration and use of outer spaces which provides, amongst other things, for the denuclearization of outer space and of the celestial bodies (A/RES/2222(XXI)). The delegation of Burma welcomes this Treaty as a wise and far-sighted step and as one which, if faithfully observed by everyone, would preclude the dreadful possibility — becoming all too real — of a new and vaster dimension being added to the armaments race, and consequently to the troubles of our little planet. The Treaty also has an added if perhaps unintended advantage that by its very nature it would serve as a constant and forceful reminder to the nations of the world that they have a very long way yet to go to denuclearize the earth. In this we could not agree more with the delegation of Nigeria.

(U Maung Maung, Burma)

48. Secondly, the beginning of the year saw the formalization of another important nuclear disarmament and non-proliferation measure. This achievement should spur us on in our present labours. I refer of course to the Treaty for the Prohibition of Nuclear Weapons in Latin America (ENDC/186), signed in Mexico City on 14 January of this year, which will bring into existence an extensive nuclear-free zone — the first formalized nuclear-free zone in the world. As representative of a country which favours the establishment under appropriate arrangements of denuclearized zones in the world, I should like to welcome this inspired and inspiring initiative of the Latin-American republics and to extend sincere congratulations to them. I should also like to take this opportunity fully to associate my delegation with the warm and well-deserved tributes paid to Ambassador García Robles of Mexico for his outstanding contribution to this achievement.

49. Thirdly, we have before us a large number of disarmament resolutions adopted by the General Assembly at its twenty-first session (ENDC/185). These resolutions are of more than usual importance, not only because they cover the whole spectrum of the disarmament question and contain broad guidelines for our work here but also because the great majority of them have been adopted by an overwhelming number of votes. They therefore constitute a sound basis for our Committee's work. And if they impose a heavy responsibility upon us, and upon our consciences, they also give us the much-needed encouragement to exert ourselves all the more towards achieving some meaningful results within a reasonable time.

50. Uppermost in our minds in this session is of course the question of working out a treaty to prevent the further spread of nuclear weapons. The General Assembly of the United Nations at its twentieth and twenty-first sessions called upon us to assign priority to this question. In proceeding with our work accordingly it is important for us not to neglect other serious disarmament questions. Many delegations on many occasions have already reminded the Committee that there exist close, intrinsic, cause-and-effect relationships between all disarmament questions. Circumstances may not permit us to take up all or several of them at the same time; but my delegation tends to agree with the leader of the delegation of Sweden that we should try to tackle them simultaneously.

51. My delegation feels that in our anxiety to achieve one step — no doubt a very important one, as the non-proliferation treaty is — we should consciously or unconsciously be dominated by that one specific step in the process of disarmament

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to the exclusion of all other related issues. To us the successful conclusion of a treaty banning underground nuclear tests is an equally important disarmament measure. Indeed, my delegation is of opinion that the achievement of one step in the disarmament process — such as is the non-proliferation treaty contemplated at present — becomes positive and vital only when viewed in the context of all practical and effective measures necessary to reach our real goal, which is general and complete disarmament under effective international control.

52. Past discussions in this Committee on the non-proliferation question have centred on two main aspects of it. One of these, if I may put it in generalized terms, is the question of "nuclear-sharing arrangements" within military alliances. The other is the question of balance: that is, the "acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers" defined in General Assembly resolution 2028 (XX) (ENDC/161) as a guiding principle for negotiations in this Committee. We have now been informed that a mutually acceptable solution of the first question has been arrived at among the Powers concerned. We welcome this achievement.

53. My delegation would therefore devote its attention to the question of "balance", which we ourselves consider to be a question of wide and vital interest. A non-proliferation treaty, to have any meaning at all, must accomplish its primary intention: that is, to prevent the further spread of nuclear weapons effectively and definitively, not merely to postpone it. If such a treaty achieved its great purpose it would also generate a powerful and compelling atmosphere of trust and confidence in the community of nations which would enable us to move forward and tackle other equally important and no less complex issues of disarmament on a wider and more ambitious scale.

54. Hence the treaty must contain certain built-in attributes of strength and durability and, by the same token, be devoid of any built-in weaknesses. One such positive attribute would be a two-way, mutual obligations between the nuclear weapon States and the non-nuclear-weapon States. The treaty should ensure that non-proliferation in one direction should be matched by non-proliferation in another direction. This point has been made clear in the memorandum (ENDC/178) submitted on 19 August 1966 by the eight non-aligned delegations. I refer to the second, third and fourth paragraphs on page 3 of that document.

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55. My delegation wishes to assure the Committee that this insistence on the balance of mutual responsibilities and obligations has no motive other than that of safeguarding and promoting the larger common interests of the international community as a whole. We must add that this principle of the balance of responsibilities and obligations would contribute towards making the non-proliferation treaty viable and effective. The eight delegations have called for "tangible steps to halt the nuclear arms race and to limit, reduce and eliminate the stocks of nuclear weapons and the means of their delivery" (ENDC/178, p.3) in the context of the non-proliferation measures advocated.

56. My delegation reiterates the view that the halting and de-escalation of the armaments race would contribute substantially to the lowering and elimination of international tensions. This would benefit all nations, and the developing nations most of all. It would provide the necessary security and tranquility in the international atmosphere to enable them to build healthy and beneficial societies, which, after all, constitute an important factor for the continued maintenance of peace in the world. Hence my delegation must repeat the much-emphasized need for a balance of mutual responsibilities and obligations. Indeed, as all the representatives who have spoken before me have pointed out, a non-proliferation treaty in which such a logical basis was lacking or doubtful could not stand for long, if indeed it did not prove self-defeating.

57. My delegation is gratified to note that the nuclear-weapon States represented in this Committee have readily recognized their obligations in this connexion. But it is often all too tempting to say that a treaty will endure only if it is seen to achieve its objectives, the argument being that the awareness of this alone would provide the necessary drive and impetus to strive to attain the goals set forth in it. My delegation does not find any comfort in such assurance. In any case this is no substitute for a formal undertaking in treaty language to bring about the progressive stages of nuclear disarmament which are envisaged in principles (b) and (c) of United Nations resolution 2028 (XX) and which we elaborated in the memorandum of the eight non-aligned nations. Only those measures could generate the kind of moral impulsion and give the proper sense of purpose and direction needed to move nations towards the ultimate objective of general and complete disarmament.

58. My country has all along supported the proposal for the conclusion of a non-proliferation treaty, believing that such a treaty would constitute a step towards total nuclear disarmament and hence towards general and complete disarmament.

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Now that such a treaty seems to be within reach, we are anxious that when it comes into existence it shall contain all that is necessary to enable it fully to achieve its aims. Apart from this positive and objective motivation, we have no other. I would address myself in this same spirit to other issues concerning the elaboration of a non-proliferation treaty.

59. Closely connected with the question of the mutual responsibilities and obligations of the nuclear-weapon countries and the non-nuclear weapon countries is the matter mentioned in operative paragraph 4 of United Nations resolution 2153(XXI)/Rev.1.

In that paragraph the General Assembly requested this Committee.-

"... to consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they will not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories, and any other proposals that have been or may be made for the solution of this problem" (ENDC/185).

60. My delegation considers that a positive proposal. We believe that such an assurance, if incorporated in the treaty, would strengthen it considerably. It is only just, logical and reasonable that the nuclear Powers should promise not to use nuclear weapons against the non-nuclear-weapon countries. That assurance, we consider, would provide a compelling motivation for bringing in other complementary disarmament measures. Thus we feel that it would go far towards enabling the non-nuclear States to adhere to the treaty with the fewest misgivings. And if there were reason subsequently to review the treaty owing to certain positive or negative developments in technology or political thinking, it would undoubtedly serve as a powerful argument against non-nuclear-weapon States deciding to change their status.

61. My delegation feels that, having lived in an atmosphere of "balance of terror", nations would be able in future to overcome their security problems by more logical and less negative systems of international relations. We are constrained to remark that, in bringing into being a non-proliferation treaty, nations must endeavour to develop a system which would put ambitions and interests into their proper perspective and enforce their curbing before resort to war were contemplated.

62. I should like now to turn to the question of the possible adverse effects that a non-proliferation treaty might have on the development of civilian nuclear industry and nuclear technology for peaceful application in the non-nuclear-weapon countries. If my delegation understands the situation correctly, it is agreed among all the

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nations with the necessary nuclear technological experience that in the present state of development the characteristics of nuclear devices for peaceful purposes could not be distinguished too clearly from those of nuclear devices for military purposes. If that is the case, there can be no two views on this point. My delegation considers that we must observe the "no loophole" criterion of United Nations resolution 2028(XX) in its correct spirit. And if there is truth in the "spin-off" theory that there are concrete scientific and technological benefits of industrial and commercial value accruing from a nuclear weapon research and development programme, then those benefits should be made available to all nations on a non-discriminatory basis.

63. There should be no impediment to obtaining nuclear technology for really peaceful purposes as more advanced technological progress is achieved. Arrangements for making such knowledge available should be truly international -- that is, freely and easily accessible to all nations. It may not be practicable to embody specific guarantees concerning such arrangements in the non-proliferation treaty; but the relevant provisions should be formulated in such a way as to give confidence to all nations in this matter. It would be appropriate to ensure that industrial and commercial interests of non-nuclear weapon countries do not suffer as a result of their renunciation of nuclear weapons. If in the future a technological breakthrough of great dimensions is achieved which might necessitate revision of the provisions of the treaty on non-proliferation, one would expect that such revision would follow as a matter of course.

64. I should like to say a word now about the control system to ensure compliance with the obligations of the treaty. This is related to principle (d) of resolution 2028 (XX). My delegation fully shares the view that the control system for a multilateral international treaty, such as the non-proliferation treaty, must be truly multilateral and international, and that its application should be uniform and compulsory for all non-nuclear weapon States parties to the treaty. It is our firm belief that inspections conducted for the efficient application of the treaty by organs or agencies other than the International Atomic Energy Agency would seriously undermine the treaty. We understand that satisfactory inspections could be conducted without infringing the secrecy of commercial processes.

65. For my delegation this preoccupation with secrecy and restrictive practices, especially in the field of the peaceful application of nuclear energy, is a matter

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for serious concern. Our belief may be briefly set out in the following way. Since the advent of nuclear weapons the aim of all human endeavour should be not only to prevent those weapons from being used by nations against nations, but also to tame this immense power of destruction. Steps to internationalize this great technology and direct it towards peaceful purposes only are to us the greatest political challenge in the history of mankind, equalled only by efforts to establish an international order that would eliminate war. Therefore insistence on the monopoly of nuclear technology and knowledge, such as is suggested by resistance to international inspection, is as much an element of destruction as its use for warfare.

66. While mankind has so far been unable to achieve the necessary political thinking to overcome the negative aspects of the use of the power of the atom, we feel strongly that we must resist all attempts to restrict nuclear knowledge to certain nations or groups of nations and thereby revive the chain of evils, suspicion and distrust which would inexorably lead to a new armaments race. Hence in supporting strongly the principle of non-proliferation of nuclear weapons we are motivated by a desire for the elimination of those weapons altogether and the opening of the secrets of nuclear technology for peaceful development to all nations.

67. Mr. FOSTER (United States of America): We have listened today with interest to the important statements made by the representatives of Mexico, the United Kingdom and Burma. We shall study those statements carefully, and may have comments to make on certain points in them at subsequent meetings.

68. Today I should like to discuss briefly the thinking of my Government on how the benefits of nuclear explosions for peaceful purposes might be shared with non-nuclear-weapon countries without thus contributing to the proliferation of nuclear weapons.

69. There should be no disagreement with the basic technological facts stated for my delegation by Mr. Fisher on 9 August 1966 as follows:

"... a nuclear explosive device intended for peaceful purposes can be used as a weapon or can be easily adapted for such use. Moreover, the technology of making nuclear explosive devices for peaceful purposes is essentially indistinguishable from the technology of making nuclear weapons." (ENDC/PV.280, p.13)

(Mr. Foster, United States)

We have read carefully the statements of a number of delegations on this point, and I do not believe any delegation has expressed disagreement with these basic facts. If we accept these facts, then a non-proliferation treaty which allowed the widespread acquisition of peaceful nuclear explosive devices would have the effect of permitting the proliferation of contrivances useful as nuclear weapons. Such a treaty would have a loophole so large that the treaty would be illusory. Yet, as we all know, the General Assembly has requested us to draft a non-proliferation treaty with no loopholes at all (A/RES/2028(XX); ENDC/161).

70. The United States realizes that this poses a problem for our Committee. On the one hand we wish to ensure an effective treaty without loopholes. On the other hand we wish to ensure that all States may share to the fullest extent in any possible future benefits from peaceful nuclear explosions. A businesslike way to resolve this dilemma would be to share these benefits without sharing the explosive devices themselves.

71. President Johnson, in his message to this session of the Conference of the Eighteen-Nation Committee on Disarmament, touched on this matter when he said:

"The United States is prepared to make available nuclear explosive services for peaceful purposes on a non-discriminatory basis under appropriate international safeguards. We are prepared to join other nuclear States in a commitment to do this." (ENDC/187, p.2)

In this connexion we noted with interest the statement by Mr. Roschin, the Soviet representative, at our meeting on 14 March. He said that the Soviet Union firmly maintains -

"... the position that an agreement on the non-proliferation of nuclear weapons cannot and should not prevent non-nuclear countries from using nuclear energy for the purposes of peaceful economic development. In doing so we bear in mind that the question of the procedure and conditions governing the carrying-out of nuclear explosions is a separate question that can be settled only on the basis of a separate international agreement." (ENDC/PV.293, para.63)

72. My delegation agrees that this is a separate issue to be settled by a separate agreement. The purpose of my remarks today is to outline briefly the present thinking of the United States on how the sharing of any potential benefits of peaceful nuclear explosions might be organized. We propose the following general principles to deal with this problem.

(Mr. Foster, United States)

73. First, if and when peaceful applications of nuclear explosives that are permissible under the test-ban Treaty (ENDC/100/Rev.1) prove technically and economically feasible, nuclear-weapon-States should make available to other States nuclear explosive services for peaceful applications. Such a service would consist of performing the desired nuclear detonation under appropriate international observation with the nuclear device remaining under the custody and control of the State which performed the service.

74. Second, there should be a means provided for non-nuclear-weapon States wishing to do so to request nuclear explosive services from the nuclear-weapon States through an international body in which the non-nuclear-weapon States would participate. The international body might consider such matters as the feasibility of requested projects, priority among such requests, and necessary safety precautions. The purpose of these arrangements would be to make clear that, once the participating nuclear Powers are prepared to undertake practical applications of peaceful nuclear explosives, they will not withhold nuclear detonation services to others because of extraneous considerations.

75. We recognize the concern on this score of non-nuclear-weapon States, a concern expressed most recently by Ambassador Khallaf at our last meeting (ENDC/PV.294, paras. 31 et seq.). One possibility is that the International Atomic Energy Agency might be the international organization through which such requests could be made and such matters considered as are mentioned above -- that is, the feasibility, priority and safety of projects. However, if this should prove impractical, we would be willing to consider alternative international mechanisms.

76. Third, costs to non-nuclear-weapon States for peaceful-purpose detonations by nuclear States would be kept as low as possible. They should not, for example, include the costs of research and development.

77. Fourth, there should be full consultation among nuclear and non-nuclear Parties to the limited test-ban Treaty about any amendment of that Treaty required in order to carry out feasible projects.

78. And fifth, the conditions and procedures for international collaboration in accomplishing peaceful nuclear explosive projects would be developed in full consultation with the non-nuclear-weapon States.

(Mr. Foster, United States)

79. My delegation feels that these five principles represent the best way to resolve the dilemma to which I referred earlier and to which reference has been made by several representatives here. That dilemma is between the need for a treaty without loopholes and the need to share any potential benefits which may one day come from the utilization of peaceful nuclear explosives. These principles represent suggestions which we feel could be useful guidelines. We offer them in the hope that they will make clear once again the strong determination of my country to ensure the broadest possible sharing of the benefits accruing to mankind from the peaceful uses of nuclear energy.

80. Before concluding, I should like to join Lord Chalfont in wishing Ambassador Garcia Robles farewell and Godspeed on his return to his native country. His proven talents as a negotiator can well be used in Geneva when we reach the discussion of a concrete draft of the non-proliferation treaty.

The Conference decided to issue the following communiqué

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 295th plenary meeting in the Palais des Nations, Geneva, under the Chairmanship of Mr. A. Zelleke, representative of Ethiopia.

"Statements were made by the representatives of Mexico, the United Kingdom, Burma and the United States of America.

"The next meeting of the Conference will be held on Thursday, 23 March 1967 at 10.30 a.m."

The meeting rose at 12.15 p.m.