

COMMITTEE ON DISARMAMENT

CD/PV.133
30 June 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND THIRTY-THIRD MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 30 June 1981, at 10.30 a.m.

Chairman:

Mr. I. KOMIVES

(Hungary)

PRESENT AT THE TABLE

<u>Algeria:</u>	Mr. M. MATI Mr. M. MEDKOUR
<u>Argentina:</u>	Mr. C. CARSALES Mr. J.M. OTEGUI Miss N. NASCIMBENE
<u>Australia:</u>	Mr. R.A. WALKER Mr. R. STEELE
<u>Belgium:</u>	Mr. J.M. NOIRFALISSE
<u>Brazil:</u>	Mr. S. DE QUEIROZ DUARTE
<u>Bulgaria:</u>	Mr. P. VOUTOV Mr. I. SOTIROV Mr. R. DEYANOV Mr. P. POPTCHEV
<u>Burma:</u>	U SAW HLAING U NGWE WIN
<u>Canada:</u>	Mr. G. SKINNER
<u>China:</u>	Mr. YU Peiwen Mr. YU Mengjia
<u>Cuba:</u>	
<u>Czechoslovakia:</u>	Mr. M. RUZEK Mr. P. LUKES
<u>Egypt:</u>	Mr. I.A. HASSAN Miss W. BASSIM
<u>Ethiopia:</u>	Mr. T. TERREFE Mr. F. YOHANNES

France:

Mr. J. DE BEAUSSE
Mr. M. COUTHURES
Miss L. CHAZERIAN

German Democratic Republic:

Mr. G. HERDER
Mr. H. THIELICKE
Miss H. HOPPE

Germany, Federal Republic of:

Mr. N. KLINGER
Mr. H. MULLER

Hungary:

Mr. I. KOMIVES
Mr. F. GAJDA
Mr. C. GYORFFY
Mr. A. LAKATOS

India:

Mr. A.P. VENKATESWARAN
Mr. S. SARAN

Indonesia:

Mr. HARYOMATARAM
Mr. F. QASIM

Iran:

Mr. M.A. JALALI
Mr. J. ZAHIRNIA

Italy:

Mr. V. CORDERO DI MONTEZEMOLO
Mr. M. BARENGHI
Mr. E. DI GIOVANNI

Japan:

Mr. Y. OKAWA
Mr. M. TAKAHASHI
Mr. K. TANAKA
Mr. K. SHIMADA

Kenya:Mexico:

Mr. A. GARCIA ROBLES
Mrs. Z. GONZALEZ Y REYNERO

<u>Mongolia:</u>	Mr. D. ERDEMBILEG Mr. S.O. BOLD
<u>Morocco:</u>	Mr. M. CHRAIBI Mr. M. ARRASSEN
<u>Netherlands:</u>	Mr. H. WAGENMAKERS
<u>Nigeria:</u>	Mr. W.O. AKINSANYA
<u>Pakistan:</u>	Mr. M. AKRAM
<u>Peru:</u>	Mr. A. THORNBERRY
<u>Poland:</u>	Mr. B. SUJKA Mr. J. CIALOWICZ Mr. T. STROJWAS
<u>Romania:</u>	Mr. M. MALITA Mr. T. MELESCANU
<u>Sri Lanka:</u>	Mr. H.M.G.S. PALIHAKKARA
<u>Sweden:</u>	Mr. C. LIDGARD Mr. L. NORBERG Mr. G. EKHOLM Mr. J. LUNDIN
<u>Union of Soviet Socialist Republics:</u>	Mr. V.L. ISSRAELYAN Mr. V.F. PRYAKHIN Mr. V.M. GANJA
<u>United Kingdom:</u>	Mrs. J.I. LINK
<u>United States of America:</u>	Mr. C. FLOWERREE Mr. F.P. DESIMONE Miss K. CRITTENBERGER Mr. J. MISKEL Mr. R. SCOTT
<u>Venezuela:</u>	Mr. O.A. AGUILAR

Yugoslavia:

Mr. B. BRANKOVIC

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

The CHAIRMAN: I declare open the 133rd plenary meeting of the Committee on Disarmament. The Committee starts today its consideration of item 2 on its agenda, Cessation of the nuclear arms race and nuclear disarmament. I wish to note the presence among us today of the participants in the 1981 United Nations Programme of Fellowships on Disarmament. I would like to welcome them in the Committee and to wish them a successful and fruitful stay in Geneva.

Mr. TERREFFE (Ethiopia): Comrade Chairman, today being the last day in the month of June during which you have presided as Chairman of the Committee on Disarmament, may I take this opportunity to express the sincere appreciation of my delegation for the very high degree of efficiency and competence with which you have discharged your duties and responsibilities, not only as Chairman of the Committee on Disarmament but also as Chairman of the Ad Hoc Working Group on Radiological Weapons.

I wish also to extend our appreciation to your predecessor, Ambassador Pfoiffer of the Federal Republic of Germany, for the valuable services he rendered as Chairman of the Committee during the month of April. At the same time, I would like to extend a warm welcome to our new colleagues in the Committee, the distinguished representatives of Argentina, Iran and Sri Lanka.

Comrade Chairman, I would also like to join you in welcoming the participants in the 1981 United Nations Disarmament Fellowship Programme who are present here this morning and I wish them success in their training. The purpose of my intervention today is to speak on items 1 and 2 of our programme of work. Before doing so, however, I would like to comment briefly on the work of the four ad hoc working groups. With regard to the Ad Hoc Working Group on Radiological Weapons, we would express the hope that the outstanding issues, such as the definition of a radiological weapon and the scope of the convention, will be speedily resolved so that the Committee can present a draft convention to the General Assembly as soon as possible. My delegation is also cognizant of the efforts being made by the Ad Hoc Working Group on Chemical Weapons, under the chairmanship of Ambassador Lidgard of Sweden, to negotiate a convention for the prohibition of the development, production and stockpiling of all chemical weapons and their destruction. We hope that differences of views with respect to the scope of the prohibition, verification and other provisions will be resolved under a revised mandate of the Working Group. The provisions relating to the destruction of chemical weapons and the dismantling or conversion of chemical weapons facilities, together with the procedures whereby these provisions are scrupulously carried out and complied with, are features which require maximum effort by all parties in the negotiations.

My delegation is also pleased to note that the Ad Hoc Working Group on a Comprehensive Programme of Disarmament is being chaired by the distinguished representative of Mexico, Ambassador García Robles who, I am sure, will live up to the great responsibility entrusted to him. My delegation extends its full co-operation in the efforts being undertaken by the Group to recommend effective

(Mr. Terrefe, Ethiopia)

disarmament measures within a framework of a phased programme including stages for implementation with a view to attaining general and complete disarmament at least by the end of the century. The crucial point is that such a programme, in order to be ready for submission to the General Assembly at its second special session devoted to disarmament, requires not only careful but expeditious preparation and also the political courage to support its main tenets.

With regard to the Ad Hoc Working Group on Security Assurances, the position of my delegation is that the various statements made by the nuclear-weapon States still reflect underlying differences. The Working Group should, therefore, continue to look for a common denominator with a maximum degree of flexibility and a sense of realism. However, we should not be satisfied with an eroded form of assurances to non-nuclear-weapon States. If the genuine concern of non-nuclear-weapon States for security assurances is sincerely recognized, it should not be difficult to evolve a common approach acceptable to all, which could be included in an effective international convention of a legally binding character.

The Ethiopian delegation believes that all nuclear-weapon States should work towards renouncing the production and acquisition of all nuclear weapons and should refrain from stationing nuclear weapons on the territories of States where there are no such weapons at present. We hope that the examination of the various forms of alternative assurances will result in an acceptable common approach. An important step and positive contribution towards the prevention of the proliferation of nuclear weapons could be provided by the creation of nuclear-weapon-free zones. This possibility, although widely acknowledged by all, has not been adequately explored. In particular, the decisions of the African Heads of State and the United Nations General Assembly concerning the denuclearization of Africa have not been heeded and consequently, the apartheid regime of South Africa has emerged as a potential nuclear Power. I do not find it necessary at this stage to reaffirm my Government's unequivocal stand against this policy except to state that the question of South Africa's nuclear-weapon capability continues to pose a grave threat to international peace and security.

The frightening dimensions of the event that took place three weeks ago near Baghdad is an additional grave concern for the preservation of international peace. In this connection, the Group of 21, in document CD/187, has taken a categorical stand to which my delegation has subscribed. In particular, the Ethiopian delegation would like to stress the importance it attaches to the first paragraph of this document which I would like to quote:

"The members of the Group of 21 have consistently upheld the principles of the United Nations Charter regarding strict respect for the territorial integrity, sovereignty and political independence of States and the non-use of force or threat of force in international relations. The members of the group have always opposed and continue to oppose all acts of aggression and violation of these principles."

(Mr. Terrefe, Ethiopia)

I now turn to items 1 and 2 of our agenda, namely, Nuclear test ban and Cessation of the nuclear arms race and nuclear disarmament.

The United Nations General Assembly has adopted numerous resolutions calling upon the nuclear-weapon States to prohibit all nuclear-weapon tests in all environments, and urging them to exert and to intensify concerted efforts to achieve effective measures for the cessation of the nuclear arms race and nuclear disarmament. Ethiopia, together with other States, has for a long time called for the speedy conclusion of an international treaty on a general and complete prohibition of nuclear-weapon tests in all environments, which would be a major step towards halting the arms race and gradually reversing its course until general and complete disarmament can be achieved. It is to be recalled that as far back as 1959, Ethiopia proposed a United Nations declaration of principles which would condemn and outlaw the use of nuclear and thermonuclear weapons. Further, during the first special session of the General Assembly devoted to disarmament, Ethiopia together with other States initiated a draft resolution stressing the urgent need for the cessation of the testing of nuclear weapons.

More recently there have been numerous initiatives and proposals on this subject. I would like to make only a brief reference to the proposal of the Group of 21 contained in document CD/181. I also wish to note in this regard the valuable contribution made by the Secretariat in the preparation of the tabulation contained in document CD/171.

In CD/181, the Group of 21 has presented a positive and realistic approach to deal with the question of a nuclear test ban. The proposal for the setting up of an ad hoc working group on a nuclear test ban has also been supported by a group of socialist States and others. In this connection, let me point out that the Ethiopian delegation and many others endorsed the proposal contained in document CD/4 as early as February 1979. This was considered a sound basis for initiating serious negotiations by the Committee. Thus the question of finding a sound negotiating framework through the establishment of an ad hoc working group is found to be acceptable to almost all the members of the Committee, to all, that is, except two of the States engaged in the trilateral negotiations. A specific mandate for the working group was also proposed in the Group of 21 paper. In the absence of a mechanism such as the proposed ad hoc working group, it would be impossible to initiate negotiations and to make progress in this urgent and high-priority item. The informal meetings devoted to these issues are of some value in themselves, but cannot be regarded as a substitute for a working group which is the most promising machinery for conducting negotiations. Despite the fact that the establishment of a working group is no guarantee for success, nevertheless, we hope that the prevailing view will persuade the two nuclear-weapon States in question to examine the value of this proposal seriously, so that the Committee can commence negotiations on this urgent and high-priority item.

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Furthermore, in CD/181 pertinent questions have been put forward, the answers to which the Committee as well as the international community are entitled to receive from the trilateral negotiators. In this regard, several delegations have made the point that the series of questions deserves replies and I would add that if these questions were fully answered that might enable the Committee to re-examine its course of action.

The proposals of the Group of 21 in documents CD/180 and CD/181 do not claim to resolve all the issues or even to offer a way of making significant progress. But CD/180 in particular provides a realistic analysis of the doctrines of deterrence and offers sound proposals which my delegation believes could be utilized as a basis for initiating serious and genuine negotiations, the conduct of which has been entrusted to the Committee by the General Assembly.

Ethiopia, like the overwhelming majority of States, believes that all nations have a vital interest in measures of nuclear disarmament and that doctrines of nuclear deterrence lie at the root of the arms race and lead to greater insecurity and instability in international relations.

With increasing crisis and tensions in various regions of the world, the call for disarmament seems to have encountered a serious setback. Certain States appear to be showing diminishing interest in and less concern about the ever-increasing arms race. There are many indications of this sad state of affairs, including increased military budgets with a concomitant decrease in international aid programmes. My delegation would like to express its deep concern at this development, which one cannot fail to note in statements and briefings of high officials from some nuclear-weapon States. In the capitals of some of these countries, disarmament issues appear to occupy less prominent attention. Most important of all, and regrettably so, the sense of the urgency of these questions seems to be dwindling. The heightening of international tension and the sharp deterioration in the international situation signal the beginning of a new era of anxiety with the increased possibility of nuclear catastrophe. Unless tangible progress is made to curb the nuclear arms race and to halt the vertical as well as the horizontal proliferation of nuclear weapons, the chances for nuclear war will be increasing considerably.

The CHAIRMAN: I thank Ambassador Terrefe of Ethiopia for his statement and for the kind words he addressed to the Chair.

Mr. CARASALES (Argentina) (translated from Spanish): Mr. Chairman, before embarking on the substantive part of my statement, I should like to comply with the request made to me by the Vice-Minister for Foreign Affairs of my country, who had the privilege of addressing a plenary meeting of this Committee some days ago. As this is the first plenary meeting at which the delegation of Argentina is taking the floor since the Vice-Minister's address I should like, on his behalf, to express his thanks for all the expressions of welcome offered to him at the meeting at which he spoke. He very much regretted that he could not stay longer and continue the dialogue with the distinguished members of this Committee, but he was obliged to return to Buenos Aires that same day. He therefore asked me to extend to you all his thanks for the warm welcome he received in this body.

I should like, at the same time, on my own behalf, to express my thanks for all the words of welcome I have received since the day on which I joined this Committee, beginning with yourself, Mr. Chairman. I deeply appreciate the friendly welcome I have received in this forum and I can assure you all that I shall always participate in this Committee with the best of good will and in a profoundly constructive spirit. I thank very sincerely all those members of the Committee who welcomed me on the occasion of my joining the Committee.

To conclude this introduction, Mr. Chairman, since this is the last day on which you will preside over the work of this body, I should like to extend to you my delegation's congratulations on the extremely efficient manner in which you have done so during what is always a particularly difficult period, that of the initiation of the Committee's activities at the beginning of each of its sessions. You have guided the Committee's deliberations and the necessary informal negotiations with the greatest effectiveness, and I should merely like to place on record my appreciation as well as my admiration in this connection. At the same time I should like to wish the next Chairman of the Committee, the distinguished Ambassador of India, every success in his term of office.

I should now like to refer very briefly to the specific issue before the Committee today, namely, agenda item 2, "Cessation of the nuclear arms race and nuclear disarmament". The position of the Argentine Republic on this question has been stated consistently and repeatedly both in the Committee on Disarmament and in the United Nations General Assembly, and also in other bodies concerned with disarmament. In coming here today to reiterate that position, we do not wish either to contribute to the conduct of an exercise in rhetoric or to promote the fiction that this Committee is concerning itself with those matters which most seriously affect international security. On the contrary, we have come to express the very serious concern of the Argentine Government at the non-existence of negotiations to halt and reverse the nuclear arms race, which currently appears to have acquired new and regrettable vitality.

The present international situation in this regard is grave, especially since we find no indication that the major Powers have either sufficient political will to change it or any understanding of the urgency of negotiating solutions.

We do not at all accept the argument of those who maintain that questions concerning the nuclear arms race and nuclear disarmament should be the preserve of a few. We do not accept that view for two principal reasons: because our own security is involved, and because past experience has shown that that road leads to failure. The special responsibility which the possession of nuclear arsenals entails carries with it the duty to exercise caution in political matters and moderation in military matters.

(Mr. Carasales, Argentina)

This is valid not only in the context of the nuclear arms race, but also in the context of military rivalry in general. Time and again we have been told that the qualitative development of the nuclear arsenal of one group of States is the cause of the quantitative growth in the arsenal of their potential adversaries. Time and again we have also been told that the increase in the conventional forces of one military alliance makes it essential for the other military alliance to strengthen its security by expanding its nuclear forces, in a spiral which never seems to stop. No one could consider us so unrealistic as to believe that nuclear disarmament alone would be enough to strengthen security in some regions of the world. We fully understand that some cases necessitate the simultaneous negotiation of measures relating to other categories of weapons and forces. However, an understanding of the realities of some areas does not prevent us from putting first the general interest of mankind, and we repeat that comprehensive nuclear disarmament is the vital imperative of our time.

As far as this Committee is concerned, again we find that stagnation is the predominant feature. Item 2 of our agenda, so designated as long ago as 1979, seems to be a dead letter. My delegation reiterates its firm support for the statement of the Group of 21 contained in document CD/130, and maintains that no member State should fear the frank discussion of these questions in an ad hoc working group established to deal with item 2.

Paragraph 50 of the Final Document of the first special session of the General Assembly devoted to disarmament provides us with an adequate mandate for the work of that subsidiary body. Its content was negotiated with the participation of the nuclear-weapon States and includes all the conditions which they themselves considered it necessary to insert to enable them to accord it their assent. Thus what is now needed is the political will to enable them to overcome their objections to the establishment of the working group. We hope that that will can be expressed in such a way as to facilitate a positive decision by this Committee on the proposal of the Group of 21.

The CHAIRMAN: I thank Ambassador Carasales of Argentina for his statement and for the kind words he addressed to the Chair.

Mr. VENKATESWARAN (India): Mr. Chairman, I would like to offer some further observations on the item before us today, namely, Cessation of the nuclear arms race and nuclear disarmament. The formulation of this item is precise. There can be no room for ambiguity and all the members of this Committee have accepted it. The word "cessation" could not mean anything else but a total stop and a final halting of the nuclear arms race, and is not merely its regulation or control. That is our declared and agreed collective objective, and we are here to enter into negotiations with a view to attaining that goal.

The Committee on Disarmament has been created by consensus by the United Nations General Assembly as a multilateral negotiating forum. What is the meaning of this word "negotiate"? I have consulted two well-known dictionaries -- the Concise Oxford Dictionary and Webster's Dictionary -- and both are agreed that "to negotiate" means "to confer with one another with a view to reaching compromise or agreement".

I have for very good reasons taken the trouble to define the terms "cessation" and "negotiate", because apparently some members seek to give these terms a different interpretation. These differences became apparent during the informal meetings we had during the spring session and which are continuing in the current session.

(Mr. Venkateswaran, India)

Some members, notably a very small but powerful minority, maintain that "negotiations" on the nuclear arms race and nuclear disarmament should be conducted between those nuclear-weapon States having the largest nuclear arsenals, through the SALT process and other bilateral contacts and that the Committee on Disarmament is not an appropriate forum for the purpose of these negotiations, although of course they generously concede that we may continue to discuss this question ad infinitum. This minority also admits that the object of their bilateral negotiations is the "controlling" of the nuclear arms race, whereas our mandate and declared objective is its complete cessation. In the light of these differences of views, it is clear as to why we have not been able to agree on the establishment of a working group under this item.

I wish to make it clear that my delegation does not share the views of this minority which, having once agreed to the inclusion of this item on our agenda, now opposes it and by so opposing prevents the Committee from undertaking meaningful negotiations of any kind under this item. This is a great pity, and it is also unfortunately the result of the operation of the consensus rule. In any case, it is clear that there is no absence of political will on the part of the vast majority of the members of the Committee to begin negotiations in an ad hoc working group.

A question has been addressed to us as to what it is that we wish to negotiate. I wonder whether any answer we give to this question would convert those who have taken a negative attitude on the proposals of the Group of 21. Perhaps not. If so, I wonder why this question was put to us in the first place. Since, however, it has been put, it deserves an answer. There are a number of proposals that could be negotiated by us and I would refer in the first instance to the compilation of proposals prepared by the Secretariat. So far as my delegation is concerned, India put forward its proposals as early as 1956 concerning areas such as the halting of nuclear-weapon tests, a cut-off in the production of fissionable materials for military purposes, the dismantling of nuclear weapons, etc. etc.

India is not the only country that has presented proposals, and I know several other members have also done the same. Mexico has a large number of proposals to its credit. Nigeria suggested that we might begin by negotiating a freeze in the nuclear arsenals. Other members, including some West European countries, have suggested considering a cut-off in the production of fissionable materials for military uses, a ban on further flight testing of delivery vehicles, a nuclear-test ban and some other matters as well. The socialist countries also proposed that we take up the question of the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present. One socialist member has suggested a troika, namely, no more development of new weapons, no more deployment and no more tests.

As you see, we have a large number of proposals to choose from, but the fact is that because of the attitude of a handful of delegations towards the negotiating role of the CD, we are unable to do anything in the way of negotiations on nuclear issues. In these circumstances what is the Committee to do? Well, for one thing, it can accept the views of these delegations and adopt the amiable posture of urging the major Powers in the direction of bilateral negotiations on objectives they may agree upon between themselves. Secondly, we may limit ourselves "nobly" to having "great argument about it and about, and come out of the same door as in we went", to quote Omar Khayyam. This would be the line of least resistance and may appear superficially attractive to several members who see in it the supreme virtues of "realism" and "pragmatism".

(Mr. Venkateswaran, India)

My delegation, for one, will not acquiesce in any abdication of any part of the CD's responsibilities and functions. The CD cannot accept the dictates of a few countries as to what it may or may not do. The CD's powers and functions derive from the collective authority of the international consensus represented in the Final Document of the first special session of the General Assembly devoted to Disarmament. It goes without saying, therefore, that at its second special session the General Assembly should be given a clear picture of the reasons for the inability of the CD even to begin negotiations in the field of nuclear disarmament.

For the present, it would appear that the CD is stricken with a strange paralysis of action, although not of articulation. Let us then articulate our conclusions as best we can. If we are not able to do anything concretely to stop the nuclear arms race except to talk about it, what shall we then talk about?

My delegation, recognizing the unpleasant fact of our present inability to stop the nuclear arms race has sought repeatedly to draw attention to its consequences to all of us, to the threat to human survival that is inherent in the situation and to the imperative need, therefore, for an international convention to be concluded on the non-use of nuclear weapons. We have been advocating this since September 1953 when we first proposed a declaration on the non-use of nuclear weapons and other weapons of mass destruction. Even before we took up this cause, and as early as December 1946, the United Nations Atomic Energy Commission in its first report to the Security Council stated that "international agreement to outlaw the national production, possession and use of atomic weapons is an essential part of any international system of control". The nuclear-weapon States were parties to that report in 1946. We earnestly trust that we they still of the same view although they may have differences over the measures of international control.

My delegation is of the considered view that nuclear-weapon stockpiles, warhead megatonnage, delivery systems and their increasing accuracy, and strategic doctrines concerning nuclear weapons being what they are today, our immediate objective should be to seek ways and means of ensuring our collective survival. This surely is not a matter to be negotiated only between the two major Powers. It must involve all of us and indeed this must be of primary concern to the nuclear-weapon States themselves, since they cannot disregard the consequences not only to themselves but also to others from their actions, and especially the consequences to the future of the human race. At the moment this still remains a sort of grey area in their minds, despite a dozen references to it in the Final Document of the first special session.

What has the CD actually done about this? Nothing so far, despite our urgings to take up the question of the non-use of nuclear weapons and the question of ensuring the prevention of nuclear war as a measure of protecting what is likely to become an endangered species -- the human being. Quite to the contrary, the CD is considering two other matters, the radiological weapon and security assurances for non-nuclear-weapon States, in a manner that, unless vigilantly checked, may result in our acquiescing implicitly in the legitimization of the use of nuclear weapons by nuclear-weapon States. My delegation once again solemnly draws the attention of non-nuclear weapon States to this inherent danger.

Why do we keep sounding a note of warning against this danger? Because some nuclear-weapon States claim to have the right to use nuclear weapons in their own defence, regardless of the consequences of this action. I submit that consequences must influence all sensible action. There is a moral as well as a practical relationship between means and ends that we cannot afford to ignore. And where the consequences of an action deriving from so-called legal rights are such as to imperil the very survival of mankind, it is clear that both in law and morality these actions

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should be sternly prohibited, and those questionable rights from which the actions emanate should be curtailed and redefined.

Given the nature of the nuclear weapon, it is absurd to take the position that its use is sanctioned by the general principles and ordinary rules of international law. Such theorizing belongs to a bygone age. It is equally absurd to take the view that since there is no specific prohibition in customary rules of international law, therefore, it is legal to use nuclear weapons. Such positions run counter to the unfolding process of international law, which has consistently aimed at moderating the use of force, discouraging the use of unnecessary force, banning the use of weapons that cause excessive and needless damage, distinguishing between combatants and non-combatants, etc.

Even the existing non-proliferation arrangements in effect constitute a convention for preventing the possible use of nuclear weapons, but they only bind non-nuclear-weapon States since the nuclear-weapon States already have this weaponry. How can those that prescribe the prohibition of the use of nuclear weapons for the rest of the world, claim for themselves the untenable and unacceptable right to use these same weapons? There is an outrageous anomaly in this, both in law and in morality. I do not wish to recall how many resolutions of the General Assembly of the United Nations, and with what majorities, have consistently called for the outlawing of nuclear weapons and their use. The Secretariat could perhaps make another bulky compilation of these repeated demands of the General Assembly. Is not the general will of the vast majority of mankind, expressed in these resolutions, enough to justify the prohibition of nuclear weapons?

I should like to quote here the opinion of a well-known legal authority, George Schwarzenberger, who says in one of his books on international law:

"The right of self-defence enables each sovereign State to decide for itself on retaliation in the event of an armed attack against it and such retaliation should be in good faith, should be appropriate and not exceed the frontiers of self-defence and should not infringe the rights of third States. The right of self-defence is not an absolute right exercised regardless of considerations of equity. It is a relative right to be exercised reasonably, and certainly not in a manner to destroy the very structure of society maintained by international law. The use of nuclear weapons under existing rules of war would be an illegal form of warfare and the commission of a war crime."

Yet another established legal authority has this to say:

"The radioactive fallout from the use of nuclear weapons is an entirely new weapon of war. Mass and indiscriminate destruction is clearly beyond the requirements of any situation, and the use of nuclear weapons is impermissible and incompatible with existing rules of law. The exercise of the right of self-defence cannot be above the laws of mankind designed to preserve human society and its civilized values."

There is a growing awareness that events may be pushing us inexorably towards a nuclear holocaust if something is not done quickly to check this trend. We have therefore been advocating a convention on the non-use of nuclear weapons and the need for collective action to prevent a nuclear war. We do so in the strong belief that there are principles, ideals and standards that transcend not only national interests but also the exigencies of power politics. If I may conclude with the words of the first Indian Prime Minister, Jawaharlal Nehru, in our Parliament in 1950:

"Nuclear war will be a war not only between two parties but against the entire creation. The conflict in the contemporary world is really between the nuclear bomb and the spirit of humanity."

The CHAIRMAN: Distinguished representatives, you will recall that at our informal meeting yesterday afternoon the Committee considered a proposal contained in document CD/174 which was submitted under item 5 of the agenda. The relevant draft decision has been circulated at this plenary meeting as Working Paper No. 42 and reads as follows:

"The Committee decides to hold informal meetings under item 5, New types of weapons of mass destruction and new systems of such weapons. Delegations may be assisted by their own experts during the consideration of this item. The number of these informal meetings and their dates will be announced by the Chairman after consultations with members".

If there are no objections I will consider that the Committee agrees to the text circulated as Working Paper No. 42.

Mr. DE QUEIROZ DUARTE (Brazil): Mr. Chairman, as you said, this question was discussed yesterday and the Committee decided that a text would be presented by you this morning. I have no objection to the text, or to the consensus in the Committee but I would like to point out that in the view of my delegation the second sentence in this draft is not necessary because at any time, in any meeting, delegations may be assisted by their own experts. If there is consensus in the Committee on the draft as a whole, however, my delegation will not object to it.

Mr. de BEAUSSE (France) (translated from French): Mr. Chairman, my distinguished colleague from Brazil has just made an observation which I myself was about to make. I associate myself entirely with what he has just said, and my delegation would like the second sentence in the draft decision you read out to be deleted.

The CHAIRMAN: If there are no objections to the proposals made by the delegations of Brazil and France, the Chair would be ready to delete the second sentence, with the understanding that it is the normal practice of the Committee for every delegation to have the right, at any time, to use the participation of experts. Is this agreeable to the Committee? I see no objection.

Mr. MELESCANU (Romania): Mr. Chairman, my delegation would like to insert the definite article "the" in the last line before the word "members". I do apologize as English is obviously not our mother tongue, but as the text is now, it could be interpreted to imply consultations only with some members.

The CHAIRMAN: If there is no objection, the Chair would be ready to agree, in this case, with the addition of the definite article. The last sentence, the second sentence of the decision would then read as follows: "The number of these informal meetings and their dates will be announced by the Chairman after consultations with the members of the Committee." Is this decision thus acceptable to the Committee? I see no objection.

It was so decided.

Mr. HERDER (German Democratic Republic): Comrade Chairman, I had no intention of standing in the way of the consensus adopting the decision the Committee has just taken. However, in this connection I would like to note that my delegation would have preferred to maintain this sentence. I would like to appeal to delegates to be represented as far as possible by experts, in order to provide these meetings with the necessary qualitative expertise as it certainly would contribute to the successful outcome of these unofficial consultations. With this understanding, my delegation joins the consensus on your paper.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): Comrade Chairman, the Soviet delegation did not object, either, to the adoption of the Committee's decision in the form of the text you read out. But surely the whole point -- I repeat, the whole point -- of the holding of informal meetings of the Committee is that qualified persons acquainted with the subject from the scientific and technical points of view should take part in them. If we are going to discuss this problem in a group composed of the same people as those now sitting around this table, it is unlikely that we shall say anything more than was said yesterday by the representatives who spoke on this question. On the whole, I regret that the delegations of Brazil and France made their proposal. I should like to support Ambassador Herder and appeal to all delegations to see that they are represented by eminent scientists able to make an authoritative contribution on this question. I have no doubt that in every country there are scientists who could answer the question that is raised from time to time by someone in the Committee: is not the development of new types of systems and weapons of mass destruction a matter of fiction, of fantasy -- something illusory? I should like to hear a different voice -- the voice of men of science, who would surely say something different. I have no doubt that they would say that new types of weapons of mass destruction can be developed, that human intelligence is working in that direction, and that the Committee on Disarmament is in duty bound to concern itself with this problem. Therefore, in agreeing with the decision taken, I trust that those delegations which are genuinely interested in a serious examination of the problem of the prevention of the development of new types and systems of weapons of mass destruction will do everything in their power to ensure that their countries are represented by real experts in this matter.

The CHAIRMAN: Distinguished delegates, since this is the last plenary meeting in June, the period of my chairmanship of the Committee on Disarmament is over. I would like to express my gratitude to all of you for the spirit of co-operation you have shown during this month of our work. This spirit of co-operation -- in my view -- helped the Committee to achieve whatever has been done during the first month of our summer session.

I would like to take this opportunity briefly to summarize the work done by the Committee on Disarmament during the month of June.

What can be considered the most important is that the business-like atmosphere of our Committee has been upheld. Its first result was that, regardless of the different opinions, the Committee was able to agree relatively fast on the programme of work for the second part of its 1981 session. Another positive factor was that the four ad hoc working groups of the Committee have resumed their work without delay. On the basis of the programme of work the Committee started informal meetings devoted to the consideration of the establishment of additional subsidiary bodies and other questions relating to the organization of work.

(The Chairman)

The Committee has done a good deal of exchanging of views in order to reach an understanding on the question of the mandate of the Ad Hoc Working Group on Chemical Weapons. I think it is the desire of all of us that a solution should soon be found on that issue.

We have conducted intensive consultations during the informal meetings on the very important issue of setting up further subsidiary organs of the Committee on Disarmament, and in particular on creating ad hoc working groups on the questions of the general and complete cessation of nuclear-weapon tests and the cessation of the nuclear arms race and nuclear disarmament. Although the exchanges of views often went beyond the framework of a debate of a procedural nature and involved discussions of a substantive character, I cannot help expressing my dissatisfaction that these exchanges of views have not yielded final results. I would like to hope that delegations will do their utmost to find a solution soon so that these issues can be dealt with the way they deserve, taking into account the expectations and demands of the international community.

I can state with pleasure that the Committee was able to reach an agreement on the proposal made concerning informal meetings with experts on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons. I am sure that the implementation of that decision will contribute to the appropriate handling of this important issue. I wish to associate myself with the appeal just made by the distinguished representatives of the German Democratic Republic and the Soviet Union concerning the participation of experts.

I can state with satisfaction the growing interest of States non-members in the substantive work done in the ad hoc working groups of the Committee. During the month of June the Committee, upon their request, has invited Austria and Spain to take part in the work of the Ad hoc Working Group on Radiological Weapons.

Concluding my statement, I would like to thank all delegations again for their support and co-operation in carrying out my duties.

I also wish to thank the distinguished Secretary of the Committee, Ambassador Jaipal, the Personal Representative of the Secretary-General of the United Nations, his deputy, Mr. Verasategui, the staff of the Secretariat and the interpreters and translators, for their valuable work which assisted me greatly in discharging my duties.

Finally, on behalf of all of us, I wish my successor, Ambassador Venkateswaran of India, good luck and success in furthering the work of the Committee during the month of July.

The next plenary meeting of the Committee on Disarmament will be held on Thursday, 2 July, at 10.30 a.m.

The meeting rose at 11.50 a.m.