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FINAL RECORD OF THE ONE HUNDRED AND TWENTY-FIRST MEETING  
held at the Palais des Nations, Geneva,  
on Friday, 3 April 1981, at 3.30 p.m.

Chairman: Mr. G. PFEIFFER (Federal Republic of Germany)

CE.81-61176

## PRESENT AT THE TABLE

Algeria: Mr. M. MEDKOUR  
Mr. M. MATI

Argentina: Miss N. FREYRE PENABAD

Australia: Mr. R.A. WALKER  
Mr. R. STEELE

Belgium: Mr. J.M. NOIRFALISSE

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

Bulgaria: Mr. I. SOTIROV  
Mr. R. DEYANOV

Burma: U SAW LAING  
U NGWE WIN  
U THAN HTUN

Canada: Mr. G. SKINNER

China: Mr. YU Peiwen  
Mr. LIN Chen  
Mr. PAN Jusheng

Cuba: Mr. L. SOLA VILA  
Mr. C. PAZOS

Czechoslovakia: Mr. P. LUKES  
Mr. L. STAVINOHA

Egypt: Mr. M.N. FAHMY

Ethiopia: Mr. F. YOHANNES

France: Mr. M. COUTHURES

German Democratic Republic: Mr. H. THIELICKE

Germany, Federal Republic of: Mr. G. PFEIFFER  
Mr. H. KLINGLER  
Mr. W. ROHR  
Mr. J. PFISCHKE

Hungary: Mr. I. KOMIVES  
Mr. C. GYORFFY

India: Mr. A.P. VENKATESWARAN

Indonesia: Mr. S. DARUSMAN  
Mr. I. DAMANIK  
Mr. KARYONO

Iran: Mr. T. AFSAR

Italy: Mr. B. CABRAS  
Mr. E. DI GIOVANNI

Japan: Mr. Y. OKAWA  
Mr. K. SHIMADA

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

Mexico: Mr. A. GARCIA ROBLES  
Mrs. Z. GONZALEZ Y REYNERO  
Mr. C. HELIER

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

Morocco:

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

Nigeria Mr. O. ADENIJI  
Mr. W.O. AKINSANYA  
Mr. T. AGUIYI-IRONSI

Pakistan:  
Mr. M. AHMAD  
Mr. M. AKRAM  
Mr. T. ALTAF

Peru:

Poland:  
Mr. J. CIALOWICZ  
Mr. T. STROJWAS

Romania:

Sri Lanka:  
Mr. H.M.G.S. PALIHAKKARA

Sweden:  
Mr. C. LIDGARD  
Mr. L. NORBERG

Union of Soviet Socialist Republics:  
Mr. V.L. ISSRAELYAN  
Mr. B.P. PROKOFIEV  
Mr. L.A. NAUMOV  
Mr. V.M. GANJA  
Mr. Y.V. KOSTENKO

United Kingdom:  
Mr. D.M. SUMMERHAYES  
Mrs. J.I. LINK  
Mr. T.D. INCH

United States of America:  
Mr. C.C. FLOWERREE  
Mr. F.P. DeSIMONE  
Ms. K. CRITTENBERGER  
Mr. C. PEARCY

Venezuela:  
Mr. A.R. TAYLHARDAT  
Mr. H. ARTEAGA  
Mr. O.A. AGUILAR

Yugoslavia:  
Mr. M. VRHUNEC

Zaire:  
Mr. O. GNOK

Secretary of the Committee,  
and Personal Representative  
of the Secretary-General:  
Mr. R. JAIPAL

Deputy Secretary of the Committee:  
Mr. V. BERASATEGUI

Mr. KOMIVES (Hungary): Mr. Chairman, may I take this opportunity to welcome you on your assumption of the chairmanship of the Committee on Disarmament for the month of April and express my conviction that you, like your distinguished predecessors during this year's session, will further keep up the constructive, business-like atmosphere prevailing in our Committee. To this end I offer you the full support of my delegation.

I would like to convey my appreciation to the outgoing Chairman for the previous month, Ambassador Gerhard Herder of the German Democratic Republic, for the efficient manner in which he guided the work of the Committee last month, especially his successful efforts made in channelling and speeding up our work concerning the questions of nuclear disarmament and the general and complete prohibition of nuclear-weapon tests. This has become a sort of positive tradition supported by all, and I hope that it will be developed further.

In my statement today I would like to deal with two subjects: first, the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons, and secondly, the problems of chemical weapons.

In dealing with the subject of strengthening the security of the non-nuclear-weapon States against the use or threat of use of nuclear weapons, my delegation feels it appropriate to emphasize its connection with the general subject of nuclear disarmament, being a specific collateral measure until the highest priority task of nuclear disarmament on a universal basis is achieved. Any advances made in assuring the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons would, in our understanding, have at least a three-fold significance. First, they would strengthen the non-proliferation régime by eliminating incentives for acquiring nuclear weapons by the non-nuclear-weapon States through guaranteeing their security by developing international legal measures. Secondly, they would also be an effective barrier to the geographical spread of nuclear weapons, preventing such weapons being introduced by nuclear-weapon States into the territory of States at present free from nuclear weapons. Thirdly, they would be a step towards a time when States will seek to strengthen their security on the basis of the principle of the non-use of force or the threat of force, as enshrined in the Charter of the United Nations.

My delegation is pleased to note that the Working Group on negative security guarantees has passed the procedural phase of its work and is concentrating its attention on the substance. It continues firmly to believe that the most effective way to strengthen the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons would be an international convention, by virtue of its clear-cut binding character in terms of international law. However, my delegation is ready to go along with efforts to find possibilities for interim measures which would facilitate reaching our final aim. The crux of the matter is that our activities should, as contemplated in General Assembly resolution 35/154, assist "all nuclear-weapon States to make solemn declarations, identical in substance, concerning the non-use of nuclear weapons against non-nuclear States having no such weapons on their territories, as a first step towards the conclusion of such an international convention".

(Mr. Komives, Hungary)

My delegation welcomes the efforts made in the Working Group on negative security guarantees to find a possible common approach or a common formula by an in-depth analysis of the unilateral declarations made by the nuclear-weapon States and the proposals made by several countries to this effect.

The Hungarian delegation is of the view that the scope of non-nuclear-weapon States to be guaranteed against the use or threat of use of nuclear weapons should be determined on the basis of objective criteria which do not lend themselves to subjective interpretations by the States offering such guarantees. Such criteria could be whether the States to be guaranteed are a source of nuclear threat to the nuclear-weapon States or not. This is comprised of two elements, such as the renunciation of the acquisition of nuclear weapons by that State and the non-deployment of the nuclear weapons of other States on its territory. Exceptions as contained in the formulas of the United Kingdom and the United States of America at first glance do not exclude any non-nuclear-weapon State from the guarantees. However, they do not include any of them unconditionally either, since they retain the right to decide that in case of an armed conflict the non-nuclear-weapon State in question "is in association or alliance with a nuclear-weapon State" or that it is "allied to a nuclear-weapon State or associated with a nuclear-weapon State in carrying out or sustaining the attack". As we see it, any non-nuclear-weapon State could "qualify" to be subjected to the use of nuclear weapons if it is so decided by those nuclear-weapon States in accordance with the criteria referred to above.

I would like to touch briefly upon the aspects of negative security guarantees concerning Europe. The distinguished representative of Pakistan in his statement of 24 March 1981 explained that "the so-called self-defence clauses" in the declarations of the United States, the United Kingdom and the Soviet Union "are related to strategic considerations in central Europe" and as such "should not be elevated to the status of general prescriptions in the common formula". The Ambassador of Pakistan is right that these aspects relate also to Europe, though to the whole of it, but not only to that. First, the exceptions contained in the United Kingdom and United States declarations may well be valid in relation to any non-nuclear-weapon State. The fact that Europe and the two military alliances are in the focus of the international attention does not change the validity of such a conclusion. Secondly, the criteria contained in the formula of the USSR concerning non-nuclear-weapon States is related not only to Europe, since it is not only in Europe that there are non-nuclear-weapon States with foreign nuclear weapons on their territory, and it cannot be excluded that as a result of the possible geographic spread of nuclear weapons further countries may also be involved. The criteria contained in the Soviet formula to define the non-nuclear status of non-nuclear-weapon States also take good care of such cases as Israel and South Africa, which could be handled at best as "exceptional cases" according to other formulations.

I would also like to say a few words on the question whether non-nuclear-weapon States should or should not assume new obligations under a future convention. The answer is definitely no, in the sense that States with a real non-nuclear-weapon status should do nothing more than to undertake not to change it. To be more specific, non-nuclear-weapon States in the framework of such an international instrument might:

(Mr. Komives, Hungary)

- (1) Reaffirm their undertaking not to acquire nuclear weapons or, possibly, renounce such weapons in cases where they have not yet done so;
- (2) Pledge themselves to continue to keep their territories free of the nuclear weapons of the nuclear-weapon States.

I think none of these contain any sort of new undertakings. If we think in terms of a future multilateral international convention a two-way commitment seems feasible.

In their turn the nuclear-weapon States could undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon States which have renounced the acquisition of nuclear weapons and have no nuclear weapons of other States on their territory. Nuclear-weapon States could also pledge themselves not to initiate the emplacement of their nuclear weapons on the territory of States where there are no such weapons at present.

Giving serious consideration to such elements might have beneficial effects on a world-wide scale including Europe. The majority of States -- including the European countries -- are free of nuclear weapons. To maintain and possibly further strengthen their non-nuclear-weapon status is worth being given a try by guaranteeing them against the use or threat of use of nuclear weapons in an appropriately constructed international convention. I would like to lay special emphasis on the European connection of this issue. Any agreement which would leave the European continent aside, as has been suggested here and there, runs the risk of a gross deviation from the original aim of strengthening the security of non-nuclear-weapon States and missing the crux of the matter.

Turning to the question of the prohibition of the development, production and stockpiling of chemical weapons and their destruction, I would like to express the satisfaction of my delegation at the detailed discussion taking place in the Ad Hoc Working Group concerned. Taking into consideration the detailed examination of issues and the highly technical character of the work being done I would like to touch upon only issues of a more general character in connection with certain questions which came up during the discussions in the Working Group.

My delegation continues to be in favour of a comprehensive CW convention which should provide for the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction, universally and adequately verified. It is the position of my delegation that we should adhere to the basic mandate we have and not extend the scope of the ban, however attractive it may seem sometimes. We feel it inappropriate to include in the scope of ban the use of chemical weapons, since this aspect has been settled in a satisfactory way in the Geneva Protocol of 1925. Repeating the same obligation in a new international instrument may cause confusion by casting doubts on effectively operating international instruments and setting an undesirable precedent. Thus by making our task even more difficult and complicated we gain nothing else than further complications.

(Mr. Komives, Hungary)

Commenting briefly on other aspects of the scope and definitions, my delegation is of the view that the Committee and the Working Group in particular ought rather to keep as close as possible to our original aim and mandate on the prohibition of the development, production and stockpiling of chemical weapons and the destruction of their stockpiles. My delegation cannot support initiatives to bring into it new elements which can only be vaguely defined and do not have a direct relation to the prohibition of the development, production and stockpiling of chemical weapons, in order to avoid further complications of a political and technical character, of which I think we have enough.

It is clear from our earlier experience and that in the activities of the Working Group that the structuring of an adequate verification system for a future treaty is a crucial problem. In this connection let me refer to certain basic considerations which -- in the view of my delegation -- are instrumental from the point of view of the successful outcome of our efforts. As in the case of all agreements in the field of disarmament, the verification system should be commensurate with the scope of the prohibition; it should pursue the realistic aim of providing for adequate verification and should be simple in its structure and comprehensible in its dimensions so as to facilitate its implementation. It is also crucial in this respect that the verification system should be applicable to all parties to the treaty, equally to those who declared possession of chemical warfare agents and those who declared non-possession of such weapons. The verification system should ensure for all the parties that the convention is strictly implemented without unnecessary intrusion into the peaceful activities of the chemical industry or causing damage to the security interests of the participant not related to chemical warfare.

There is a growing understanding, and we fully support it, that such a verification system should be a combination of national and international means providing for the possibility of on-the-spot inspection whenever it is indispensable, on a voluntary basis. This aim can be achieved through a properly structured consultative committee of experts.

My delegation is of the view that to set such considerations into the basis of our work and build an appropriate system of verification around them would greatly facilitate the advance of our work and could speed up the attainment of a comprehensive prohibition on the development, production and stockpiling of all chemical weapons and on the destruction of their stockpiles which has long been urged and hoped for by the international community.

The CHAIRMAN: I thank the distinguished representative of Hungary, Ambassador Komives, for his statement and for the kind words he addressed to the Chair.



Mr. TAYLHARDAT (Venezuela) (translated from Spanish): We should like to take this opportunity to state our delegation's position on a number of questions connected with the topic of chemical weapons and to offer a few ideas and comments by way of contribution to the substantive review of this subject on which the Ad Hoc Working Group is now engaged.

1. Priority and importance

First of all, we wish to reiterate that Venezuela ascribes high priority to the task of negotiating and drawing up a convention on chemical weapons. It is for this reason that we have been participating actively in the work of the Ad Hoc Working Group, which last year, under the chairmanship of Ambassador Okawa of Japan, embarked on the task of defining the matters to be covered by the convention and which this year has steadily pursued its important undertaking under the guidance of Ambassador Lidgard of Sweden. We should like to take this opportunity to pay tribute both to the Group's current Chairman and to his predecessor for their valuable contribution to the work of the Committee in this sphere.

Venezuela also attaches very special importance to the proposed convention on chemical weapons. As I said in the statement I made during the Committee's first session, we consider that such a convention would be the first genuine and effective disarmament measure to have been adopted since the beginning of the United Nations efforts in this field because the States that sign the convention will, for the first time, pledge themselves to destroy a weapon which is not simply one that many of them have in their arsenals, but one that has actually been used in war. The need to complete the drafting of this convention as soon as possible is becoming increasingly urgent. This loathsome weapon appeared to have sunk into oblivion after the experience of its terrible effects during the First World War. But now increasingly there are signs of a resurgence of this weapon-- a menacing spectre. Television frequently shows us the armed forces of the two military alliances conducting manoeuvres involving troops equipped for chemical warfare. It is difficult to determine whether such exercises are designed to provide training for attack or for defence. Whatever the case, we believe that, as stated in document CD/167 submitted by Canada, no country needs chemical weapons for defensive purposes except for retaliation in kind. We also agree with what Ambassador McPhail said in his statement on Thursday last, 26 March, namely that "in the absence of [an] agreement, a chemical arms race is possible, and events in the next several years will determine whether or not this happens. This statement is lent force by the information frequently made public of the earmarking in the military budgets of certain countries of further funds for the modernization of chemical warfare equipment through the acquisition of weapons that are deadlier but less dangerous to handle.

2. Scope of the convention

In our opinion, the convention on chemical weapons should be comprehensive, that is to say, broad. It should cover all activities, resources and means capable of being employed in order to make use of the toxic properties of chemical substances for hostile purposes or in armed conflicts.

As Ambassador de Souza e Silva of Brazil and others have pointed out, the convention on chemical weapons should contain obligations of two different kinds, on the one hand positive obligations-- that is, obligations representing an undertaking to do something, and on the other hand negative obligations-- implying an undertaking to refrain from the performance of some activity.

(Mr. Taylhardat, Venezuela)

To the first category belong those obligations whereby States will undertake to declare what stocks of weapons and what production facilities they possess. We think that, as urged by the delegation of Pakistan, such declarations should be made immediately upon the signing of the convention, as a confidence-building measure. In the same category is the obligation to destroy stocks and to dismantle, close or convert to peaceful uses facilities for the production of lethal chemical agents and chemical weapons and munitions.

We share the idea put forward by Brazil that there should be a change of emphasis in our work so as to give precedence to the obligations of an active kind, particularly those relating to the destruction of stocks, etc., since these are the ones that most directly concern the States which actually possess such weapons. It is these obligations which, as we have said, make the convention a true disarmament measure. Similarly, we also support the Brazilian proposal that this idea should be appropriately reflected in the name or title of the convention.

The second category of obligations -- the obligations of abstention -- include those whose aim is to prevent the exercise of any activity that might make it possible for a country to possess or to use chemical weapons. This category includes the prohibition of the development, production, stockpiling, acquisition, retention or transfer of chemical weapons. This category also includes the obligations designed to prevent the carrying out of activities, such as offensive military training and the like, that could help a country to acquire the capacity to engage in acts of chemical warfare.

These considerations lead us to express our opinion on the controversial question of use. The recent reports and allegations of the presumed use of chemical weapons in conflicts in various parts of the world make us think that the prohibition laid down in the 1925 Geneva Protocol is not sufficiently effective. On the one hand, as the Committee knows, the prohibition laid down in this Protocol covers the use of chemical agents only when they are employed in the form of gases. It is true that this is the commonest method of employing chemical agents for warlike purposes, but it is not by any means the only method. Hence, while the Geneva Protocol remains fully valid and must be defended as a very worth-while instrument, it cannot be denied that it suffers from lacunae and weak points that lay it open to violation. On the other hand, while it is true that, as is stated in the preamble to the Protocol, the use of chemical weapons has been justly condemned by the general opinion of the civilized world, it cannot be claimed, as has been done, that the prohibition of the use of chemical weapons is universally accepted as a rule of customary international law. If that were so, we should not be encountering any difficulty in coming rapidly to an agreement on the text of the convention on chemical weapons.

We think, therefore, that the convention that emerges from the work of the Committee on Disarmament ought to strengthen the ban on use contained in the Geneva Protocol. We have no concrete proposal to make in this respect but we think that, as Ambassador Lidgard of Sweden has indicated, there are several possible ways of establishing a satisfactory link between the new convention and the Protocol. We would prefer that this link should be established in the operative provisions of the convention. We are flexible as to the solution that might be adopted in that respect. On the other hand, we consider it essential to include in the convention an adequate system for the verification of reports of the presumed use of chemical weapons.

(Mr. Taylhardat, Venezuela)

### 3. Verification

With regard to verification, I should like to explain a few of my delegation's ideas on this important question, which, as no one will deny, is the most difficult of all those arising in connection with these or indeed with any other disarmament negotiations.

As has often been said, the fundamental requirement to be met by any procedure or system of verification is that it should be effective. In order to be effective, the method of verification must be compatible with the type or nature of the disarmament measure to which it is to be applied.

In the case of chemical weapons, the very fact that, as we have stated earlier, the convention now being prepared will include obligations of different kinds, some negative and others positive, some of action and others of abstention, makes the problem of verification particularly complicated to deal with. Moreover, the fact that this will be a genuine disarmament measure makes it necessary that the verification system should be very carefully thought out.

At the same time, it has to be recognized that it is not possible to achieve a perfect system of verification. It is precisely here that the political will and the spirit of compromise necessary in all negotiations will be called for. Bearing in mind the popular precept that the best is the enemy of the good, it will surely be necessary for us to accept a compromise and to agree on a method of verification that is, on the one hand, satisfactory and, on the other, as effective as possible.

In order to be compatible with the nature of the disarmament measure to which it is to be applied, and which includes obligations of two different kinds, the verification system will have to be -- to use an expression familiar to us from the terminology of chemical weapons -- dual-purpose. We might perhaps call it a binary system.

On the one hand, it ought to include a procedure -- one that should function automatically -- for verifying the fulfilment of the positive obligations. This would entail a system of inspections to confirm the veracity of declarations concerning arsenals or stockpiles of weapons, munitions, chemical agents, facilities, etc., and to verify that the destruction of such arsenals and the dismantling, closure or conversion of the facilities had actually been carried out.

The other verification procedure, which would be initiated by a complaint, would be designed to check the truth of any allegation that might be made of the breach of a negative obligation -- an obligation to refrain from a certain activity. What would be involved here would be cases in which one country accused another of producing or developing, stockpiling, acquiring or retaining chemical weapons or of carrying out any of the activities expressly prohibited under the convention. This category would, naturally, include the use or employment of chemical weapons.

We believe that the verification system should include an appropriate combination of national measures and international measures, the latter constituting a larger proportion than the former. Furthermore, on-site inspection should play a particularly important role. With respect, for example, to the verification of declarations and of measures of destruction, there seems no possibility of finding any more suitable method than that of direct observation. This observation or inspection should in any case be as unobtrusive as possible and compatible with respect for the sovereignty of States, avoiding unnecessary interference in their internal affairs. We consider that the main basis of the system of on-site verification should be a presumption of the good faith of all the contracting parties. If we start from the assumption that all States are fulfilling the obligations they have assumed, no State party should

(Mr. Taylhardat, Venezuela)

feel offended if the control authority which it would, by its own sovereign will, have agreed to set up, were to request permission to carry out an inspection in order to confirm or verify that an obligation had been, or was being discharged. That is how we see the mutual trust that should prevail between the States parties to the convention.

With respect to the question of verification, we find the study submitted by the delegation of Canada in document CD/167 very helpful. We also consider the summary of questions relating to verification contained in working paper CD/CW/WP.10 prepared by the Chairman of the Working Group very interesting. Both documents contain material that will be very useful when we move on to the next stage of our work.

With respect to the control authority, our thinking runs along the lines suggested in the Canadian document, and we consider that the convention should provide for the establishment of an international committee of a political nature, with a limited, periodically renewable membership appointed by the General Assembly or by the conference of States parties. The committee could take it upon itself to carry out visits irregularly and at random for the purpose of verifying the discharge of obligations of commission, but it would also receive complaints and make the necessary arrangements for verifying alleged breaches of the convention. It would be answerable to the General Assembly or the conference of the parties and would report periodically to that body on its activities. The committee would be able to call upon experts for advice and assistance whenever necessary. Finally, we think that the committee should be designed to be as simple as possible and that its procedures should be flexible so that it can carry out its work with maximum efficiency.

We do not share the idea contained in the bilateral report by the United States and the Soviet Union that the main role as regards verification should be assigned to the Security Council. We would prefer the body entrusted with that important function to be one that was more democratic in its composition and representativity.

#### 4. New mandate

Lastly, we should like to say that we share the view expressed by Ambassador Lidgard in his statement on 24 March that the Committee should without delay widen the mandate of the Working Group so as to enable it as soon as possible to start the actual elaboration of a convention. The Group will soon have completed its second review of the substantive questions of relevance to the convention. It will be recalled that the mandate given to the Working Group is extremely limited, confining it to the definition of the issues that should be covered by the convention. It will also be recalled that, from the beginning, a restrictive interpretation has been placed upon that mandate, which has prevented the Group from making progress towards genuine negotiations. It is, therefore, essential to give the Group a mandate broad enough to enable it to embark on the real work of negotiation that should lead to the drafting of an internationally binding instrument.

We should like to conclude our statement by expressing our hope that, with a new mandate, the Working Group may be able to move forward in its work sufficiently rapidly to enable the Committee to submit to the General Assembly, at its second special session on disarmament, if not a definitive text, at least a draft refined enough to show the world that we have been able to do something more than draw up treaties on non-existent weapons.

The CHAIRMAN: I thank the distinguished representative of Venezuela, Ambassador Taylhardat, for his statement and for the kind words he addressed to the Chair.

Mr. SUMMERHAYES (United Kingdom): I shall be speaking today on item 4 of our agenda, on the question of chemical weapons. But before doing so, Mr. Chairman, I should like to express my pleasure at seeing you in the Chair of our Committee for the month of April. I am confident that under your sure guidance the Committee will continue to make progress in all the important areas upon which it is working, and I pledge to you the full support and co-operation of my delegation. I should also like to thank your predecessor, Ambassador Herder of the German Democratic Republic, who has worked so diligently as our Chairman for the last month.

Turning now to chemical weapons, I should like first of all to stress our gratitude to the distinguished representative of Sweden for the energy, resourcefulness and commitment he has shown in his chairmanship of the Ad Hoc Working Group on Chemical Weapons. My Government considers that the elimination of chemical weapons from the arsenals of all States is of the greatest importance. We are determined to do all we can to assist in that process. We shall be giving further serious thought to the discussion that has been taking place in that Group. My comments now are intended to show the direction of our thinking.

In tackling the question of chemical weapons, we are dealing not with some potential future weapon, but with armaments which exist in the world and which have been used in the past to terrible effect. The United Kingdom has always taken the view that in any disarmament treaty there must be appropriate and adequate measures of verification. Where the arms concerned are actually in existence, that view is reinforced; it takes on increased importance. The United Kingdom Government believe that a CW convention must be adequately verifiable. Without adequate verification States will not have confidence that such a convention would be observed. Indeed, it is mainly because we have been unable so far to agree on provisions for verification in which all States would have confidence, that better progress has not been made. Verification is and will remain the keystone of progress.

I should like, therefore, to take a few minutes to examine further what my delegation means when we talk of adequate verification. Obviously we cannot realistically hope for agreement on a verification system that would provide a 100 per cent certainty of compliance. Desirable as it would be to devise such a system, we recognize that this would not be possible — and this fact was admirably demonstrated in document CD/CW/WP.9, submitted by Canada in the CW Working Group. But we must have provisions which will give all parties to a convention a good degree of confidence that all other States party are observing it. Moreover, if we incorporate such provisions, these will in themselves provide an incentive to all States to comply fully with the letter as well as the spirit of the agreement.

The question then is what activities will need to be verified if States are to such confidence in the convention, and what form should this verification take? The United Kingdom considers that verification measures would be necessary for each stage of implementation of all the provisions of the convention relating to the declaration and destruction of stockpiles and of production facilities, and thereafter for monitoring the compliance of States with the provisions banning development and production, including monitoring the use for permitted peaceful purposes of chemical warfare agents and dual purpose chemical agents. The United Kingdom Government also considers it essential that the convention should have an effective complaints procedure.

I am sure that the United Kingdom position on these issues is well known. But I should like to take a little time to elaborate on one or two of the fundamental aspects of that position. One of the main elements of an adequate verification régime

(Mr. Summerhayes, United Kingdom)

would in our view be the establishment of a consultative committee. The committee would, in our view, be most efficient if it were limited in numbers, its composition being drawn from the States parties to the convention. Such a committee would have the central role in the verification régime. Experts from the States parties would be in a position to play a constructive part in ensuring that the convention was being observed. The concept of a multilateral consultative committee also implies a willingness on the part of States parties to share expertise and information, to be open on issues relating to this crucial subject. A high degree of openness, of frank exchange of information between States, will provide a basis of confidence. Indeed, I would go further and say that it is essential to the creation of the climate of confidence which would be necessary for a CW convention to be successfully implemented.

My country has already put forward ideas on what some of the functions of the consultative committee might be. We believe that it should analyse and evaluate reports and information provided by States parties; it should have the power to call for supplementary information as necessary and to conduct inquiries. It would carry out required measures of verification and also conduct on-site and other inspections as provided for in the convention. It would inform all States parties of its findings and it would consult and co-operate with national authorities charged with domestic activities in connection with the fulfilment of the provisions of the convention.

The consultative committee should not merely be a bureaucratic or administrative body, but would also provide a forum for consultation and co-operation between States parties. Through their participation States parties would have confidence in the committee itself; its international membership would mean that it would not represent one particular State or group of States, but would be independent and impartial. None of these provisions would, however, detract from the right of States parties which have complaints to pursue them at a higher political level. But it would be our hope that the procedures for consultation and co-operation would mean that such measures were necessary only in extreme circumstances. In all events, the consultative committee would be a means of fostering the greater openness and confidence between States which the United Kingdom so earnestly desires.

Of course, a consultative committee would not operate on its own. States parties would have rights and obligations too. I have already referred to the need for openness and I should like to set out in a little more detail the form such openness might take. In the first place, States would make declarations on signature of or accession to the Convention. It has been suggested that these declarations could be made prior to signature, perhaps even during the negotiation of a convention. That is a possibility: if any State wished to make such a declaration in advance of a convention I am sure my authorities would welcome it as a sign of increasing confidence and trust. But as was demonstrated in document CD/142, put forward by the Swedish delegation, the position of a State with regard to a CW capability could change very quickly. The United Kingdom therefore believes that the best time for declarations to be made is on the entry into force of the convention, or very shortly thereafter, so that at that time States acceding to it may make available and receive the most up-to-date information.

In our view, these declarations would need to be of a detailed and precise nature. They would need first to say whether a State possessed CW agents, precursors and munitions, and then to give details of the types of agents held and the quantity of

(Mr. Summerhayes, United Kingdom)

each type. In addition, the location and types of all production facilities for CW would need to be listed. States would also need to make declarations either at the same time or soon after about the types and quantities of agents to be retained for permitted activities, and the production facilities to be maintained for that purpose. Until all CW stocks and facilities had been destroyed, further periodic declarations would need to be made; in the case of CW agents retained for peaceful purposes, declarations would probably need to be made annually. Such declarations would all be processed by the consultative committee, and would form the basis for their further work in verifying the convention.

The States parties would have various duties in respect of the consultative committee. In participating in the committee, States would be recognizing the value of co-operation. That co-operation would have to extend further than the straightforward exchange of data. There would also need to be provision for a degree of on-site inspection to ensure that the terms of the convention had been and were being complied with, that the declarations made were accurate and that stockpiles had been destroyed and production facilities dismantled. A few countries have considered it regrettable that such measures should be thought necessary. We believe they are needed -- but that they also offer a positive benefit in offering a way for States to remove any lingering doubts and to build confidence. The aim of the verification régime for a CW convention should, we believe, be to ensure that such doubts do not arise, or that if they do arise, they can be promptly allayed. Obviously we cannot hope to police the chemical industries of the world -- the resources required, and the expense, would be immense. But it is right that every consideration should be given to opening to impartial and conscientious inspection those specific areas of activity which could give rise to concern or doubt. If there is nothing to hide, what objection can there be to this?

It has been suggested that inspection would be unacceptable because it would involve a breach of commercial confidence. But I believe members of this Committee will agree that where such potentially fearful weapons are involved, where so much is at stake, we cannot allow ourselves to be deflected by this problem. We can accept that maintaining commercial confidence is important -- but I am sure that ways can be found of ensuring that commercial confidentiality is maintained, while all the steps necessary are taken to enhance the even more vital issue of confidence in a CW convention. The experience of the Federal Republic of Germany in the field of inspections of commercial production facilities will be valuable when detailed consideration is given to this subject. The United Kingdom will be further developing its ideas on this aspect at a later stage.

I should like to turn now to a relatively new concept which has been under serious discussion for the first time this year in the CW Working Group, namely, the Swedish proposal to extend the scope of the treaty to cover areas of offensive CW capability such as planning, organization and training. The ideas of the Swedish delegation are set out in some detail in document CD/142. This is an interesting and far-reaching proposal, although one which also presents a number of difficulties. My authorities are still giving it detailed consideration, but I should like today to offer some preliminary comments.

The banning of what I might describe as the doctrinal, as opposed to the material, elements of an offensive CW capability is not in our view central or fundamental to a CW convention. It is more in the nature of a measure for building confidence -- in this case confidence that a State party will not suddenly abrogate the Convention at some future date. As a first stage, as I understand it, States would make declarations of any aspects of a CW capability they might have. As a second stage, observers would be invited to attend military manoeuvres in general, and

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those involving NBC training in particular. In the latter case, observers would be permitted to monitor electronic communications. In the third stage, States would instruct their armed forces that no further activities specifically connected with the possession of a capability to conduct offensive CW operations were to take place. Finally, there could be provisions for the exchange of information and, most importantly, for on-site inspection of military installations, munitions stockpiles and airfields. That is how we have understood the proposals in CD/142, as elaborated in CD/CW/WP.7.

This is a complex and detailed proposal. The United Kingdom has in the past advocated the use of a confidence-building régime to help States to prepare for a CW convention, and to reassure States about compliance once such a convention has come into being. But the ideas contained in the Swedish paper are of a rather different nature from these earlier proposals, and need very careful thought. The United Kingdom is in favour of some kind of confidence-building régime in connection with a ban on chemical weapons — indeed, we have supported certain earlier proposals in this field. But we need to give this question careful thought. In the first place, I wonder whether the proposals are not too complex for inclusion in a convention the primary and vital function of which would be to prohibit the possession of chemical weapons. The negotiation of a convention limited to this purpose will be a most complicated task, as we have seen from the long discussions in this Committee and from the efforts of the two States members of this Committee which have been involved in bilateral negotiations. We should ask ourselves whether measures over and above those essential to the main function of the convention might not be better treated separately. In this way it might be possible to avoid the penalty of further delays in progress in negotiating a ban on chemical weapons.

Secondly, I think we must ask ourselves what the measures proposed by the Swedish delegation would achieve. Would they in fact build confidence in the treaty régime? We can see that, if all States parties to a convention were sure that all other States parties had entirely ceased all planning, training or organizing in relation to offensive CW operations, confidence would be increased. But, despite the high degree of openness required by the measures proposed in CD/142, we really doubt whether it would ever be possible to be certain that all doctrinal activities related to offensive CW had ceased.

Thirdly, in view of a number of statements already made in the CW Working Group, we think that there must also be some doubt whether the measures proposed would ever be acceptable to a number of States whose accession to a CW convention would be absolutely essential. We would urge that in pursuing negotiations for a CW convention, we would do well to limit ourselves to the basic issue of prohibiting the development, production and stockpiling of these weapons.

Finally, I should like to say that the United Kingdom welcomes the work that has been done in the Ad Hoc Working Group during this session. In particular, we have found the Chairman's set of working papers particularly useful in structuring the discussion of this important subject. We feel, however, that the Working Group has not had sufficient opportunity to discuss these papers as fully as is needed, let alone arrive at firm conclusions. We shall be able to take advantage of the forthcoming recess to give further consideration to a number of important points and will hope to be able to make further detailed contributions in the next part of the session.

The CHAIRMAN: I thank the distinguished representative of the United Kingdom, Ambassador Summerhayes, for his statement as well as for the kind words he addressed to the Chair.



Mr. SKINNER (Canada): Mr. Chairman, in 1974, Canada placed before the CCD, in document CCD/434 a preliminary account of its experience in the disposal of chemical weapons supplies which had remained from the Second World War. It is our intention today to bring the Committee on Disarmament up to date on this process by tabling a paper entitled "Disposal of chemical agents" (CD/173), which provides further details.

Canada believes that this paper will contribute to the substantive discussions we have had during this concentrated period of attention on chemical weapons and problems related to the conclusion of an eventual convention. Within this context we believe therefore, that the problems of stockpile destruction and the verification of such destruction are real enough to warrant the tabling of such a paper.

The Canadian paper also contains a brief survey of agent destruction methods. These indicate the variety of processes which may be involved and the complex nature of the sampling techniques and chemical analyses which would be necessary if intensive verification procedures are required to prove the quantity and identity of the material destroyed on a continuous basis.

In concluding my statement on tabling this paper, I would like to note that its content is technical. We believe that, wherever feasible, technical matters such as are contained in this paper should be brought before this forum to serve as a solid base upon which we can build further progress in the demanding field of arms control and disarmament.

Mr. ADENIJI (Nigeria): Mr. Chairman, permit me to express to you the sincere congratulations of my delegation on your assumption of the post of Chairman of the Committee on Disarmament for the month of April. Your wealth of experience in diplomacy will be of considerable value to the Committee, and my delegation pledges its full support. I should also like to thank your predecessor, Ambassador Herder, for the tremendous work he carried out in the long month of March.

The many interventions the Committee has heard both from members and from observers is a testimony to the importance attached to item 4 on our agenda. Next only to nuclear weapons, chemical weapons constitute the most dangerous weapons of mass destruction. This view was also noted by the delegation of Finland at one of our meetings.

The latest General Assembly resolution on this issue, resolution 35/144 B, in its paragraph 3, urges the Committee on Disarmament to continue, as from the beginning of its session to be held in 1981, negotiations on a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction as a matter of high priority, taking into account all existing proposals and future initiatives. This carefully negotiated wording does not fully reflect the deep concern of international opinion that a chemical weapons convention has not been achieved to date.

It is pertinent to recall that in the Declaration of the 1980s as the Second Disarmament Decade, the General Assembly called upon the Committee on Disarmament to exert all efforts urgently with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament on a treaty on the prohibition of the development, production and stockpiling of all chemical weapons and their destruction.

(Mr. Adeniji, Nigeria)

The problem of achieving a convention on the prohibition of chemical weapons has been with us for a long time. The Committee has, since setting up a Working Group on Chemical Weapons last year, made considerable progress in clarifying many of the elements that should go into an agreement on the effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction. In this connection tribute should be accorded to Ambassador Lidgard for his energetic chairmanship. Ample materials and working papers are available for the Ad Hoc Working Group to commence a new phase of serious negotiations on this item. A convention will not be concluded unless negotiations on a text are commenced by the Working Group on this subject. A broadened mandate for the Working Group is now due.

I should recall the recognition so clearly stated in the eighth paragraph of the preamble to the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, that the Convention represented a first step towards the achievement of agreement on effective measures for a convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

Obviously, one of the important issues in reaching agreement on a chemical weapons convention is verification. The presence of many experts in various delegations over the last two weeks has resulted in effective consideration of this topic and some interesting working papers have emerged, among which was CD/167 from Canada, which deserves careful study.

My delegation shares the view which found expression in paragraph 11 of the USSR-United States joint report on the progress in the bilateral negotiations on the prohibition of chemical weapons (document CD/112) that a combination of national and international means of verification should be embodied in any proposed convention on the prohibition of chemical weapons.

Obviously the nature and combination of this dual verification system has to be more fully negotiated. We believe this can be done in the next phase of negotiations in the Working Group. We note the convergence of views on the technical feasibility of certain means of verification, though there is the problem of the amount of intrusion to be permitted. In this context the statement of Professor Pfirschke of the Federal Republic of Germany is quite instructive. He stated in the Working Group on Chemical Weapons on 1 April 1981:

"The Chemical industry of my country, which is the fourth largest in the world, has been subject to on-site inspection for a quarter of a century, without having to reveal production secrets."

This view should go a long way to allay the fears of those States which are apprehensive of the intrusive nature of on-site inspection.

My delegation attaches importance to the destruction of weapon stocks in a CW convention. On-site inspection for this activity is vital since national technical means carried out by national agencies will not give sufficient assurance and confidence to other parties to the convention and additional means may therefore be required.

(Mr. Adeniji, Nigeria)

The declaration of existing stocks and production facilities is also a vital ingredient in an effective instrument. My delegation believes that signature of the convention by a State that possesses chemical weapons should be accompanied by a declaration of stocks and production facilities and if necessary by negative declarations by those States which do not possess stocks and production facilities. Once the convention enters into force, these production facilities should be dismantled. Conversion of production facilities, even if economically viable, would create grave verification problems, and possibly suspicions. Furthermore, once the convention enters into force, steps should be taken to commence the destruction of stockpiles so that they will be completely destroyed within the time-frame agreed upon in the convention. That time-frame will no doubt be the subject of negotiations in the next phase of the task of the Working Group.

The time-frame, as well as the link between the new convention and the 1925 Protocol, should have a bearing on the level of protective activities to be permitted by the convention. Notwithstanding the fact that the 1925 Protocol did prohibit the use of chemical weapons, my delegation sees no legal or other difficulty in including a ban on use in the proposed chemical weapons convention. Such a provision in our view will further strengthen the 1925 Protocol and will be relevant particularly since, even if the ban on production is immediate, these weapons will still be retained in the period between the coming into force of the convention and the time-frame for total destruction. We also share the views expressed by Australia on this issue. The only justification for defensive activities after the coming into force of the convention seems to my delegation to be the retention of chemical weapons by those who possess them for some time after the convention is in force. However, these defensive activities should not be permitted beyond the agreed time-frame for the destruction of all stockpiles.

Let me conclude with the words of the distinguished representative of the Netherlands, Ambassador Richard Fein. Addressing the Committee yesterday, 2 April 1981, he recalled the 1974 joint communique in which the Presidents of the United States and the Soviet Union reaffirmed their interest in an effective international instrument which would exclude from the arsenals of States such dangerous instruments of mass destruction as chemical weapons. "It is our sincere hope," Ambassador Fein said, "that the same political courage and the same political wisdom will soon again prevail and lead to our common goal, a chemical weapons convention."

The CHAIRMAN: I thank the distinguished representative of Nigeria for his statement as well as for the kind words he addressed to the Chair.

Mr. FLOWERREE (United States of America): I have asked for the floor for two reasons. My first point, Mr. Chairman, is simply to note that while my delegation has not objected to the proposed topic for our informal meeting on 6 April devoted to item 1 of our agenda as contained in your statement yesterday morning, the contribution which the United States delegation will be able to make continues to be constrained by factors which I have explained on several occasions during this session.

(Mr. Flowerree, United States)

Secondly, I should like, on behalf of my delegation and my Government, to record our appreciation for the many expressions of sympathy that have come from all quarters of this Committee following the assassination attempt on President Reagan. We were particularly touched by the genuine concern evident in these expressions and are as relieved and pleased as we know you are that the President is apparently making such a splendid recovery.

The CHAIRMAN: Before adjourning the plenary meeting, I should like to suggest that we hold a short informal meeting afterwards to discuss a few pending procedural questions. If there are no objections, I shall consider that the Committee is prepared to continue its work informally.

It was so decided.

The CHAIRMAN: The next plenary meeting of the Committee will be held on Tuesday, 7 April 1981, at 10.30 a.m.

The meeting rose at 5.15 p.m.