



VERBATIM RECORD OF THE 31ST MEETING

Chairman: Mr. NAIK (Pakistan)

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PROGRAMME OF WORK

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The meeting was called to order at 10.50 a.m.

AGENDA ITEMS 31 TO 49 AND 121 (continued)

The CHAIRMAN: I call upon the representative of the Union of Soviet Socialist Republics, Mr. Issraelyan, to introduce draft resolution A/C.1/35/L.12.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics)(interpretation from Russian): The Soviet delegation is introducing today the draft resolution contained in document A/C.1/35/L.12 on the question of "Nuclear weapons in all aspects". We should like to express our gratitude to the delegations of Afghanistan, Angola, Bulgaria, the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Mongolia, Poland, Romania, the Ukrainian SSR and Viet Nam, which have supported this draft resolution and joined us in sponsoring it.

The essence of the draft resolution which we are introducing is quite clear: it is aimed at resolving the most urgent, important problem of the day. As we have heard in the discussion in the course of every meeting of this Committee, it is universally acknowledged that the nuclear arms race constitutes the most serious threat to mankind and the survival of civilization. If we do not immediately undertake concrete measures to limit that arms race and measures to embark on nuclear disarmament, the existing danger will only become greater. At the same time - and this is demonstrated by history - the task of prohibiting and destroying nuclear weapons will become very much more difficult to accomplish.

Of course, we understand all the tremendous difficulties which would have to be overcome in resolving the question of the cessation of the nuclear arms race and destroying nuclear weapons, but at the same time we reject as unfounded the assertions of those who say that it is simply impossible to reverse the course of events in this sphere. In order to open up the way to success, naturally, there must be a demonstration of statesmanship, political will and an honest and objective approach.

For the Soviet Union, an active and purposeful struggle for nuclear disarmament has always been a matter of principle and consistent policy. As far back as 1946 the Soviet Union put forward the initiative for concluding an

(Mr. Issraelyan, USSR)

international convention permanently prohibiting the manufacture and use of atomic weapons, so that the great scientific advances and discoveries connected with the splitting of the atom might be used exclusively for the purpose of raising the level of well-being and the standards of living of the peoples of the world as well as for the development of culture and science for the benefit of mankind. At that time, when it would have been easier, relatively speaking, to perform that historic task, the Soviet Union proposed that all parties to such a convention should undertake solemnly not to use atomic weapons in any circumstances, to prohibit production and stockpiling of such weapons and, within three months, to destroy all their reserves of finished and unfinished atomic weapons. Violation of those provisions was to have been declared a very serious crime against mankind.

But in response to those proposals of the Soviet Union, which were steeped in concern for the fate of mankind, other Powers which they would have primarily concerned took a decidedly negative position and adopted the course of accelerating the nuclear arms race, naively believing that they would be able to retain their monopoly on the production of those weapons. Today again, an analysis of the situation in the field of nuclear disarmament makes it abundantly clear that in this matter time works in such a way that opportunities we lose today will never present themselves again in the future. The later we begin talks on nuclear disarmament the more difficult it will be to conduct them.

Recent events have given us every ground for concern for the peaceful future of our planet and for its being spared the threat of a nuclear conflagration. The adoption of the new doctrine of limited or partial use of nuclear weapons, giving rise to illusions of the admissibility and acceptability of a nuclear conflict, increases the risk of a nuclear war being launched, with all its catastrophic consequences. The danger of such a political course has been pointed out in the course of the general debate, both in the plenary meetings of the General Assembly and here in the First Committee, by representatives of many States.

The immediate urgency of the problem of nuclear disarmament is reflected in important international documents. In the Final Document of the first special session of the General Assembly devoted to disarmament, it is stressed that bringing about nuclear disarmament will require the urgent holding of talks

(Mr. Issraelyan, USSR)

in order to arrive at agreement, providing for, inter alia, halting the qualitative improvement and development of nuclear weapons systems and also the cessation of the manufacture of nuclear weapons in all their aspects. The most appropriate forum for preparing and holding such talks is the Committee on Disarmament, whose membership includes all five nuclear Powers as well as 35 non-nuclear States. It is entirely proper that the agenda of this multilateral body for disarmament negotiations should include the item entitled "Cessation of the nuclear arms race and nuclear disarmament".

The Soviet Union, guided by its desire to embark directly on a businesslike consideration of this most important question, submitted to the Committee on Disarmament, as far back as 1979, together with other socialist countries, document CD/4 entitled "Negotiations on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until they have been completely destroyed".

(Mr. Issraelyan, USSR)

In the view of the socialist countries, the sponsors of this document, in these negotiations consideration should be given to the cessation of the qualitative perfection or improvement of nuclear weapons, the cessation of the manufacture of fissile material for military purposes, the gradual reduction of stockpiles of nuclear weapons and means of delivery, and other matters.

Progress towards the final goal - the total elimination of all stockpiles of nuclear weapons - would be on a stage-by-stage, mutually acceptable and agreed basis; and at all stages it would be necessary to preserve undisturbed the existing balance in the field of nuclear power while at the same time constantly reducing its levels. Of course the implementation of measures in the field of nuclear disarmament should go hand in hand with the adoption of international political and legal guarantees for strengthening the security of these States.

We note with satisfaction that the initiative of the socialist countries on comprehensive talks on nuclear disarmament has met with understanding and support from non-aligned and neutral countries which have submitted a wide range of useful ideas about the substance and form of such negotiations. For its part, the Soviet Union is ready to continue most attentively to consider constructive proposals from other States. However, we cannot but note with regret that progress towards a beginning of negotiations on nuclear disarmament is being blocked by the openly negative position of other nuclear States. In their statements they have attempted even to cast doubt on the need and usefulness of holding negotiations in the Committee on Disarmament on the limitation of the nuclear arms race and the elimination of nuclear weapons.

In the draft resolution that we are introducing the sponsors have felt it necessary to focus attention on preparations for negotiations on nuclear disarmament. The beginning of practical work in this area brooks no delay. The decision of the Committee on Disarmament to resume in 1981 active consideration of the question of the cessation of the nuclear arms

(Mr. Issraelyan, USSR)

race and nuclear disarmament was taken into account. In the light of the discussion of this problem it would appear necessary to step up efforts in order to begin to make a start, on a high priority basis, on talks with the participation of all States possessing nuclear weapons and a certain number of States which do not possess them on the question of halting the nuclear arms race and nuclear disarmament, in accordance with the provisions of paragraph 50 of the Final Document of the tenth special session of the General Assembly. For the purpose of ensuring an early start on such talks, in essence the draft contains a concrete proposal for considering, inter alia, the question of establishing an ad hoc working group on the cessation of the nuclear arms race and on nuclear disarmament which would be endowed with very clear-cut and well-defined functions and powers. The establishment of that working group would be in keeping with the practice that has grown up in the Committee of holding negotiations on questions which are on its agenda.

The steps we propose are designed to remedy a situation which has evolved in the Committee on Disarmament in which the consideration of the problem of limiting the nuclear arms race and nuclear disarmament is, for no good reason, outside the framework of practical negotiations. A beginning of consultations and embarking upon businesslike negotiations on this urgent problem of disarmament would, without any doubt, enhance the authority of the Committee on Disarmament and its effectiveness in performing the tasks entrusted to it in the area of limiting the arms race.

In conclusion, the delegation of the Soviet Union would like to express the hope that this draft resolution in document A/C.1/35/L.12 will enjoy the most widespread support.

The CHAIRMAN: I call on the representative of Nigeria to introduce the draft resolutions contained in documents A/C.1/35/L.14 and L.15.

Mr. ADENIJI (Nigeria): I shall begin by introducing the draft resolution contained in document A/C.1/35/L.15. In introducing this draft resolution on behalf of the sponsors shown in the document, I should like to recall that last year the General Assembly, in its resolution 34/82, endorsed the recommendation that the Conference on inhumane weapons, which was first convened from 10-28 September 1979, should hold another session from 15 September 1980 with a view to completing its negotiations.

The issues pending at the beginning of the resumed Conference held from 15 September to 10 October 1980 were many and complex. In addition to the pending questions on the proposed Protocol on Mines and Booby Traps and the widely divergent views on incendiary weapons, the Conference virtually had to negotiate the whole range of proposals on a general treaty and particularly the very important articles on scope, review and amendments.

Before I refer to the specific agreements reached at the United Nations Conference, I should like to make some brief pertinent background observations.

The United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects had its immediate origin, as is well known, in the Diplomatic Conference on International Humanitarian Law, which in 1977 concluded its elaboration of Additional Protocols I and II to the 1949 Geneva Conventions. The laws of war which have evolved since the mid-nineteenth century have had two main aspects, namely, those that concern the victims of war and those that seek to regulate the use of weapons. Co-ordination of international efforts first found expression in the St. Petersburg Declaration of 1868, which states, inter alia:

"... that the only legitimate object which States should endeavour to accomplish during war is to weaken the military forces of the enemy... that this object would be exceeded by the employment of arms which uselessly aggravate the sufferings of disabled men or render their death inevitable... that the employment of such arms would therefore be contrary to the laws of humanity."

(Mr. Adeniji, Nigeria)

The St. Petersburg Declaration was later supplemented by the Brussels Declaration of 1874, which postulated that belligerents do not have unlimited power as to the choice of means of injuring the enemy. These Declarations have found further elaboration in concrete instruments in the Hague Conventions on the one hand, which sought to regulate the use of weapons and, on the other hand, the Geneva Conventions, which focussed on the victims of war. While the latter was facilitated by the rise of new concepts of natural law and new humanitarian movements, the rapid advance in military research and technology which often dictated the course and nature of wars has inhibited progress in the law relating to the conduct of war. Thus, the last major effort in this regard ended with the 1925 Geneva Protocol, which prohibited the use in war of chemical and bacteriological means of warfare.

It is heartening, therefore, that 55 years later the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to have Indiscriminate Effects succeeded this year in reaching agreement on three Protocols on three specific weapons, namely, the Protocol on Non-Detectable Fragments, the Protocol on mines, booby traps and other devices and the Protocol on incendiary weapons. What is equally significant is that the Conference elaborated a Convention which, in the words of a representative here, forms the indispensable tree on which present and future Protocols, like decorations, can be hung.

Permit me to make a brief reference to the various elements which form the package agreement reached at the United Nations Conference and, in particular, the Convention itself.

(Mr. Adeniji, Nigeria)

First, the Convention on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to have Indiscriminate Effects consists of a preamble and 11 articles.

I should particularly call attention to article 1 on Scope of Application, article 5 on Entry into Force, article 7 on Treaty Relations Upon Entry Into Force of the Convention, and article 8 on Review and Amendments. The last-mentioned article was one of the crucial issues of the negotiations. It provides for the review mechanism.

The resolution of the General Assembly which convened the Conferences stipulated that it was convened:

"...with a view to reaching agreements on prohibitions or restrictions of the use of specific conventional weapons, including those which may be deemed to be excessively injurious or to have indiscriminate effects, taking into account humanitarian and military considerations and on the question of a system of periodic review of this matter and for consideration of further proposals". (A/Res/32/152, operative para. 2)

Given the nature of the compromise resolution that 32/152 was, it obviously left many questions open. This situation was further complicated by the wide range of weapons that had been the subject of discussion at the Diplomatic Conference on International Humanitarian Law. As it became clear during the United Nations Conference that an accommodation had to be reached between those who wished to prohibit a wide range of weapons and those who believed that only a few weapons had been sufficiently examined to enable a decision to be taken on prohibition or restriction of use, it was clear that the foundation of the compromise could be found only in reaching immediate agreement, however modest, but which made provision that would ensure the continuation of further work in this rather wide field. This is the purpose of article 8 and it is no wonder that its negotiation was so painstaking and long drawn-out.

(Mr. Adeniji, Nigeria)

Three Protocols are annexed to the Convention, namely, those relating to non-detectable fragments (Protocol I), mines and booby traps (Protocol II) and incendiary weapons (Protocol III). I do not intend to go into any detailed comment on these Protocols, except perhaps to call attention to a novel aspect of Protocol II on mines and booby traps. In its articles 7 and 8, provisions are made to protect United Nations forces on peacekeeping, observation or similar functions in any area from the effects of mines and booby traps.

It is right and fair for me to record at this juncture and from this forum the tremendous contribution made to the success of the Conference by Ambassador de Icaza of Mexico, who was Chairman of the Working Group on a General Treaty, Mr. Robert Akkerman of the Netherlands, Chairman of the Working Group on Land Mines and Booby Traps, Colonel Felber of the German Democratic Republic, Chairman of the Working Group on Incendiary Weapons, Ambassador Jamsheed Marker and later Mr. Munir Akram of Pakistan, Chairman of the Drafting Committee, and Ambassador Petar Voutov of Bulgaria, Chairman of the Committee of the Whole. I should also commend the Secretariat of the Conference under the Executive Secretary, Miss Amada Segarra and the Legal Adviser, Mr. Paul Szasz, for their very dedicated service.

The accomplishment of the Conference is modest but significant. It is modest in the scope of the Protocols, especially Protocol III on incendiaries. But it is significant because of the international situation in which the Conference was held, and the spirit of accommodation and the political will demonstrated notwithstanding that international situation; it is significant also because it was agreed and embodied in a legally binding instrument that the result of the Conference, important as it is, is a first step which will be followed up in later years in efforts aimed at prohibiting or restricting the use of this category of weapons.

(Mr. Goodhew, United Kingdom)

shall continue to work for measures of nuclear disarmament. But we must not overlook the dangers of the ever-increasing arsenals of conventional weapons. This is a problem which affects every region of the world and it is one which we can no longer ignore. We welcome draft resolution A/C.1/35/L.2. We hope that it will be widely supported and that the study which it proposes to launch will lead to greater consideration of the issues of conventional disarmament.

(Mr. Goodhew, United Kingdom)

measures in Europe. But Europe is not the only region where such measures could play a role in reinforcing security and enhancing stability. We look forward to the submission of the Secretary-General's study on confidence-building measures. We hope this may be a step on the path to the formulation and adoption of such measures in other regions and on a wider basis.

Confidence-building measures are an important and central measure in themselves and can form an important part of regional security arrangements. As with all arms control measures, however, their effectiveness must be subject to appropriate verification provisions. Only with the establishment of such provisions can we have confidence in the ability of arms control agreements to restrain or restrict the activities of States. For this reason, my Government supports the establishment of a comprehensive study on the question of verification. We believe it essential that, in assessing any proposed arms control measure, we should have a clear view of the verification provisions which would be required in order to provide a sufficient level of confidence that the measure was being complied with. Arms control agreements which do not have adequate verification provisions can be counter-productive in that they become a source of uncertainty and, therefore, a possible source of tension.

On a related issue, my Government will be supporting the efforts which are being made within this Committee for the establishment of an impartial investigation into the reported use of chemical weapons in a number of areas of the world. My Government believes that these reports have serious implications for the 1925 Geneva Protocol and elements of customary international law and deserve full investigation. As we assess the question of a convention to prohibit the production, stockpiling or retention of chemical weapons, it is important that the members of this Committee should know whether there are countries which have by their actions demonstrated a willingness to use these particularly nasty weapons in military operations.

I should like now to say a few words on the subject of draft resolution A/C.1/35/L.2, regarding a proposed study on conventional disarmament. As a nuclear-weapon State the United Kingdom is aware of the urgency with which the issue of nuclear disarmament is regarded by members of this Committee. And we

(Mr. Goodhew, United Kingdom)

an agreement to ban the development of new weapons of mass destruction. The United Kingdom shares the conviction of all the States in this Committee that new scientific discoveries should not be used to create new weapons of mass destruction. And we agree that the Committee on Disarmament is the most suitable body to keep this matter under review.

But we do not believe that any purpose would be served by the Committee on Disarmament expending a great deal of time and effort in attempting to draft a generalized treaty. Such a treaty could only be vague in its area of application, unverifiable and without sanctions. The reputation of arms control would not be well served by such an ineffectual measure. Far better that the Committee on Disarmament should be charged with the task of negotiating individual treaties, if it should indeed see on the horizon the unwelcome prospect of a new scientific development being turned to the purpose of mass destruction. I think it is pertinent to recall in this connexion that successive meetings of the Committee on Disarmament and its predecessor body, the Conference of the Committee on Disarmament, have not yet identified or defined any new category of weapons that could be used for mass destruction. We would therefore hope that this Committee will not ask that pointless efforts be made in Geneva to negotiate a general treaty which would make no practical contribution to alleviating the concern we all feel on this subject.

To turn my attention to one or two draft resolutions which do have a constructive role to play, I should like first of all to commend draft resolution A/C.1/35/L.11 on confidence-building measures, of which the United Kingdom is a sponsor. The comprehensive study on confidence-building measures which was established last year by resolution 34/87 B represents a welcome step in the consideration of this important aspect of our work. The United Kingdom believes that the security of States and the stability of the world community could be enhanced by the adoption of appropriate binding, militarily significant and verifiable confidence-building measures. We have played a leading part in efforts to develop a régime of workable and meaningful confidence-building measures in Europe.

We hope that the meeting which is currently in progress in Madrid will be able to agree on a mandate for a follow-up conference on confidence-building

(Mr. Marinescu, Romania)

The draft resolution I have the honour to introduce is the outcome of lengthy consultations, and its elaboration was prompted by the wish that the final text will command general support, which is necessary for its adoption by consensus.

We are truly convinced that the adoption of the draft resolution in document A/C.1/35/L.16 and the preparation of the third edition of the report of the Secretary-General on the economic and social consequences of the armaments race will be a signal contribution by the United Nations to the cause of disarmament.

Mr. GOODHEW (United Kingdom): As a member of the British House of Commons for over 20 years, I have taken a close interest in international affairs, particularly in defence and security matters. It is therefore a particular pleasure and honour for me to speak this morning as the representative of the United Kingdom delegation in the First Committee of the United Nations General Assembly.

In making this statement my delegation has in mind that the Committee is moving towards the stage in its proceedings when we shall all be considering our attitudes to voting on each of the draft resolutions before us, which will probably number near 40 before the week is out.

It is the belief of my delegation that, in assessing these draft resolutions, we should carry foremost in our minds the following question: does this draft resolution, or the programme of action which it recommends, or the philosophy which it represents, offer a constructive contribution to the serious work of this Committee, the Committee on Disarmament and the United Nations Disarmament Commission or to arms control efforts in the widest sense?

It is with regret that my delegation has to conclude that not all of the draft resolutions before us can be said to fulfil these conditions. As in past years, some States have seen fit to use the First Committee as a vehicle for hypocritical or propagandist initiatives.

It is in this light that my delegation has examined the proposal currently circulating on a subject which has now been on the agenda of the First Committee for some years. This is the proposal originally put forward by the Soviet Union and a number of other States for the Committee on Disarmament to begin work on

(Mr. Marinescu, Romania)

Those are the main considerations which have guided the Romanian delegation and the other delegations with which we co-operated in the elaboration of the draft resolution in document A/C.1/35/L.16, which I have the honour to introduce on behalf of the delegations of Colombia, Czechoslovakia, India, Ireland, Mexico, Nigeria, Peru, Rwanda, Sri Lanka, Sweden, Venezuela, Yugoslavia and my own delegation.

As can be seen, the draft resolution is for the most part procedural in nature.

The preambular part recalls the reasons which justify the updating of the report, among which we find the concern over the arms race and its effects, the developments that have taken place in the meantime in this field, the need for all Governments and peoples to be kept abreast of the existing situation and the central role to be played by the United Nations in the matter. Reference is made to the fact that the updating of the report five years after its last publication was anticipated by the General Assembly both in its resolution 32/75 and in the aforementioned paragraph 93 (c) of the Final Document of the special session devoted to disarmament.

In the operative part, the Secretary-General is requested to bring the report up to date with the assistance of qualified consultant experts appointed by him and, as in the past, all Governments, international institutions, non-governmental organizations and other organizations are invited to extend their co-operation to ensure that the updating of the report will be carried out in the most effective way. The draft resolution stipulates that the updated report should be submitted to the thirty-seventh session of the General Assembly in 1982.

We are convinced that, by using the experience acquired during the elaboration of the two previous editions of the report, the Secretary-General will find the most adequate ways and means to co-ordinate effectively all factors likely to contribute to the success of this undertaking. It would no doubt be desirable to benefit from the services of the largest possible number of experts who participated in the elaboration of the previous versions of the report. In this operation, the expertise and the valuable contribution of the United Nations Centre for Disarmament would be called upon to play a special role.

(Mr. Marinescu, Romania)

We note in particular the fact that the report constituted a source of reference for the first special session of the General Assembly devoted to disarmament and provided it with valuable information for the assessment of the contemporary situation in the armaments field. Its value was furthermore confirmed by the Final Document itself which, in paragraph 93 (c), requested the Secretary-General periodically to submit reports to the General Assembly on the economic and social consequences of the arms race and its extremely harmful effects on world peace and security.

The latest edition of the report is dated 1977. Its updating is all the more justified because since that year the arms race has undergone important qualitative and quantitative developments. At the same time, its particularly serious effects, both in the economic and social field as well as in the field of international relations, have shown even more clearly that it is in flagrant contradiction with the ever more pressing imperatives facing the international community, namely the elimination of under-development, the setting up of the New International Economic Order, the establishment of inter-State relations on new bases that preclude recourse to force or to the threat of force while guaranteeing respect for the sovereignty, the independence and the inalienable right of all peoples to decide their own destiny. The arms race also contributes to a large degree to worsening the economic, financial and raw materials crisis. If only for those reasons the updating of the Secretary-General's report is fully justified. It is demanded by reason of the need to mobilize all efforts and all energy with a view to the adoption of effective measures to halt the arms race and to achieve disarmament. The usefulness of the report is also highlighted by the new avenues of action explored by the United Nations, which fall within that same field or are even stimulated by a better knowledge of the economic and social consequences of the arms race. In that connexion we are referring to the study of the relationship between disarmament and development, as well as to the question of the reduction of military expenditures and the use of funds thus released for the benefit of the progress of all countries and, first and foremost, of the developing countries.

(Mr. Marinescu, Romania)

As was stressed in the Final Document of the first special session of the General Assembly devoted to disarmament:

"The vast stockpiles and tremendous build-up of arms and armed forces and the competition for qualitative refinement of weapons of all kinds to which scientific resources and technological advances are diverted, pose incalculable threats to peace. This situation both reflects and aggravates international tensions, sharpens conflicts in various regions of the world, hinders the process of détente, exacerbates the differences between opposing military alliances, jeopardizes the security of all States, heightens the sense of insecurity among all States, including the non-nuclear-weapon States, and increases the threat of nuclear war."

(Resolution S-10/2, para. 11)

The United Nations has repeatedly drawn the attention of the world community to that situation, stressing that we should not create the illusion that peoples can live in peace and quiet while the unbridled arms race continues and enormous human and material resources are squandered to no useful end. That is the background of the Organization's concern - which dates back 10 years already - to study the effects of the arms race on the lives of the peoples and to bring them to the attention of Governments and of world public opinion. As disarmament is a problem of universal interest, all Governments and all peoples are entitled to be kept abreast of the prevailing situation in the armaments field.

The Secretary-General's report on the economic and social consequences of the arms race and of military expenditures, first drafted in 1972 pursuant to an initiative by Romania and then updated in 1977, provided useful information and ideas with a view to imparting a better knowledge of the most complex phenomenon of armaments and assisted Governments in the process of debating and negotiating disarmament questions. Both the first and second reports already figure among the most valued United Nations documents and are sought out by experts and the mass media. Many of their conclusions have become guidelines for practical action both in the field of negotiations and in the vast action undertaken to study the economic imperatives of the present-day world and the influence exerted by the diversion of huge material and human resources to no useful end on the economic and social development of peoples.

(Mr. Eilan, Israel)

If the support of Arab and other States of the Middle East for a nuclear-weapon-free zone is not merely rhetorical, if, as the saying goes, "they really mean business", they should be eager to support the draft resolution now submitted by Israel. By doing so they will be giving unequivocal expression of their intention to save our region from the scourge of nuclear destruction. The draft resolution speaks for itself. It contains decisions and is based on principles adopted by the General Assembly, either unanimously or by an overwhelming majority, which have since become guidelines for realistic endeavours in the field of disarmament. It should, therefore, be acceptable to the majority of this Committee.

As far as draft resolution A/C.1/35/L.6, which appears in the same item and which is sponsored by Egypt, is concerned, Israel is going to join a consensus in support of that draft resolution in spite of reservations, as an earnest of our goodwill and support for the idea of the establishment of a nuclear-weapon-free zone in the Middle East. We shall clarify our position in greater detail at a suitable opportunity.

The CHAIRMAN: I call now on the representative of Romania, who will introduce the draft resolution contained in document A/C.1/35/L.16.

Mr. MARINESCU (Romania) (interpretation from French): My statement today is devoted to the question entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security" and to the updating of the Secretary-General's report on that question. I should therefore like to introduce the draft resolution contained in document A/C.1/35/L.16.

The debates that have taken place both in the plenary Assembly and in the First Committee have brought to the fore the growing concern of States over the accelerated pace of the arms race, in particular the nuclear arms race, and its serious effects on the whole evolution of contemporary society. The continued accumulation of arms and the unchecked increase in military expenditures have become salient features of the international situation.

(Mr. Eilan, Israel)

Israel, nor did it oblige it to apply the provisions of the Treaty as far as Israel was concerned. In ratifying the Treaty on the Prohibition of the Placement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof (the sea-bed Treaty), on 13 September 1972 in Moscow a statement was made by Iraq containing a specific reservation regarding the recognition of, or entry into any relations with, Israel. On the occasion of its ratification of the Non-Proliferation Treaty on 24 September 1969, Syria maintained that:

"the acceptance of this Treaty by the Syrian Arab Republic shall in no way signify recognition of Israel or entail entry into relations with Israel thereunder."

Particularly, one has to bear in mind that in the Middle East altogether thirteen countries have either not signed or not ratified the Non-Proliferation Treaty or have not complied with the Safeguard Agreement.

In light of these special characteristics of the Middle East region, the third preambular paragraph of the draft resolution stipulates:

"... the establishment of a system of mutually binding obligations which would provide each State in the region with a contractual assurance of others' compliance with the commitment to abstain from introducing nuclear weapons into the region" (A/C.1/35/L.8).

A nuclear-weapon-free zone can be established in the Middle East if States of the region, and some States adjacent to it, are prepared to come together and negotiate in good faith. Regardless of their political differences and without prejudice to any political and legal claim, these States must be prepared to take concrete steps toward the achievement of this vital objective.

The draft resolution we are introducing goes beyond the establishment of a nuclear-weapon-free zone in the Middle East. It also recognizes that in addition to preventing nuclear proliferation, the very establishment of such a zone would in itself constitute a confidence-building measure, as stated in the last preambular paragraph, and would "serve to reduce tensions" in the region.

(Mr. Eilan, Israel)

The link between security and disarmament has been the subject of many studies sponsored by the United Nations and of academic discussions the world over. It has been suggested that before disarmament can relax world tensions, world tensions would have to be relaxed to make a propitious setting for world disarmament.

The draft resolution which Israel is now introducing is itself a most tangible proof of Israel's attitude towards the link between security and disarmament in the Middle East. While Israel believes, as its Permanent Representative stated in his communication to the Secretary-General on 6 April 1979, that:

"to be effective, arms control measures ... must be closely linked with concomitant measures to reduce tensions" (A/CN.10/1, p. 27).

Nevertheless, ever since 1975, Israel has proposed the establishment of a nuclear-weapon-free zone in the Middle East without any prior conditions.

Both the second and third preambular paragraphs of draft resolution A/C.1/35/L.8 address themselves directly to the core of this very problem, which has hitherto impeded the establishment of such a zone in our region.

The Middle East can be said to be one of the world's most volatile areas, and yet its future stability is of crucial importance to the peace of the world. The Arab-Israel dispute is only one of several long-standing conflicts that place the region in peril. The current war in the Middle East and the dangerous deterioration of the security of the area of the Persian Gulf bear witness to major and direct threats to international peace and security with implications for the world as a whole.

The special character of the Middle East situation finds expression in the attitude of some Arab States towards international treaties in the field of nuclear arms control, including the Non-Proliferation Treaty. Some Arab countries, while ratifying these treaties, insisted on reservations with regard to the applicability of any obligation in the relationship between them and Israel by virtue of a multilateral treaty. For example, Kuwait, which ratified the partial test-ban Treaty of 1963, stated that its signature and ratification of the Treaty did not in any way imply its recognition of

(Mr. Eilan, Israel)

Regional arrangements for the exclusion of nuclear weapons from various areas of the world are fully consistent with provisions of the Charter, and particularly with Article 1, under which Member States undertake "... to take effective collective measures for the prevention and removal of threats to the peace ...".

The idea of approaching the task of preventing horizontal proliferation at first on a regional, rather than on a global, scale arose as far back as the 1950s. At the beginning, these proposals originated from the post-Second World War situation in central Europe. Since then there have been numerous initiatives and proposals for denuclearization in particular regions, but they have met with little success. The 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) was the first, and so far the only treaty establishing a nuclear-weapon-free zone in an inhabited region.

In 1974, the General Assembly adopted by consensus resolution 3261 F (XXIX), by which it decided to undertake a comprehensive study of the question of nuclear-weapon-free zones in all its aspects, and that the study be carried out by an ad hoc group of qualified governmental experts under the auspices of the Conference of the Committee on Disarmament (CCD). The experts reached consensus on certain principles governing the creation of nuclear-weapon-free zones. Inter alia, their report stated that the initiative for the creation of a zone should come from the States within the region and participation should be voluntary. This principle represents one of the main leitmotifs of the draft resolution we are now introducing.

The regional approach to the ban on proliferation of nuclear weapons was based on a variety of considerations. On the one hand, there was the sound assumption that a smaller group of States which share certain regional interests might find it easier to arrive at a common agreement than would all the Members of the United Nations simultaneously. There was also a very different rationale for seeking a regional solution to the non-proliferation of nuclear weapons based on the knowledge that many of the world's conflict situations are primarily regional disputes. In regional terms, therefore, the establishment of nuclear-weapon-free zones is closely linked to the problems of regional security.

Mr. EILAN (Israel): Ever since the problem of nuclear armaments was raised in international forums, Israel has consistently supported resolutions aimed at preventing the proliferation of nuclear weapons. Israel ratified the partial test-ban Treaty on 15 January 1964 and the Outer Space Treaty of 18 February 1977. On 10 June 1968, Israel voted in favour of United Nations resolution 2373 (XXII) commending the text of the Non-Proliferation Treaty. Israel did so in the belief that it would enhance practical and satisfactory solutions for the prevention of the spread of nuclear weapons. In the Middle East, it is our belief that nuclear non-proliferation would best be achieved by a regional approach.

(Mr. Ayewah, Nigeria)

The co-sponsors would also like to call attention to the commendable contribution to the Programme by Sweden and the Federal Republic of Germany, which invited the fellows to their countries and acquainted them with aspects of disarmament-related activities. I express sincere gratitude to those two countries and hope that their good example will be followed by others.

In its format the draft resolution which we are presenting to this Committee on the United Nations Programme of Fellowships on Disarmament is divided into two parts. We have a preambular part and then an operative part.

The preambular part recalls the decision of the tenth special session of the General Assembly, devoted to disarmament, to establish the programme of fellowships. The background to that decision is fairly obvious to Members. The motivation has been to encourage expertise in disarmament, particularly in developing countries, so that they can in turn make a contribution to the processes of disarmament negotiations.

Satisfaction has been expressed that Governments, particularly those of developing countries, have continued to show serious interest in the programme, a further indication of the necessity of continuing the programme.

The preambular part then leads to the operative section, in which we invite the General Assembly to decide to continue the fellowship Programme in 1981. We then take cognizance of the Secretary-General's commendable efforts and his conduct of the Programme so far.

Finally, the draft resolution expresses appreciation to those Member States that have invited the Fellows to their capitals to study selected activities in the field of disarmament.

As it is presented, we believe that the draft resolution raises no difficulties and should readily commend itself to Member States for adoption.

(Mr. Adeniji, Nigeria)

My delegation therefore, introducing this draft resolution on behalf of the co-sponsors, would like to express its hope that it will enjoy the consensus of the First Committee.

Finally, I should like to announce that Suriname has decided to become a co-sponsor of draft resolution A/C.1/35/L.15.

I would now request the Chairman to permit me to ask my colleague in the Nigerian delegation to introduce the draft resolution on the United Nations Programme of Fellowships on Disarmament.

Mr. AYEWAH (Nigeria): In introducing the draft resolution entitled "United Nations Programme of Fellowships on Disarmament", contained in document A/C.1/35/L.14, on behalf of the co-sponsors I should like to express satisfaction at the efficient manner in which the Secretary-General and his staff have organized the Fellowship Programme.

The co-sponsors of the draft resolution are particularly pleased that the Secretary-General has continued to adhere strictly to the guidelines approved by the General Assembly in its resolution 33/71E of 14 December 1978. The report of the Secretary-General contained in document A/35/521 convinces us that the Fellowship Programme continues to justify the hopes of the General Assembly, which launched it at the first special session devoted to disarmament.

This is the second year of the Fellowship Programme, and already a number of delegations have been effectively assisted in the First Committee by former fellows. I was myself a member of the first group of fellows and I can see here in the room other colleagues of mine who are representing their countries.

It is gratifying that the Secretariat was able to have as a keynote speaker at the beginning of this year's programme a Nobel Peace Prize winner, Mr. Sean McBride. His devotion to the cause of peace and disarmament and his world-wide reputation and well-known experience no doubt provided inspiration to the fellows.

(Mr. Adeniji, Nigeria)

It is the hope of the co-sponsors that nothing at this point should be done to detract from the consensus reached at the United Nations Conference. It would in my view be a disservice to the Convention and the three Protocols, it would downgrade the nature of the consensus which was reached - reached, as I said, through the willingness of participants to show that political will about which so much has been said but which, more often than not, we do not witness at some of these negotiating conferences - it would be a disservice to all this if under this item on the agenda for this year and during the current session of the First Committee we were to consider more than one draft resolution.

It is my belief that the nature of the draft resolution that ought to be considered this year should be no more than what I might term a reporting resolution of this nature, which merely brings to the attention of the General Assembly the result of the United Nations conference.

We have therefore taken care to exclude from this draft resolution any issue on which there was no consensus but which in later years can be taken up in light of article 8 of the Convention. That is why it was first necessary to reflect article 8 of the Convention in the draft resolution in its operative paragraph 5 which

"Takes note that under article 8 of the Convention conferences may be convened to consider amendments to the Convention or any of the annexed Protocols; to consider additional Protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols; and/or to review the scope and operation of the Convention and the Protocols annexed thereto." (A/C.1/35/L.15, para.5)

As I said, that particular operative paragraph was intended to avoid the necessity for any delegation to reopen the discussion while the Convention and its annexed Protocols are yet to be submitted to Member States which, in exercise of their sovereign right, would decide either to sign or not to sign the Convention. While this is being done, it is the belief of the co-sponsors that nothing should be done to detract from that exercise.

(Mr. Adeniji, Nigeria)

Bearing these factors in mind, the draft resolution before you in document A/C.1/35/L.15 lays emphasis where it should immediately be laid. It seeks to confine itself to the immediate need to bring to the attention of the General Assembly the Convention and its Protocols so that on the commendation of these instruments to Member States they may achieve the widest possible adherence. We have used the words "commendation of the Convention and its Protocols to Member States" because it was the product of a consensus in the negotiating conference, a consensus which there is no intention to reopen in the course of the discussion of the Convention and the Protocol by the First Committee. Fortunately, there was no delegation which in the course of the Conference gave any indication that it could not live with the consensus to the extent that it would wish to reopen any of the issues that had been agreed upon. Operative paragraph 3 takes note of article 3 of the Convention, which stipulates the date on which the convention will be open for signature, that is, 10 April 1981. Operative paragraph 6 requests the Secretary-General, as the depositary of the Convention and its annexed Protocols, to inform the General Assembly from time to time of the state of adherence to the Convention and the annexed Protocols. The last operative paragraph, which stipulates that an item will continue to be maintained on the agenda on this subject, would enable the Secretary-General to perform this function from year to year.

(Mr. Goodhew, United Kingdom)

I should also like to say that we very much welcome the introduction this morning by the representative of Nigeria, on behalf of a large number of delegations, of a draft resolution introducing to this Committee the Convention recently agreed in Geneva at the United Nations Conference on Prohibitions and Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. My Government has been closely involved with the field of humanitarian law for many years and we played a full part throughout the preparatory stages of the United Nations Conference and the two years of its work. We warmly welcome its successful conclusion. We should like once more to thank Ambassador Adeniji for his sterling work as President of the Conference and at the same time to put on record our appreciation of the contribution of all the other Conference officials and of the Secretariat.

The CHAIRMAN: I now call upon the representative of Hungary, Mr. Komives, to introduce draft resolution A/C.1/35/L.13.

Mr. KOMIVES (Hungary): On behalf of the delegations of Angola, Bulgaria, the Byelorussian SSR, Czechoslovakia, Democratic Yemen, Ethiopia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Madagascar, Mongolia, Poland, Rmania, the Ukrainian SSR, the Union of Soviet Socialist Republics, and Viet Nam, I have the honour to introduce the draft resolution contained in document A/C.1/35/L.13 concerning the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present.

The sponsors of this draft resolution, like many other delegations, attach great importance to strengthening the system of political and international legal guarantees for the security of non-nuclear-weapon States. The idea of concluding an international agreement on the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present is, in the opinion of the sponsors, one of the possible actions to serve that goal. Such an action would be fully in accordance with the interests of a large

group of non-nuclear-weapon States which has in recent years advocated that nuclear weapons should be withdrawn from foreign territories and that the stationing of such weapons on territories where they are not found at present should be prevented.

The conclusion of an agreement on non-stationing of nuclear weapons on the territories of States where there are no such weapons at present would considerably strengthen the non-proliferation régime, could contribute to reducing the danger of nuclear war and the nuclear arms race, and could promote the establishment of nuclear-weapon-free zones. Such an undertaking would make a significant contribution to increasing confidence and to strengthening international peace and security. For those reasons, the sponsors of the draft resolution consider that the conclusion of such an agreement is both possible and necessary, not to say timely.

It is against this background that in 1978 the General Assembly adopted its resolution 33/91 F, which calls upon all nuclear-weapon States to refrain from stationing nuclear weapons on the territories of States where there are no such weapons at present and calls upon all non-nuclear-weapon States which do not have any nuclear weapons on their territory to refrain from any steps which would directly or indirectly result in the stationing of such weapons on their territories. Last year the General Assembly, along those lines, adopted its resolution 34/87 C, which calls upon all States to examine possibilities for an international agreement on this question. Resolution 34/87 C requested the Secretary-General to call upon all States to transmit to him their opinions and observations regarding the possibility of concluding the agreement on the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present.

The opinions of a significant number of States on the subject, contained in the report of the Secretary-General, document A/35/145, clearly demonstrate the necessity and possibility of such an agreement and the wish to take practical steps to prevent the further stationing of nuclear weapons.

The sponsors of the draft resolution have noted with satisfaction that the question of non-stationing has received a considerable amount of attention and support during the Committee's general debate. The representative

(Mr. Komives, Hungary)

of Zaire characterized the efforts aimed at the non-stationing of nuclear weapons as a noble initiative. The head of the delegation of Finland, dealing with nuclear disarmament in his statement of 22 October, expressed the three-fold maxim of his Government in the following way:

"there should be no new owners of nuclear arms, no new types of nuclear weapons should be developed, and no new development or introduction of nuclear weapons should be undertaken in areas where they have so far not existed". (A/C.1/35/PV.10, p. 16)

In the light of this it is clearly necessary now to consider further concrete action concerning the actual conclusion of an international agreement on the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present. This is precisely the purpose of the draft resolution I have the honour to introduce.

The draft resolution is short and clear. Its preambular part expresses the consciousness that a nuclear war would have devastating consequences for the whole of mankind, recalls General Assembly resolution 33/91 F and takes note of the report of the Secretary-General submitted in accordance with resolution 34/87 C. It also bears in mind the clearly expressed intention of many States to prevent the stationing of nuclear weapons on their territories. Finally, it considers that the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present would constitute a step towards the larger objective of the subsequent complete withdrawal of nuclear weapons from the territories of other States, thus contributing to the prevention of the spread of nuclear weapons and leading eventually to the total elimination of nuclear weapons.

Operative paragraph 1 of the draft resolution requests the Committee on Disarmament to proceed without delay to talks with a view to elaborating an international agreement on the non-stationing of nuclear weapons. Paragraph 2 requests the Secretary-General to transmit to the Committee on Disarmament all documents relating to the discussion of this question by the present session of the General Assembly. Paragraph 3 requests the Committee on Disarmament to submit a report on the question to the next session of the General Assembly.

Finally, paragraph 4 decides to include in the provisional agenda of the thirty-sixth session an item entitled "Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present: Report of the Committee on Disarmament".

In conclusion, I wish to express the hope of the sponsors that this draft resolution will receive favourable consideration in our Committee and will command the widest possible support.

Mr. LIDGARD (Sweden): I am grateful for this opportunity to make a few remarks concerning the draft resolution on particularly inhumane weapons and on the recently concluded United Nations Conference on that subject, which has already been introduced by Ambassador Adeniji.

First, I wish to express a deep sense of satisfaction that, after so much hard work in which my country has been intimately involved, success has finally been reached in the weapons field. In this connexion, like the representative of the United Kingdom, I should like to pay a special tribute to the President of the United Nations Conference, Ambassador Adeniji of Nigeria, for the great skill, endurance and tenacity that he showed and which made possible that success.

In his introductory statement he recalled the history of the Convention and the concluding Conference. He also recalled the tortuous discussion of the weapons issue during the four sessions of the Diplomatic Conference in Geneva and the two International Committee of the Red Cross (ICRC) expert conferences of Lucerne and Lugano. Those conferences brought a wealth of information on various weapons categories. It is not an exaggeration to say that the agreements we have now reached were already very far advanced then. It attests to the complexity of international law-making today that it has taken us almost a decade to reach final agreement on these fairly simple texts - one of which on incendiaries can hardly be considered complete.

Be that as it may, it is still a further source of satisfaction that the two main Protocols on mines and incendiaries, together with the general treaty, represent decisive progress in the field of international humanitarian law, in so far as the protection of civilians and civilian objects and, to some extent also, of combatants, is concerned. Read in conjunction with the Geneva Conventions and the Additional Protocols they constitute a body of rules which should, if properly and scrupulously applied by all parties, decisively restrict certain means and methods of combat.

(Mr. Lidgard, Sweden)

On the other hand, it is of course a matter of regret that not more could be achieved. Sweden has over the years, together with other neutral and non-aligned States, been particularly eager to see a wider prohibition of a number of conventional weapons based on their particularly inhumane or indiscriminate nature.

Viewed from our original point of departure, the results of the United Nations Conference must therefore be considered modest. It has become increasingly obvious that for certain categories of weapons humanitarian arguments have carried little weight when compared to that ominous criterion called "military necessity". It is our hope, however, that as a result of this Conference the question of regulating certain particularly inhumane weapons will henceforth come to be considered naturally a matter for serious further work, for much remains to be done.

With regard to the Protocol on incendiary weapons, no protection of combatants was achieved; this will remain a central issue for later agreement. In this context, I should like to make it clear that we have in no way given up our claim that incendiary weapons are apt to have grave and unnecessarily injurious effects. We think that most medical and technical data support that view. Unfortunately, perceived military necessity has so far hindered some delegations from letting such views prevail. But our goal remains firm: all use of incendiary weapons, against combatants as well, should be outlawed.

On the other hand, we are satisfied that at last everybody can rally to a substantial restriction of use on all air-delivered incendiaries. Obviously, this falls short of what we and others had wanted, but it does not fall below a certain minimum which we considered absolutely necessary for an agreement. It covers the whole category of incendiaries, not only one type such as flame-weapons. This will simplify a uniform understanding and application of the rule.

There was no final agreement on some other categories of weapons, partly because the Conference lacked the time to consider those weapons

(Mr. Lidgard, Sweden)

and partly because those issues were not ripe for agreement. This was the case with regard to small-calibre projectiles.

Owing to the perceived complexity of this problem some technical disagreement persisted. Undoubtedly, however, international deliberations have brought about a much better understanding of the problems involved and it is indeed our impression that they have had a not negligible impact on national administrations and weapons manufacturers as they plan to develop or introduce new generations of automatic rifles.

Against that background it goes without saying that my delegation attaches the utmost importance to the provisions for a review mechanism in the Convention that has been adopted. It is essential for the nations of the world to have a treaty machinery available that can be used to further the development of international humanitarian law in the field of conventional weapons. We find it therefore useful and appropriate for the draft resolution to call attention to the need for further review conferences.

We also feel that the situation with regard to the three weapon Protocols should be continually reviewed in this Assembly. The question of particularly inhumane conventional weapons should be a recurrent item on the agenda of the General Assembly. It would thereby be possible to follow and encourage the signing and ratification of the new Protocols; it would also enable the Assembly to follow the further technical, medical and military developments in this field.

Finally, I should like to take this opportunity to appeal to Governments to sign and thereafter ratify the Convention and Protocols so that these new rules of humanitarian law may be applicable to a large number of States in the event of armed conflicts.

The CHAIRMAN: As no other representative wishes to speak at this time, I would inform the Committee of the following additional sponsors of draft resolutions: Brazil and Yemen, A/C.1/35/L.7; Denmark, Greece, Italy, the Netherlands, Spain and Sweden, A/C.1/35/L.17; United Republic of Cameroon, A/C.1/35/L.9.

PROGRAMME OF WORK

The CHAIRMAN: Members of the Committee may recall that noon tomorrow, 14 November, was set as the deadline for the submission of draft resolutions on all disarmament items. Several delegations have approached me in connexion with a possible extension. I have been informed that a number of working papers and draft resolutions are still the subject of intense informal consultations, and that a little more time should be allowed so that those consultations may be completed.

I have considered this matter carefully and have reached the conclusion that the Committee may wish to decide to adopt a new deadline, which I suggest might be 6 p.m. on Tuesday next, 18 November.

In making this recommendation I wish at the same time to stress that no further extension will be possible without a substantial revision of the programme of work already adopted by the Committee and, eventually, of the scheduling of plenary meetings of the General Assembly.

If I hear no objection, I shall take it that the Committee agrees to adopt the proposed new deadline - 6 p.m. on Tuesday, 18 November - on the understanding that we shall keep to it.

It was so decided.

The CHAIRMAN: I wish also to inform delegations that, beginning on Thursday, 20 November at 10.30 a.m., I intend to put draft resolutions to the Committee for decision as they become ready to be voted upon. On that date we shall hold a meeting to start our decision-making process. On Monday next, at the latest, I shall indicate the draft resolutions that are to be taken up on Thursday and Friday, 20 and 21 November, and further announcements of the same kind will be made as our discussions proceed.

(The Chairman)

May I emphasize, however, that I intend to dispose first of those draft resolutions that have financial implications, since the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee have to take action on them before they can go to the plenary Assembly. Accordingly, I would urge delegations conducting informal consultations on draft resolutions in that category to intensify them so that we may be ready to begin taking decisions on Thursday, 20 November, as proposed.

Indeed, I would invite all delegations engaged in consultations to keep me informed of the progress achieved so that dates may be set for decisions on the draft resolutions they are discussing.

With regard to our future schedule, I would inform members that I still do not have enough speakers to convene another meeting of the Committee. I hope that we may be able to hold a meeting at 10.30 tomorrow morning, but it will depend on additions to the list of speakers, and I would urge delegations wishing to speak to inscribe their name as soon as possible. Since we are not meeting very frequently it is my concern that we might have to resort to evening meetings later on in order to be able to accommodate all those representatives wishing to take part in the discussion.

As I have indicated, the meeting planned for this afternoon has to be cancelled, and I would suggest that delegations consult the Journal for information on the date of our next meeting.

The meeting rose at 12.30 p.m.