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EDITORIAL NOTE

The United Nations Disarmament Yearbook contains a review of the main developments and negotiations in the field of disarmament and taking place each year, together with a brief history of the major aspects of the over-all question. The series started with the 1976 edition.

The United Nations Disarmament Yearbook makes no claim to present fully the views of State Members of the Organization, or even the Powers directly concerned; for further information on the official positions of States, the reader should consult the official records of the General Assembly and other sources.

For a more detailed account of the work of the Organization in previous years, the reader may consult *The United Nations and Disarmament: 1945-1970* (United Nations publication, Sales No. 70.IX.1), *The United Nations and Disarmament: 1970-1975* (United Nations publication, Sales No. E.76.IX.1), and the previous volumes of *The United Nations Disarmament Yearbook*, which are referred to throughout the text.

ABBREVIATIONS

ABM	anti-ballistic missile
ASBM	air-to-surface ballistic missile
CCD	Conference of the Committee on Disarmament
EEC	European Economic Community
ENDC	Eighteen-Nation Committee on Disarmament
FAO	Food and Agriculture Organization of the United Nations
IAEA	International Atomic Energy Agency
ICBM	intercontinental ballistic missile
ICRC	International Committee of the Red Cross
INFCE	International Nuclear Fuel Cycle Evaluation
MIRV	multiple independently targeted re-entry vehicle
NATO	North Atlantic Treaty Organization
NGO	non-governmental organization
OECD	Organization for Economic Co-operation and Development
OPANAL	Agency for the Prohibition of Nuclear Weapons in Latin America
SALT	Strategic Arms Limitation Talks
SIPRI	Stockholm International Peace Research Institute
SLBM	submarine-launched ballistic missile
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNITAR	United Nations Institute for Training and Research
WHO	World Health Organization
WMO	World Meteorological Organization

INTRODUCTION

ONE OF THE IMPORTANT FUNCTIONS OF THE UNITED NATIONS CENTRE FOR DISARMAMENT is the presentation of information; 1980 witnessed further growth of interest in this area. A major element of the task is the production of *The United Nations Disarmament Yearbook* and this is the fifth volume in the series. As before, the aims are to provide a comprehensive and authoritative summary of the principal deliberations, negotiations and developments in the field of disarmament during the year and to present the information not in the complex order in which matters were discussed but chapter by chapter according to subject. In this way it is hoped that the reader, whether practitioner, researcher or interested student, may follow more easily the development of each aspect of the disarmament agenda.

In many respects the political climate was not conducive to progress. The turn of political events and the resultant increase in international tensions had their effects upon debate and negotiation and led inevitably to few positive results. Despite a heightened awareness of the need to agree on meaningful arms limitation measures as a step on the road to general disarmament and a safer world, pervasive differences remained in such areas of fundamental importance as the relationship between the priority question of nuclear disarmament and its connexion with efforts for conventional disarmament. The mood of disagreement was reflected, too, in the outcome of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in August 1980, which was unable to reach agreement on a final declaration.

Even so, there were some hopeful signs of advance. For instance, the non-proliferation Treaty Review Conference made some progress in its Committee II where the provisions of the Treaty that related to the peaceful uses of nuclear energy were considered. The most noteworthy achievement of the year was that of the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects in reaching its goal of another multilaterally negotiated Convention which, with its three Protocols, is reproduced in appendix VII. The Convention, open for signature in April 1981, designates the Secretary-General of the United Nations as the Depository—marking the second such instance in the case of a disarmament convention. Finally, at the end of the year, the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament was established in preparation for this major event, due to take place in May/June 1982.

Outside the United Nations, the year saw hopes fade for ratification of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms (SALT II). The subject of bilateral strategic arms limitation obviously remains of crucial importance and once the new American Administration has had the time to articulate its policies the bilateral SALT process may be resumed with renewed vigour and greater emphasis on actual arms reduction.

In essence, active discussions on almost all disarmament issues under United Nations consideration continue. These are described in this edition of *The Yearbook* in chapters which are cross-referenced as required.

While *The Yearbook* has been prepared almost totally in the United Nations Centre for Disarmament, chapter XII was contributed by the International Atomic Energy Agency. Appendix I shows the action taken during the year on multilateral arms regulation and disarmament agreements. The United Nations Environment Programme provided appendix II and four specialized agencies — the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the World Health Organization and the World Meteorological Organization — contributed the texts of appendices III, IV, V and VI. Appendix VIII contains a list of resolutions and decisions on disarmament and related questions adopted by the General Assembly at its thirty-fifth session in 1980, including voting records and an index of relevant references in *The Yearbook* text.

PART ONE

Comprehensive approaches to disarmament

General and complete disarmament

Introduction

AT THE TIME OF ITS INCEPTION IN 1945, the United Nations already recognized disarmament as one of its important areas of concern. In Article 26 of the Charter of the Organization it was enshrined that the Security Council would promote international peace and security "with the least diversion for armaments of the world's human and economic resources" and be responsible for establishment of a system for the regulation of armaments. And throughout the 35-year effort of the United Nations to regulate arms and armed forces, to curb both the quantitative and qualitative build-up of armaments, and to achieve concrete measures of disarmament, the Organization has on numerous occasions indicated a preference to deal with the question of disarmament on a comprehensive basis.

Comprehensive approaches to disarmament aim at integrating the various aspects of the question into a coherent plan leading to the reduction of all types of armaments on a global basis in a process contributing to achievement of the first purpose of the United Nations: "To maintain international peace and security"¹ Certain specific ideas and initiatives intended to help create conditions favourable to disarmament and thereby contribute to a general disarmament process may also be considered within the context of comprehensive approaches.

In 1959, dissatisfied with the difficulties encountered by disarmament efforts up to that time and in the hope of giving fresh impetus to a comprehensive solution of the problem, the General Assembly adopted resolution 1378 (XIV) by which it cited disarmament as the most important question facing the world at the time and expressed the hope that measures leading towards the goal of "general and complete disarmament under effective international control" would be worked out in detail and agreed upon in the shortest possible time. The goal established by that resolution has been kept in view during all subsequent United Nations disarmament endeavours notwithstanding the failure of sincere attempts during the early 1960s to work directly towards it and the consequential and progressive change of emphasis towards finding solutions to specific disarmament problems. Such problems

¹ See *Charter of the United Nations*, Article 1.

increasingly became regarded both as being of immediate concern and as bearing possibilities for near-term results.

While some 10 multilateral arms control and disarmament agreements covering specific issues have been achieved in the past two decades² and must be regarded as important, they have failed to halt, let alone reverse, the arms race which, through the same period, has brought about an ever increasing accumulation of weaponry of all types and ever-higher world military expenditure.

Meanwhile, further initiatives to maintain the vitality of the comprehensive disarmament effort have been put forward in the continuing attempt to ensure that disarmament negotiations embrace consideration of the most central and serious issues and contribute to concrete achievements leading systematically towards the desired goal. Each year the General Assembly has helped keep the goal in view by including an item entitled "General and complete disarmament" on its agenda. Under that item it has considered a wide variety of subjects covering not only concepts aimed at dealing more effectively with the over-all problem, but also with many specific disarmament issues, particularly new ideas which were not separately established on the agenda. Among the more noteworthy initiatives put forward to foster a comprehensive approach was the declaration by the Assembly of the 1970s as a Disarmament Decade by its resolution 2602 E (XXIV), and the endeavour, in the context of the Decade, of the Conference of the Committee on Disarmament (CCD) to work out a comprehensive programme dealing with all aspects of the arms race. The programme was to be used as a guide for the Committee's negotiations.

Also, during both the preparation for the first special session of the General Assembly devoted to disarmament and in 1978 at the special session itself, the goal of "general and complete disarmament under effective international control" was once more reaffirmed and the concept of a comprehensive approach was agreed upon by consensus as the most effective means by which the international community could work towards that goal with hope of eventual success. In the Final Document³ of the special session, the General Assembly drew up a Programme of Action as a guideline for future disarmament efforts embracing virtually all aspects of the question and setting priorities in the hope of facilitating the achievement of more concrete results. The Document clearly sets out general and complete disarmament as the ultimate goal of those efforts.

In 1979 the validity of the established goal was again reaffirmed by the main international bodies working in the field of disarmament. Thus the re-constituted United Nations Disarmament Commission stated in the introduction to its recommendations on the elements of a comprehensive programme of disarmament that general and complete disarmament under effective inter-

² See, *inter alia*, *Status of Multilateral Arms Regulation and Disarmament Agreements* (United Nations publication, Sales No. E.78.IX.2).

³ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4), sect. III.

national control "must continue to be the ultimate goal of all endeavours undertaken in the sphere of disarmament" ⁴ The Committee on Disarmament included, among the areas to be dealt with in its new general agenda, "Comprehensive programme of disarmament leading to general and complete disarmament under effective international control"

Notwithstanding the repeated reaffirmation of the ultimate United Nations goal in disarmament, Member States in recent years have generally acknowledged that it is only achievable on a step-by-step basis, that any long-term programme must be flexible, leaving room for adjustment as it progresses, and that the goal can be realized only at some indefinite point well into the future rather than in accordance with any schedule. During the process, world political and social institutions could develop to become more appropriate to a disarmed world.

Thus, in its recent disarmament efforts, which combine considered plans and priorities with the seizing of opportunities for progress in specific areas, the United Nations appears to recognize the enormity and complexity of the challenge facing the world community and to measure the distance from the present state of international over-armament to the ultimate disarmament goal in a realistic manner.

The work of the main disarmament bodies in their attempts to bring the goal closer is described briefly in this chapter.

Consideration by the Disarmament Commission, 1980

In 1980, the United Nations Disarmament Commission held its substantive session from 12 May to 6 June.⁵ For the second year, Mr. M. A. Vellodi of India served as Chairman on the Commission. The major area of emphasis during the session was a new item on the agenda calling for the preparation of the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade" (see chapter V below). The other substantive items on the agenda were carried over, in modified form, from the 1979 session. The first of these concerned the consideration of various aspects of the arms race, particularly the nuclear arms race and nuclear disarmament, and the elaboration of a general approach to negotiations on nuclear and conventional disarmament. The second concerned the harmonization of views on the reduction of military budgets and reallocation of resources to economic and social development together with identification of ways and means of achieving agreements on freezing or restraining military expenditures in a balanced and satisfactorily verifiable manner (see chapter XX below). The Commission also retained on its agenda the question of proposals contained in the Final Document of the 1978 special ses-

⁴ *Ibid.*, *Thirty-fourth Session, Supplement No. 42 (A/34/42)*, para. 19, sect. I, para. 1.

⁵ *Ibid.*, *Thirty-fifth Session, Supplement No. 42 (A/35/42)*, and A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

sion of the General Assembly devoted to disarmament on which it had not been possible to reach consensus or to deal with fully at that session.⁶

Since none of the substantive items on the agenda concerned general and complete disarmament specifically, most references to the question occurred during the general exchange of views⁷ on the agenda. While a number of delegations to the Commission again endorsed general and complete disarmament as the necessary end goal of all disarmament efforts, others placed more emphasis on the unfavourable international climate existing at the time of the session and, in that context, called urgently for even more concerted efforts to create a better climate for disarmament, bring about the cessation of the arms race, and commence a true disarmament process.

The Chairman, in his opening remarks, described the situation as a very crucial and critical stage in the evolution of international relations, which, he added, had suffered as a result of various events in different parts of the world. While the outlook in the field of disarmament was far from encouraging, the Chairman said that he would not personally subscribe to pessimism, but rather believed that notwithstanding the realities of the situation, and possibly because of them, it was important that the Commission strive even harder to explore ways and means of preserving international peace and security. He felt that all members had a duty not to allow the deterioration in international relations to inhibit the pressing need for progress in disarmament and was convinced that the Commission could provide new momentum for disarmament negotiations. The Chairman's assessment and feelings were reflected in the interventions of the delegations of many members.

The representatives of Austria, Bulgaria, Denmark, the German Democratic Republic, Hungary and Mongolia, for instance, emphasized, in various terms, that the existing situation called for increased efforts in disarmament. Austria, for its part, stated that at a time when an adverse political climate tended to work against the attainment of real progress in disarmament, intensified efforts were urgently called for to overcome the obstacles and take the necessary political decisions. Austria added that it was vital for the Commission to do its utmost to promote whatever chances for disarmament existed, leading, wherever possible, to action-oriented recommendations. Denmark stressed that the existing international tension illustrated the vital importance of pursuing the dialogue on matters on the agenda. The German Democratic Republic held that the Disarmament Commission was intended to improve conditions and clear the way to concrete measures and that nothing should be allowed to divert attention from a concentrated consideration of substantive questions of disarmament.

Among the countries which specifically endorsed general and complete disarmament as the essential goal, Hungary acknowledged that there were

⁶ See A/CN.10/3, annex, for a consolidated listing of the individual proposals originally contained in the Final Document; see also *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 125.

⁷ See A/CN.10/PV.26-34 and A/CN.10/PV.23-40/Corrigendum.

widely differing views as to the causes of increased tension, but held that there had been forces working against détente ever since its beginning. It specifically cited NATO's decisions to increase military spending and deploy new missiles in Europe. Despite the situation which had developed, it held that there was a realistic possibility of preventing a new dangerous move in the arms race. Hungary felt that to contribute to that task and the reduction of armaments were more pressing matters than ever before and that the declaration of the 1980s as the Second Disarmament Decade should reaffirm the final goal of general and complete disarmament under effective international control. Brazil referred to the Commission as a universal forum for debating and reviewing disarmament questions, which, together with the negotiating forum, the Committee on Disarmament, was charged with presenting guidelines for the realization of the common goal of general and complete disarmament under effective international control. Canada recalled that the plans of the early 1960s for security in a disarmed world had been abandoned as Utopian, but that the goal remained and the United Nations still performed an indispensable function in keeping the peace despite lack of agreement on the management of peace-keeping operations. Canada felt that the Commission should keep this aspect of the question in mind, in respect of both the United Nations study on the interrelationship between disarmament and international security and the Second Disarmament Decade and conventional disarmament. India referred not only to the threat of a further escalation of arsenals but also to the "painfully" slow progress in disarmament during the 1970s, and felt, therefore, that there was a clear task before the international community, namely, to concentrate efforts in the new decade, within the framework of the goal of general and complete disarmament, on the highest priority objective of the elimination of nuclear and other weapons of mass destruction on the basis of the international disarmament strategy set out in the Final Document of the 1978 special session on disarmament.

Italy, speaking on behalf of the nine members of the European Economic Community, stated that only through progress in the nuclear and conventional fields, within the framework of a comprehensive approach and taking into account all relevant aspects including, in particular, regional situations, could the world move towards general and complete disarmament. In that connexion, the Nine hoped that the Commission would emerge in time with a consensus on concepts and approaches. The disarmament process could not but be negatively influenced when the United Nations Charter and wishes of the General Assembly were disregarded, such as in the case of events in Afghanistan. In that regard, the Nine would support a solution whereby Afghanistan would resume its position as a neutral and non-aligned State.

Romania regarded the increasing international tension as having deep and varied causes, one of which was the unceasing accumulation of weapons and the race to produce new and more sophisticated ones. It held that the Commission's debates should be action-oriented and the fundamental objective of the disarmament decade should be the beginning of a disarmament process comprising measures and actions likely to contribute to eventual

general and complete disarmament. Viet Nam, in describing the international situation from its perspective, spoke of a revival of the cold war and new spiral of the arms race as posing a threat to peace. In the face of that situation, the Commission's task was to achieve concrete measures leading towards general and complete disarmament, and Viet Nam would support every endeavour in that direction, although the world had to remain vigilant while "imperialist and reactionary forces" had not disarmed.

None of the nuclear-weapon States referred to general and complete disarmament as such, but all stressed the need for concerted disarmament efforts, particularly in view of the existing international situation.

The representative of the Union of Soviet Socialist Republics emphasized that, in the existing situation, efforts to achieve specific measures to restrict the arms race and favour the process of disarmament should be stepped up, and stressed that his country favoured the strengthening of détente. He also reiterated that the Soviet Union and other States parties to the Warsaw Treaty remained ready to restrict and prohibit, on a reciprocal basis, any type of weapons. In that vein, the Soviet Union drew particular attention to the European area and, while noting the steps that had been taken to strengthen confidence in Europe during the past decade, held that the United States and its allies were attempting to undermine the principle of equality and equal security and to create military superiority for NATO.

The representative of the United States of America, for his part, stressed that the task of achieving balanced and verifiable arms control agreements was a formidable one, requiring an intensified search for measures to strengthen international peace and security. He also noted the inauspicious beginning of the new decade, specifically citing the use of force by the Soviet Union in Afghanistan as being in violation of the United Nations Charter and complicating efforts to negotiate measures of mutual restraint. He added that he would not take the time of the Commission to reply to charges that the United States and its NATO allies were responsible for the unfavourable international climate, as all knew that that was not the case.

Similarly, the other nuclear-weapon States, China, France and the United Kingdom of Great Britain and Northern Ireland, drew attention to the tense international situation. China maintained its position of concerted criticism of the large arsenals and military budgets of the super-Powers, holding that the Power which over a long period had been most vociferous with disarmament slogans had also been the leader in arms expansion. In the light of lack of achievements in the field of disarmament because of the super-Powers, China advocated a greater role for third world and other small and medium-sized countries in disarmament matters so as to exert public pressure on those Powers to begin reducing their armaments in earnest. The United Kingdom, in consideration of the international atmosphere, urged a continuation of efforts for progress on the aspects of the disarmament process where positive action was possible. France, for its part, attached even more than usual importance to the Commission's mandate from the international community because of the international situation, and gave unqualified assurance of its full co-operation in the work before the body.

While the majority of papers submitted to the Commission in 1980 concerned the Second Disarmament Decade, four dealt with the agenda item covering the consideration of the various aspects of the arms race: one, on approaches to conventional disarmament, was submitted by Denmark,⁸ and the others, one by the German Democratic Republic on behalf of the Eastern European States⁹ and two by Cuba¹⁰ on behalf of the non-aligned countries, dealt with the item in the context of both nuclear and conventional disarmament. The Danish paper reviewed the past consideration of conventional disarmament by the United Nations and presented ideas for the future. The Eastern European paper, taking account of the Final Document of the Tenth Special Session of the General Assembly and the need for comprehensive solutions, set out measures to be taken in both nuclear and conventional fields. The first non-aligned paper suggested conclusions for the Commission in respect of its consideration of the relevant agenda item, while the second, stressing the responsibility of the major Powers, suggested an approach whereby negotiations in the Committee on Disarmament would embrace the major necessary measures in both nuclear and conventional fields.

In its report to the General Assembly,¹¹ the Disarmament Commission stated that it had dealt with all of the major substantive items on its agenda, the one on the Second Disarmament Decade in an open-ended working group and the others in informal meetings following the general exchange of views.

In its recommendations on the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade", the Commission, in the first paragraph under the heading "Goals and principles",¹² again affirmed:

6. The goals of the Second Disarmament Decade should be conceived in the context of the ultimate objective of the efforts of States in the disarmament process, which is general and complete disarmament under effective international control, as elaborated in the Final Document.

And in the next paragraph it stated:

7. Consistent with this over-all objective, the goals of the Disarmament Decade should be the following:

(a) Halting and reversing the arms race, particularly the nuclear arms race;

(b) The conclusion and implementation of effective agreements on disarmament, particularly nuclear disarmament, which will contribute significantly to the achievement of general and complete disarmament under effective international control;

With regard to its recommendations to the Assembly on the item on various aspects of the arms race, particularly the nuclear arms race, the Commission, by consensus, noted, *inter alia*, that:

⁸ A/CN.10/13.

⁹ A/CN.10/18.

¹⁰ A/CN.10/19 and A/CN.10/20.

¹¹ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, paras. 9-13.

¹² *Ibid.*, para. 19, sect. B.

... while nuclear disarmament had the highest priority, the General Assembly had declared in the Final Document that "together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament"¹³

Right up to its final meeting, the Disarmament Commission worked to achieve adoption by consensus of its draft report to the Assembly. After its adoption — the result of considerable compromise during the deliberations on the texts of the recommendations — a number of States commented on the over-all success of the second substantive session of the revitalized Commission, a session which many observed had taken place under difficult circumstances. Although not all expectations were met, virtually all delegations which recorded their positions and reservations on the various recommendations paid tribute to the Chairman for his patience and determination in enabling the consensus to be achieved. Comments concerned such areas as the relative weight given nuclear and conventional disarmament and whether such issues as non-proliferation of nuclear weapons were given appropriate emphasis.

In all, emphasis on general and complete disarmament as the essential goal was reduced in the Disarmament Commission in 1980, while expressions calling for halting and reversing the arms race and advancing systematically with a programme of concrete disarmament measures were increased in parallel with expressions of concern about the inadequacy of achievements in disarmament to date and the deterioration of the international situation.

On 8 and 9 December, the Disarmament Commission held two meetings at which it reviewed the resolutions then before the General Assembly having a bearing on its work and discussed its provisional agenda for 1981.

Consideration by the Committee on Disarmament, 1980

The Committee on Disarmament held its 1980 session in two sittings, from 5 February to 29 April and 12 June to 9 August. For the first time, all five nuclear-weapon States participated,¹⁴ with China taking its seat at the beginning of the session and, in accordance with the rules of procedure,¹⁵ assuming the Chairmanship, in alphabetical rotation,¹⁶ for the month of March.

¹³ *Ibid.*, para. 20 (section entitled "Recommendations on agenda item 4 (a) and (b)", para. 9).

¹⁴ The States represented in the Committee in 1980 were: Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, USSR, United Kingdom, United States, Venezuela, Yugoslavia and Zaire.

¹⁵ See *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr. 1)*, appendix I; see also *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), appendix I.

¹⁶ *Ibid.*, rule IV, "Chairmanship"

Also under the rules of procedure,¹⁷ Austria, Burundi, Denmark, Finland, Greece, the Holy See, Jordan, New Zealand, Spain, Switzerland, Turkey and Viet Nam communicated their intention to attend the plenary meetings.

The work of the Committee in 1980 was significantly influenced by international events, especially the situation in Afghanistan and, to a lesser degree, tensions in other areas. Various viewpoints were expressed concerning the different international problems and their implications in the field of disarmament, especially in the general statements of member delegations during the early part of the session.

With regard to its procedures and the organization of its work, the Committee, after some compromise, reached agreement by consensus on its agenda for the session and the scheduling of its work on the items to be considered. As detailed in the report of the Committee,¹⁸ its 1980 agenda was based on the areas listed in its general agenda for dealing with the cessation of the arms race and disarmament and requests contained in the relevant resolutions on disarmament adopted by the General Assembly at its thirty-fourth session in 1979. The resultant agenda, the same as that of 1979 except for the addition of the item on the comprehensive programme, was as follows:

1. Nuclear test ban
2. Cessation of the nuclear arms race and nuclear disarmament
3. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons
4. Chemical weapons
5. New types of weapons of mass destruction and new systems of such weapons; radiological weapons
6. Comprehensive programme of disarmament
7. Consideration and adoption of the annual report and any other report, as appropriate, to the General Assembly of the United Nations.

In connexion with its working methods, the Committee agreed after discussion to set up four *ad hoc* working groups on the questions of security assurances to non-nuclear-weapon States (see chapter IX below), chemical weapons (chapter XIII), radiological weapons (chapter XVI), and a comprehensive programme of disarmament (chapter III). The last-mentioned, of course, has the closest connexion with the concept of general and complete disarmament.

The Committee was also faced, under its rules of procedure, with requests for participation in the discussions on subjects of particular interest to them by certain States not members of the Committee, including Democratic Kampuchea and the People's Republic of Kampuchea, which claimed to represent the same State, the latter not a State Member of the United Nations. The requests of Austria, Denmark, Finland, Spain and Switzerland were accepted, but it was decided that neither of the Kampuchean requests

¹⁷ *Ibid.*, rule IX, "Participation by States not members of the Committee"

¹⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*; see paras. 6-10.

could be considered at the time and Viet Nam agreed to postpone a request that it had made. To facilitate the handling of questions of participation in the future, Mexico submitted a working paper¹⁹ in which it proposed amendments to clarify the relevant rules of procedure, but the Committee took no formal action during the session.

In accordance with the rules of procedure,²⁰ communications received from non-governmental organizations were circulated to the Committee. The Committee also decided that its informal meetings on chemical weapons should be open to non-member States and the public.

Although the international political situation had some effect on the Committee's work at the beginning of the session, the recognition of general and complete disarmament as the ultimate goal of its efforts was generally recognized and continued to be reflected in a number of the statements of its members, especially in plenary meetings. At the same time, as in the Disarmament Commission, many representatives expressed the concern of their Governments that the continuing arms race, with all its implications, and especially the growth of nuclear weapons, had become so ominous that the major concern of the international community should be with its cessation and with the commencement of a process of real disarmament, rather than with the end point of that process. Considerable reference was also made to the various comprehensive approaches, such as the comprehensive programme of disarmament, the Disarmament Decade, and the question of a world disarmament conference. Along similar lines, the Secretary-General, in his message to the Committee, stated, in part:

The 1980 session of the Committee on Disarmament marks the beginning of the Second Disarmament Decade. We are entering this new stage facing most disturbing developments in the international situation. These developments emphasize the importance and urgency of the disarmament process. New energies should be generated in our search for urgent measures leading to a more secure world, free from the most serious threat to mankind: the arms race.

I have always considered a comprehensive programme of disarmament an essential component of the disarmament strategy. If the second special session of the General Assembly devoted to disarmament is able to adopt such a programme on the basis of the work done by your Committee and other relevant bodies, we will have made a significant step towards achieving our disarmament objectives.

As disarmament involves nothing less than the survival of humanity, it is the common concern and the collective responsibility of all. As I said recently: in the nuclear age there can be no winner, only losers. It is therefore imperative that we halt the arms race and proceed to disarmament.

Also reflecting the urgency of making a concrete start in the process of disarmament, the *Ad Hoc* Working Group on the comprehensive programme

¹⁹ *Ibid.*, Supplement No. 27 (A/35/27), appendix II (CD/139), vol. II, document CD.129.

²⁰ *Ibid.*, Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr. 1), appendix I, rule XII, "Non-governmental organizations"

of disarmament, in its report to the Committee,²¹ stated with regard to the objectives of the programme that, while agreeing that the long-term objective should remain general and complete disarmament under effective international control, it had also considered the suggestion that the programme's immediate objective should be to eliminate the danger of war, particularly nuclear war, and to make progress in disarmament through the consolidation of the momentum generated by the first special session of the General Assembly devoted to disarmament. That would ensure the cessation and reversal of the arms race and the relaxation of international tension. The Group recalled that the various objectives of the programme would have to be achieved on a step-by-step basis.

Argentina, one of the members which referred specifically to the established goal in plenary meetings, was critical of what it perceived as a tendency to divert attention to approaches to "preventive" disarmament, the consideration of secondary measures, and concentration on conventional weapons — a tendency which, it held, entailed the risk of overlooking the imminent danger posed by nuclear weapons. It stressed that account would have to be taken of the final objective of general and complete disarmament under effective international control in the implementation of non-discriminatory and verifiable measures, acceptable to all, as components of the comprehensive programme of disarmament. Algeria, in reviewing the existing situation, observed that, at the outset of the Second Disarmament Decade, the world had perhaps never been so far from its final goal of general and complete disarmament; it added that the comprehensive programme, when finalized, could provide an appropriate framework for achieving that goal. Mexico noted the continuing importance of the ultimate goal of general and complete disarmament and stated that negotiations towards that end had to take place concurrently with negotiations on partial measures.

Nigeria expressed concern that the first Disarmament Decade had not achieved its purpose and might in retrospect more appropriately be regarded as an "armament" decade. It called attention to the positive efforts of the non-aligned movement in lessening international tension and fostering disarmament through promotion of such initiatives as the 1978 special session of the Assembly devoted to disarmament, and added that progress in disarmament had become most urgent in light of the grossly increased international tension which had arisen. Nigeria also stated that the comprehensive programme of disarmament — one of its own major concerns and the subject of proposals by many countries through the years — should embody a system of priorities and co-ordination that would ensure constant progress towards general and complete disarmament.

Sri Lanka, while expressing concern about the situation in Afghanistan, observed that at the same time there were many other events, including military and non-military interventions which might be regarded as precedents or parallels, some of which had clouded the proceedings of the Committee.

²¹ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, para. 68.

Subsequently, on behalf of the group of 21,²² Sri Lanka read a statement, later circulated as a document,²³ in which the group, in reviewing the year's work, registered its regret that, while the negotiation of disarmament measures had become more pressing because of renewed international tension and further acceleration of the arms race, the Committee, as the single multilateral negotiating body in the field, had been prevented from adequately discharging its mandate, particularly in the highest priority area of the cessation of the nuclear arms race and nuclear disarmament.

Cuba also noted that the international climate was one of tension, but expressed confidence that that situation would be overcome and held out the hope that by the time the Second Disarmament Decade ended the Committee would have made a valuable contribution — as was its duty — to help stop the arms race and to further the cause of general and complete disarmament. It cited the Sixth Conference of Heads of State or Government of Non-Aligned Countries as having, in its declaration,²⁴ “reaffirmed the adherence of non-aligned countries to the objective of general and complete disarmament”

The Eastern European countries, known as the group of socialist States in the Committee, in a paper²⁵ on the 1980 session, stated that, guided by decisions of the Political Consultative Committee of the States Parties to the Warsaw Treaty, they had, even in a complex international situation, consistently followed a course aimed at constructive negotiations and the conclusion of specific disarmament agreements. They also stated that attempts which had been made to organize campaigns against the Soviet Union and their group had aimed to distract the Committee's attention from its tasks. Among individual Eastern European States, Bulgaria and Czechoslovakia emphasized their determination to contribute to the elaboration of concrete and effective measures for the reduction and halting of the arms race and for disarmament. Mongolia, Poland and the German Democratic Republic regarded the deterioration in the international situation and dangers to détente as the product of NATO actions in continuing the arms race and seeking military supremacy. The German Democratic Republic stressed that political détente had to be buttressed by military détente.

Belgium, reflecting a Western view in its opening address, condemned the use of military force in the territory of another State and, in that connexion, stated that its recent use had posed a threat to détente and indeed might jeopardize years of painstaking and continuing effort to advance the cause of disarmament. Belgium stressed that the confidence which was so necessary to the success of the work of the Committee had to be restored through the

²² That is, the members of the Committee not associated with the major blocs, namely, Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia and Zaire.

²³ *Ibid.*, *Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. II, document CD/134.

²⁴ See A/34/542, para. 217.

²⁵ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. II, document CD/135; the group consists of Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania and USSR.

elimination of the cause of the deterioration in the international climate and that disarmament and international security were too closely linked for one to be achieved without the other. Other Western countries, including Canada, the Federal Republic of Germany and the Netherlands, in their general addresses echoed much of what Belgium said about the effects of events in Afghanistan, with each of them stressing that the NATO package decision²⁶ of 12 December 1979 had included specific invitations for negotiations on theatre nuclear weapons and that the search for disarmament should continue despite difficulties. Canada regarded the relationship between nuclear and conventional disarmament as the heart of the problem of general and complete disarmament.

Among the nuclear-weapon States, China alone referred specifically to general and complete disarmament, observing that, since under existing conditions that goal was very difficult or even impossible to achieve, partial disarmament measures conducive to maintenance of the sovereignty of States and world peace and security should be pursued. It reiterated that the super-Powers had to be the first, in a balanced way, to reduce their armaments. France, while recognizing the increased difficulty of the disarmament task, refused to draw negative conclusions because, first, the negotiating body had received its mandate from the international community and, secondly, the dangers arising from the international situation made it all the more urgent to bring about a reduction in arms.

The USSR, for its part, emphasized the positive achievements in disarmament in 1979, at the same time acknowledging that they did not meet the requirements of the day and regretting that SALT II had not been ratified. It then reviewed the proposals which it had put forward, towards the end of 1979, indicating its readiness to reduce medium-range nuclear weapons in its western regions, to reduce Soviet troops, tanks and other hardware in Central Europe, and to support confidence-building measures. It held that NATO, instead of negotiating on medium-range weapons, had decided to deploy some 600 new ones, camouflaging its decision by proposing negotiations on its own terms — from a position of strength. The USSR added that such circumstances would not deflect it from its steady pursuit of détente and disarmament. Later, the USSR stated in response to several comments that the dispatch to Afghanistan of limited contingents of Soviet troops had been at the request of the Afghan Government in accordance with the Treaty²⁷ concluded between the two countries in December 1978.

At the final meeting the Soviet Union stated that it had done everything possible to promote progress on all the items of the agenda.

The United Kingdom and the United States both stressed their commitment to realistic, equitable and verifiable measures of arms control. Both also referred specifically to the situation in Afghanistan, stating that arms

²⁶ Contained in the communiqué issued at the closing of the meeting of the NATO Foreign Ministers held in Brussels.

²⁷ Treaty of Friendship, Good-Neighbourliness and Co-operation, signed at Moscow, 5 December 1978.

control had to be accompanied by restraint in international relations, and strict compliance by States with the United Nations Charter. Notwithstanding the international situation, the United Kingdom stressed that the search for strengthening of international security through arms control must continue, while the United States emphasized that the Committee should use its time wisely to make progress towards the goals which had prompted its establishment and that of its predecessor bodies. The United States later stressed that the NATO decision of December 1979 had included a proposal for negotiations on theatre nuclear forces before their deployment, and also that it remained dedicated to the goals of SALT. Its position was stated as being clearly one of continuing interest in serious arms limitation measures which would enhance international security as well as its own. It added that inaccurate statements about its policies and those of NATO would not serve to advance the work of the Committee. Near the end of the session, the United States again emphasized its support of the search for real progress towards arms control in a complex world.

The Chairman, in his closing statement, stressed that to achieve genuine disarmament, the political will of all States and, particularly, the nuclear-weapon States, was required. He said that by clearing the climate of distrust and building mutual confidence, the conditions for progress in disarmament negotiations would be created.

Consideration by the General Assembly, 1980

In 1980 general and complete disarmament continued to be recognized as the ideal goal both in plenary meetings and in the First Committee,²⁸ and the agenda item entitled "General and complete disarmament" continued to provide a vehicle for the discussion of a variety of new as well as established initiatives. It was also used for presentation of a number of papers, including the transmittal of documents of conferences held outside the United Nations (see pages 27-28 below).

Many references by States to disarmament were expressed in terms of their concern about the dangerous continuation of the arms race and the urgent requirement that it be halted and measures of genuine disarmament implemented before it was too late. Virtually all speakers in the plenary debate noted the general deterioration in international relations, and their sombre remarks overshadowed the specific views put forward on general and complete disarmament. Some States emphasized the need for confidence-building, especially in the context of the Conference on Security and Co-operation in Europe which commenced its 1980 review session in Madrid while the General Assembly was in session.

In his plenary address, Foreign Minister Andrei Gromyko of the USSR held that some countries wished to squander the assets of détente accumulated in the 1970s and were making deceptive allegations about a Soviet mil-

²⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 47th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

itary threat. The USSR held that it and other Eastern European countries were not seeking military superiority and that their strategic doctrine was defensive. Mr. Gromyko then referred to the series of initiatives advanced by the socialist States, stressing recent ones, including those contained in the declaration of the Political Consultative Committee of the States Parties to the Warsaw Treaty²⁹ for curbing the arms race and for disarmament, and for strengthening peace in Europe and the rest of the world. The United States Secretary of State, Mr. Muskie, affirmed that his country too sought peace with all nations and was eager to reduce tensions and to restore productive relations as soon as the actions of the nations concerned allowed. He stated that the obligation of nations to control and limit arms was made more difficult by heightened tension, but also more important. He emphasized that the United States commitment to arms control remained fully valid.

With regard to actions to enhance the disarmament effort, France welcomed the establishment of the new United Nations Institute for Disarmament Research, the culmination of an idea which it had initiated. Austria took note of the commission for disarmament and international security, known as the Palme Commission, consisting of representatives from the East, West and South, which had been established in Vienna with the long-term goal of preparing proposals for comprehensive disarmament agreements and practical measures, to be submitted to the special session of the General Assembly on disarmament to be held in 1982. Canada, in its address, referred to its recent appointment of a special ambassador for disarmament, who would be working towards the disarmament goals that the Canadian Prime Minister had put forward at the 1978 special session of the Assembly.

A number of States emphasized various ideas with regard to the general question of disarmament.

The Syrian Arab Republic regarded complete and general disarmament as a major objective of the international community, a fact clearly proved by the list of over 20 items on the agenda related to disarmament. It emphasized that the framework of détente should be enlarged to encompass the whole world and that colonialism, racism and all aspects of foreign exploitation had to be eliminated if disarmament was to be achieved. The Federal Republic of Germany, in its address, called disarmament the great task of the 1980s. It held that détente and co-operation could only be lasting if founded upon equilibrium; accordingly disarmament demanded a stronger commitment to disarm on the part of those in a position of superiority. It added that NATO sought equilibrium at the lowest possible levels of armaments and that its defence efforts were determined exclusively by its security requirements. On the other hand, the conventional weapons of the Warsaw Pact countries, and particularly the Soviet SS-20 missiles, it held, went beyond security needs. In that connexion, the Federal Republic of Germany was pleased that the Soviet Union and the United States intended to commence preparatory talks on medium-range land-based missiles.

²⁹ Held at Warsaw on 14 and 15 May 1980; see document A/35/237 — S/13948.

The Ukrainian SSR, besides expressing concern about the recent deterioration in the international situation, referred to two Soviet proposals related to disarmament and security. One, entitled "Certain urgent measures for reducing the danger of war" (see page 25 below), contained a number of measures, all of which would have a restraining effect and would contribute to reducing international tension. The other, concerning the environment, was entitled "Historical responsibility of States for the preservation of nature for present and future generations" (see page 25 below). In that regard, the Ukrainian SSR attached particular importance to the negative consequences of the arms race on the environment.

Algeria recalled that general and complete disarmament in earlier years had been the subject of precise and specific negotiations but that, since then, the world had been led more and more towards partial negotiations on limited measures for controlling armaments. Those efforts so far had failed to trigger a movement towards the halting of their production or the reduction of stockpiles. Barbados, one among many States to observe the economic and social effects of the arms race, stated that human needs were denied to 800 million poor in the third world while developed countries frittered away resources on the buildup of arms. Thus it called for implementation of strategies for general and complete disarmament, not only to minimize the risk of war, but also to release funds for development. Barbados regretted that so many developing States were also caught up in the race for armaments.

In the First Committee, the general views expressed echoed those heard in the Assembly, with emphasis focusing on the world armaments situation and the urgent need to commence a genuine process of disarmament.

The Chairman of the Committee, Mr. Naik (Pakistan), in his opening remarks, stated that, in spite of recent trends in international relations, he saw hope of building upon intensified disarmament efforts which might enable the international community to proceed further along the road to disarmament. He drew particular attention to the report of the Committee on Disarmament, holding that its preliminary negotiations in 1980 augured well for its work in 1981. The Chairman also noted the heavy agenda of the First Committee, drawing particular attention to the continuing importance of follow-up of the first special session of the General Assembly on disarmament and the relevance of preparations for the second session, and to the Second Disarmament Decade and United Nations disarmament studies.

Among the States which referred directly to the goal of general and complete disarmament, Bangladesh stated that it was committed constitutionally to the concept, which was thus the cornerstone of its foreign policy in disarmament and reflected the tangible action which, in the appropriate context, it was prepared to take. Chile felt that general and complete disarmament could become a reality only when all Member States showed the political will to achieve it as a final and concrete objective. Later, speaking as Chairman of the Latin American Group on the occasion of the inauguration of Disarmament Week (see chapter XXIII below), the representative of Chile reaffirmed that Group's deep commitment to peace and its eagerness

to support any initiative which would lead the world gradually to general and complete disarmament under strict international control.

The Netherlands, in the initial statement presented on behalf of the nine members of the European Economic Community, referred to the Disarmament Commission and Committee on Disarmament as the two principal instruments to deal with arms control and disarmament and briefly reviewed their work relating to both nuclear and conventional armaments. In that connexion, the Nine were firmly convinced that conventional weapons and armed forces were an essential component of the disarmament process and that only through progress in both the nuclear and conventional fields could the world community move towards a common goal of general and complete disarmament under strict and effective international control.

Romania, like other Eastern European States, stressed its readiness to support constructive initiatives in the field of disarmament and, acknowledging that disarmament was a complex and lengthy process, said that it attached special importance to the adoption of partial measures such as the dismantling of foreign military bases, the withdrawal of troops and armaments behind national boundaries, and the abolition of military blocs. Such measures, it held, would help to strengthen confidence among States and make it possible to move on to general and complete disarmament.

In dealing with the general topic, Cyprus stressed the view that all efforts at disarmament were frustrated by the arms race to the point where the real task before the United Nations was not disarmament but checking the arms race, as there could not be disarmament proper while more — and more effective and destructive — weapons were being produced. The solution, according to Cyprus, lay in subscribing to the system of international security and order set out in Article 43 of the United Nations Charter. Yugoslavia regarded the heavy disarmament agenda as an expression of the interest of the international community in tackling a most urgent problem, though the results were unsatisfactory and the arms race was both a cause and an effect of disturbed international relations. Accordingly, the purpose of the debate should not be merely to appraise the negative trends, but to find ways to halt the arms race and launch a process of genuine disarmament. In that connexion it noted the particular responsibility borne by the great military Powers.

Under the item entitled "General and complete disarmament", 11 draft resolutions were submitted to and introduced in the First Committee from its 14th to 41st meetings. In the course of deliberations, a number of them were revised and, on the recommendation of the Committee, all were adopted by the General Assembly, as resolutions 35/156 A to 35/156 K. The discussion leading to the adoption of nine of those resolutions is contained in the pertinent topical chapters of this volume, as follows:

- (a) Resolution 35/156 A (Study on conventional disarmament) — chapter XVIII;
- (b) Resolution 35/156 B (Confidence-building measures) — chapter XXII;
- (c) Resolution 35/156 C (Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present) — chapter VI;

(d) Resolution 35/156 D (Study on all the aspects of regional disarmament) — chapter XXII;

(e) Resolution 35/156 E (Study on the relationship between disarmament and international security) — chapter XXII;

(f) Resolution 35/156 F (Study on nuclear weapons) — chapter XXII;

(g) Resolution 35/156 G (Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons) — chapter XVI;

(h) Resolution 35/156 H (Prohibition of the production of fissionable material for weapons purposes) — chapter VI;

(i) Resolution 35/156 K (Strategic arms limitation talks) — chapter VI.

The other two resolutions, 35/156 I (Report of the Committee on Disarmament) and 35/156 J (Disarmament and international security), are considered in the present chapter, and a draft resolution submitted under a separate agenda item, entitled “Certain urgent measures for reducing the danger of war”, which was not put to the vote, is discussed briefly. Finally, this chapter takes note of the pertinent aspects of two resolutions on disarmament-related questions. They are resolution 35/8, entitled “Historical responsibility of States for the preservation of nature for present and future generations”, and resolution 35/158, entitled “Implementation of the Declaration on the Strengthening of International Security”

The draft resolution entitled “Report of the Committee on Disarmament” was sponsored by 26 States³⁰ and was introduced by Turkey on 24 November. In the introduction, the representative of Turkey noted that the text of the draft, which dealt mainly with the question of membership of the Committee, was nearly identical with that of resolution 33/91 G adopted two years earlier. Since the Committee on Disarmament, in the intervening two years, had been unable to consider the modalities of the review of its membership and there remained only the thirty-sixth regular session of the General Assembly before the second special session on disarmament in 1982, the sponsors were specifically requesting the Committee to report to the Assembly on the subject of membership at that last available regular session. Turkey called attention also to a number of other features of the new draft and, recalling the principle agreed to by the General Assembly at its special session on disarmament that all States had the right to take an active part in disarmament negotiations, urged the First Committee to adopt the draft resolution unanimously.

Before the vote, Czechoslovakia, on behalf of the Eastern European States except Romania, explained that those States regarded the composition of the Committee on Disarmament as a matter which should be resolved by the Committee itself, on the basis of consensus. Thus the provision in the draft dealing with when and how the question should be resolved represented interference with the prerogatives of the Committee, an independent organ with a special status in relation to the General Assembly. Accord-

³⁰ Bahamas, Barbados, Benin, Bolivia, Chad, Chili, Ghana, Greece, Guyana, Ivory Coast, Madagascar, Mali, New Zealand, Portugal, Senegal, Sierra Leone, Somalia, Spain, Sudan, Syrian Arab Republic, Tunisia, Turkey, Uganda, United Republic of Cameroon, Upper Volta and Uruguay.

ingly, the delegations referred to would abstain. Mexico explained that the provision of the Final Document of the 1978 special session on disarmament acknowledging the right of all States to participate in disarmament negotiations was understood by its delegation in the light of paragraph 113 of the Document which provides that all Member States should be represented on the deliberative body, whereas the negotiating body should have a relatively small membership.

The Committee approved the draft resolution by a non-recorded vote of 127 to none, with 11 abstentions. The General Assembly adopted the draft on 12 December by a recorded vote of 135 to none, with 10 abstentions, as resolution 35/156 I, which reads as follows:

The General Assembly,

Recognizing that all the peoples of the world have a vital interest in the success of disarmament negotiations,

Recognizing also that all States have the duty to contribute to and the right to participate in disarmament negotiations, as acknowledged in paragraph 28 of the Final Document of the Tenth Special Session of the General Assembly,

Recalling, to that effect, its resolution 33/91 G of 16 December 1978,

Noting section IX of the rules of procedure of the Committee on Disarmament, relating to the participation of non-member States in the work of the Committee,

Recalling also that the membership of the Committee on Disarmament is to be reviewed at regular intervals in accordance with paragraph 120 of the Final Document,

1. *Takes note* of the relevant parts of the report of the Committee on Disarmament on its session held in 1980 in which it is stated that the Committee will, at an appropriate time, conduct a review of its membership and report on the results to the General Assembly;

2. *Requests* the Committee on Disarmament to continue to consider the modalities of the review of the membership of the Committee and to report on this subject to the General Assembly at its thirty-sixth session;

3. *Recommends* that the first review of the membership of the Committee on Disarmament should be completed, following appropriate consultations among Member States, during the next special session of the General Assembly devoted to disarmament;

4. *Reaffirms* that States not members of the Committee, upon their request, should be invited by it to participate in the work of the Committee when the particular concerns of those States are under discussion;

5. *Decides* to include in the provisional agenda of its thirty-sixth session an item relating to a review of the membership of the Committee on Disarmament.

The draft resolution entitled "Disarmament and international security" was sponsored by Argentina, the Bahamas, Cyprus, Ecuador, India, the Niger, Pakistan, Qatar, Singapore, Sri Lanka and Yugoslavia, and introduced by Cyprus, which stressed that the thrust of the resolution was to give emphasis to the importance of halting the arms race, while its purpose was to provide for the world order needed to prevent war. Since it was recognized that something had to be done to get out of the present state of insecurity and anarchy, the place to turn, according to the sponsors, was to the United Nations Charter, whose purpose and principles were designed to promote world order and security through collective measures, requiring a degree of co-operation among States which cannot be achieved in the atmosphere of antagonism caused by the arms race. After elaborating on the preamble and various operative provisions of the draft, Cyprus pointed out that what was

being asked was not a matter of political will — on the grounds that compliance with the provisions of the Charter was mandatory for Members of the United Nations. By that compliance, the measure of international security required for the cessation of the arms race would become possible, and disarmament effective.

On 25 November, before the First Committee proceeded to vote on the draft resolution, Cyprus orally announced several further revisions to the then latest version of the text, which was subsequently approved by the Committee, as orally revised, without a vote. On 12 December, the General Assembly adopted the draft as resolution 35/156 J, also without a vote. It reads as follows:

The General Assembly,

Noting with concern that the arms race, particularly the nuclear arms race, continues unabated while efforts towards arms reduction or limitation have not yet produced concrete results,

Conscious of the grave danger of a nuclear conflagration resulting from the continued escalation of the arms race, particularly the nuclear arms race, and from recent ominous developments,

Considering that the lack of effective international security is a generating factor in the escalating arms race,

Recalling that, according to Article 1, paragraph 1, of the Charter of the United Nations, the primary purpose of the United Nations is to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression or other breaches of peace,

Recognizing that compliance with the purposes and principles of the Charter would promote world order and security, so necessary in these demanding times,

Convinced that confidence in the effectiveness of the United Nations and the resulting climate of trust will facilitate co-operation between Member States on matters of common interest for peace and survival, irrespective of any differences in political or social systems,

Recalling that in the Final Document of the Tenth Special Session of the General Assembly, it is stated that the arms race, particularly in its nuclear aspect, runs counter to efforts to achieve further relaxation of international tension, to establish international relations based on peaceful coexistence and trust between all States, and to develop broad international co-operation and understanding,

Recalling further that in the Final Document it is also stated that genuine and lasting peace can only be created through the effective implementation of the security system provided for in the Charter and the speedy and substantial reduction of arms and armed forces, by international agreement and mutual example, leading ultimately to general and complete disarmament under effective international control,

Considering that the objective of halting the arms race, particularly the nuclear arms race, and proceeding to effective disarmament measures, compatible with national security, could be effectively served through applying the collective security system provided for in the Charter, parallel to disarmament efforts,

1. *Reaffirms* its resolution 34/83 A of 11 December 1979 on disarmament and international security;

2. *Calls upon* all States to proceed in a positive spirit towards measures under the Charter of the United Nations for a system of international security and order concurrently with efforts at effective disarmament measures;

3. *Recommends* that the main organs of the United Nations responsible for the maintenance of international peace and security should give early consideration to the requirements for halting the arms race, particularly the nuclear arms race, and developing the modalities for the effective application of the system of international security provided for in the Charter;

4. *Requests* the permanent members of the Security Council to facilitate the work of the Council towards carrying out this essential responsibility under the Charter;

5. *Requests* the Secretary-General to submit a progress report to the General Assembly at its thirty-sixth session.

An item entitled "Certain urgent measures for reducing the danger of war" was included in the agenda at the request of the USSR,³¹ which also submitted a draft resolution on the item.³² In introducing the proposal, the USSR emphasized the aggravation of the international situation, holding that it was caused by imperialist forces working to slow down or even disrupt efforts to limit the arms race. In light of the resultant complex international situation, the Soviet Union believed efforts to strengthen détente and prevent war should be multiplied. Hence it was proposing certain steps: (a) renunciation by States members of military alliances of the expansion of those alliances, and avoidance of the formation of new military-political groupings; (b) avoidance of increases in armed forces and conventional weapons as a first step towards their reduction; (c) further action in the area of security assurances to non-nuclear-weapon States, with the objective of the conclusion of an international convention on that question; and (d) a one-year moratorium on nuclear-weapon tests, to take effect from an agreed date, in order to create more favourable conditions for conclusion of a treaty on a comprehensive test ban. In the Soviet view, implementation of those measures would have a restraining influence on the growing danger of war and contribute to an easing of tension. Although a number of Eastern European and some non-aligned States voiced support of the Soviet initiative, the USSR decided not to press it to a vote because of the First Committee's approval of two other draft resolutions, one calling for restraint in both nuclear and conventional arms and forces (resolution 35/152 G, see chapter II below, page 47) and the other for a convention on the security of non-nuclear-weapon States (resolution 35/154, see chapter IX, page 176), as well as the Committee's broad support of a moratorium on nuclear explosions.

The item entitled "Historical responsibility of States for the preservation of nature for present and future generations" (see appendix II below) was also included in the Assembly's agenda on the basis of a request by the USSR,³³ and was considered by the General Assembly without reference to a Main Committee. The resolution, with the same title as the agenda item, was adopted by the Assembly on 30 October by a recorded vote of 68 to none, with 47 abstentions, as resolution 35/8.³⁴ The following several paragraphs have a direct relevance to the arms race and disarmament:

The General Assembly,

Conscious of the disastrous consequences which a war involving the use of nuclear weapons and other weapons of mass destruction would have on man and his environment,

³¹ A/35/241.

³² A/C.1/35/L.1; the Assembly took note of the item in decision 35/432 (see appendix VIII).

³³ A/35/194.

³⁴ See appendix VIII for voting details.

Noting that the continuation of the arms race, including the testing of various types of weapons, especially nuclear weapons, and the accumulation of toxic chemicals are adversely affecting the human environment and damaging the vegetable and animal world,

Bearing in mind that the arms race is diverting material and intellectual resources from the solution of the urgent problems of preserving nature,

...

Recognizing that the prospects for solving problems so universal as the preservation of nature are closely linked to the strengthening and development of international détente and the creation of conditions which would banish war from the life of mankind,

...

2. *Draws the attention* of States to the fact that the continuing arms race has pernicious effects on the environment and reduces the prospects for the necessary international co-operation in preserving nature on our planet;

...

4. *Requests* the Secretary-General, with the co-operation of the United Nations Environment Programme, to prepare a report on the pernicious effects of the arms race on nature and to seek the views of States on possible measures to be taken at the international level for the preservation of nature.

...

The agenda item entitled "Review of the Implementation of the Declaration on the Strengthening of International Security" was assigned to the First Committee, in accordance with its terms of reference, as a security matter related to disarmament. Two draft resolutions were submitted under the item. While the second of the two, entitled "Non-interference in the internal affairs of States" (resolution 35/159), contains no direct reference to disarmament, the first, adopted as resolution 35/158, has a number of relevant paragraphs, as follows:

The General Assembly,

...

Profoundly disturbed by the escalation of acts of violation of the Charter of the United Nations and the principles and provisions embodied in the Declaration by recourse to the threat or use of force, military intervention, interference and occupation, resulting in breaches of the peace and threats to international peace and security,

Deeply concerned at the continued existence of crises and focal points of tension, the emergence of new conflicts among States endangering international peace and security, the continuation and escalation of the arms race, particularly the nuclear-arms race, and the further increase of military expenditure, the pursuance of the policy of rivalry, the confrontation and struggle for the division of the world into spheres of influence and domination, the continuance of colonialism, neo-colonialism, racism in all its manifestations and *apartheid*, the further aggravation of the international economic situation and the widening of the gap between the developed and the developing countries, which remain the main obstacles to the strengthening of international peace and security,

...

6. *Urges* all States, particularly the permanent members of the Security Council, to take all the necessary steps to prevent further erosion or disruption of the process of détente and to refrain from any act which may aggravate the international situation, impede the resolution of crises and the elimination of focal points of tension in various regions of the world and hamper the implementation of the decisions and recommendations adopted at the tenth special session of the General Assembly on halting and reversing the arms race, particularly the nuclear-arms race, which are essential for the preservation of international peace and security;

...

9. *Reaffirms* the objectives of the Declaration of the Indian Ocean as a Zone of Peace and

commends the decision of the permanent members of the Security Council and major maritime users of the Indian Ocean to serve on the expanded *Ad Hoc* Committee on the Indian Ocean to prepare for the Conference on the Indian Ocean scheduled to be held in 1981 at Colombo;

10. *Commends again* the convening at Madrid of the Conference on Security and Co-operation in Europe and expresses the hope that it will result in further strengthening the security and co-operation of States in Europe in all spheres, including reduction of armaments and armed forces and halting the arms race in both nuclear and conventional fields, thus contributing to the preservation and furtherance of the process of *détente* in Europe and to peace and stability in the world;

11. *Urges* all States to co-operate in efforts aimed at transforming the region of the Mediterranean into a zone of peace and co-operation on the basis of the principles of equal security, sovereignty, independence, territorial integrity, non-intervention and non-interference, non-violation of international frontiers, non-use of force, peaceful solution of disputes and respect for sovereignty over natural resources and the inalienable rights of peoples under colonial or racist régimes, foreign occupation or alien domination to self-determination and independence.

The documents placed before the Assembly or the First Committee under the agenda item entitled "General and complete disarmament" and not already mentioned in the foregoing text are identified here for ready reference:

(a) Letter dated 25 February 1980 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General, with the text of the resolution of the Eighth Congress of the Polish United Workers' Party entitled "For the preservation of peace, for the halting of the arms race, and for the continuation of the policy of *détente*" annexed;³⁵

(b) Report of the Secretary-General on the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present (see chapter VI below);³⁶

(c) Letter dated 8 July 1980 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General, with the text of the statement, issued on 20 May 1980, of the Government of the Mongolian People's Republic annexed;³⁷

(d) Report of the Secretary-General on the comprehensive study on nuclear weapons (see chapter XXII below);³⁸

(e) Report of the Secretary-General on confidence-building measures (see chapter XXII below);³⁹

(f) Report of the Secretary-General on the study on all the aspects of regional disarmament (see chapter XXII below);⁴⁰

(g) Letter dated 20 August 1980 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General transmitting the resolutions and the Final Communiqué of the Eleventh Islamic Conference of Foreign Ministers held on 17-22 May 1980 at Islamabad;⁴¹

(h) Report of the Secretary-General on the comprehensive study on confidence-building measures (see chapter XXII below);⁴²

(i) Letter dated 23 September 1980 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General transmitting a memorandum of the Soviet Union entitled "Peace, disarmament and international security guarantees";⁴³

³⁵ A/35/116.

³⁶ A/35/145 and Add.1.

³⁷ A/35/327.

³⁸ A/35/392.

³⁹ A/35/397.

⁴⁰ A/35/416.

⁴¹ A/35/419-S/14129.

⁴² A/35/422.

⁴³ A/35/482.

(j) Report of the Secretary-General on the study on the relationship between disarmament and international security;⁴⁴

(k) Letter dated 23 October 1980 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General transmitting the Communiqué of the Meeting of the Committee of the Ministers for Foreign Affairs of the States Parties to the Warsaw Treaty, held at Warsaw on 19-20 October 1980;⁴⁵

(l) Letter dated 23 October 1980 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General, with the text of the Israeli draft resolution entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" annexed (see chapter X below);⁴⁶

(m) Letter dated 31 October 1980 from the Permanent Representatives of Denmark, Finland, Iceland, Norway and Sweden to the United Nations addressed to the Secretary-General transmitting a memorandum stating the views of the five Nordic countries on the question of non-proliferation of nuclear weapons.⁴⁷

Conclusion

While general and complete disarmament under effective international control clearly remains the ultimate disarmament goal of the United Nations, the tendency to focus more and more heavily on efforts to halt the arms race and achieve specific measures of arms control became more pronounced in 1980 than ever before. There are a number of reasons for this, among them:

— Realization that disarmament achievements and ongoing efforts thus far have failed to halt the arms race or even to prevent its continued acceleration;

— Apprehension over a deteriorating international situation in which the world perceives itself as insecure to an almost unprecedented degree, and therefore wishes to explore all avenues which promise partial solution or even a return to the security situation of a few years ago; and

— Recognition that the distance from the present state of world affairs to the defined goal is vast, not only in respect of existing quantities of armaments and sizes of armed forces, but also in the area of the changes which may be required in world social and political institutions to make them appropriate in a disarmed world.

Although the emphasis in 1980 was on areas promising near-term achievements, especially to bring established questions of disarmament to their conclusion, at the same time there was a broad consensus that all initiatives should be components of an over-all plan and contribute to the long-term goal. Thus, there is a continuing effort on the part of Member States to keep alive comprehensive approaches such as the Programme of Action agreed upon by the General Assembly at its tenth special session and to develop on that basis a comprehensive programme of disarmament. Attempts are also being made to put forth other imaginative ideas which could lead to

⁴⁴ A/35/486.

⁴⁵ A/35/558-S/14231.

⁴⁶ A/C.1/35/8.

⁴⁷ A/C.1/35/10.

concrete achievements. It is hoped that through these efforts a turning point finally may be reached — away from the arms race and towards the first steps to real disarmament — during the Second Disarmament Decade.

Accordingly, it appears important not only for the United Nations to continue in its search for solutions to the over-all question of disarmament, but also to work out differences among its Member States to facilitate the adoption of proposals and implementation of measures contributing to cessation of the arms race and genuine disarmament, thereby bringing the international community closer to its ultimate disarmament goal.

Follow-up of the tenth special session of the General Assembly and preparations for the second special session devoted to disarmament

Introduction

APPREHENSION ON THE PART OF THE INTERNATIONAL COMMUNITY about the dimensions of the arms race was already growing in 1976 and led to the decision of the General Assembly the same year, by resolution 31/189 B, to convene a special session devoted to disarmament in May/June 1978.

Both during the preparatory work for the special session and at the session itself, follow-up action was recognized as an essential requirement if the endeavour was to prove effective in the long run. Accordingly, during the session, the question of implementation of the measures subsequently set out in the Final Document of the Tenth Special Session of the General Assembly¹ was considered extensively, and it has continued to be the subject of considerable discussion since that event. The hierarchy of measures comprising the Programme of Action, like all elements of the Final Document, was agreed upon by the Assembly by consensus after the intensive discussion of virtually all aspects of the question of disarmament during the 1978 session.

Follow-up of the recommendations agreed upon at the session has been carried out primarily through the international bodies which comprise the "disarmament machinery" as revitalized by the Assembly² through decisions taken at the time. In addition to the renewal and reinforcement of the deliberative and negotiating bodies — reflected in the reconstituted Disarmament Commission and the Committee on Disarmament — which ensued directly from the Assembly's recommendations aimed at strengthening the machinery, a number of other proposals have been implemented since 1978 on the basis of provisions set out in the Final Document. For instance, the Document provided that the First Committee of the General Assembly

¹ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III; the Final Document is reproduced in *The United Nations Disarmament Yearbook*, vol. 3: 1978 (United Nations publication, Sales No. E.78.IX.2 or 3), appendix I.

² See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 113-124.

should deal in the future only with disarmament and related international security questions;³ it stipulated that the United Nations Centre for Disarmament should be strengthened and its role expanded;⁴ it provided for the establishment of the Advisory Board on Disarmament Studies;⁵ and it stated that an item entitled "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session" — the subject of the present chapter — should be included in the Assembly's agenda at its thirty-third and subsequent sessions.⁶

In addition to deliberations and negotiations on many disarmament issues that have been undertaken in accordance with the Programme of Action in the Final Document, a number of actions have been taken on the basis of proposals which could not be examined in depth at the time of the session but were identified in the Document⁷ as deserving further study. Proposals in this category which have been implemented include one put forward by France for the establishment of an International Institute for Research on Disarmament: the Institute was established and started work in Geneva on 1 October 1980. It was set up, as an interim arrangement until the second special session of the General Assembly devoted to disarmament, within the framework of the United Nations Institute for Training and Research (UNITAR). Other proposals similarly identified in the Final Document have led to the undertaking by the United Nations of disarmament studies in specific subject areas, including, for example, confidence-building measures (initiated on the basis of a proposal of the Federal Republic of Germany), and the feasibility of the international monitoring of disarmament agreements by satellite (initiated on the basis of a French proposal). Specific disarmament studies are dealt with in chapter XXII below.

Another follow-up action was the implementation in 1979 of the United Nations programme of fellowships on disarmament.⁸ The initial report of the Secretary-General on the programme was noted with satisfaction by the General Assembly in resolution 34/83 D of 11 December 1979, and the Assembly, by the same resolution, decided to continue the programme. Thus, by 1980, the programme, whose aim is to promote expertise in disarmament in more Member States, could be regarded as a new but ongoing aspect of the United Nations effort in the field of disarmament, which will be further developed and refined in future years.

In 1980 not the least of the actions taken in follow-up of a decision taken at the first special session⁹ was the establishment, by the General Assembly, of the Preparatory Committee for the Second Special Session of the

³ *Ibid.*, para. 117.

⁴ *Ibid.*, para. 123.

⁵ *Ibid.*, para. 124.

⁶ *Ibid.*, para. 115.

⁷ *Ibid.*, para. 125.

⁸ *Ibid.*, para. 108; the programme is discussed in *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), chap. XXV.

⁹ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4), sect. III, para. 119.

General Assembly Devoted to Disarmament: that session is scheduled to take place in 1982.

The above examples serve to illustrate the integral relationship between the provisions of the Final Document of the special session and subsequent establishment or revitalization of relevant disarmament bodies and initiation of specific activities in the field of disarmament. The examples cited are far from exhaustive in that references to bodies involved in one way or another with disarmament appear throughout the Document, and the Programme of Action calls for undertakings on virtually all arms control and disarmament issues as well as in a number of related areas.

The following sections deal with the consideration in 1980 by the major disarmament bodies of the follow-up of the 1978 special session of the General Assembly on disarmament.

Consideration by the Disarmament Commission, 1980

The Final Document provides for the Disarmament Commission to be composed of all States Members of the United Nations, and, *inter alia*, that it "shall be a deliberative body, a subsidiary organ of the General Assembly, the function of which shall be to consider and make recommendations on various problems in the field of disarmament and to follow-up the relevant decisions and recommendations of the special session devoted to disarmament"¹⁰ Thus it is inherent in the work of the Disarmament Commission that it contribute, on the basis of the Final Document, to the maintenance of the momentum generated at the special session in support of disarmament.

In the 1980 session of the Commission which took place from 12 May to 6 June, the substantive items of the agenda, all having relevance to the 1978 special session, were the following:

3. Preparation of the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade"
4. (a) Consideration of various aspects of the arms race, particularly the nuclear arms race and nuclear disarmament, in order to expedite negotiations aimed at effective elimination of the danger of nuclear war
(b) Consideration of the agenda items contained in section II of resolution 33/71 H, with the aim of elaborating, within the framework and in accordance with the priorities established at the tenth special session, a general approach to negotiations on nuclear and conventional disarmament
5. (a) Harmonization of views on concrete steps to be undertaken by States regarding a gradual, agreed reduction of military budgets and reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries, noting the relevant resolutions of the General Assembly
(b) Examination and identification of effective ways and means of achieving agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditures, including adequate measures of verification satisfactory to all parties concerned

¹⁰ *Ibid.*, para. 118 (a).

At the opening of the session, the Chairman also called attention to item 6 of the agenda relating to the proposals contained in paragraph 125 of the Final Document, stating that it would be up to the authors of the proposals concerned to present them to the Commission for its consideration if they so wished.

The Commission reported¹¹ that, during the session,¹² it held an initial general exchange of views on items 4 and 5 of its agenda and decided to establish an informal open-ended working group to deal with agenda item 3. Later, it decided to hold two separate series of informal meetings on agenda items 4 and 5 respectively. At its final meeting, on 6 June, the Commission reviewed its deliberations on the three items.

With regard to item 3, the Commission adopted by consensus and recommended to the Assembly the elements of a draft resolution entitled "Declaration of the 1980s as of the Second Disarmament Decade"¹³ (see chapter V). In the draft, the Commission referred a number of times to the tenth special session of the General Assembly and the Final Document, thus keeping in view the need for continuing follow-up as the means of implementing the agreements reached at the session and enshrined in the Final Document. For instance, in the introductory part, entitled "General", the Commission included the following paragraph:

3. Through the Final Document of the Tenth Special Session of the General Assembly (resolution S-10/2), adopted by consensus, the Assembly, after expressing its conviction that disarmament and arms limitation, particularly in the nuclear field, were essential for the prevention of the danger of nuclear war, for the strengthening of international peace and security and for the economic and social advancement of all peoples, laid down a Programme of Action enumerating the specific measures of disarmament which should be implemented over the next few years.

In more direct reference to follow-up, the Commission commenced the items under the heading "Activities", with this general paragraph:

10. The decade of the 1980s should witness renewed intensification by all Governments and the United Nations of their efforts to reach agreement and to implement effective measures that will lead to discernible progress towards the goal of general and complete disarmament under effective international control. In this connexion, special attention should be focused on certain identifiable elements in the Programme of Action as adopted by the General Assembly at its tenth special session which should, as a minimum, be accomplished during the Decade both through negotiations in the multilateral negotiating forum, the Committee on Disarmament, and in other appropriate forums. Adequate methods and procedures of verification should be considered in the context of international disarmament negotiations.

A number of other passages in the Declaration indicate the essential importance attached to follow-up action by identifying certain measures which should be accomplished during the Second Disarmament Decade. Among other things, the Declaration includes a call for an item on its own implementation to be included in the agenda of the second special session of the

¹¹ *Ibid.*, *Thirty-fifth Session, Supplement No. 42 (A/35/42)*.

¹² See A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

¹³ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 19.

Assembly on Disarmament in 1982 and for a review and appraisal of progress to be undertaken by the General Assembly at its fortieth session in 1985.

In its recommendations under agenda item 4,¹⁴ the Disarmament Commission, while not referring directly to the question of follow-up, effectively summarized the views put forward by the great majority of States during its 1980 session as to the ominous trends which had developed in the international situation and the lack of progress since 1978 in the implementation of the Programme of Action that had been agreed upon at the special session.

The Commission noted with grave concern in its recommendations that despite the consensus reached by the General Assembly at its tenth special session in favour of taking urgent steps to stop and reverse the arms race, the current situation was one of further escalation among the great Powers, particularly of the nuclear arms race, and that there were grave prospects of even further intensification of the arms race. The Commission recalled that the Final Document had emphasized on the one hand that the arms race ran counter to efforts to relax international tension and establish a viable system of peace and security and, on the other, that peace and security must be based on strict adherence to the Charter of the United Nations. The Commission expressed profound regret that even the talks on a few limited arms control and limitation measures had either been suspended or were proceeding very slowly — a situation which greatly increased the responsibility of the United Nations to promote the goals of disarmament. Accordingly, the Commission recommended to the General Assembly that it call upon all States to undertake measures for the implementation of the Programme of Action set out in the Final Document, including efforts for the resumption of the talks which had been interrupted.

The Commission went on to recall that the General Assembly at its special session had given the highest priority to nuclear disarmament measures and the prevention of nuclear war, and to recommend that urgent action be taken to prevent the further spiralling of the nuclear arms race, including effort by the Committee on Disarmament to undertake negotiations in those areas in conformity with the provisions of the relevant paragraphs¹⁵ of the Final Document.

The Commission also noted that in the Final Document,¹⁶ the General Assembly had declared that the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued, and it stressed, also in keeping with the provisions of the Final Document, that conventional disarmament measures should take place in an equitable and balanced manner.

With regard to item 5 of its agenda,¹⁷ the Commission in its recommendations covered, in summarized form, the views expressed in its discussions

¹⁴ *Ibid.*, para. 20.

¹⁵ *Ibid.*, *Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 50-71.

¹⁶ *Ibid.*, paras. 81-84.

¹⁷ *Ibid.*, *Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 21.

on the question of military budgets. As in the case of its recommendations on item 4, the Commission did not stress the follow-up aspects of the question directly, but took cognizance of the Final Document in which the Assembly had stated that military expenditures were reaching ever higher levels, the highest percentage of which could be attributed to the nuclear-weapon States and their allies, and that there were prospects of further expansion and the danger of increases in the expenditures of other countries.¹⁸ The Disarmament Commission then reviewed the major considerations and various positions of delegations on the question and recommended certain actions which the General Assembly might take with regard to further consideration by the Commission of the question of military budgets (see chapter XX).

The work of the Disarmament Commission in 1980 on specific topics is discussed in the pertinent chapters of the present volume; attention is drawn particularly to chapter V on the Declaration of the 1980s as the Second Disarmament Decade.

Consideration by the Committee on Disarmament, 1980

The Committee on Disarmament has a basic mandate, as the major international negotiating body in the disarmament field, to take the recommendations of the General Assembly into account in its agenda and in the design of its annual programme of work. In that context, the Secretary-General conveys the relevant resolutions of the General Assembly to the Committee each year. The majority of those resolutions cover long-established issues. Significant changes have evolved, however, in the structure and procedures of the negotiating body since the 1978 special session of the General Assembly devoted to disarmament.

In 1980, the Committee, particularly in the early part of the session, devoted considerable attention to the changes in the international situation which had taken place over recent months, especially to events in Afghanistan and their discernible effects on the disarmament effort. A significant proportion of the comments, besides reflecting general concern over the increased international tension and lack of concrete progress in disarmament, included expressions of concern that despite the hope engendered by the special session, the world remained far from achieving the goals set out in the Final Document. Several other statements stressed that developments had rendered the tasks of the Committee, especially with regard to nuclear disarmament measures, even more important. Still others noted that the time until the 1982 special session of the Assembly on disarmament was short, particularly in light of the request of the General Assembly that the Committee complete the elaboration of a comprehensive programme of disarmament before that session.

Among individual statements made in the Committee referring in gen-

¹⁸ *Ibid.*, Tenth Special Session, Supplement No. 4 (A/S-10/4), sect. III, para. 16.

eral terms to the interrelationship between the special session and the ongoing work of the Committee was that of the representative of Morocco, who stated that after long years of marking time in negotiations on effective disarmament measures, the special session had been held at the right time to lay down new bases to begin a process of real disarmament, and thus had aroused enormous hope. The Final Document was rightly considered to be far-reaching, and the consensus it represented foreshadowed a new era in disarmament. The Document stressed the need to promote real disarmament and the international community's interest in strengthening peace and security through its Programme of Action and the establishment of more effectively designed international negotiating machinery. Morocco expressed the satisfaction of the Committee that that machinery had begun its work the previous year amidst general hope that it would be capable of tackling its complex task. Unfortunately, it had to be admitted that, despite its sustained efforts, the Committee had been unable to make noticeable progress towards the objectives of disarmament. The lack of concrete results, according to Morocco, should be attributed to lack of political will, even though the Assembly, quite rightly, had made an appeal in the Final Document for the requisite will among States.

Venezuela, for its part, reaffirmed its support of the Final Document, and cited several passages from it which, in its view, took on a special significance in light of the acute international tension under which the Committee was embarking on its work at its second session. Despite that situation, Venezuela was encouraged to see that those taking part in the debate were virtually unanimous in looking upon the prevailing state of tension as a challenge to the Committee which highlighted their individual obligation to make even more determined efforts to lessen what could be adverse effects on the Committee in carrying out its responsibility.

Despite the difficult conditions under which the Committee had commenced its work, it adopted the following agenda for the year:

1. Nuclear test ban
2. Cessation of the nuclear arms race and nuclear disarmament
3. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons
4. Chemical weapons
5. New types of weapons of mass destruction and new systems of such weapons; radiological weapons
6. Comprehensive programme of disarmament.

It can be seen that, in the context of the Programme of Action detailed in the Final Document,¹⁹ all the items involved follow-up of the 1978 special session.

In 1980, the report of the Committee on Disarmament²⁰ indicated that additional progress, promising for the negotiating process, was achieved,

¹⁹ *Ibid.*, paras. 50-71 (items 1 to 3); para. 75 (item 4); paras. 76-77 (item 5); para. 109 (item 6).

²⁰ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, paras. 19-75.

despite concern about the international situation, in that the Committee agreed by consensus to set up *ad hoc* working groups relating to four of the agenda items — security assurances to non-nuclear-weapon States (item 3 above), chemical weapons (item 4), radiological weapons (part of item 5), and the comprehensive programme of disarmament (item 6). In addition to the negotiations commenced by those working groups, the questions of a nuclear test ban and other aspects of the cessation of the nuclear arms race were discussed in plenary meetings. The Committee's discussions and negotiations on its various items are described in the relevant topical chapters below.

Consideration by the General Assembly, 1980

Consideration by the General Assembly in 1980 of the question of follow-up of the special session was conducted under the established agenda item "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session", which, together with the item entitled "General and complete disarmament", is an item under which several separate draft resolutions are normally submitted, a number of them dealing with subjects covered in topical chapters of this *Yearbook*.

In the general debate, both in plenary meetings and in the First Committee,²¹ a number of States, as in 1979, expressed views on follow-up, either directly or in such terms as maintaining the increased momentum created by the special session, implementing specific measures called for in the Final Document, achieving concrete progress before the second special session, or striving to ensure attainment of concrete goals during the Second Disarmament Decade. Many of the statements demonstrated concern about international developments in 1980 and their deleterious effects on recent high hopes for renewed vigour in the ongoing disarmament efforts and important achievements in the field of disarmament.

In the plenary debate, Morocco articulated the general feelings of a number of States, as follows:

We hope for the emergence of real international détente, and we deplore the fact that the problem of disarmament, which is intimately linked with international security and the survival of mankind, remains in a state of deadlock and that the encouraging results of the tenth special session of the General Assembly devoted to disarmament have produced no positive effects in the unbridled arms race.

In the First Committee, Greece provided an evaluation of the results achieved in the context of the mandate contained in the Final Document and the international situation which had developed through the intervening two and a half years. It held that the movement triggered by the Final Document had suffered but had not been irrevocably impaired by the deteriorating situ-

²¹ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 33rd, 79th and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 45th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

ation. It felt that the responsible bodies had pursued their tasks with laudable energy and in the spirit engendered by the session, a spirit which had, at least partially, withstood the impact of external factors. The bodies concerned had furnished as much as could be expected in the circumstances. Greece then reviewed some of the achievements of the intervening period: the agreement on a convention on certain conventional weapons and three annexed protocols relating to undetectable fragments, landmines and booby traps, and incendiary weapons (see chapter XVII below); the report of the experts on regional disarmament (chapter XXII);²² progress report on the study on confidence-building measures;²³ progress between the United States and the USSR regarding the opening of talks on the limitation of medium-range land-based nuclear weapons and in the area of the prohibition of chemical weapons; and the setting up of working groups by the Committee on Disarmament to deal with specific subjects. However modest, Greece felt that such achievements should be highlighted to head off scepticism. On the other hand, Greece emphasized, it had no illusions about the immensity of the tasks ahead. Accordingly, it called for the First Committee to proceed in good faith and with zeal, but also with patience, towards implementation of the provisions of the Final Document.

Yugoslavia provided general views on the second special session devoted to disarmament, stressing that it should not merely reaffirm the programme of action adopted at the first session, but should look ahead, with the Final Document as a basis, to give impetus to the implementation of the relevant decisions and recommendations and to identify the new tasks in the field of disarmament and arms limitation. Thus a review of implementation would be the most important task before the second special session, and that session should mark a transition from declarations and recommendations to genuine disarmament measures.

With regard to preparations for the second special session, the United States, while affirming the importance of reviewing progress towards the implementation of the Programme of Action laid out at the first special session, held that consideration of what could be usefully accomplished would take much study in addition to such a review. Whatever was decided, the success of the second special session, in the United States' view, would depend on the degree to which superficial and impractical proposals were avoided and there was concentration by all on the serious consideration of constructive, effective and verifiable arms-control measures which would enhance security and stability; another factor would be the international political climate.

The USSR, for its part, emphasized the importance of the preparatory work for the second special session devoted to disarmament and expressed the hope that all States which wished to participate in that work would be given the opportunity to do so. It felt that the task of the second special session should be to strive to promote the implementation of the decisions

²² A/35/416.

²³ A/35/422.

reached on the basis of the general consensus achieved at the 1978 special session.

The draft resolutions in the area of follow-up were introduced in the First Committee during its 29th to 44th meetings. All 11 of the proposals which were put to the vote were approved by the Committee and recommended to the General Assembly, which in turn adopted them as resolutions 35/47 and 35/152 A to 35/152 J. The events leading to the adoption of five of the resolutions are described in the following chapters:

- (a) Resolutions 35/152 B and 35/152 C (Nuclear weapons in all aspects), and 35/152 D (Non-use of nuclear weapons and prevention of nuclear war) — chapter VI;
- (b) Resolution 35/152 H (Programme of research and studies on disarmament) — chapter XXI;
- (c) Resolution 35/152 I (World Disarmament Campaign) — chapter XXIII.

The other resolutions — 35/47 and 35/152 A, E, F, G and J and a further draft resolution which was not put to the vote — are considered in the present chapter.

The draft resolution entitled "Preparations for the second special session of the General Assembly devoted to disarmament" was sponsored by 42 Member States,²⁴ mostly non-aligned and developing countries, and was introduced by Yugoslavia at the 29th meeting on 7 November. In the introduction, Yugoslavia stated that, proceeding from experience gained in the preparations for the first special session, the sponsors had stressed the need for a preparatory committee, with definite membership, appointed on the basis of equitable geographic distribution, thus ensuring broad representation of all regional groups. Yugoslavia then went on to explain the rationale behind the main operative provisions of the draft resolution, stressing in particular that the 54-member Preparatory Committee for the first special session had proved to be of inadequate size and that the sponsors believed, moreover, that, once the size of the new preparatory committee was determined, other interested countries should not be prevented from participating in its work. The sponsors called for action on the draft resolution to be completed as soon as possible so that the preparatory committee would be able to meet before the end of the current session.

Before the First Committee proceeded on 26 November to vote on the draft resolution, the Chairman announced that through consultation with the chairmen of the regional groups and the officers of the First Committee, it had been agreed that the size of the preparatory committee would be 78 Member States,²⁵ and that it would meet before the end of the thirty-fifth session of the General Assembly.

²⁴ Algeria, Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burundi, Congo, Costa Rica, Cuba, Ecuador, Egypt, Ethiopia, German Democratic Republic, Ghana, Guinea, Guyana, India, Indonesia, Jamaica, Kenya, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Mozambique, Nigeria, Pakistan, Peru, Qatar, Romania, Senegal, Somalia, Sri Lanka, United Republic of Cameroon, Venezuela, Yemen, Yugoslavia, Zaire and Zambia.

²⁵ Sixteen from the Asian Group; 19 from the African Group; 15 from the Latin American Group; 18 from the Group of Western European and Other States; 10 from the Eastern European Group.

Thereafter, the First Committee adopted the draft resolution without a vote. Japan explained that, in joining the consensus, it understood that operative paragraph 2 of the draft (see below) in no way implied any attempt to revise or redraft the Final Document of the first special session at the second. Ireland stated that it would not wish to be a member of the preparatory committee but would participate in its work.

Before the vote in the General Assembly, the Chairman of the Group of Western European and Other States (Portugal) announced that, while that Group had preferred that the preparatory committee be constituted as a committee of the whole, it had agreed to the limitation of the membership to 78, of which 18 would be from the Group, provided that decisions of the Committee would be taken by consensus. The President of the General Assembly subsequently made clear also that it was understood that any Member State would be entitled to participate in the work of the preparatory committee under the same conditions as those laid down for the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament established in 1977, that is, without taking part in decision making.

The General Assembly adopted the draft resolution at its 79th meeting, on 3 December, without a vote; resolution 35/47 reads as follows:

The General Assembly,

Recalling section III of its resolution 33/71 H of 14 December 1978, in which it decided to convene a second special session devoted to disarmament in 1982 and to set up, at its thirty-fifth session, a preparatory committee for the second special session,

Reaffirming the validity of the Final Document of the Tenth Special Session of the General Assembly and its conviction that disarmament remains one of the essential objectives of the United Nations,

Expressing its concern over the continuation of the arms race, which aggravates international peace and security and also diverts vast resources urgently needed for economic and social development,

Reiterating its conviction that peace can be secured through the implementation of disarmament measures, particularly of nuclear disarmament, conducive to the realization of the final objective, namely, general and complete disarmament under effective international control,

1. *Decides* to establish a Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament composed of seventy-eight Member States appointed by the President of the General Assembly on the basis of equitable geographic distribution;

2. *Requests* the Preparatory Committee to prepare a draft agenda for the special session, to examine all relevant questions relating to that session and to submit to the General Assembly at its thirty-sixth session its recommendations thereon, including those in respect of the implementation of the decisions and recommendations adopted by the Assembly at its tenth special session;

3. *Invites* all Member States to communicate to the Secretary-General their views on the agenda and other relevant questions relating to the second special session of the General Assembly devoted to disarmament not later than 1 April 1981;

4. *Requests* the Secretary-General to transmit the replies of Member States relevant to paragraph 3 above to the Preparatory Committee and to render to it all necessary assistance, including the provision of essential background information, relevant documents and summary records;

5. *Requests* the Preparatory Committee to meet for a short organizational session of not longer than one week before the end of the thirty-fifth session of the General Assembly in order, *inter alia*, to set the dates for its substantive sessions;

6. *Further requests* the Preparatory Committee to submit its progress report to the General Assembly at its thirty-sixth session;

7. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled: "Second special session of the General Assembly devoted to disarmament: report of the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament"

Following the adoption of the resolution, the President announced the appointment, on the basis of appropriate consultations with and among the regional groups, of the following States as members of the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament:

African Group (19): Algeria, Benin, Burundi, Congo, Egypt, Ethiopia, Kenya, Liberia, Libyan Arab Jamahiriya, Mauritius, Morocco, Nigeria, Senegal, Sierra Leone, Sudan, Tunisia, United Republic of Tanzania, Zaire, Zambia;

Asian Group (16) : Bangladesh, China, Cyprus, Fiji, India, Indonesia, Iran, Iraq, Lebanon, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Sri Lanka, Turkey;

Eastern European Group (10) : Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Poland, Romania, Ukrainian SSR, USSR, Yugoslavia;

Latin American Group (15) : Argentina, Bahamas, Brazil, Colombia, Costa Rica, Cuba, Ecuador, Guyana, Honduras, Jamaica, Mexico, Panama, Peru, Suriname, Venezuela;

Group of Western European and Other States (18) : Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Italy, Japan, Netherlands, New Zealand, Norway, Spain, Sweden, United Kingdom, United States.

The General Assembly also adopted two decisions concerning the Preparatory Committee. By decision 35/417 of 3 December, adopted without a vote, it decided that the Committee would be included in the list of bodies which maintain summary records of their meetings. By decision 35/430 of 12 December, it agreed that the Committee would hold its second substantive session from 5 to 16 October 1981 in spite of the fact that the General Assembly would be in session at that time.

On 4 and 5 December the Preparatory Committee held three meetings, during which it dealt with the organization of its work. The Committee, by acclamation, elected Ambassador Oluyemi Adeniji of Nigeria as its Chairman, and decided to defer the election of its other officers until its first substantive session, to be held in the spring of 1981.

In a statement to the Preparatory Committee, the Secretary-General said that he viewed the arms race as the great anachronism of the modern age, and reviewed its effects as well as progress achieved to date in efforts to promote disarmament. He observed that, while the Final Document had laid down the basis for an effective approach to disarmament, the succeeding years had revealed the difficulty of translating objectives into reality. One difficulty was the discernible relationship between disarmament and security, for security based on arms was precarious since it perpetuated distrust and fear, while mutual confidence was the prerequisite for the security of nations and peoples. The Secretary-General expressed every confidence that the Committee's work would be motivated by the objective of the implementation of real and substantial measures aimed at achievement of the ultimate goal of disarmament.

The first of the draft resolutions on general questions of follow-up, entitled "United Nations programme of fellowships on disarmament", was sponsored by the Bahamas, Bangladesh, Barbados, the Congo, Cuba, Egypt, Ethiopia, Greece, India, Indonesia, Jamaica, Kenya, Mali, Mauritius, Morocco, Nigeria, the Philippines, Qatar, Sierra Leone, Sweden, the United Republic of Cameroon, Venezuela, Yugoslavia and Zaire. In the report of the Secretary-General on the programme,²⁶ it was noted that 20 fellowships were awarded in 1980. The programme for the year had included lectures, seminars on disarmament issues, and research and writing assignments, and took place variously at Geneva, the IAEA in Vienna, and New York. The draft resolution was introduced by the representative of Nigeria, who expressed satisfaction with the operation of the fellowships programme and stated, on behalf of the sponsors, that the report on the programme had convinced them that it was justifying the hopes which the General Assembly held for it. He expressed particular gratitude for the contributions to the programme of the Federal Republic of Germany and Sweden, which had invited the participants to visit those countries and had acquainted them with their disarmament-related activities. With regard to the operative part of the draft resolution, the sponsors wished to draw particular attention to the invitation to the Assembly to decide to continue the fellowship programme. They felt that the draft should not raise any difficulties as presented and that it readily commended itself for adoption.

In the course of the debate, the representative of the Federal Republic of Germany expressed his Government's whole-hearted support of the fellowship programme. The fact that candidates from various countries and regions of the world worked and studied together, he observed, was in itself a valuable contribution to the building of confidence and mutual understanding. He said that it had been a pleasure for the authorities in his country to have hosted the young diplomats on their visit in September 1980.

Before the vote in the First Committee, Turkey expressed its views on the programme, emphasizing that training some 20 young candidates each year on disarmament was a valuable investment in the future and a positive contribution to the creation of the infrastructure needed to promote disarmament on a world-wide scale, as well as an example of a specific action of the United Nations. Turkey noted that the majority of Fellows would be young diplomats from developing countries who would probably have the chance to become leaders in matters of disarmament. It felt that organization and implementation of the programme had, quite objectively, been a success.

The First Committee, on 20 November, approved the draft resolution without a vote and the General Assembly adopted it on 12 December, also without a vote, as resolution 35/152 A. It reads as follows:

The General Assembly,

Recalling its decision, taken at the tenth special session, to establish a programme of fellowships on disarmament,

²⁶ A/35/521; the fellows in 1980 were from: Bolivia, Burma, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Hungary, Malawi, Morocco, Nepal, Nigeria, Oman, Pakistan, Peru, Philippines, Thailand, Turkey, United Republic of Tanzania, Yugoslavia and Zaire.

Recalling also its resolution 34/83 D of 11 December 1979, in which it requested the Secretary-General to make adequate arrangements relating to the programme for 1980 in accordance with the guidelines approved by the General Assembly at its thirty-third session,

Expressing its satisfaction that Governments, particularly those of developing countries, have continued to manifest serious interest in the programme,

Having considered the report of the Secretary-General on the implementation of the United Nations programme of fellowships on disarmament for 1980,

1. Decides to continue the United Nations programme of fellowships on disarmament;
2. Requests the Secretary-General to make adequate arrangements relating to the programme for 1981 in accordance with the guidelines approved by the General Assembly at its thirty-third session;
3. Also requests the Secretary-General to submit to the General Assembly at its thirty-sixth session a report on the implementation of the programme;
4. Commends the Secretary-General for the diligence with which the programme has been conducted;
5. Expresses its appreciation to those Member States that have invited the fellows to their capitals to study selected activities in the field of disarmament, thereby complementing usefully the fulfilment of the over-all objectives of the programme, as well as providing additional information sources and practical knowledge for the fellows.

The draft resolution on follow-up *per se*, entitled "Implementation of the recommendations and decisions of the tenth special session", was sponsored in its final form by 34 States,²⁷ and was introduced, after the incorporation of revisions, by Yugoslavia at the 38th meeting on 21 November. In the introduction, Yugoslavia stated that the revised version of the draft was the result of compromise and co-operation among the sponsors of an original version and those of a separate proposal which had been submitted and introduced at an earlier stage by the German Democratic Republic,²⁸ and sponsored also by Guinea. By the earlier draft resolution the General Assembly would particularly stress the need for successful conclusion of the ongoing negotiations in the Committee on Disarmament and encourage other bilateral, regional and multilateral negotiations. After the representative of Yugoslavia had elaborated on the changes which had been agreed upon and expressed the hope for adoption of the revised version by consensus, the representative of the German Democratic Republic formally announced that its proposal would not be pressed to the vote since both drafts were aimed at the same purpose — intensifying the negotiations on disarmament.

The First Committee, on 24 November, adopted the resultant draft resolution without a vote. The General Assembly adopted it on 12 December, also without a vote, as resolution 35/152 E, which reads as follows:

The General Assembly,

Having reviewed the implementation of the recommendations and decisions adopted at the tenth special session, the first special session devoted to disarmament,

Recalling its resolution S-10/2 of 30 June 1978 and 34/83 C of 11 December 1979,

²⁷ Algeria, Argentina, Bangladesh, Brazil, Congo, Cuba, Cyprus, Czechoslovakia, Ecuador, Egypt, Ethiopia, German Democratic Republic, Ghana, Guinea, Guyana, India, Indonesia, Jamaica, Mali, Mexico, Mongolia, Niger, Nigeria, Pakistan, Peru, Qatar, Romania, Senegal, Sri Lanka, Sudan, Venezuela, Viet Nam, Yugoslavia and Zaire.

²⁸ See A/35/665/Add.1, paras. 2-3 and 12-13.

Bearing in mind that general and complete disarmament has been recognized as an imperative and most urgent task facing the international community and that all the peoples of the world have a vital interest in the success of disarmament negotiations,

Considering it imperative to achieve genuine progress in all negotiations dealing with disarmament issues,

Reaffirming that the United Nations has a central role and primary responsibility in the sphere of disarmament,

Noting with satisfaction that the tenth special session resulted in greater involvement by Member States in efforts aimed at halting the arms race and launching a process of genuine disarmament,

Expressing its satisfaction that some initial results in the implementation of the recommendations and decisions of the tenth special session have been achieved, primarily through a considerable revitalization of the multilateral disarmament machinery,

Deeply concerned, however, about the continuing arms race and, in particular, the nuclear-arms race, which constitutes a growing threat to international peace and security,

Calling attention to the tasks set forth in the Declaration of the 1980s as the Second Disarmament Decade, which demand intensified efforts to be taken in the Committee on Disarmament and other appropriate forums,

Stressing the need to promote the development, strengthening and intensification of international co-operation designed to achieve general and complete disarmament, as defined by the General Assembly at its tenth special session,

Noting with concern the lack of tangible progress with respect to the implementation of the measures expressed in the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly,

1. *Expresses its deep concern* about the continued arms race, in particular the nuclear-arms race, and about the constantly growing military budgets, which bear negative consequences and pose a growing threat to international peace and security as well as to the unhampered development of countries, particularly developing countries;

2. *Urgently calls upon* all States, in particular nuclear-weapon States and other major military Powers, immediately to take steps leading to effective halting and reversing of the arms race and to disarmament;

3. *Urges* those States also to intensify their efforts to bring to a successful end the negotiations which are currently taking place in the Committee on Disarmament and other international forums or to proceed with negotiations on effective international agreements according to the priorities of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly;

4. *Recommends* that the Committee on Disarmament should concentrate on the substantive and priority items on its agenda with a view to achieving tangible results;

5. *Expresses* its conviction that one of the most important contributions for the preparation of the special session on disarmament to be held in 1982 will be to achieve tangible progress in the implementation of the Programme of Action;

6. *Calls upon* all States to refrain from any actions which have or may have negative effects on the implementation of the relevant recommendations and decisions of the tenth special session;

7. *Invites* all States which are engaged in disarmament negotiations or arms limitation negotiations outside the United Nations framework to keep the General Assembly and the Committee on Disarmament informed of the results of such negotiations in conformity with the relevant provisions of the Final Document of the Tenth Special Session;

8. *Also calls upon* States engaged in disarmament negotiations or arms limitation negotiations outside the United Nations framework to implement the results achieved so as to create favourable conditions for further progress;

9. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Implementation of the recommendations and decisions of the tenth special session of the General Assembly."

The draft resolution entitled "Report of the Disarmament Commission" was submitted by Argentina, Bangladesh, Cuba, Cyprus, Egypt, Ghana, India, Indonesia, Mexico, Nigeria, Pakistan, Peru, Uruguay and Yugoslavia and was subsequently also sponsored by Morocco and Romania. In introducing the draft resolution, Argentina observed that the First Committee was already familiar with the contents of the report.²⁹

By the proposed resolution, the General Assembly, by endorsing the report with its various recommendations, would ensure existence of the conditions necessary for the continuation of the work of the Commission in 1981 and thus the consideration by the General Assembly, at its thirty-sixth session, of the corresponding report of the Commission. Argentina noted that, as submitted, certain parts of the report relating to the Second Disarmament Decade had required final approval of various optional formulations offered therein, on which agreement subsequently had been reached; a separate draft resolution would, however, be submitted on that subject (see chapter V below). In the First Committee, the draft resolution was approved on 24 November and in the General Assembly it was adopted on 12 December, on both occasions without a vote. The resolution, 35/152 F, reads as follows:

The General Assembly,

Having considered the report of the Disarmament Commission,

Emphasizing again the importance of an effective follow-up to the relevant recommendations and decisions adopted at its tenth special session,

Considering the important role that the Disarmament Commission has played and the significant contribution it has made in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions of the tenth special session,

Recalling its resolution 34/83 H of 11 December 1979,

1. *Endorses* the report of the Disarmament Commission and the recommendations contained therein;

2. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly, and, to that end, to meet for a period not exceeding four weeks during 1981;

3. *Also requests* the Disarmament Commission to continue the consideration of the agenda items contained in General Assembly resolution 34/83 H, with emphasis on the preparation of a report to the Assembly at its second special session devoted to disarmament;

4. *Further requests* the Disarmament Commission to submit a report on its work and its recommendations on paragraphs 2 and 3 above to the General Assembly at its thirty-sixth session;

5. *Requests* the Secretary-General to transmit to the Disarmament Commission the report of the Committee on Disarmament, together with all the official records of the thirty-fifth session of the General Assembly relating to disarmament matters, and to render all assistance that it may require for implementing the present resolution;

6. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Report on the Disarmament Commission"

A draft resolution entitled "Paragraph 125 of the Final Document" was sponsored, in its final form, by Angola, Benin, Cuba, Czechoslovakia,

²⁹ See foot-note 10 above.

Democratic Yemen, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, the Ukrainian SSR and Viet Nam. It was introduced by the German Democratic Republic, which observed that the text was based on both the Final Document of the tenth special session and the fact that the arms race was a growing danger to peace and international security. It called particular attention to the appeal in the operational part of the draft resolution, addressed to permanent members of the Security Council and States having military agreements with them, first, to exercise restraint both in the nuclear and conventional fields and, secondly, not to increase their armed forces and conventional armaments, effective from an agreed date. After its introduction, the draft was revised, mainly in the formulation of the preamble, but also in its operative paragraph 2 (see below) to base it firmly on the Programme of Action set forth in the Final Document of the 1978 special session and the Declaration of the 1980s as the Second Disarmament Decade.

Before the vote in the First Committee, Poland and India affirmed their support of the draft resolution, with Poland stating that it regarded the measures referred to in paragraph 1 (see below) as important not only for their own intrinsic merits, but also as significant for their confidence-building potential; India, for its part, stated that the revisions had taken into account the reservations it had had about the original text.

The draft resolution was approved by the First Committee on 25 November by a recorded vote of 89 to 19 (Western States), with 23 abstentions.

Finland explained its support of the draft resolution in terms of the main thrust of paragraph 2, although it would have preferred different language in the fifth preambular paragraph and in operative paragraph 1 because, in keeping with its policy of neutrality, it felt every State had the right to interpret its own security needs. The USSR expressed satisfaction at the adoption of the draft resolution because it contained a number of provisions relating to the question of reducing the danger of war, including those of the dissolution of military alliances, and of restraints against increases in armed forces and conventional armaments; it would also contribute to the implementation of decisions taken at the tenth special session of the General Assembly. It was in part because of the First Committee's support of the draft resolution that the USSR had found it possible not to insist on a vote on its separate proposal for reducing the danger of war (see chapter I above, page 25). Bulgaria's support was based on the proposal being in line with its position with regard to urgent measures to be taken in light of the complicated international situation. It observed particularly that paragraph 1 called for restraint both in the nuclear field, which it considered the most serious threat, and in the conventional field. Guinea's affirmative vote took into account its interpretation that operative paragraph 1 of the resolution concerned only States belonging to military alliances.

The Federal Republic of Germany explained its negative vote on the grounds that the proposal failed to fulfil its alleged purpose when judged against the criteria for a reasonable measure designed with a view to and ca-

pable of easing international tension and leading towards concrete, balanced and verifiable steps in the field of arms limitation and disarmament. Specifically, the preambular call for the dissolution of existing military alliances seemed directed against the option of organizing defence in a common effort and implied that the mere existence of alliances was a threat to peace and security: that was neither in line with the United Nations Charter nor with factual historical experience. The Federal Republic of Germany was itself a member of an alliance which had never been involved in a military conflict and had on the contrary successfully preserved peace and stability in Europe. Moreover, the Final Act of the Conference on Security and Cooperation in Europe,³⁰ which had been signed by some of the sponsors of the proposal, stated that the participating States "have the right to belong or not to belong" to such arrangements. Operative paragraph 1, in the view of the Federal Republic of Germany, would be to the advantage of an alliance which had reached superiority through an arms buildup, especially in the conventional field, and the proposal did not provide adequately for the assessment of results or a verification mechanism.

Sweden, which abstained, stated for its part that adherence to a military alliance was incompatible with its policy of neutrality — a policy which it regarded as in the interest of its own security and of stability in its region. However, it did not support prescribing for others what security arrangements they should choose and, while it advocated restraint in armaments, it doubted the value of sweeping declarations in the promotion of practical disarmament agreements. Finally, Democratic Kampuchea, which did not participate in the vote, explained that that did not mean it was not interested in the reduction of armed forces and conventional weapons since it was one of their victims. Rather, Democratic Kampuchea could not participate because it had been invaded and continued to be occupied by one State with massive aid from another, both of which supported the proposal.

The draft resolution was adopted by the General Assembly on 12 December by a recorded vote of 104 to 19 (again, Western States), with 17 abstentions, as resolution 35/152 G. It reads as follows:

The General Assembly,

Bearing in mind the declaration set forth in section II of the Final Document of the Tenth Special Session of the General Assembly that, unless its avenues are closed, the continued arms race means a growing threat to international peace and the security of mankind,

Profoundly concerned over the deterioration of the international situation,

Recalling the Programme of Action set forth in section III of the Final Document as well as the activities undertaken in pursuance of the Declaration of the 1980s as the Second Disarmament Decade towards bringing about the cessation of the arms race and towards real disarmament,

Reaffirming that, while nuclear disarmament is a task of the first and highest priority, progress in the limitation and subsequent reduction of nuclear weapons would be facilitated by parallel political measures and international legal measures to strengthen the security of States,

Calling for the dissolution of existing military alliances and, as a first step, for refraining from actions conducive to expansion of existing military groupings,

Concerned over the fact that the current negotiations on arms limitation and on disarmament are being protracted and that some of them have been suspended or terminated,

³⁰ Held at Helsinki and Geneva between 3 July 1973 and 1 August 1975.

1. *Calls upon* the States permanent members of the Security Council and the countries which have military agreements with them to exercise restraint in both the nuclear and conventional fields and to resolve not to increase their armed forces and conventional armaments, effective from an agreed date, as a first step towards a subsequent reduction of their armed forces and conventional armaments;

2. *Invites* the appropriate international bodies in the field of disarmament to continue, in accordance with the Final Document of the Tenth Special Session of the General Assembly, efforts aimed at achieving positive results in curbing the arms race in accordance with the Programme of Action set forth in section III of the Final Document and the Declaration of the 1980s as the Second Disarmament Decade;

3. *Requests* the Secretary-General to keep this question under constant review and to transmit all relevant documents of the thirty-fifth session of the General Assembly to appropriate international bodies.

The draft resolution under the follow-up item entitled "Report of the Committee on Disarmament" focused on the work of the Committee on Disarmament in the context of the provisions of the Final Document of the tenth special session and the forthcoming second special session on disarmament. It was sponsored by 27 States,³¹ mostly non-aligned. In introducing the proposal, Yugoslavia, on 21 November, observed that since the Committee on Disarmament was expected to contribute directly to the implementation of the unanimous recommendations and decisions of the first special session of the Assembly devoted to disarmament, it was incumbent on the First Committee to assist the Committee on Disarmament in the effective fulfilment of its mandate. Half-way between two special sessions of the General Assembly devoted to disarmament, many actions agreed upon had not even been initiated in spite of the stated readiness of the great majority of the international community to take an active part therein, including actions comprising the first steps in the consideration of nuclear disarmament, which had been accorded the highest priority. Negotiations on various problems were characterized by their slowness and absence of concrete results, and the arms race was continuing. All this called for an intensification of negotiations. Thus the sponsors of the draft resolution were guided by the desire to support the Committee's work and effectiveness. The General Assembly, while taking note with satisfaction in the preamble of the improvements in the organization and methods of work of the Committee, at the same time would indicate its concern that it had not thus far been able to achieve concrete results on disarmament issues which had been under consideration for a number of years. In the operative part of the draft resolution, it would urge the Committee to broaden or intensify its negotiating efforts on priority questions in accordance with the provisions of the Final Document, including those on a comprehensive programme of disarmament (see chapter III below). It would also call on States members of the Committee which were involved in separate negotiations to submit reports to the Committee, thereby contributing to its work.

The Soviet Union, in explanation of its position, stated with regard to

³¹ Algeria, Argentina, Brazil, Burma, Congo, Cuba, Ecuador, Egypt, Ethiopia, Ghana, India, Indonesia, Iran, Italy, Mexico, Morocco, Niger, Nigeria, Pakistan, Peru, Romania, Sri Lanka, Sudan, Sweden, Venezuela, Yugoslavia and Zaire.

paragraph 2 of the draft (see below) that the contents, scope and character of the information on negotiations being conducted outside the framework of the Committee on Disarmament fell within the competence of States taking part in those negotiations; in that regard it was unable to support the draft resolution and would abstain from voting. The United States, while affirming its support of the Committee on Disarmament as the single multilateral negotiating body, recalled that that Committee adopted its own agenda taking into account the Assembly's recommendations and proposals from among its members. It was not intended to take up issues without considering their suitability or readiness for multilateral negotiations and, as stressed in the Final Document, some issues, among them nuclear disarmament, were the primary responsibility of the parties concerned.

The First Committee approved the draft resolution by a recorded vote of 124 to none, with 12 abstentions, and the General Assembly, on 12 December, adopted it by a recorded vote of 132 to none, with 13 abstentions (including the USSR, the United Kingdom and the United States), as resolution 35/152 J. It reads as follows:

The General Assembly,

Recalling its resolution 34/83 B of 11 December 1979,

Expressing its satisfaction that the Committee on Disarmament has made progress in respect of the improvement of its organization and methods of work,

Affirming that the establishment of *ad hoc* working groups on substantive disarmament issues will promote the negotiating role of the Committee on Disarmament,

Expressing its concern that, despite improvements in its methods of work, the Committee on Disarmament has not thus far been able to achieve concrete results on disarmament issues which have been under consideration for a number of years,

Convinced that the Committee on Disarmament, as the single multilateral negotiating body on disarmament, should play the central role in substantive negotiations on priority questions of disarmament and on the implementation of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly,

Stressing that negotiations on specific disarmament issues conducted outside the Committee on Disarmament should not in any way constitute an impediment to the negotiations on such questions in the Committee,

1. *Urges* the Committee on Disarmament to continue or undertake, during its session to be held in 1981, substantive negotiations on the priority questions of disarmament on its agenda, in accordance with the provisions of the Final Document of the Tenth Special Session of the General Assembly and the other relevant resolutions of the Assembly;

2. *Invites* the members of the Committee on Disarmament involved in separate negotiations on specific priority questions of disarmament to intensify their efforts to achieve a positive conclusion of those negotiations without further delay for submission to the Committee and, at the same time, to submit to the Committee a full report on their separate negotiations and the results achieved in order to contribute most directly to the negotiations in the Committee in accordance with paragraph 1 above;

3. *Requests* the Committee on Disarmament, at its session to be held in 1981, to continue negotiations on the elaboration of a comprehensive programme of disarmament, and to submit the programme in time for consideration by the General Assembly at the second special session devoted to disarmament;

4. *Also requests* the Committee on Disarmament to intensify its work on priority questions of disarmament, so that it may be in a position to contribute, through concrete accomplishments, to a favourable climate for the second special session of the General Assembly devoted to disarmament;

5. *Further requests* the Committee on Disarmament to submit a report on its work to the General Assembly at its thirty-sixth session;

6. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Report of the Committee on Disarmament"

Also under the follow-up item, Australia, Canada, France, the Federal Republic of Germany, Greece, Italy, Japan and Spain submitted a draft resolution on 18 November on the question of verification, to which Mexico subsequently submitted amendments.³² Thereafter, on behalf of the sponsors, Canada announced the decision to withdraw the proposal on the grounds that the amendments, which had been suggested without prior consultations, would change what had been a procedural proposal into a substantive one. By the original proposal, the Assembly would request the Committee on Disarmament to undertake consideration of verification methods and procedures, acceptable to all parties concerned and appropriate for the particular measures involved, in accordance with its agenda. By the amendments, it would request the Committee, in its negotiations on specific measures, to endeavour to consider at the same time acceptable measures of verification in accordance with paragraphs 49 and 50 of the Final Document (which concern nuclear disarmament), and, in its work on chemical weapons, to endeavour to explore verification procedures to fill a gap in the Geneva Protocol.³³

Canada, in announcing the withdrawal of the proposal, emphasized that it regarded verification as a central issue in all significant arms control agreements and had hoped that the Committee on Disarmament would decide to consider the question in the framework of its permanent agenda. Mexico, for its part, stated it felt the original proposal would constitute a revision, albeit unintentional, of the Final Document. Its aim was to bring the text into line with the Document as well as with the item on the Committee's permanent agenda covering verification methods in relation to appropriate disarmament measures. Canada thereupon explained that the original draft resolution was intended to be general and to draw attention to the need for verification in the panoply of measures required. To attempt to introduce a bridge between such a general resolution and specific issues which were also recognized in other draft resolutions and arrive at a generally satisfactory text would, in Canada's view, require consultations extending beyond the time available.

Finally, in connexion with the follow-up item, a number of documents, not already referred to in this chapter, including reports of the Secretary-General prepared in accordance with the provisions of various resolutions were placed before the General Assembly and First Committee.³⁴ Those documents are:

³² See A/35/665/Add.1, paras. 14-16.

³³ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138).

³⁴ It should be noted that documents may be placed before the General Assembly and relevant Committees under two or more agenda items. Thus, some documents submitted under the item "Review of the implementation of the recommendations and decisions of the General Assembly at its tenth special session" were also submitted, among others, under the item "General and complete disarmament"

(a) Report of the Secretary-General on Disarmament Week, pursuant to paragraph 6 of General Assembly resolution 34/83 I;³⁵

(b) Letter dated 2 April 1980 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General, transmitting the appeal of the Grand National Assembly of the Socialist Republic of Romania to all parliaments and peoples of the countries participating in the Helsinki All-European Conference;³⁶

(c) Report of the Secretary-General transmitting the study on a comprehensive nuclear-test ban, prepared pursuant to General Assembly decision 34/422;³⁷

(d) Note verbale dated 28 July 1980 from the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General;³⁸

(e) Note verbale dated 14 October 1980 from the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General, transmitting the communiqué of the Extraordinary Meeting of the Ministers for Foreign Affairs and Heads of Delegations of the Non-Aligned Countries to the General Assembly at its thirty-fifth session;³⁹

(f) Report of the Secretary-General on the programme of research and studies on disarmament, pursuant to paragraph 6 of General Assembly resolution 34/83 M;⁴⁰

(g) Report of the Secretary-General on United Nations studies on disarmament;⁴¹

(h) Letter dated 31 October 1980 from the Permanent Representatives of Denmark, Finland, Iceland, Norway and Sweden to the United Nations addressed to the Secretary-General, transmitting a memorandum on the question of non-proliferation of nuclear weapons;⁴²

(i) Letter dated 11 November 1980 from the Permanent Representative of Czechoslovakia to the United Nations addressed to the President of the General Assembly.⁴³

Conclusion

1980 was the second year of operation of the disarmament machinery as revitalized in accordance with the provisions of the Final Document of the special session, but at the same time the first year of its mature operation, with the agenda of the main bodies comprised primarily of substantive disarmament questions put forward in accordance with the new procedures envisaged in the Document. Smooth progress towards implementation of the recommendations and decisions of the General Assembly stemming from its tenth special session and, by way of follow-up, its thirty-third and thirty-fourth sessions, was affected, however, by the tense international situation which developed late in 1979 and prevailed throughout the following year.

Despite clear differences in the positions of Member States and sometimes sharp debate, the Disarmament Commission was able to agree by consensus on recommendations to the General Assembly relating to the three major items of its agenda, including the far-reaching item on the preparation

³⁵ A/35/147.

³⁶ A/35/164.

³⁷ A/35/257.

³⁸ A/35/355.

³⁹ A/35/542.

⁴⁰ A/35/574.

⁴¹ A/35/575.

⁴² A/C.1/35/10.

⁴³ A/C.1/35/13.

of the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade" In all its recommendations, the Commission recognized disarmament as both an urgent requirement and a complex process, and kept in view the need for continuous follow-up action to urge and help ensure the implementation of disarmament measures on the basis of agreements reached not only at the tenth special session but also at subsequent convocations.

The Committee on Disarmament in 1980 reached agreement to form *ad hoc* working groups to facilitate negotiations on four items of its agenda deriving from its general mandate as spelled out by the General Assembly at its tenth special session as well as from decisions taken by the Committee itself, first in 1979, and recent proposals on long-established issues. The *ad hoc* working groups formed in 1980 dealt with security assurances to non-nuclear-weapon States, banning of radiological weapons, banning of chemical weapons, and development of a comprehensive programme of disarmament. There was general agreement that the use of such working groups facilitates the negotiating process and there were indications that groups to deal with at least the same issues would be formed in 1981.

In the General Assembly, the debate in the question of follow-up was marked on the one hand by satisfaction that the administrative and procedural decisions of the tenth special session had largely been implemented and on the other by concern that the arms race continued seemingly unabated and few concrete measures of disarmament had been achieved. Furthermore, the debate took place in an atmosphere of awareness that 1980 was already the mid-point between the first and second sessions of the General Assembly devoted to disarmament, and therefore that it was crucial to the disarmament effort to maintain the momentum generated at the first session and, in the preparations for the second, to strive to ensure that that session would build upon the first, finally to lead to the curbing of the arms race and commencement of a process of real disarmament.

Development of a comprehensive programme of disarmament

Introduction

WITHIN THE FRAMEWORK OF THE ULTIMATE GOAL of general and complete disarmament, primary emphasis through some 20 years has been given to the need for effective measures to halt the nuclear arms race and achieve nuclear disarmament. Many proposals have been offered combining outlines for reductions in armaments by stages, usually commencing with restraints on nuclear armaments, but with variations as to which types of arms or armed forces should be reduced first, numerical limits to be set, time limits, and methods of control. The 1961 joint statement of agreed principles for future disarmament negotiations¹ and the draft treaties of the Soviet Union and the United States on general and complete disarmament submitted in 1962 to the Eighteen-Nation Committee on Disarmament² have remained a basis of discussion on the subject and are generally considered as forerunners of subsequent efforts to develop a comprehensive programme of disarmament.

The specific request to work out a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control was first made by the General Assembly as one of the results of a 1969 proposal to declare the 1970s a "Disarmament Decade". In the introduction to his annual report on the work of the Organization for 1968-1969,³ the Secretary-General included a proposal for the designation of the 1970s as a Disarmament Decade and in that context expressed the view that the Assembly could establish a specific programme and timetable for dealing with all aspects of arms control and disarmament.

The Assembly welcomed and discussed the proposal and, on 16 December 1969, adopted resolution 2602 E (XXIV) by which it declared the

¹ *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 19, document A/4879.

² See *The United Nations and Disarmament, 1945-1970* (United Nations publication, Sales No. 70.IX.1), chap. 4.

³ *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 1A* (A/7601/Add.1).

1970s as a Disarmament Decade and, among other things, requested the negotiating body, which had been newly expanded that year and named the Conference of the Committee on Disarmament (CCD), while continuing intensive negotiations with a view to reaching the widest possible agreement on collateral measures, to work out at the same time a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control. The CCD held discussions concerning a comprehensive programme, as requested by the Assembly, but, along with its other work, was unable through its 1970 to 1978 sessions to agree on a text, although several proposals on the subject were submitted to both the CCD⁴ and the Assembly⁵ and the question continued to be discussed in the Assembly⁶ as well as the CCD throughout the period. At its spring sitting in 1978, the CCD reached the point where it established a working group to elaborate a draft comprehensive programme of disarmament.⁷

In 1978, the General Assembly at its tenth special session gave the concept of the comprehensive programme of disarmament renewed impetus when, among the tasks and duties which it set out in the Final Document for the revitalized Disarmament Commission,⁸ it specifically stipulated that the Commission should consider the elements of a comprehensive programme of disarmament to be submitted as recommendations to the General Assembly and, through it, to the negotiating body, the Committee on Disarmament.

At its first substantive session in 1979, the Disarmament Commission, as a result of the special session and the follow-up action taken at the thirty-third session of the General Assembly, had before it a number of reports and documents, including a report of the Secretary-General⁹ and other working papers¹⁰ on the question of the comprehensive programme; it established an open-ended working group to deal with that item. The Commission, at the final meeting of the session, adopted its report¹¹ to the General Assembly by consensus, including its recommendations on the "Elements of a comprehensive programme of disarmament"

⁴ See *Official Records of the Disarmament Commission, Supplement for 1970*, documents CCD/276 (Netherlands), CCD/309 (Italy) and CCD/313 (Mexico, Sweden and Yugoslavia).

⁵ For instance, one by Ireland, Mexico, Morocco, Pakistan, Sweden and Yugoslavia (*Official Records of the General Assembly, Twenty-fifth Session, Annexes*, agenda item 27, document A/8191).

⁶ Resolutions adopted were 2825 B (XXVI), 3261 A (XXIX), 3470 (XXX), 31/68, 32/80, 33/62, 33/71 H and 33/91 A.

⁷ See *Official Records of the General Assembly, Thirty-third Session, Supplement No. 27 (A/33/27)*, vol. I, paras. 251-275; and *ibid.*, vol. II, document CCD/567 and Add.1, which comprises a tabulation by the Secretariat of working papers and proposals submitted to the CCD on a comprehensive programme of disarmament.

⁸ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 118.

⁹ A/CN.10/1 and Add.1-6.

¹⁰ A/CN.10/5 (China); A/CN.10/6 (Sri Lanka); A/CN.10/7/Rev.1 (Czechoslovakia); A/CN.10/8 (Federal Republic of Germany).

¹¹ *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 42 (A/34/42)*.

At the thirty-fourth session of the General Assembly most delegations expressed gratification that the Commission had reached agreement on the elements of a comprehensive programme, although some regretted that the agreed elements did not include stronger measures in the area of nuclear disarmament. The General Assembly, by resolution 34/83 H, endorsed the report and recommendations of the Disarmament Commission and, by resolution 34/83 B, requested the Committee on Disarmament to initiate negotiations at its next session on the comprehensive programme of disarmament, with a view to completing its elaboration before the second special session of the General Assembly on disarmament. Thus, for 1980, the responsibility for negotiating a detailed comprehensive programme of disarmament was placed with the Committee on Disarmament.

Consideration by the Disarmament Commission, 1980

Although the question of the comprehensive programme was not on the agenda of the Disarmament Commission in 1980, the subject was touched upon by some of its members, primarily during the general exchange of views held in the early part of the session.¹² Romania noted in the context of the Second Disarmament Decade that the activities undertaken during the Decade should be fully integrated with the comprehensive disarmament programme and should dovetail with it so that the two could be mutually supportive. Poland stressed that the Second Disarmament Decade had to address the aims drawn up in the Final Document of the Tenth Special Session of the General Assembly¹³ and, in that connexion, that high priority should be accorded to the preparation of a comprehensive disarmament programme which would combine partial solutions with general ones. Japan felt that the Final Document together with the "Elements of a comprehensive programme of disarmament", as recommended by the Commission the previous year,¹⁴ indicated a consensus of the international community regarding the basic principles that should be taken into account and the various measures that had to be realized in the field of disarmament.

Brazil, for its part, recalled the various reservations it had had about the elements of a comprehensive programme of disarmament as adopted by the Disarmament Commission and transmitted to the Committee on Disarmament. It explained that, although it had not wished to block consensus, its concern was especially with regard to the imbalance with which the document, in its opinion, approached the basic question of responsibilities and obligations for disarmament, above all nuclear disarmament. It expressed its intention to co-operate in a constructive spirit in the Committee on Disarmament to help ensure that the elements would constitute a sound basis for a comprehensive programme.

¹² A/CN.10/PV.26-34 and A/CN.10/PV.23-40/Corrigendum.

¹³ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III.

¹⁴ *Ibid.*, *Thirty-fourth Session, Supplement No. 42 (A/34/42)*, para. 19.

Despite the absence of a specific agenda item, the Disarmament Commission in 1980 again fully recognized the importance and urgency of completing the elaboration of a comprehensive programme of disarmament by including, in its recommendations to the General Assembly on the "Elements of the Declaration of the 1980s as the Second Disarmament Decade"¹⁵ in the section entitled "Activities", the following paragraph:

Comprehensive programme of disarmament

Having been recognized as an important element in an international disarmament strategy, the comprehensive programme for disarmament should be elaborated with the utmost urgency. The Committee on Disarmament should expedite its work on the elaboration of the programme with a view to its adoption no later than the second special session of the General Assembly devoted to disarmament, scheduled for 1982.

Consideration by the Committee on Disarmament, 1980

The item entitled "Comprehensive programme of disarmament" was considered by the Committee on Disarmament, in accordance with its agenda and programme of work, from 19 to 29 February and from 17 to 28 March 1980.¹⁶

Most delegations participating in the debate expressed satisfaction that the Disarmament Commission had successfully and by consensus elaborated the elements of a comprehensive programme of disarmament. Mexico, for example, pointed out that, together with the Final Document of the first special session of the General Assembly devoted to disarmament, those elements could form the basis for consideration of the full comprehensive programme in the Committee on Disarmament. In emphasizing the importance which it attached to the item, Mexico recalled that in the Final Document of the special session the General Assembly had stated¹⁷ that the programme to be elaborated by the Committee must encompass "all measures thought to be advisable in order to ensure that the goal of general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail and in which the new international economic order is strengthened and consolidated". A number of members, including Cuba, Egypt, Iran and Zaire, expressed the expectation that the Committee, in accordance with the provisions of General Assembly resolution 34/83 B, would, on the basis of the elements, complete the programme before the second special session of the General Assembly on disarmament in 1982. Brazil, on the other hand, reiterated its concern about some of the formulations included in the text of the elements. In its view, the document seemed "timid" when dealing with measures of real disarma-

¹⁵ *Ibid.*, *Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 19; for a detailed discussion see chapter V below.

¹⁶ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, paras. 7, 9 and 63-68.

¹⁷ *Ibid.*, *Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 109.

ment, and the inability of the Disarmament Commission to reach a clear formulation on important questions such as the prohibition of the use or threat of use of nuclear weapons or on the strengthening of the non-proliferation régime had revealed the striking differences of approach which had prevailed through all efforts aimed at negotiations on a comprehensive programme of disarmament.

During the debate, various delegations expressed ideas on the contents, structure and ultimate goal of a comprehensive programme of disarmament. Italy emphasized the need to ensure that all disarmament measures and efforts were dovetailed into the global programme. Poland held that such a programme would map out the most direct way to international security and peace in a disarming and disarmed world. Nigeria expressed the hope that a universally approved programme would, *inter alia*, insulate disarmament negotiations from momentary inter-State political difficulties which otherwise might from time to time hinder the continuation of the negotiating processes. Several delegations, including those of Argentina, Czechoslovakia, Egypt, Pakistan and the Soviet Union, emphasized that the formulation of measures in a comprehensive programme of disarmament should be based on purposes and principles likely to ensure the eventual attainment of general and complete disarmament.

At its 69th plenary meeting on 17 March, the Committee decided to establish an *ad hoc* working group to initiate negotiations on the comprehensive programme of disarmament, as envisaged in the Final Document, with a view to completing its elaboration before the second special session of the General Assembly on disarmament. The Committee designated Ambassador Oluyemi Adeniji of Nigeria as Chairman of the *Ad Hoc* Working Group, and the Group held 10 meetings between 19 June and 29 July 1980. One document on the question, by Bulgaria, Czechoslovakia, Hungary and Mongolia, was submitted to the Committee on Disarmament and was entitled "Proposal for the main elements of a Comprehensive Programme of Disarmament"¹⁸ In addition, working papers on various subjects, such as objectives, principles, and guidelines for a comprehensive programme, were submitted to the Working Group by China, Czechoslovakia (4 papers), Mexico (2 papers), Pakistan, Poland and Venezuela. The Group, at the end of its series of meetings, submitted a report to the Committee, which the latter adopted at its final plenary meeting on 9 August and included as an integral part of its report¹⁹ to the General Assembly.

In its report, the Group informed the Committee that it had had a general exchange of ideas on the six substantive chapters of an outline of the programme, entitled "Objectives", "Principles", "Priorities", "Meas-

¹⁸ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. II, document CD/128.

¹⁹ *Ibid.*, *Supplement No. 27 (A/35/27)*, para. 68; the report of the *Ad Hoc* Working Group is composed of 17 integral paragraphs which are substantively summarized in the subsequent paragraphs of the present chapter. The Working Group's report also contains, *inter alia*, listings identifying the subjects covered by the working papers submitted to it by the States mentioned above, as well as of other working papers prepared by the Secretariat at the request of the Group.

ures", "Stages of implementation" and "Machinery and procedure", as well as a brief preliminary discussion on the "Introduction or preamble". That outline was adopted by the Working Group.

Under the chapter entitled "Objectives", the Group's discussion centred around the identification of the general objectives of the programme. It was generally agreed that the ultimate objective should be general and complete disarmament under effective international control and in addition it was suggested that the immediate objective should be to eliminate the danger of war, particularly nuclear war. Various other objectives were also suggested. It was recalled that the objectives of a comprehensive disarmament programme would have to be achieved on a step-by-step basis in the whole disarmament process. In discussing "Principles", the Working Group took account of the principles for disarmament negotiations contained in the Final Document of the first special session. It felt, furthermore, that the comprehensive programme should encompass *in extenso* all the principles that were thought to be relevant, including some which, while not to be found in the Final Document, might none the less be considered appropriate. With regard to "Priorities", a view was expressed that that chapter had a direct link with the chapter on the stages of implementation, in that the priority accorded to the various measures would have to be reflected in the process of determining the stage at which they were to be implemented. It was felt that the elimination of the danger of nuclear war and the implementation of measures towards that end should have the highest priority.

With regard to the chapter entitled "Measures", it was agreed that at the current stage of its work, the Working Group should try to draw up a detailed and full list of all measures which could be included in the comprehensive programme. To that end it would rely upon a compilation of measures contained in the Final Document and the reports of the Disarmament Commission as well as other documents containing particular ideas. The Group reported that it did not have time to give substantive consideration to the various proposals which should be encompassed in the listing.

On "Stages of implementation" the discussion focused on the issue of time frames. It was felt, on the one hand, that the comprehensive programme in its totality must be conceived within a time frame for its completion. According to that view, specific measures, in keeping with priorities set for them, should also have time frames so that the implementation of the programme could proceed from one stage to the next until final accomplishment of general and complete disarmament. Agreement on the time frames would constitute an expression of the political will of States to implement the programme. On the other hand, it was held that the implementation of a programme could not be subject to a timetable set in advance, as it was unrealistic to provide rigid time frames for the conclusion of the relevant international agreements since that process depended on a number of factors which it was frequently difficult to anticipate. A third alternative was that, while tentative deadlines should be presented as desirable goals to be aimed at, special care should be taken to avoid the impression that they constituted inflexible targets.

The discussion on the chapter entitled "Machinery and procedure" centred on identification of the various topics upon which the chapter might be based. It was suggested that those topics should include examination of the machinery for both negotiations and deliberations, procedures for keeping the United Nations informed of all efforts in the field of disarmament, machinery for monitoring implementation, and ways and means of promoting public awareness.

In the preliminary discussions on the "Introduction or preamble" the focus was mainly on the nature of the programme, that is, whether it should constitute a legally binding instrument, a framework for negotiations, or a complex of measures on the basis of which appropriate international treaties should be negotiated.

In the conclusions of the report, the Group pointed out that it should be enabled to resume its work immediately on the commencement of the next, or 1981, session of the Committee. It stated that its work in 1980 had served to focus attention on issues requiring clarification, and felt that at the next session it should be able to proceed to the elaboration of the text.

Consideration by the General Assembly, 1980

While the question of developing a comprehensive programme of disarmament was not one of the more dominant subjects of the disarmament debate at the thirty-fifth session, it was commented upon in plenary meetings and dealt with in the First Committee²⁰ of the General Assembly in a number of general statements, mostly in the context of the second special session devoted to disarmament, scheduled for 1982, or of the Declaration of the 1980s as the Second Disarmament Decade.

In the First Committee, the Netherlands, on behalf of the nine member States of the European Economic Community, pledged that the Nine would follow and contribute to the work on the elaboration of a realistic comprehensive programme which, since it was closely linked with the second special session on disarmament, should be completed as soon as possible. They further believed that the Second Disarmament Decade would provide an umbrella under which the comprehensive programme for disarmament could be fruitfully implemented.

Poland held that the amount of attention which the Committee on Disarmament and its subsidiary body had so far devoted to the elaboration of a comprehensive programme of disarmament seemed to justify its confidence that the deadline for elaboration of the programme, that is, by the time of the second special session of the General Assembly devoted to disarmament, would be successfully met. Mongolia regarded the *Ad Hoc* Working Group established by the Committee as having done a considerable amount of work, including the holding of a useful exchange of views on the general

²⁰ See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 49th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

outline, contents and basic orientation of the programme, thereby creating good conditions for the development of a specific draft document at the next session. At the same time Mongolia, without wishing to minimize the importance of working out a comprehensive disarmament programme, expressed the view that further practical measures should be taken in the field of limiting and halting the arms race and bringing about disarmament in the course of the Second Disarmament Decade, since the urgent tasks had already been set out in the Final Document of the first special session. Czechoslovakia referred to the considerable attention that it had devoted to the question of a comprehensive programme and the fact that on behalf of a group of socialist (Eastern European) countries, it had submitted a draft of the main elements of such a programme to the Committee on Disarmament. It advocated that continued work on the programme should take into account the results of the UNESCO World Congress on Disarmament Education and include some of the principal postulates of the final document of that Congress (see appendix III below).

In making specific observations on the subject, Pakistan held that sufficient material was already available for the elaboration of the comprehensive programme; in that context it provided examples of relevant documents and reports put forward through the years. Accordingly, it held that it was up to the Committee on Disarmament to incorporate the elements recommended by the Disarmament Commission into a concrete and comprehensive programme, which should indicate a time-scale for disarmament measures leading to the ultimate goal of general and complete disarmament. Pakistan also recalled the suggestion it had made in the Committee on Disarmament that the programme might be set out in three broad phases, namely, immediate measures, short-term measures, and final goals.

In the view of Indonesia, the immediate goal of a comprehensive programme of disarmament was the elimination of the danger of a nuclear war; it should also provide for significant progress by ensuring the cessation and reversal of the arms race. It was of the opinion that commitment to a time frame would demonstrate political determination on the part of militarily important States to take initial steps towards the ultimate goal. Ghana, for its part, felt that the *Ad Hoc* Working Group had made remarkable progress and expressed the hope that the unfinished work would be taken up at the next session of the Committee on Disarmament and that the Group would succeed in making the comprehensive programme as envisaged in the Final Document ready before the second special session devoted to disarmament.

No separate draft resolution was presented in the First Committee on the specific question of a comprehensive programme of disarmament. However, in its general resolution on the 1980 report of the Committee on Disarmament, that is resolution 35/152 J (see chapter II above, page 49), the General Assembly, in paragraph 3, requested the Committee on Disarmament at its 1981 session to continue negotiations on the elaboration of a comprehensive programme of disarmament, and to submit the programme in time for consideration by the General Assembly at the second special session devoted to disarmament.

Conclusion

The General Assembly at its tenth special session in 1978 placed the responsibility for accomplishing the first stage of the long-standing task of developing a comprehensive programme of disarmament — the consideration of the “elements” of the programme — with the Disarmament Commission, and that of negotiating the details with the Committee on Disarmament.

In 1980 the Committee on Disarmament started to negotiate the detailed programme on the basis of the elements recommended by the Disarmament Commission and transmitted through the Assembly to the Committee. An *Ad Hoc* Working Group of the Committee was established and had an initial exchange of views on the introductory part and six substantive chapters proposed for the programme. The Committee on Disarmament will continue negotiations on the comprehensive programme of disarmament at its 1981 session, no doubt keeping in mind the request of the General Assembly in resolution 35/152 J that the programme be submitted in time for its consideration at the second special session devoted to disarmament in 1982.

CHAPTER IV

World disarmament conference

Introduction

THE CONCEPT OF A WORLD DISARMAMENT CONFERENCE originated at the First Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade in 1961. That Conference included in its Declaration¹ the recommendation that the General Assembly decide to convene either a special session of the General Assembly devoted to disarmament or a world disarmament conference under the auspices of the United Nations. The idea was reiterated at subsequent summit conferences of the non-aligned countries, including the most recent one, held at Havana in 1979.² As early as 1965, the General Assembly endorsed the idea of convening a world disarmament conference with its adoption of resolution 2030 (XX) on the basis of a non-aligned proposal. In 1971 the Soviet Union revived the proposal, and the Assembly, by resolution 2833 (XXVI), expressed the conviction that careful consideration should be given to the convening, following adequate preparation, of a world disarmament conference open to all States. Since then, the item has appeared on the agenda each year.

In 1972, by resolution 2930 (XXVII), the General Assembly set up a special committee on the question and in 1973, by resolution 3183 (XXVIII), it established the *Ad Hoc* Committee on the World Disarmament Conference. In 1974 and 1975 the *Ad Hoc* Committee on the World Disarmament Conference submitted reports to the General Assembly³ in which it stated that, notwithstanding differences of viewpoint which were hindering progress towards the convening of a world disarmament conference, there was a widespread feeling that such a conference would be a useful forum for disarmament efforts.

In 1976 the report of the *Ad Hoc* Committee⁴ contained an analysis stat-

¹ For an extract from the Declaration, see *Official Records of the General Assembly, Tenth Special Session, Supplement No. 1 (A/S-10/1)*, vol. III, document A/AC.187/30 and Corr. 1.

² See A/34/542, para. 223.

³ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 28 (A/9628)*, and *ibid.*, *Thirtieth Session, Supplement No. 28 (A/10028)*.

⁴ *Ibid.*, *Thirty-first Session, Supplement No. 28 (A/31/28)*. Details of the analysis referred to are contained in *The United Nations Disarmament Yearbook*, vol. 1: 1976 (United Nations publication, Sales No. E.77.IX.2), p. 30; *ibid.*, vol. 2: 1977 (United Nations publication, Sales No. E.78.IX.4), p. 55; and *ibid.*, vol. 3: 1978 (United Nations publication, Sales No. E.79.IX.2 or 3), p. 143.

ing, *inter alia*, that: (a) although there was wide support for a world disarmament conference, many Governments believed universal participation as well as adequate preparation were necessary for its realization; and (b) a basic divergence of opinion among the nuclear-weapon States as to timing and conditions for the convening of such a conference still persisted. The *Ad Hoc* Committee none the less recommended that efforts towards the creation of appropriate conditions for the convening of the conference should continue, and the General Assembly, by resolution 31/190, requested the *Ad Hoc* Committee to maintain close contact with the nuclear-weapon States in that connexion, and consider any relevant comments and observations which might be made to the Committee. In 1977 the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament, in its report to the General Assembly at its thirty-second session,⁵ recommended that the provisional agenda for the special session should cover the question of convening a world disarmament conference and that the General Assembly should request the *Ad Hoc* Committee on the World Disarmament Conference to submit a special report on its work to the Assembly at its special session; the General Assembly, by resolution 32/89, made such a request.

In the Preparatory Committee in 1978,⁶ the USSR and other Eastern European States stressed that the special session of the General Assembly devoted to disarmament and a world disarmament conference should be complementary, the latter to become a forum for practical action leading to agreements on disarmament measures. Western States generally held that a world disarmament conference should be held only after adequate preparation and with the participation of all States, particularly the nuclear-weapon States. The non-aligned States supported the convening of such a conference at an appropriate time with universal participation and adequate preparation. Mexico proposed the institutionalization of a world disarmament conference as a deliberative body.

In 1978, the *Ad Hoc* Committee on the World Disarmament Conference held two sessions. It reported to the special session⁷ of the Assembly that there was wide support for a world disarmament conference, with varying views as to conditions for its convening, and that consensus still had not been reached among the nuclear-weapon States. Following the special session, the *Ad Hoc* Committee again reviewed the situation and prepared a report⁸ to the General Assembly at its thirty-third regular session.

In the debate at the special session, the Eastern European and a number of other States supported the convening of a world disarmament conference and urged that the General Assembly take appropriate decisions on the matter. Many non-aligned States emphasized the need for adequate preparation and the participation of all States, particularly all nuclear-weapon States.

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 41* (A/32/41 and Corr.1), paras. 17 and 18.

⁶ *Ibid.*, *Tenth Special Session, Supplement No. 1* (A/S-10/1), vol. VII, 21st to 42nd meetings; and *ibid.*, vol. VI, document A/AC.187/114.

⁷ *Ibid.*, *Supplement No. 3* (A/S-10/3 and Corr.1).

⁸ *Ibid.*, *Thirty-third Session, Supplement No. 28* (A/33/28).

Several Western States indicated a degree of scepticism as to the value of such a forum, and stressed the importance of the participation of all States and of adequate preparation. China held that if there were fully representative deliberative and negotiating bodies there would be no need for a world disarmament conference. In the Final Document of the special session, the Assembly stated: "At the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation."⁹

At its thirty-third session the General Assembly again requested the *Ad Hoc* Committee to maintain contact with all States, particularly nuclear-weapon States, and to remain currently informed of their attitudes.

In 1979, the *Ad Hoc* Committee held two sessions and once again reported to the General Assembly¹⁰ that there was no consensus among the nuclear-weapon States as to conditions for the convening of a world disarmament conference. At its thirty-fourth session the Assembly, by resolution 34/81, again renewed the mandate of the *Ad Hoc* Committee and requested the Committee to maintain close contact with nuclear-weapon States as well as with all other States.

***Ad Hoc* Committee on the World Disarmament Conference, 1980**

Pursuant to the mandate of the General Assembly contained in resolution 34/81, the *Ad Hoc* Committee on the World Disarmament Conference held two sessions in 1980. The Bureau of the Committee was composed of the representative of Sri Lanka as Chairman, the Representatives of Burundi, Peru and Poland as Vice-Chairmen and the representative of Spain as Rapporteur. Forty non-nuclear-weapon States continued to be represented on the Committee. During its first session, the Committee held two meetings, on 31 March and 1 April 1980. After a general debate and an exchange of views, it agreed, *inter alia*, that as in previous years its working group should undertake the task of preparing the draft report for consideration by the Committee in plenary meetings during its second session. During its second session, the Committee held three meetings between 16 and 20 June and at the final meeting unanimously adopted its report to the General Assembly¹¹ as drafted by the working group.

The Committee stated in its report that it was aware that the subject of convening a world disarmament conference had been considered by the Disarmament Commission during its session in May and June 1980, and that in its report,¹² to be submitted to the General Assembly at its thirty-fifth session, the Commission had recalled, in the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade",¹³ that

⁹ *Ibid.*, Tenth Special Session, Supplement No. 4 (A/S-10/4), sect. III, para. 122.

¹⁰ *Ibid.*, Thirty-fourth Session, Supplement No. 28 (A/34/28).

¹¹ *Ibid.*, Thirty-fifth Session, Supplement No. 28 (A/35/28).

¹² *Ibid.*, Supplement No. 42 (A/35/42).

¹³ *Ibid.*, para. 19, sect. C, para. 23 (b).

the Final Document of the Tenth Special Session of the General Assembly had called for the convening of a world disarmament conference at the earliest appropriate time.

In its report, the *Ad Hoc* Committee also related that, in compliance with its mandate, it had maintained close contact, through its Chairman, with the representatives of the nuclear-weapon States in order to remain currently informed of their respective attitudes. It was evident from this information, which was set out in the report, that the Soviet Union continued to stress the need to convene a world disarmament conference while the four others maintained their reservations on the practicability or value of such a conference.

The report gave the following account of the positions of the five nuclear-weapon States.

China's position remained unchanged.

France stated that while its position in the past was one of favouring in principle the idea of a world disarmament conference which, after a suitable period of preparation, would be attended by, among others, the five nuclear-weapon Powers, it nevertheless realized that the present international situation was not conducive to the planning of such an undertaking. France also pointed out that the proposal could not be considered in isolation from the achievements of the first special session of the General Assembly devoted to disarmament, held in 1978, and the second session scheduled for 1982.

The Soviet Union believed that the convening of a world disarmament conference would be of great international importance. That forum, devoted to one of the most urgent current problems, should be a further step forward in combining the efforts of States in the field of disarmament and would supplement what had been agreed on at the sessions of the General Assembly, including the special session devoted to disarmament. It was convinced that such a forum could take effective decisions which would be a new incentive for all States for taking practical measures on halting the arms race and on achieving disarmament. Its universality would ensure joint participation of all countries in consideration of disarmament issues. Thus the mandatory nature of those decisions could be ensured. It appeared from the Final Document of the Tenth Special Session of the General Assembly and other documents, including those of the non-aligned States, that the idea of holding a world disarmament conference continued to enjoy ever wider support. The Soviet Union, in the light of various recommendations and resolutions, was of the opinion that the time had come to take concrete steps to start thorough preparation for the conference. With that aim in mind, it would be expedient to determine the date of convening the conference and to establish a preparatory body. The *Ad Hoc* Committee on the World Disarmament Conference would considerably facilitate the convocation of a world disarmament conference by submitting to the General Assembly at its second special session devoted to disarmament a report on concrete issues regarding such a conference, in particular, on the issue of the role the conference might play after the second special session. The USSR had supported the Assembly's first special session on disarmament and supported the conven-

ing of the second special session in 1982. It believed, however, that a world disarmament conference would become a unique forum and acquire historic meaning. Its preparation and holding would concentrate the attention of Governments and world public opinion on how to halt the arms race and move on to real disarmament. For that reason, the second special session should be followed by a world disarmament conference.

The United Kingdom believed that, in view of recent international events, it served no useful purpose to continue consideration of the idea of a world disarmament conference for the time being. Accordingly, the United Kingdom doubted the usefulness of the *Ad Hoc* Committee on the World Disarmament Conference continuing to meet and in any event did not think it appropriate for the Committee to undertake any substantive work at this stage.

The United States maintained that it was premature to set a date and begin preparations for the convening of a world disarmament conference. As it had stated already in 1978 and 1979, it believed there was insufficient political agreement on the issues which would presumably be addressed at such a conference. Such lack of agreement would probably hinder rather than assist efforts to reach concrete and verifiable arms control measures.

In the conclusions and recommendations of the report, the *Ad Hoc* Committee reiterated that the idea of a world disarmament conference had received wide support by the States Members of the United Nations, however, with varying degrees of emphasis and differences as to conditions and certain aspects related to the question of its convening, including those related to the deteriorating international situation. From the updated indications of the positions of the nuclear-weapon States it was evident that no consensus with respect to the convening of such a conference under the present conditions had yet been reached among those States whose participation was deemed essential by most States Members of the Organization.

The Committee added that the General Assembly might wish to decide that, after its second special session devoted to disarmament, a world disarmament conference would take place as soon as the necessary consensus on its convening had been reached. The General Assembly might also wish to renew the mandate of the *Ad Hoc* Committee and to request it to continue to maintain close contact with the representatives of the nuclear-weapon States in order to remain currently informed of their attitudes, as well as with all other States, and to consider any relevant comments and observations which might be made to the Committee.

Consideration by the General Assembly, 1980

At its thirty-fifth session, the General Assembly, during the general debate both in the plenary meetings and in the First Committee,¹⁴ continued to consider the question of holding a world disarmament conference.

¹⁴ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 40th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

A number of Eastern European States, including the Byelorussian SSR, Czechoslovakia, the German Democratic Republic and the USSR, emphasized the importance they attached to the convening of such a conference following the second special session devoted to disarmament.

The USSR, for instance, believed that the second special session on disarmament should be followed by a world disarmament conference, which should lead not merely to recommendations, but to decisions to be implemented by all States fully without any exception.

The German Democratic Republic, speaking in the First Committee, supported a world disarmament conference to be held after the 1982 special session and maintained that the conference could become a genuine highlight of the Second Disarmament Decade. It also suggested that the mandate of the *Ad Hoc* Committee on the World Disarmament Conference be extended by requesting that body to make the necessary preparations for the convening of such a world conference. Mongolia, for its part, held that as a logical consequence of the second special session there should be a world disarmament conference whose task should be to take important decisions binding on all States of the world. Other Eastern European States echoed similar views.

A number of non-aligned countries also expressed their support for a world disarmament conference. Fiji endorsed the holding of a world disarmament conference, believing that it would be the most appropriate forum, in which all the peoples and nations of the world would participate, so that all might make a concerted effort to reach consensus on the means of achieving disarmament goals, but holding that political will and the participation of all the nuclear-weapon States would be required to make such a conference effective. Guinea, while favouring the convening of such a conference, stressed that the conference should be motivated by serious considerations so that it might establish real goals making it possible to enlist the support of the international community in general, and the nuclear-weapon States in particular, to work towards general and complete disarmament.

China maintained that there was less need to continue the consideration of a world disarmament conference in the wake of the special session of the General Assembly. It held that a world disarmament conference would be an unnecessary duplication of the second special session on disarmament and would undermine the efforts to implement the decisions of the first special session in 1978. China also expressed serious reservations concerning further consideration of the question.

In introducing the report of the *Ad Hoc* Committee on the World Disarmament Conference in the First Committee, the representative of Sri Lanka, in his capacity as Chairman, drew particular attention to the parts of the report concerning the respective positions of the nuclear-weapon States and the varying views as to requisite conditions for the convening of the conference, including the question of the deteriorating international situation. He noted, none the less, that the idea of a world disarmament conference had received wide support.

On 17 November, Burundi, Peru, Poland and Sri Lanka submitted a

draft resolution, subsequently sponsored also by Mongolia. In introducing the draft resolution, the representative of Sri Lanka, again as Chairman of the Committee, said that it was quite similar to the resolution on the same subject adopted in 1979 (resolution 34/81) and that the only new element was the addition of a sixth preambular paragraph by which the Assembly would recall that, in its resolution on the Declaration of the 1980s as the Second Disarmament Decade, it had considered it pertinent to reiterate that the Final Document of the tenth special session had stated that at the earliest appropriate time a world disarmament conference should be convened with universal participation and with adequate preparation.

Before the vote in the First Committee, the Netherlands, speaking on behalf of the nine members of the European Economic Community, noted the continuing absence of consensus among the nuclear-weapon States and that the deterioration of the world situation had made it more difficult to solve the question of convening a world disarmament conference. While not opposing a consensus, the nine States doubted that further meetings of the *Ad Hoc* Committee would lead to the advancement of the idea before the conclusion of the second special session of the Assembly devoted to disarmament.

Thereafter, the draft resolution was approved by the First Committee without a vote.

Albania, disassociating itself from the consensus, recalled its previously stated position that it was opposed to the idea which, in its view, was based on a proposal made some time ago for purely propagandistic purposes. Meetings of all kinds had not resulted in a single step towards disarmament and, while the 1978 special session of the General Assembly had led to the doubling of resolutions and to year-round discussions, the dream of disarmament was becoming more illusory. Since a second special session of the Assembly would take place in 1982, it could see no advantage in, and could not give its support to, the idea of convening a world disarmament conference.

The General Assembly, on 12 December, adopted the draft resolution, again without a vote, as resolution 35/151. It reads as follows:

The General Assembly,

Recalling its resolutions 2833 (XXVI) of 16 December 1971, 2930 (XXVII) of 29 November 1972, 3183 (XXVIII) of 18 December 1973, 3260 (XXIX) of 9 December 1974, 3469 (XXX) of 11 December 1975, 31/190 of 21 December 1976, 32/89 of 12 December 1977, 33/69 of 14 December 1978 and 34/81 of 11 December 1979,

Reiterating its conviction that all peoples of the world have a vital interest in the success of disarmament negotiations and that all States should be in a position to contribute to the adoption of measures for the achievement of this goal,

Stressing anew its conviction that a world disarmament conference, adequately prepared and convened at an appropriate time, could provide the realization of such an aim and that the co-operation of all nuclear-weapon Powers would considerably facilitate its attainment.

Taking note of the report of the *Ad Hoc* Committee on the World Disarmament Conference,

Recalling that, in paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly, it decided that, at the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation,

Recalling that, in its resolution 35/46 of 3 December 1980 on the Declaration of the 1980s as the Second Disarmament Decade, the General Assembly considered it pertinent also to recall that in paragraph 122 of the Final Document it had stated that at the earliest appropriate time a world disarmament conference should be convened with universal participation and with adequate preparation,

1. Notes with satisfaction that in its report to the General Assembly the *Ad Hoc* Committee on the World Disarmament Conference stated, *inter alia*, the following:

“Having regard for the important requirements of a world disarmament conference to be convened at the earliest appropriate time, with universal participation and with adequate preparation . . . the General Assembly may wish to decide that, after its second special session devoted to disarmament, a world disarmament conference would take place as soon as the necessary consensus on its convening has been reached”;

2. Renews the mandate of the *Ad Hoc* Committee;

3. Requests the *Ad Hoc* Committee to maintain close contact with the representatives of the States possessing nuclear weapons in order to remain currently informed of their attitudes, as well as with all other States, and to consider any possible relevant proposals and observations which might be made to the Committee, especially having in mind paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly;

4. Requests the *Ad Hoc* Committee to submit a report to the General Assembly at its thirty-sixth session;

5. Decides to include in the provisional agenda of its thirty-sixth session the item entitled “World Disarmament Conference”

Conclusion

In 1980, the USSR and other Eastern European States continued to emphasize the need to convene a world disarmament conference, believing that the preparation and holding of such a conference would lead all Governments and world public opinion to concentrate their attention on the solution of the question of how to halt the arms race and make substantive progress towards disarmament. Those States pointed out that at its 1980 session, the Disarmament Commission had considered the subject in terms of the elements of the Second Disarmament Decade, and they felt that concrete steps should be taken for the preparation of such a conference to be held as soon as possible after the second special session of the General Assembly devoted to disarmament. Numerous non-aligned States, while in favour of the holding of a world disarmament conference, reiterated the importance of universal participation and adequate preparation. Western States expressed somewhat more reservations as to the value of such a conference than they had in other recent years by referring to recent international events; some doubted whether further meetings of the *Ad Hoc* Committee on the World Disarmament Conference would make progress towards the convening of such a conference. China and Albania did not consider such a conference to be necessary.

Pursuant to the Assembly resolution adopted in 1980, the *Ad Hoc* Committee is to continue its consideration of the question in 1981 despite the differing views evident among the Member States.

Declaration of the 1980s as the Second Disarmament Decade

Introduction

FOLLOWING A SUGGESTION INITIALLY PUT FORWARD by Romania in the Eighteen-Nation Committee on Disarmament, and a proposal by the Secretary-General in the introduction to his annual report on the work of the Organization for 1968-1969,¹ the General Assembly adopted resolution 2602 E (XXIV) of 16 December 1969 by which it declared the decade of the 1970s a Disarmament Decade. By the resolution, the Assembly, most notably, requested the Conference of the Committee on Disarmament, while continuing negotiations with a view to reaching agreement on collateral measures, to work out a comprehensive programme which would provide the Committee with a guideline for its future work, and recommended that consideration be given to channelling resources freed through disarmament to promote economic development and, particularly, scientific and technological progress of developing countries. The Assembly also requested the Secretary-General and Governments to publicize the Disarmament Decade in order to acquaint public opinion with its purposes and objectives.

As the Decade progressed, various proposals were made for the implementation of its purposes and objectives, particularly with regard to elaboration of the comprehensive programme (see chapter III above), as well as to the question of the link between disarmament and development and other relevant matters.

In 1974, on the initiative of Nigeria, the General Assembly adopted resolution 3261 A (XXIX) requesting the Secretary-General and all Governments to report on steps taken to publicize and help implement the purposes and objectives of the Decade. And in 1975, under an item entitled "Mid-term review of the Disarmament Decade", the Assembly, by resolution 3470 (XXX), called for the intensification of efforts in support of the link between disarmament and development, and invited the CCD once again to review the work done in connexion with the Decade with the aim of accelerating its negotiations towards effective disarmament.

¹ *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 1 A (A/7601/Add.1)*.

The question of the Disarmament Decade remained before the General Assembly and the CCD from 1976 through 1978, with appropriate Assembly resolutions being adopted each year: 31/68 in 1976, 32/80 in 1977 and 33/62 in 1978. Although several major measures of arms control, both bilateral and multilateral, were achieved during the period,² there was none the less a pervading sense of dissatisfaction with what most States viewed as meagre achievements in the field of disarmament. At its special session devoted to disarmament, held in mid-1978, the General Assembly stated in its Final Document that the objectives established on the occasion of the declaration of the first Disarmament Decade were still as far away from fruition as they had been in 1969. In fact, it stated that they were perhaps even further away because the arms race, instead of diminishing, was increasing and outstripping by far the efforts to curb it.³

Thus, at the end of 1978, by resolution 33/62, the Assembly decided to include the item entitled "Consideration of the declaration of the 1980s as a disarmament decade" on the agenda of its thirty-fourth session. In the context of that item, the Assembly, by resolution 34/75 of 11 December 1979, expressed its disappointment that the purposes and objectives of the first Disarmament Decade had not been realized and, deeply concerned that a substantive part of world resources, material as well as human, continued to be wasted on armaments, decided to declare the decade of the 1980s as the Second Disarmament Decade. By the same resolution it directed the Disarmament Commission, at its substantive session of 1980, to prepare elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade", and submit them to the General Assembly at its thirty-fifth session for consideration and adoption. The Assembly specified that the draft resolution should embody, *inter alia*, an indication of targets for accomplishing the major goals of disarmament and means of mobilizing world public opinion in that regard. It also requested the Secretary-General to seek the views of Member States, specialized agencies and the International Atomic Energy Agency (IAEA). Pursuant to the resolution, an item with the same title was included in the agenda of the Assembly at its thirty-fifth session in 1980.

Consideration by the Disarmament Commission, 1980

When the Disarmament Commission began the task assigned to it by the General Assembly in its resolution 34/75, it had before it two documents submitted by the Secretary-General. The first consisted of replies received

² Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof (1972); Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1975); Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (1977). A number of bilateral agreements were also concluded in the context of the Strategic Arms Limitation Talks (SALT) between the Soviet Union and the United States.

³ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 4.

from Member States, specialized agencies and IAEA in response to the Secretary-General's request for their views and suggestions on possible elements to be included in the declaration of the 1980s as the Second Disarmament Decade.⁴ The other was a working paper, prepared by the Secretariat in accordance with paragraph 5 of the resolution, containing references to United Nations resolutions and other activities deemed relevant to the preparation of the elements of a draft resolution on the subject.⁵

An open-ended working group, chaired by the representative of Nigeria, was set up to prepare the draft declaration which would subsequently be presented to the Commission as a whole for discussion and final approval before submission to the General Assembly. In addition to the documents listed above, the Working Group had before it working papers submitted by the Federal Republic of Germany on behalf of a number of countries,⁶ by the delegations of Cuba on behalf of the non-aligned countries participating in the work of the Disarmament Commission⁷ and by Poland on behalf also of Bulgaria, the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, the Ukrainian SSR and the USSR.⁸

In the working paper of the Federal Republic of Germany *et al*, the contributors, aware that the Disarmament Commission was faced with the task of identifying elements that would have to take into account the ultimate goal of general and complete disarmament, listed the following principles which, in their opinion, needed to be respected:

- Safeguarding of security;
- Maintenance of balance, which is a condition of security;
- Necessity of taking into account regional situations;
- Adequate international verification;
- Building of confidence through appropriate measures;
- Strengthening the peace-making and peace-keeping functions of the United Nations in accordance with the Charter.

The working paper further stated that the elements of the draft resolution should aim at a comprehensive approach, stressing that all disarmament issues must be dealt with in an appropriate context, whether bilateral, regional or multilateral, without fixing target dates for specific measures.

Cuba and the other non-aligned countries, in their working paper, recalled with concern the inadequate results of the first Disarmament Decade. They observed that, in spite of the positive and encouraging outcome of the special session of the General Assembly devoted to disarmament, the decade of the 1980s had started with ominous signs of deterioration in the international situation and further escalation of the arms race. Efforts would have to be made to check and reverse that trend during the Second Disarmament

⁴ A/CN.10/10 and Add.1-13.

⁵ A/CN.10/11.

⁶ A/CN.10/15.

⁷ A/CN.10/16 and Corr.1.

⁸ A/CN.10/17.

Decade. Therefore, the goals and objectives of the 1980s should take into account the ultimate objective in the disarmament process — general and complete disarmament under effective international control, as stated in the Final Document of the first special session on disarmament. More specifically, the working paper recommended, *inter alia*, the following three elements which, it was stressed, should be consistent with the over-all objectives and goals of the disarmament decade:

(a) Strengthening of international peace and security in accordance with the Charter of the United Nations;

(b) The conclusion and implementation of effective agreements on disarmament, particularly nuclear disarmament, which will contribute significantly to the achievement of general and complete disarmament under effective international control;

(c) Channelling of a substantial part of resources released by disarmament measures to promote the attainment of the objectives of the Third United Nations Development Decade and in particular the economic development of developing countries, so as to accelerate the establishment of the new international economic order.

The paper went on to identify areas of activity and to list specific priority items to be dealt with. In general, it reaffirmed the items set out in the Final Document or identified “constantly” by the General Assembly as worthy of priority negotiation.

In its extensive preambular part, the Eastern European working paper stressed, in particular, the importance of drawing up a comprehensive programme of disarmament. While calling on States Members of the United Nations promptly to initiate constructive negotiations on all the major items regarded by the sponsors as measures needed to stop the arms race, and avert the threat of war, it particularly identified as the most urgent task of the Second Disarmament Decade — in addition to ratification of the USSR-United States Treaty on the Limitation of Strategic Arms (SALT II) — the speedy, successful completion of negotiations on:

(a) Complete and general prohibition of nuclear-weapon tests;

(b) Prohibition of radiological weapons;

(c) Prohibition of chemical weapons and the destruction of stockpiles of such weapons;

(d) Non-use of nuclear weapons against non-nuclear States which do not have them in their territory and on the non-emplacment of nuclear weapons in the territory of States in which such weapons do not at present exist.

All three working papers called for the mobilization of world public opinion on behalf of disarmament, in order to maintain the momentum generated by the first special session on disarmament, and, as pointed out in that session's Final Document, to make sure that not only Governments but also the peoples of the world recognized and understood the dangers inherent in the arms race.

Since it was decided that the main discussion would take place in the Working Group, the item did not figure heavily in the comprehensive exchange of views in the plenary meetings. Nevertheless, several representatives, in their general statements, expressed agreement with the Chairman's view that the elaboration of the elements of a draft resolution on the declara-

tion of the 1980s as the Second Disarmament Decade was one of the most urgent and important tasks facing the Commission at its 1980 session.

Most socialist States, including Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary and the USSR, in referring to what, in their opinion, were some of the positive results of the first Disarmament Decade, reiterated their belief that a draft declaration for the 1980s should build on the constructive elements that had emerged in the course of the 1970s. The USSR cited, for example, the conclusion of the Treaty prohibiting the emplacement of nuclear and other mass destruction weapons on the sea-bed and the ocean floor (resolution 2660 (XXV), annex), the Conventions prohibiting bacteriological weapons (resolution 2826 (XXVI), annex), and the military or any other hostile use of environmental modification techniques (resolution 31/72, annex), as well as the first special session of the United Nations General Assembly on disarmament, at which some extremely useful decisions, which now awaited implementation, had been taken.

Other delegations, while acknowledging that there had been a few achievements in the 1970s, saw these achievements as merely small steps in the right direction, and believed, on the whole, that substantive progress on disarmament had been painfully slow. Most of them shared the view held by India that the unanimously adopted Final Document of the tenth special session had laid the foundation for an international disarmament strategy and should therefore be used as the basis for planning and action during the Second Disarmament Decade. Italy, speaking on behalf of the European Economic Community, stated that the declaration should reaffirm the basic principles set down in the Final Document without affecting its status as a basic text in disarmament efforts. France, for its part, felt that the declaration should have a special place among the statements of principle emanating from the General Assembly in the field of disarmament and should not simply be a repetition of the Final Document which remained the "charter of disarmament", nor the proclamation of an over-all programme, a task which was entrusted to the Committee on Disarmament.

On 5 June, after holding a total of 18 meetings from 16 May to 4 June, the Working Group reported to the Commission on the status of the draft declaration which it had been set up to prepare. In presenting the report, the Chairman of the Working Group explained that, while consensus had been reached on some parts of the draft declaration, in other sections there were various points of disagreement which would require further consultations and negotiations by the Commission as a whole. In the areas where the group had been unable to agree, alternative wordings were enclosed in square brackets in order to facilitate the work of the Commission. Following informal consultations between the Chairman of the Commission and the delegations most directly concerned, agreement was reached on nearly all of the disputed paragraphs.

On 6 June, the Disarmament Commission adopted by consensus its report⁹ for submission to the General Assembly at its thirty-fifth session. In

⁹ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42).*

spite of the Commission's efforts to reach agreement, the text entitled "Elements of the declaration of the 1980s as the Second Disarmament Decade" none the less still contained a few areas where alternative texts were included in square brackets. These points fell under section C of the draft, entitled "Activities" where, in paragraphs 12 and 14, four statements offered alternative wordings to be presented to the General Assembly for its perusal and final decision.¹⁰

A number of countries made statements on the report of the Commission after its adoption. While all expressed satisfaction that consensus had been reached, a few delegations drew attention to some of the elements contained in the draft declaration which they were unable to accept as being completely satisfactory. The Federal Republic of Germany, for example, noted that the Commission had been somewhat pessimistic in its assessment of the achievements of the first Disarmament Decade. It cited, in particular, the use in the draft of the phrase "limited agreement" to describe the accomplishments of the previous decade. In its opinion, that did not truly reflect the importance of all that had really been done during the Decade.

A similar view was expressed by the United States which noted that, in spite of the length of the draft declaration, no mention or explicit reference had been made to the achievements of the 1970s. While it was important to move beyond earlier milestones in the search for effective arms control and disarmament measures, it was also important that earlier agreements, which were solid international achievements, be recognized.

Other countries, such as Egypt, Finland, New Zealand and the United Kingdom, felt that the question of the non-proliferation of nuclear weapons, and especially the non-proliferation Treaty itself, had not been dealt with in sufficient detail in the draft. The United Kingdom, in particular, expressed surprise that, in a year in which a major review of nuclear and non-proliferation arrangements was taking place, no recognition had been given in the draft declaration to the importance of that Treaty. In its opinion, the Treaty provided the corner-stone of an acceptable international non-proliferation régime for the forthcoming decade.

On the other hand, some Member States felt that not enough attention had been paid to the question of conventional weapons. China reiterated its belief that, while nuclear disarmament was indeed important, conventional disarmament could not be ignored. Nuclear and conventional disarmament, it stated, should be of equal importance, one being carried out in conjunction with the other. Italy, for its part, would have preferred to see the question of conventional disarmament reflected in a more specific and accurate manner in the draft declaration. Conventional disarmament, as a whole, it declared, should be given higher priority, paralleling the progress achieved in nuclear disarmament. Pakistan stated that its delegation had concurred with the appraisal contained in the paper entitled "A general approach to nuclear and conventional disarmament"¹¹ submitted by Cuba on behalf of the

¹⁰ *Ibid.*, sect. IV, para. 19; the wordings finally decided upon are shown below in the context of the resolution embodying the Declaration (see pages 82-84).

¹¹ A/CN.10/20.

non-aligned members under item 4 (b) of the agenda (see chapter II above, page 32). While it had supported the proposal for a study of conventional weapons, it believed that such a study would have to take into account the complexities not only of the global situation but the various regional situations as well.

While some countries, such as Japan, expressed the view that it would be unrealistic to fix target dates for the specific disarmament measures which, it was hoped, would be realized during the Second Disarmament Decade, others, most notably India, strongly advocated the need for a clear and unambiguous time frame, particularly in the areas identified in the Final Document as being worthy of priority negotiations. It regretted that attempts had been made to dilute that important aspect in the draft declaration.

Cuba and Yugoslavia as well as most of the Eastern European States, including the German Democratic Republic, Romania and the USSR, expressed general satisfaction with the draft declaration as a whole. The USSR stated that it contained important measures which, if put into effect, would lead to a cessation of the arms race. At the same time, however, it felt that certain important provisions on questions related to the slowing down of the arms race, such as the elimination of foreign military bases and the creation of a zone of peace in the Indian Ocean, had unfortunately not been included. The German Democratic Republic noted that the draft declaration contained a number of measures the inclusion of which had been particularly supported by its delegation. It mentioned specifically the steps taken towards military détente in Europe as well as the convocation of a world disarmament conference — a measure which several Eastern European States, reflecting their established position, had cited as being of paramount importance to the progress of disarmament.

The over-all view at the end of the session was that while consensus had not been reached since there were still certain points of disagreement, the Commission had none the less successfully fulfilled the mandate assigned to it by the General Assembly to prepare the elements of a declaration on the Second Disarmament Decade.

Consideration by the General Assembly, 1980

In the consideration of the question of the declaration of the 1980s as a disarmament decade at its thirty-fifth session, the General Assembly and its First Committee had before them the report of the Disarmament Commission containing, *inter alia*, the text of the elements of a draft resolution on the subject.¹² Both during the general debate and in the first Committee,¹³ many Member States, while expressing regret that the hopes attached to the first Disarmament Decade had been disappointed, were cautiously hopeful that

¹² See foot-note 10.

¹³ *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 79th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 42nd meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

the Second United Nations Disarmament Decade, if approached realistically, and with commitment, would yield concrete results.

The Netherlands, speaking on behalf of the nine Member States of the European Economic Community, reiterated their belief that the decision of the United Nations to approve the 1980s as the Second Disarmament Decade was an appropriate step to increase public awareness of the question of disarmament and the problems associated with its accomplishment. The 1980s offered an opportunity to enhance the security and integrity of all States through a long-term process of concrete disarmament measures in different fields, providing an umbrella under which the comprehensive programme for disarmament could be fruitfully implemented. That view was generally shared by several countries, including Austria, Chile and Portugal, which stated that the declaration, in addition to reaffirming the extreme urgency of real progress in disarmament, would establish guidelines and principles of fundamental importance. And the comprehensive programme, when incorporated with the declaration, would serve as a valuable frame of reference for the next 10 years.

As had been the case during the first Disarmament Decade, delegations continued to stress the importance of the link between disarmament and development, especially since the Second Disarmament Decade and the Third United Nations Development Decade were being proclaimed simultaneously by the Assembly. The delegation of Venezuela stated that the two most important objectives of the international community in the decade of the 1980s were disarmament and development. In a world in which the nations were divided by such great economic and social differences, it was impossible in its view to divorce the vast world expenditure on arms from the process of international restructuring or from the economic and social progress of all peoples, especially the developing countries. Yugoslavia noted that the implementation of measures of disarmament would undoubtedly release financial resources and human potential in both the developed and the developing countries, thus rendering possible a reallocation of resources for development needs. It was therefore totally appropriate that the 1980s had been declared as both a disarmament and a development decade.

Bangladesh, Nigeria, Romania and the United Republic of Tanzania all referred specifically to the timeliness of the dual proclamations, emphasizing the belief that disarmament problems had to be approached in the real context of their interdependence with the other major problems of contemporary life. There was, therefore, a need to synchronize and co-ordinate the programmes of the Second Disarmament Decade with those relating to the Third United Nations Development Decade. Nigeria, for its part, held that contrary to the hopes of the General Assembly, the decade of the 1970s had turned out to be neither a decade for disarmament nor one for development. At the beginning of the Third Development Decade, the amount spent on official development assistance was still only 4 per cent of annual military spending. And, at the beginning of the Second Disarmament Decade, international peace and security was still being threatened from all sides. The new decade was, therefore, an opportunity to carry out activities that would

show some results in the interrelated fields of disarmament and development. Bangladesh stated that it was encouraged by the growing awareness that world peace and security could not be maintained or guaranteed in the existing conditions of economic disparity.

In discussing the goals of the new disarmament decade, countries offered a variety of aims and objectives which would have to be given priority attention if the 1980s were to be a fruitful period.

Many delegations, among them those of Algeria, Morocco, Nigeria, Papua New Guinea and the United Republic of Tanzania, stressed the need once again for achieving measurable progress, during the decade, towards the goal of general and complete disarmament. Others, such as Austria and the United Kingdom, cautioned that, without losing sight of the ultimate goal of general and complete disarmament, it was necessary to adopt a comprehensive and step-by-step programme of attainable measures covering both nuclear and conventional weapons. That, the United Kingdom stated, was the only realistic approach.

Afghanistan, Ethiopia and Poland, among other countries, believed that the most urgent targets for the Second Disarmament Decade should include the consolidation of détente and resolute measures to halt and reverse the impending new spiral of the arms race. Portugal, on the other hand, pointed out that, while it would not be excessive to devote a second decade to the problems of disarmament, it would be unrealistic to believe that its aims would be attained by the fixing of over-ambitious objectives unconnected with the realities of international life. In its opinion, it would be far better to use the Second Disarmament Decade to publicize the dangers of the present arms race so as to make world opinion aware of its possible consequences. Similar views were expressed by Chile, Nigeria and Mexico which called for measures to heighten the awareness of world public opinion in respect of disarmament and related problems. Mexico and Nigeria specifically suggested the holding of three regional seminars under the sponsorship of the United Nations Centre for Disarmament before the second special session of the General Assembly devoted to disarmament as an indispensable component of the activities envisaged for the Second Disarmament Decade (see chapter XXII below). This proposal was subsequently endorsed by Romania which shared the view that such seminars, at which detailed consideration would be given to matters relating to world disarmament in general and to the region concerned in particular, would prove extremely useful.

The delegation of China basically endorsed the formulations contained in the Disarmament Commission's draft resolution, but noted that there were certain inadequacies in the report which it felt obliged to point out. First, in its opinion, the two countries with the largest arsenals and highest military budgets should have been explicitly called upon to assume the obligation of being the first to reduce both their nuclear and conventional armaments. And, secondly, in line with its previous position, China stated that nuclear and conventional disarmament should be given equal importance and carried out one in conjunction with the other.

As a first step towards making the Second Disarmament Decade a

“fruitful decade”, Japan appealed strongly for the early conclusion of a comprehensive nuclear test ban treaty and a treaty prohibiting chemical weapons, for which, it stated, the international community had long been waiting.

A number of countries mentioned specifically the second special session devoted to disarmament, scheduled for 1982, as being one of the highlights of the Decade. Australia held that the only way substantive progress could be achieved during this coming period was if the General Assembly, at its second special session, set itself realistic goals for which adequate preparation had been made. Burundi and India expressed a similar view. And numerous other delegations referred to the first special session and its Final Document in the context of the second. Brazil, for example, believed that the main tasks of the second special session on disarmament should be to improve the formulation of the purposes, principles and goals stated in the Final Document, to refine its Programme of Action, and to seek ways and means to perfect the machinery which had barely started to move. In short, what was needed “over the next four years” was the political will to transform into tangible reality what had already been unanimously agreed upon.

On 20 November 1980, the representative of India introduced a draft resolution entitled “Declaration of the 1980s as the Second Disarmament Decade” based on the proposed text recommended by the Disarmament Commission. Recalling that there had been a divergence of views in the Commission with regard to paragraphs 12 and 14 of the draft text, which had resulted in the Commission’s inability to arrive at complete consensus on the text, the representative stated that a contact group convened by the Chairman of the First Committee had been able to evolve mutually acceptable language for the two paragraphs. Thus, the Committee now had before it an agreed consensus text of the draft declaration.

On 25 November, the First Committee approved the draft resolution, with the agreed text annexed, without a vote. As approved and later adopted by the General Assembly, the Declaration consists of three main sections: section I, entitled “General”, which enumerates the objectives of resolution 2602 E (XXIV) of 16 December 1969 and gives a brief history of the activities of the first Disarmament Decade; section II, “Goals and principles”, which outlines the aims and expectations for the Second; and section III, which is subdivided into eight headings setting out in detail the main areas on which special attention should be focused during the next 10 years.¹⁴

Several delegations explained their positions either before or after the vote in the First Committee.

The delegation of the Soviet Union expressed its satisfaction with, and support of, the document as a whole. It reiterated its conviction that the declaration of the 1980s as the Second Disarmament Decade and the adoption by consensus of the draft declaration by the General Assembly would encourage States to make increased efforts in the disarmament field. The delegation of France also expressed its support for the draft declaration and wel-

¹⁴ The resolution with the Declaration annexed appears *in extenso* below.

comed "the spirit of co-operation" which had enabled consensus to be reached on the items which had not been settled by the Disarmament Commission.

Albania stated that, while in principle it had no objection to the declaration by the United Nations of decades devoted to various important subjects, the proclamation of such decades had to be founded on real possibilities and end in concrete results. Reality had shown that disarmament, in the social and political conditions of today's world, remained a very distant goal, leading Albania to believe that the declaration of another disarmament decade would yield an experience no better than that of the first. It therefore disassociated itself from the consensus.

The United States, for its part, expressed its pleasure at joining the consensus adoption of the draft resolution, but, nevertheless, pointed out that the Second Disarmament Decade had set some very ambitious goals which, in its opinion, could best be carried out only if certain facts were borne in mind. The comprehensive measures of arms control and disarmament envisaged in the draft declaration would require hard and patient negotiations on specific issues in the Committee on Disarmament and especially among the States directly concerned. It reiterated also its belief that adequate and effective measures of verification remained essential to meaningful arms control and disarmament and, while it shared the desire for rapid progress in many of the areas cited in the draft declaration, it was still of the opinion that arms control negotiations could not be conducted effectively against artificial and unrealistic deadlines.

On 3 December 1980, the General Assembly adopted the draft resolution without a vote, as resolution 35/46. It reads as follows:

The General Assembly,

Recalling its resolution 34/75 of 11 December 1979, in which it decided to declare the decade of the 1980s as the Second Disarmament Decade,

Having considered the elements of the Declaration of the 1980s as the Second Disarmament Decade prepared by the Disarmament Commission,

Adopts the Declaration of the 1980s as the Second Disarmament Decade, as set forth in the annex to the present resolution.

ANNEX

DECLARATION OF THE 1980s AS THE SECOND DISARMAMENT DECADE

I. GENERAL

1. In proclaiming the decade of the 1970s as the first United Nations Disarmament Decade, the General Assembly, in its resolution 2602 E (XXIV) of 16 December 1969, enumerated its objectives as follows:

(a) All Governments should intensify without delay their concerted and concentrated efforts for effective measures relating to the cessation of the nuclear-arms race at an early date and to nuclear disarmament and the elimination of other weapons of mass destruction, and for a treaty on general and complete disarmament under strict and effective international control;

(b) Consideration should be given to channelling a substantial part of the resources freed

by measures in the field of disarmament to promote the economic development of developing countries and, in particular, their scientific and technological progress.

2. Although these objectives were reiterated by the General Assembly in later sessions, the first Disarmament Decade ended without their accomplishment. While it is true that some limited agreements were reached, effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament have continued to elude man's grasp. Furthermore, no progress has been made in channelling for the purpose of economic and social development any amount of the enormous resources which are wasted on the unproductive arms race.

3. Through the Final Document of the Tenth Special Session of the General Assembly, contained in resolution S-10/2 of 30 June 1978, which was adopted by consensus, the Assembly, after expressing its conviction that disarmament and arms limitation, particularly in the nuclear field, were essential for the prevention of the danger of nuclear war, for the strengthening of international peace and security and for the economic and social advancement of all peoples, laid down a Programme of Action enumerating the specific measures of disarmament which should be implemented over the next few years.

4. In spite of the positive and encouraging outcome of the special session devoted to disarmament, the decade of the 1980s has started with ominous signs of deterioration in the international situation. International peace and security are threatened by the use or threat of use of force against the sovereignty, national independence and territorial integrity of States, by military intervention and occupation, hegemonism, interference in the internal affairs of States, the denial of the right of self-determination of peoples and nations under colonial and alien domination, and by the further escalation of the arms race and efforts to achieve military superiority. It is clear that, if the emerging trend continues and meaningful efforts are not made to check and reverse this trend, international tensions will be further exacerbated and the danger of war will be greater than foreseen at the time of the special session on disarmament. In this connexion, it is pertinent to recall that in the Final Document the General Assembly emphasized that, on the one hand, the arms race in all its aspects runs counter to efforts to achieve further relaxation of international tension to establish a viable system of international peace and security and, on the other hand, that peace and security must be based on strict respect for the principles of the Charter of the United Nations. It is ironic that, while intensive discussions are under way in various forums on global economic problems and on the depletion of resources available for coping with present international economic problems, military expenditures by major military Powers are reaching ever higher levels, involving the greater diversion of resources that could have helped to promote the well-being of all peoples.

5. The close relationship between disarmament and development was also underscored in the Final Document, which stated that the resources released as a result of the implementation of disarmament measures should be devoted to the economic and social development of all nations and contribute to the bridging of the economic gap between developed and developing countries. It is, therefore, only appropriate that simultaneously with the proclamation of the Third United Nations Development Decade and the launching of the global round of negotiations, the 1980s should be declared as the Second Disarmament Decade.

II. GOALS AND PRINCIPLES

6. The goals of the Second Disarmament Decade should be conceived in the context of the ultimate objective of the efforts of States in the disarmament process, which is general and complete disarmament under effective international control, as elaborated in the Final Document.

7. Consistent with this over-all objective, the goals of the Second Disarmament Decade should be the following:

(a) Halting and reversing the arms race, particularly the nuclear arms race;

(b) Concluding and implementing effective agreements on disarmament, particularly nuclear disarmament, which will contribute significantly to the achievement of general and complete disarmament under effective international control;

(c) Developing on an equitable basis the limited results obtained in the field of disarmament in the 1970s in accordance with the provisions of the Final Document;

(d) Strengthening international peace and security in accordance with the Charter of the United Nations;

(e) Making available a substantial part of the resources released by disarmament measures to promote the attainment of the objectives of the Third United Nations Development Decade and, in particular, the economic and social development of developing countries, so as to accelerate the progress towards the new international economic order.

8. The disarmament process and the activities during the Second Disarmament Decade should be in accordance with the fundamental principles enshrined in the Final Document and should be carried out in such a balanced and equitable manner as to ensure the right of each State to security through the adoption of appropriate measures, taking into account the importance of nuclear disarmament and conventional disarmament, the special responsibility of the States with the largest military arsenals, the specific requirements of regional situations and the necessity for adequate measures of verification. At each stage, the objective should be undiminished security at the lowest possible level of armaments and military forces.

9. Progress in disarmament should be accompanied by the strengthening of the peace-making and peace-keeping functions of the United Nations in accordance with the Charter.

III. ACTIVITIES

A. *General*

10. The decade of the 1980s should witness renewed intensification by all Governments and the United Nations of their efforts to reach agreement and to implement effective measures that will lead to discernible progress towards the goal of general and complete disarmament under effective international control. In this connexion, special attention should be focused on certain identifiable elements in the Programme of Action as adopted by the General Assembly at its tenth special session which should, as a minimum, be accomplished during the Second Disarmament Decade both through negotiations in the multilateral negotiating forum, the Committee on Disarmament, and in other appropriate forums. Adequate methods and procedures of verification should be considered in the context of international disarmament negotiations.

B. *Comprehensive programme of disarmament*

11. Having been recognized as an important element in an international disarmament strategy, the comprehensive programme for disarmament should be elaborated with the utmost urgency. The Committee on Disarmament should expedite its work on the elaboration of the programme with a view to its adoption no later than at the second special session of the General Assembly devoted to disarmament, scheduled for 1982.

C. *Priorities*

12. The accomplishment of those specific measures of disarmament which have been identified in the Final Document as worthy of priority negotiations by the multilateral negotiating organ would create a very favourable international climate for the second special session of the General Assembly devoted to disarmament. All efforts should be exerted, therefore, by the Committee on Disarmament urgently to negotiate with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament on:

(a) A comprehensive nuclear-test-ban treaty;

(b) A treaty on the prohibition of the development, production and stockpiling of all chemical weapons and their destruction;

(c) A treaty on the prohibition of the development, production and use of radiological weapons;

(d) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all proposals and suggestions that have been made in this regard.

13. The same priority should be given to the following measures which are dealt with outside the Committee on Disarmament:

(a) Ratification of the Treaty on the Limitation of Strategic Offensive Arms (SALT II) and commencement of negotiations for a SALT III agreement;

(b) Ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco);

(c) Signature and ratification of the agreement negotiated by the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;

(d) Achievement of an agreement on mutual reduction of armed forces and armaments and associated measures in central Europe;

(e) Negotiations on effective confidence-building measures and disarmament measures in Europe among the States participating in the Conference on Security and Co-operation in Europe, taking into account initiatives and proposals to this effect;

(f) Achievement of a more stable situation in Europe at a lower level of military potential on the basis of approximate equality and parity by agreement on appropriate mutual reduction and limitation of armaments and armed forces in accordance with paragraph 82 of the Final Document, which would contribute to the strengthening of security in Europe and constitute a significant step towards enhancing international peace and security.

14. Other priority measures that should be pursued as rapidly as possible during the Second Disarmament Decade include:

(a) Significant progress towards the achievement of nuclear disarmament, which will require urgent negotiation of agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned for:

(i) Cessation of the qualitative improvement and development of nuclear-weapon systems;

(ii) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;

(iii) A comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time;

(b) Prevention of the emergence of new types of weapons of mass destruction and new systems of such weapons;

(c) Further strategic arms limitation negotiations between the two parties, leading to agreed significant reductions of, and qualitative limitations on, strategic arms. These should constitute an important step in the direction of nuclear disarmament and, ultimately, of the establishment of a world free of such weapons;

(d) Further steps to develop an international consensus to prevent the proliferation of nuclear weapons in accordance with the provisions of paragraphs 65 to 71 of the Final Document;

(e) Strengthening of the existing nuclear-weapon-free zone and the establishment of other nuclear-weapon-free zones in accordance with the relevant paragraphs of the Final Document;

(f) Establishment of zones of peace in accordance with the relevant provisions of the Final Document;

(g) Measures to secure the avoidance of the use of nuclear weapons, the prevention of nuclear war and related objectives, where possible through international agreement, bearing in mind various proposals designed to secure these objectives and in accordance with paragraphs 57 and 58 of the Final Document, and thereby to ensure that the survival of mankind is not endangered;

(h) Further steps to prohibit military or any other hostile use of environmental modification techniques;

(i) Multilateral regional and bilateral measures on the limitation and reduction of conventional weapons and armed forces, in accordance with the relevant provisions of the Final Document;

(j) Reduction of military expenditures;

(k) Confidence-building measures, taking into account the particular conditions and requirements of different regions, with a view to strengthening the security of States.

D. Disarmament and development

15. Peace and development are indivisible. During the Second Disarmament Decade, utmost efforts should be made towards the implementation of the specific measures whereby disarmament will contribute effectively to economic and social development and thus facilitate the full and early realization of the new international economic order. To this end, renewed efforts should be made to reach agreement on the reduction of military expenditures and the reallocation of resources from military purposes to economic and social development especially for the benefit of developing countries.

16. Efforts should also be made to strengthen international co-operation for the promotion of the transfer and utilization of nuclear technology for economic and social development, especially in the developing countries, taking into account the provisions of all relevant paragraphs of the Final Document, in particular to ensure the success of the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, to be convened on principle by 1983, as decided upon in General Assembly resolution 34/63 of 29 November 1979, as well as other promotional activities in this field in the United Nations system, including those within the framework of the International Atomic Energy Agency.

E. Disarmament and international security

17. An essential condition for progress in the field of disarmament is the preservation and strengthening of international peace and security and the promotion of confidence among States. Nuclear weapons pose the greatest danger to mankind and to the survival of civilization. It is essential to halt and reverse the nuclear-arms race in all its aspects in order to avert the danger of war involving nuclear weapons. The ultimate goal in this context is the complete elimination of nuclear weapons. Significant progress in nuclear disarmament would be facilitated both by parallel political and international legal measures to strengthen the security of States and by progress in the limitation and reduction of armed forces and conventional armaments of the nuclear-weapon States and other States in the regions concerned.

18. All States Members of the United Nations have, in the Final Document, reaffirmed their full commitment to the purposes of the Charter of the United Nations and their obligation strictly to observe its principles as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security. Disarmament, relaxation of international tension, respect for the right to self-determination and national independence, sovereignty and territorial integrity of States, the peaceful settlement of disputes in accordance with the Charter and the strengthening of international peace and security are directly related to each other. Progress in any of these spheres has a beneficial effect on all of them; in turn, failure in one sphere has negative effects on others. In the decade of the 1980s, all Governments, in particular the most advanced military Powers, should therefore take such steps as will contribute to the widening of trust among nations of the world as well as in the various regions. This implies a commitment on the part of all States to avoid actions likely to increase tension or create new areas of threats to international peace and security and, in their relationship with other countries, strictly to respect the sovereignty and territorial integrity of States, and the right of peoples under colonial or foreign domination to self-determination and national independence.

F. Public awareness

19. As stated in paragraph 15 of the Final Document, it is essential that not only Governments but also the peoples of the world recognize and understand the dangers in the present world armaments situation, so that world public opinion will be mobilized on behalf of peace and disarmament. This will be of great importance to the strengthening of international peace and security, the just and peaceful resolution of disputes and conflicts and effective disarmament.

20. In the course of the decade of the 1980s, therefore, governmental and non-governmental information organs of Member States and those of the United Nations and the specialized agencies, as well as non-governmental organizations, should, as appropriate, undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations and their results, particularly by means of annual activities conducted in connexion with Disarmament Week. These actions should constitute a large-scale programme further to alert world opinion to the danger of war in general and of nuclear war in particular. In keeping with its central role and primary responsibility in the sphere of disarmament, the United Nations, in particular its Centre for Disarmament, should intensify and co-ordinate its programme of publications, audio-visual materials, co-operation with non-governmental organizations and relations with the media. Among its activities, the United Nations should also, in the course of the Second Disarmament Decade, sponsor seminars in the different regions of the world at which issues relating to world disarmament, in general, and to the particular region, especially, will be extensively discussed.

G. Studies

21. As part of the process of facilitating the consideration of issues in the field of disarmament, studies on specific questions should be undertaken on the decision of the General Assembly, when necessary for preparing the ground for negotiations or reaching agreement. Also, studies pursued under the auspices of the United Nations, in particular by the United Nations Institute for Disarmament Research established by Assembly resolution 34/83 M of 11 December 1979 within the framework of the United Nations Institute for Training and Research, could bring a useful contribution to the knowledge and exploration of disarmament problems, especially in the long term.

H. Implementation, review and appraisal

22. In the accomplishment of the activities earmarked for the Second Disarmament Decade, all Governments, particularly the most advanced military Powers, should make an effective contribution. The United Nations should continue to play a central role. The Committee on Disarmament should fully discharge its responsibility as the single multilateral disarmament negotiating body. The General Assembly should, at its annual sessions and, in particular, at its second special session devoted to disarmament to be held in 1982, make an effective contribution to the pursuit of the goals of disarmament.

23. It is pertinent also to recall that paragraphs 121 and 122 of the Final Document stated:

(a) That bilateral and regional disarmament negotiations may also play an important role and could facilitate the negotiation of multilateral agreements in the field of disarmament;

(b) That at the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation.

24. In order to ensure a co-ordinated approach and to consider the implementation of the Declaration of the 1980s as the Second Disarmament Decade, this question should be included in the agenda of the second special session of the General Assembly devoted to disarmament, envisaged for 1982.

25. In addition, the General Assembly will undertake at its fortieth session, in 1985, a review and appraisal, through the Disarmament Commission, of progress in the implementation of the measures identified in the present Declaration.

Conclusion

In spite of their disappointment at the "meagre" achievements of the first Disarmament Decade, States involved in the tasks underlying the development of the Declaration of the 1980s as the Second Disarmament Decade, both in the Disarmament Commission and the relevant meetings of the Gen-

eral Assembly, generally expressed guarded optimism that the coming decade would see greater progress in the field of disarmament. Virtually all of them felt that the difficult experiences of the first Decade and ominous developments in the international situation clearly showed that there must be greater effort in the field of disarmament. Most believed that the new Declaration, in conjunction with the Final Document of the Tenth Special Session of the General Assembly, would provide a substantive set of guidelines which could be used to provide the utmost possibility for achievement of concrete results during the decade, as part of a comprehensive programme leading eventually to the ultimate goal of general and complete disarmament.

One area of disagreement, however, was whether or not strict timetables should be set up for the achievement during the decade of certain of the priority measures set out in similar terms in various documents. The general view was that the time had come for definite action, and in that context a large number of States felt that commitment to a time-bound programme, preferably by consensus, would indicate the sincere political determination of Member States to achieve concrete results. Other States, also a significant number, stressed that a timetable would not render required negotiations less complex, that the time for such negotiations could not be forecast, and that experience had shown timetables frequently to be illusory, thus making them counter-productive. In the end, the Declaration as formulated calls for the focusing of attention on certain identifiable elements, similar both in content and priority to those contained in the Programme of Action of the Final Document, which should, as a minimum, be accomplished during the Second Disarmament Decade without specifying dates or a sequence for their achievement.

Throughout the Declaration, the link between disarmament and other related areas is stressed. For example, during the Second Disarmament Decade, which coincides with the Third Development Decade, the interrelationship between disarmament and development is more than ever apparent. And, while the importance of the various arms control and disarmament measures is made clear, the dissemination of information is also emphasized. In that connexion, the Declaration points to the important role an informed world public opinion can play in achieving effective disarmament.

PART TWO

Nuclear disarmament

Nuclear arms limitation and disarmament

Introduction

FOR A LONG TIME THE ATTENTION of the international community has focused on the danger posed by nuclear weapons to the very survival of mankind and the consequent need to adopt effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament. A number of agreements have been reached, both within and outside the framework of the United Nations, to diminish that danger. Nevertheless, the quantitative and qualitative development of nuclear weapons has continued, leading to a staggering growth in the number of nuclear weapons and the development and deployment of ever more complex and destructive weapons systems.

In that light, many States have criticized the tendency to direct international efforts to secondary issues rather than to nuclear disarmament — a tendency which in their eyes is particularly noticeable in the work of the main negotiating body, the Committee on Disarmament. In addition, it has been generally emphasized that the nuclear-weapon States, particularly the two major ones, have the primary responsibility to take the steps needed for the cessation of the nuclear arms race and nuclear disarmament.¹

A broad range of approaches and measures have been advanced — singly, in various combinations, or as part of comprehensive proposals for general and complete disarmament. Concrete discussions and negotiations have concentrated on certain specific questions which are examined in various chapters of the present *Yearbook*, such as a comprehensive ban on nuclear-weapon testing, the prevention of the spread of nuclear weapons, nuclear-weapon-free zones and security assurances to non-nuclear-weapon States. This chapter is designed to provide an overview of the question as a whole, including an examination of various approaches and measures in respect of the specific aspects of nuclear arms limitation and disarmament which are not covered in other chapters.

The measures proposed over the years cover the entire spectrum of nuclear arms limitation and disarmament problems and include limitations, reductions and/or the elimination of nuclear weapons and their delivery sys-

¹ See, for instance, *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 48.

tems; the cessation of production of nuclear weapons; and the cut-off of the production of fissionable material for weapons purposes. Other measures that have been advanced call for restrictions or prohibitions on the deployment by nuclear-weapon States of nuclear weapons in the territories of other States.

Many initiatives have been taken concerning the prohibition or limitation of the use of nuclear weapons. Proposals on the subject have been discussed at different times and in different contexts and have ranged from unconditional prohibition of the use of nuclear weapons to prohibition of first use and conditional prohibitions.² Other measures to avert or reduce the danger of nuclear war have been the subject of bilateral negotiations, and a number of agreements have been reached between the Soviet Union and the United States, the Soviet Union and France, and the Soviet Union and the United Kingdom.

The bilateral Strategic Arms Limitation Talks (SALT), in which the Soviet Union and the United States have been engaged since 1969, should also be mentioned. The first phase of the negotiations (SALT I) ended with the signing of two agreements in Moscow on 26 May 1972: the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty),³ subsequently amended by a Protocol of 3 July 1974,⁴ and the Interim Agreement on Certain Measures with Respect to the Limitation of Strategic Offensive Arms, with a Protocol attached.⁵ Both agreements entered into force on 3 October 1972.

In accordance with article VII of the Interim Agreement, which committed the two sides to continue active negotiations, the second phase of the negotiations (SALT II) formally began in November 1972. The primary goal of the negotiations was to replace the Interim Agreement with a more comprehensive agreement, providing broad limits on strategic offensive weapons systems. By late 1974, the two sides had reached an understanding as to the major provisions of the eventual agreement as well as the principles and guidelines upon which it should be based, and issued a joint statement in that regard on 24 November 1974, following a summit meeting at Vladivostok. The second phase of the negotiations was concluded on 18 June 1979 in Vienna with the signing of a Treaty on the Limitation of Strategic Offensive Arms, a Protocol to be considered as an integral part of the Treaty, and a Joint Statement of Principles and Basic Guidelines for Subsequent Negotiations on the Limitation of Strategic Arms.⁶ In the Joint Statement, the parties

² See *The United Nations Disarmament Yearbook*, vol. 2: 1977 (United Nations publication, Sales No. E.78.IX.4), pp. 68-69.

³ See A/C.1/1026.

⁴ See A/9698, annex III.

⁵ See foot-note 3.

⁶ For the texts of the Treaty, the Protocol, and the Joint Statement of Principles, see *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr.1)*, appendix III (CD/53 and Corr.1), vol. I, document CD/28; detailed discussion of the texts is contained in *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), chap. VIII, and the texts are reproduced in appendix IX thereof.

agreed that they would continue to pursue negotiations with a view to achieving the following objectives: (a) significant and substantial reductions in the numbers of strategic offensive arms; (b) qualitative limitations on strategic offensive arms, including restrictions on the development, testing and deployment of new types of strategic offensive arms and on the modernization of existing strategic offensive arms; and (c) resolution of the issues included in the Protocol to the Treaty. Additional documents relating to the Treaty⁷ include: some 50 Agreed Statements and 47 Common Understandings which clarify the obligations of the parties under particular articles of the Treaty and the Protocol, most of them concerning technical aspects of weapons systems dealt with in the Treaty and Protocol; a Memorandum of Understanding concerning the data base on the number of strategic offensive arms for the purpose of the Treaty; statements by both sides on the numbers of such arms possessed as of the date of signing; and a statement by the Soviet Union on the "Backfire" airplane (TU-22M), all of which were transmitted to the Committee on Disarmament.

By the end of 1980, the SALT II Treaty had not yet entered into force. On 3 January 1980, the President of the United States wrote a letter to the Majority Leader of the United States Senate requesting a delay in the consideration of the Treaty. The letter reads as follows:

In light of the Soviet invasion of Afghanistan, I request that you delay consideration of the SALT II Treaty on the Senate floor.

The purpose of this request is not to withdraw the Treaty from consideration, but to defer the debate so that the Congress and I, as President, can assess Soviet actions and intentions, and devote our primary attention to the legislative and other measures required to respond to this crisis.

As you know, I continue to share your view that the SALT II Treaty is in the national security interest of the United States and the entire world, and that it should be taken up by the Senate as soon as these more urgent issues have been addressed.

The Soviet Union, for its part, has repeatedly indicated its readiness to ratify the SALT II Treaty. Beyond that, it has stated that, even before the events in Afghanistan, the SALT II Treaty had been "dragged into a swamp of endless and purposeless debate in the American Senate"

The Final Document adopted at the first special session of the General Assembly devoted to disarmament⁸ affirms that nuclear weapons pose the greatest danger to mankind and to the survival of civilization, that effective measures of nuclear disarmament have the highest priority, that the ultimate goal in that context is the complete elimination of nuclear weapons and that all the nuclear-weapon States, particularly those that possess the largest nuclear arsenals, bear a special responsibility in the task of achieving nuclear disarmament. The relevant sections of the Programme of Action, paragraph 50 in particular, indicate the direction in which the process of nuclear dis-

⁷ See *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr.1)*, appendix III (CD/53 and Corr.1), vol. 1, document CD/29; and *The United Nations Disarmament Yearbook*, vol. 4: 1979, appendix IX.

⁸ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 18, 20 and 45-71.

armament should move but allow for considerable flexibility with respect to the manner in which the objective should be achieved and the measures that should be adopted at different stages.

A number of old and new ideas on specific aspects of the question of nuclear arms limitation and disarmament that were put forward at the special session have been under active consideration since then. In addition, attention has focused on the problems involved in multilateral negotiations on the whole spectrum of questions relating to the cessation of the nuclear arms race and nuclear disarmament. The deliberations on the subject, both in the Committee on Disarmament and the General Assembly, have revealed significant differences with respect to the approach to and basis for such negotiations, particularly among the nuclear-weapon States. A number of highly complex and closely interrelated issues have come to the fore, among them, the appropriate framework and conditions for negotiations, the steps by which nuclear disarmament should proceed, the respective responsibilities of the five nuclear-weapon States at various stages of the process, the relationship between nuclear and conventional disarmament measures and the practical implications of the concept of undiminished security at all stages.

Consideration by the Disarmament Commission, 1980

During its 1980 session,⁹ the Disarmament Commission considered the nuclear arms race and nuclear disarmament primarily in the context of two broader agenda items, namely:

3. Preparation of the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade"
4. (a) Consideration of various aspects of the arms race, particularly the nuclear arms race and nuclear disarmament, in order to expedite negotiations aimed at effective elimination of the danger of nuclear war
(b) Consideration of the agenda items contained in section II of resolution 33/71 H, with the aim of elaborating, within the framework and in accordance with the priorities established at the tenth special session, a general approach to negotiations on nuclear and conventional disarmament

Consequently, much of the discussion on nuclear matters took place during the meetings of the informal working group established by the Commission to deal specifically with item 3 as well as in the Commission's informal meetings on item 4. In both cases, the discussion centred around the differing positions among member States as to the interrelationship between nuclear and conventional disarmament, particularly with regard to priorities and parallel activities in the two areas, and the elaboration of a general approach to negotiations taking into account both aspects of the over-all question. In addition, during the general exchange of views which the Commission held at the beginning of the session, many speakers expressed grave concern about the continuing nuclear arms race and the dimensions of nu-

⁹ A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

clear arsenals, particularly those of the major nuclear Powers, and indicated widespread disappointment at the lack of progress in such areas as the ratification of the SALT II Treaty, the cessation of nuclear-weapon tests, and agreement on the conclusion of adequate guarantees of the security of non-nuclear-weapon States.

Moreover, during one phase or another of the Commission's deliberations, a great many of its members — among them Austria, Bangladesh, Brazil, Bulgaria, Cuba, Czechoslovakia, Ethiopia, the German Democratic Republic, Japan, Pakistan, the Philippines, Poland, Romania, Sweden, the USSR, Yugoslavia and Viet Nam — alluded to the nuclear arms race as the number one danger facing the international community or as the priority item, as already established by the Final Document, to be dealt with in future disarmament efforts.

There were, however, a number of qualifications put forward with regard to the treatment of nuclear questions as a matter generally separate from other questions of disarmament. In that context, China stressed, as it had on previous occasions, the view that nuclear disarmament and conventional disarmament should be of equal importance and carried out in conjunction one with the other; while nuclear disarmament was no doubt important, conventional disarmament also was not to be ignored. Cyprus stated that, as long as the arms race continued, there could not possibly be any prospect of achieving effective disarmament measures or, in particular, of reducing the enormous nuclear stockpiles. In its view, the core of the problem was that the arms race in all its aspects ran counter to the achievement of further relaxation of international tension and the establishment of a viable system of international peace and security. France, for its part, held that nuclear disarmament as such was the responsibility of the two major Powers, and would remain so as long as the disproportion between their arsenals and those of other nuclear countries remained unchanged. Moreover, France added, the approach to nuclear disarmament had to take into account regional situations — in areas where nuclear weapons did not exist, their introduction would be destabilizing while, in the area which included France, nuclear weapons and deterrents had long constituted a factor of equilibrium and security and therefore their reduction would require a specific process, involving, first of all, the arsenals of the major Powers. The United Kingdom, in commenting on the Committee's final position on item 4 of its agenda, stated that while the Committee had quite rightly emphasized the importance of nuclear disarmament, the stress on that aspect of the arms race had led to an inadequate reflection of the need for a balanced approach including arms control measures in the conventional field.

Nigeria, while noting the priority accorded to nuclear disarmament, discussed at greater length its over-all views with regard to the arms race, stressing the concern that had been engendered in recent months over the intensification of the arms race, as indicated by frequent announcements, *inter alia*, of commitments to increase military expenditures, build and deploy new nuclear-weapon systems, modernize existing nuclear arsenals, and acquire new military facilities in other countries, even encroaching on their

sovereignty. The distrust created by those developments had, in Nigeria's view, led to virtual abandonment of the tentative steps taken towards negotiations aimed at effective elimination of the danger of nuclear war, and to the placing of SALT II in "cold storage"

In its report,¹⁰ adopted by consensus and containing the Commission's recommendations to the General Assembly, the Commission, in respect of agenda item 3, included a number of general references calling for special emphasis to be placed on the nuclear arms race and nuclear disarmament during the Second Disarmament Decade.

In establishing priorities¹¹ for the specific measures of disarmament which were to be the subject of negotiations in the Committee on Disarmament, and which, if accomplished, would create what the Commission termed "a very favourable international climate for the second special session of the General Assembly devoted to disarmament", the Commission included, as the first item, "A comprehensive nuclear test-ban treaty" It also included a measure on an international instrument or arrangement "to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

With regard to items dealt with outside the Committee on Disarmament, the first two measures set forth by the Commission were:

- (a) Ratification of the strategic arms limitation (SALT II) agreement and commencement of negotiations for a SALT III agreement;
- (b) Ratification of Additional Protocol I of the Treaty of Tlatelolco.

With regard to other priority measures in the nuclear arena which should be pursued during the Decade, the Commission spelt out the following:

(a) Significant progress towards the achievement of nuclear disarmament which will require urgent negotiation of agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned for:

- (i) Cessation of the qualitative improvement and development of nuclear-weapon systems;
- (ii) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;
- (iii) A comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time;

...

Thereafter, following an item on new weapons of mass destruction, it listed:

- (c) Further strategic arms limitation negotiations between the two parties, leading to

¹⁰ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42).*

¹¹ *Ibid.*, para. 19, sect. C., paras. 12-14.

agreed significant reductions of, and qualitative limitations on, strategic arms. These should constitute an important step in the direction of nuclear disarmament and, ultimately, of the establishment of a world free of such weapons;

(d) Further steps to develop an international consensus to prevent the proliferation of nuclear weapons in accordance with the provisions of paragraphs 65 to 71 of the Final Document;

(e) Strengthening of the existing nuclear-weapon-free zone and the establishment of other nuclear-weapon-free zones in accordance with the relevant paragraphs of the Final Document.

Finally, it included a broad item covering various alternative formulations regarding the prohibition of the threat or use of nuclear weapons and prevention of nuclear war.

In respect of agenda item 4, the Commission, by way of introduction, summarized its general views on trends in the arms race and other matters relating to international peace and security since the tenth special session of the General Assembly. Thereafter, recalling its mandate to consider a general approach to negotiations on nuclear and conventional disarmament in the context of the priorities established by the General Assembly at its tenth special session and noting the special responsibility of the States possessing the most important nuclear armaments, the Commission included the following as its substantive recommendation in the nuclear area:

8. The Commission would recommend that urgent action be taken to prevent the further spiralling of the nuclear arms race. The Commission expressed the view that the Committee on Disarmament should fully discharge its responsibilities in the field of nuclear disarmament and should, therefore, continue its efforts to undertake negotiations with a view to the cessation of the nuclear arms race and to achieve nuclear disarmament in conformity with its mandate in order to achieve the objectives specified in paragraph 50 and other relevant paragraphs of the Final Document.

Consideration by the Committee on Disarmament, 1980

At the 1980 session of the Committee on Disarmament, questions relating to nuclear arms limitation and disarmament were discussed in general statements as well as in the specific context of the consideration of the agenda item entitled "Cessation of the nuclear arms race and nuclear disarmament"

In their statements, States members of the Committee almost invariably emphasized the gravity of the threat posed by the continuing nuclear arms race and repeatedly stressed the overriding importance and urgency of measures of nuclear disarmament.

Addressing the question of how the Committee should deal with the specific agenda item, many members of the Eastern European or socialist group of countries and of the group of 21¹² recalled that by resolution 34/83 J the General Assembly had requested the Committee to initiate negotiations, as a matter of high priority, with the participation of all nuclear-weapon States, on the question of the cessation of the nuclear arms race and

¹² For explanation and listing, see chapter I, foot-note 22.

nuclear disarmament, in accordance with the provisions of paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly and to undertake, at the beginning of its 1980 session, preparatory consultations on such negotiations. In that context, various views were expressed on such questions as what should be the role of the Committee on Disarmament and its relationship to other negotiating forums, the basis for negotiations in the Committee, and the approach to the whole complex of problems involved in negotiations on the cessation of the nuclear arms race and nuclear disarmament.

Hungary, reflecting the views expressed by other socialist countries, commented that their working paper, submitted in 1979,¹³ had embraced all major aspects of nuclear disarmament, but was not intended to offer ready-made formulas for solving all the questions arising in connexion with nuclear disarmament. It agreed that negotiations could not and should not start without adequate preparation, and recalled the proposal in that paper that the set of questions to be considered should be determined in the course of preparatory consultations, during which matters connected with the organizational side of the conduct of the negotiations should also be settled. What Hungary disagreed with was the demand that all the substantive issues be clarified before the preparatory work could be started and the attempt to assign the task of clarification only to the authors of the working paper. That, in its view, was the task of the Committee which perhaps could entrust it to a properly constituted subsidiary body. Turning to the question of where nuclear disarmament should begin, Hungary held that while at first glance the idea that the two major nuclear-weapon States should decrease their capabilities considerably before the other nuclear-weapon States joined in the negotiations looked attractive and logical, on further analysis it was easy to discover its deficiency in its inconsistency with the principle of undiminished security. Reminding the Committee of the fact that three of the five nuclear-weapon States belonged to the same political or military group, Hungary commented that singling out one of them only as a possible participant in measures of nuclear disarmament would upset the established balance. It pointed out that the socialist document had taken into account the qualitative and quantitative differences among the arsenals of different States, nuclear and others. Hungary considered that the participation in the negotiations of all five nuclear-weapon States was indispensable. For that reason it was proposed in the document that the "degree of participation" of the nuclear-weapon States and not the fact of participation was subject to discussion. Hungary observed that the present composition of the Committee made it possible to proceed in that way and proposed that the Committee should do so in an organized manner, preferably within the framework of a subsidiary body.

While agreeing that the request contained in General Assembly resolution 34/83 J constituted one of the primary tasks of the Committee, Sweden

¹³ See *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 27* (A/34/27 and Corr.1), appendix III (CD/53 and Corr.1), vol. 1, document CD/4.

noted that there was still some doubt concerning the possibility of embarking upon nuclear disarmament negotiations in the Committee on Disarmament, in particular at that time. Like many others, Sweden would still like to be convinced that it was possible to carry out such negotiations on the basis of the proposal contained in the socialist working paper. Sweden therefore challenged the sponsors to prove the sincerity of their initiative by presenting a more elaborate proposal on how they envisaged the implementation of paragraph 50 of the Final Document through negotiations in which the Committee could play its proper role. In its view, the answers to such questions could not be left to preparatory consultations in the Committee. Sweden believed that if significant consultations were to take place, a much more detailed proposal than that contained in the paper must be presented. It held that the sponsors should specify the division of work between the Committee and other disarmament forums and provide more details concerning the degree and timing of participation by individual nuclear-weapon States, and the relationship between nuclear and conventional disarmament, as well as the problem of verification.

Romania, as a matter of principle, attached importance to the organization, during the 1980 session of the Committee, of effective consultations calculated to lead to the start of structured, stage-by-stage negotiations on particular topics with a view to the cessation of the production of nuclear weapons and their gradual reduction. By such action, the Committee itself would for the first time be taking the initiative of opening up a new chapter of activities in a field of paramount importance for international peace and security. Romania recognized the difficulty of realizing that objective and was aware of the direct link between the nuclear and other fields, such as that of conventional weapons, in the context of world equilibrium. In its view, in the debate on nuclear disarmament it would be necessary to consider a whole group of components as part of a determined effort to eliminate force and the threat of force from relations between States, and to advance from a policy of armaments to one of genuine disarmament which would ensure a proper balance by the progressive reduction of armaments, primarily nuclear armaments. Romania believed that the complexity of the problem was in fact a reason for mobilizing efforts to select the most realistic and responsible approaches to the problem. It felt that the Committee on Disarmament not only offered the most appropriate framework for such action but was in fact the only body that could tackle the task. In its opinion, the proposals submitted at the previous session by the socialist countries and by the group of 21,¹⁴ together with the many ideas and suggestions put forward at formal and informal meetings of the Committee in 1979, provided a good point of departure for continuing the dialogue, but in a more structured manner. It pointed to the need for discussions in the Committee to discover where the problems lay and to try to outline methods of tackling them. Among the questions requiring more clarification, Romania mentioned the following: the relationship between the three components of nuclear disarm-

¹⁴ *Ibid.*, vol. II, document CD/36/Rev. I.

ament mentioned in paragraph 50 of the Final Document; the relationship between the different aspects and stages of nuclear disarmament and the existence of other military offensive means, particularly in the conventional field; nuclear disarmament and the non-use of force; and the procedures for applying in practice the principle, agreed upon at the special session, to the effect that nuclear disarmament should start with the States that have the largest nuclear arsenals. Once the problems had been identified, the Committee could more readily progress with its consideration of the means of solving them and the machinery necessary for that purpose, taking into account the legitimate concerns expressed by different States. The Committee would then be able to incorporate its conclusions in a comprehensive, phased programme for nuclear disarmament as called for in paragraph 50 of the Final Document.

Pakistan held that the existing international circumstances had increased the responsibility of the Committee on Disarmament to make a contribution to reversing the current trends and averting a disastrous nuclear conflict. It believed that it would be useful, as recommended in the document circulated by the group of 21, to make an effort to identify the "prerequisites" and "elements" for negotiations on nuclear disarmament, taking into account previous discussions, and to chart the course of action for the future work of the Committee on Disarmament on the subject. Pakistan considered that the Committee should build upon the general agreements reached under paragraph 50 of the Final Document and, *inter alia*, define the basic premises for nuclear disarmament negotiations, outline with greater clarity the stages in the process of nuclear disarmament, deal with the relationship between nuclear and conventional disarmament measures, and examine the kind of international mechanisms that would ensure effective and non-discriminatory verification of nuclear disarmament measures.

Brazil, stressing that nuclear disarmament was the most important of all disarmament questions, held that the Committee on Disarmament should not lose sight of that goal, both because it had been singled out by the United Nations as the highest priority task and because it was incumbent upon the Committee, the single negotiating body as defined in the Final Document, to undertake negotiations to that end. Brazil reiterated its belief that disarmament negotiations were of paramount concern to all mankind, and hence that the community of nations had a right to participate in the deliberations related thereto, without any discrimination whatsoever. In its view, bilateral or trilateral negotiations on disarmament issues must be complementary to, and work to the advantage of, multilateral negotiations conducted in a broader context. It maintained that some sort of compatibility between the two types of negotiation should be found, lest the fate of disarmament continue to hinge precariously on the state of relations among the nuclear-weapon Powers and more particularly between the two super-Powers. Brazil assumed that the first task of the Committee was to find an acceptable basis for negotiations on the cessation of the nuclear arms race and nuclear disarmament. Towards that end, it was necessary to make more specific the very general terms in which existing proposals had been formulated. It should then be possible to arrive at a definition of the stages according to

which each specific subitem could be agreed upon, keeping in mind that the main goals to be sought were measures of real disarmament, as opposed to mere collateral measures of arms control, or measures of non-armament. In that connexion, Brazil pointed out that certain arms control agreements had tended to ensure that possibilities for further technological improvement remained open, resulting inevitably in the continuous spiralling of the arms race at the highest level of nuclear sophistication. It suggested the need for concrete proposals on the actual freezing of the technological improvement of systems such as the carriers of nuclear weapons (ballistic missiles, cruise missiles, mobile systems and the like) or curbs on the increased accuracy of multiple-headed missiles, checks on nuclear warfare budgets, and the reversion to exclusively peaceful purposes of the research and development of space technology. Similarly, in its view, concrete proposals on the freezing, reduction and ultimate destruction of specific types of nuclear weapons could be advanced, for example, with regard to land-based, sea-launched or air-borne missiles and their respective warheads.

While agreeing that nuclear weapons were highly destructive and that a nuclear war would bring unprecedented disaster to the human race, China stated that careful consideration should be given to the question of where nuclear disarmament should begin. It could not accept the proposition that the first step towards nuclear disarmament should be to stop the production of nuclear weapons for, given the huge gaps that existed between the nuclear arsenals of different nuclear-weapon States, not to mention the States which had no nuclear arsenals at all, a mere cessation of all such production would mean the recognition of the right of certain nuclear-weapon States to perpetuate their nuclear superiority and to use it to threaten and blackmail other countries. It maintained that the correct first step was for the nuclear-weapon States with the largest nuclear arsenals to reduce their nuclear armaments until the huge gap between them and the other nuclear-weapon States had been reduced to the minimum. Only then could all other nuclear-weapon States be asked to join them in reducing and destroying nuclear weapons. Moreover, in its view, the reduction of conventional weapons should not be overlooked because of the real threat of conventional wars, the growing destructive power of modern conventional weapons and the tremendous consumption of resources in the production of such weapons. Therefore, China's position was that equal importance should be given to conventional and nuclear disarmament and that the two should be carried out one in conjunction with the other. Regarding the role of the Committee on Disarmament, China held that the Committee, which already included all the nuclear-weapon States and was widely representative, was the right place for deliberations on nuclear disarmament and that it was not necessary to create another forum.

Similarly, France considered that nuclear disarmament remained the particular responsibility of the two major Powers for as long as the disproportion between their arsenals and those of the other nuclear Powers continued to be of the same magnitude. Referring to the situation in Europe, it pointed out that nuclear weapons and nuclear deterrence had long constituted an essential factor of balance there, and hence of security. In its opinion, the

reduction of nuclear weapons in that area could only result from a specific process involving, first, the nuclear arsenals of the two major Powers, for there was no European nuclear theatre which could be separated or isolated from the global balance.

Canada held that the fact that two nuclear-weapon States had voted against resolution 34/83 J and that one had not participated in the vote confirmed the absence of agreement amongst the States principally concerned as to how to proceed with negotiations on the cessation of the nuclear arms race. Together with Australia, Canada submitted a working paper on the prohibition of the production of fissionable material for weapons purposes.¹⁵ In that connexion, Canada recalled that, at the first special session of the General Assembly devoted to disarmament, Prime Minister Trudeau had called for such a prohibition as part of a strategy to arrest the momentum of the nuclear arms race, along with other measures such as an end to the testing of warheads and of new strategic delivery vehicles. In the view of Canada, those measures were interrelated but that did not mean that they must be pursued together as a package if that was not feasible. It pointed out that it was not its intention to press the Committee to engage in negotiations on the prohibition of the production of fissionable material for weapons purposes at its current session or even at the next. However, it believed that such a measure would constitute the kind of specific agreement that the Committee on Disarmament should negotiate under the item concerning the cessation of the nuclear arms race and nuclear disarmament.

For its part, Australia recalled that at the 1979 session it had drawn attention to the extremely wide scope of the item and recommended that the Committee adopt a step-by-step approach in reaching the ultimate goal of its work in the nuclear field, the cessation of the nuclear arms race and nuclear disarmament. In its view, it was important that the Committee set for itself practical objectives that could be adequately verified. Australia believed that the most immediate practical objectives remained a multilateral comprehensive test-ban agreement and that once that had been completed the Committee on Disarmament could usefully begin to address substantively the issues involved in an agreement to prohibit the production of fissionable material for weapons purposes. It noted that the cut-off as originally proposed really meant the cessation of production, which would pertain only to those States that produced fissionable material. Its proposal was for a prohibition that would apply to all States, whether producing or intending to produce such material. Such a prohibition would have a number of important effects. Once a cut-off agreement was in force, an immediate limit would be placed on the quantity of fissionable material available to the nuclear-weapon States for weapons purposes. The agreement's impact would not, however, be restricted to the nuclear-weapon States. All States parties, both nuclear-weapon and non-nuclear-weapon, would make a legally binding commitment to forego the production of fissionable material for weapons purposes. In that sense, it would be non-discriminatory.

¹⁵ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. I, document CD/90.

Australia, moreover, considered that adequate verification was essential. A suitable verification system could encompass both existing international measures for detecting any diversion of fissionable material for weapons purposes and additional measures designed to ensure full effectiveness of the régime. Hence, both nuclear-weapon and non-nuclear-weapon States could be placed on a generally comparable basis. Australia noted that, although the Final Document of the special session did not impose any specific requirements or time constraints on the international community with respect to measures for the achievement of nuclear disarmament, it described them as "urgent" and included the prohibition of the production of fissionable material for weapons purposes as an essential step towards its realization. Australia explained that the working paper was designed, in part, to remove a number of misconceptions concerning the proposed cut-off. It pointed out that the scope and consequences of a convention on the question had sometimes been misunderstood. While such a convention, once in force, would prevent the further production of fissionable material for nuclear weapons purposes, it would in no way impede the development of nuclear energy for peaceful purposes, both because it could release considerable quantities of nuclear material for peaceful uses and would also mean that significant economic resources could be re-allocated from the military to the civilian sector. The working paper showed that the proposal for a cut-off had been before the multilateral negotiating body for many years and never been rejected as either undesirable or unattainable. The paper also gave added justification to the view that nuclear disarmament was complex and could not be carried out in a single step or through a single all-embracing convention for, while arsenals were being stabilized, then reduced and finally eliminated, the security of all States had to be maintained. Australia noted that throughout the history of the negotiations on the proposal two things had remained constant: cessation and prohibition of the production of fissionable material for weapons purposes were necessary steps in any nuclear disarmament programme; and, for the cessation and prohibition to be effective, comprehensive verification was essential. In conclusion, Australia said that, while the working paper did not make any concrete proposals with respect to elaborating a "cut-off" in 1980, in its opinion such a measure was an essential and priority item in any programme of nuclear disarmament negotiations.

India, emphasizing the importance of conducting negotiations on nuclear disarmament under the aegis of the Committee on Disarmament, reiterated its conviction that pending nuclear disarmament, which alone could remove the threat of a nuclear war, there should be a total prohibition of the use of such weapons covering both nuclear-weapon and non-nuclear-weapon States. It suggested that such a prohibition could be included in a protocol on the lines of the 1925 Geneva Protocol prohibiting the use of all chemical and biological weapons, which was the precursor of current efforts to eliminate both of those categories of weapons. A protocol totally prohibiting the use of nuclear weapons could thus be viewed as a step towards complete nuclear disarmament. India proposed a five-phase programme encompassing the negotiation of an international convention on the renunciation of the use

of nuclear weapons, leading eventually to complete and effective nuclear disarmament. Its aim was to provide a broad structure for negotiations on nuclear disarmament which could be further elaborated through discussion in the Committee. The phases envisaged were: (a) identification of problems in the negotiation of a convention renouncing the use of nuclear weapons; (b) elaboration of the terms of reference in the negotiation of a mutually acceptable balance of conventional forces in the European theatre; (c) preparation of a phased programme to achieve a mutually acceptable balance of conventional forces in Europe; (d) conclusion of a protocol prohibiting the use of nuclear weapons under any circumstances; and (e) progress towards genuine and comprehensive nuclear disarmament. After elaborating on the stages in some detail, India noted that, while there appeared to be agreement in the Committee on the ultimate goal, there were differences of opinion as to the appropriate road to take. In its view, one road was as good as another as long as it led nearer to the common goal. In other words, India believed that, while negotiations might well go on among nuclear-weapon States about the process of nuclear disarmament, the Committee could not simply wash its hands of the problem. It had a clear and present duty with regard to nuclear disarmament, and the immediate question before it was to find out what road it should appropriately take, at which point to begin negotiations, and what meaningful and practical contribution it could make. India noted that the Committee obviously could not plunge into full-scale negotiations on that very complex question, but it could and should discuss in a working group what the initial objectives might be and how to arrange the negotiating process. The mandate of the first working group would necessarily be a limited one and, while India did not wish to put forward a precise formulation, it did feel that exploratory talks on the shape of future negotiations within the framework of a working group appeared to be necessary.

Two proposals were formally presented during the second part of the Committee's session: one, by the German Democratic Republic, entitled "Proposal on behalf of a group of socialist countries concerning urgent steps for the practical implementation of 'Negotiations on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until they have been completely destroyed' (CD/4)",¹⁶ and the other, by the group of 21, entitled "Working paper on the cessation of the nuclear arms race and nuclear disarmament"¹⁷

The socialist countries suggested in their working paper that the Committee on Disarmament undertake without delay urgent measures for the practical implementation of the proposals contained in their 1979 working paper and that of the group of 21,¹⁸ as follows: (a) the carrying out of preparatory consultations in accordance with General Assembly resolution 34/83 J, whose aim should be to identify the prerequisites and main problems for negotiations on the cessation of the nuclear arms race and of nuclear dis-

¹⁶ *Ibid.*, vol. II, document CD/109.

¹⁷ *Ibid.*, document CD/116.

¹⁸ See foot-notes 13 and 14.

armament in the framework of the Committee on Disarmament; (b) the establishment of an *ad hoc* working group on the cessation of the nuclear arms race and on nuclear disarmament with a clearly defined mandate, taking into account the extraordinary responsibility of each of the members of the Committee on Disarmament and, in particular, of the five nuclear-weapon States; and (c) the compilation of documents by the Secretariat on the position of the members of the Committee on Disarmament concerning the question of nuclear disarmament, which should serve as basic material for preparatory consultations.

The working paper of the group of 21 suggested some of the substantive issues that needed to be addressed in negotiations within the Committee on Disarmament on the item entitled "Cessation of the nuclear arms race and nuclear disarmament": (a) the elaboration and clarification of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document, including identification of the responsibilities of the nuclear-weapon States and the role of the non-nuclear-weapon States in the process of achieving nuclear disarmament; (b) clarification of the issues involved in prohibiting the use or threat of use of nuclear weapons, pending nuclear disarmament, and in the prevention of nuclear war; (c) clarification of the issues involved in eliminating reliance on doctrines of nuclear deterrence; and (d) measures to ensure an effective discharge by the Committee of its role as the single multilateral negotiating body in the field of disarmament and, in that context, its relationship with negotiations relating to nuclear disarmament conducted in bilateral, regional and other restricted forums. The group of 21 proposed that the Committee on Disarmament should set up an *ad hoc* working group to begin negotiations during the 1980 session with a view to reaching agreement on the above-mentioned issues.

Beyond the question of how to deal with problems relating to the cessation of the nuclear arms race and nuclear disarmament within the framework of the Committee, attention focused on the SALT negotiations. There was general regret that the SALT II Treaty had not yet entered into force and that negotiations for a SALT III agreement had not begun, although there were differing assessments as to why the process was lagging.

The United States delegation, referring to President Carter's request for a delay in the consideration of the Treaty by the United States Senate, explained that the Treaty had not been withdrawn from the Senate and that further action on it had simply been deferred for the time being. It reiterated that President Carter was strongly committed to the over-all process of the control of nuclear weapons and specifically to the ratification of the SALT II Treaty when circumstances permitted, and stated that pending entry into force of the Treaty and assuming a parallel Soviet attitude, the United States would do all it could to preserve the SALT process.

The Soviet Union, for its part, held that long before the events in Afghanistan, the United States had begun unilaterally to break off a number of bilateral negotiations in the field of arms limitation and noted, among other things, that the SALT II Treaty had hardly been signed when various influential circles in the United States had begun discrediting it, and that the rati-

fication process had come to be used in effect as a means of impeding its entry into force. Finally, consideration of the Treaty in the Senate had recently been postponed for an unspecified period upon the proposal of the President of the United States. Speaking along similar lines, Hungary held that the reason for deferring the ratification of SALT II could hardly be found in Afghanistan, but rather in the plans of some Western circles to gain military superiority as those circles no longer accepted the principle of parity. Bulgaria considered that it was essential that the United States should ratify SALT II as soon as possible and commented that that would open the way for preparations for negotiations on SALT III.

Among the Western countries, Canada was of the view that trust and confidence had been shaken by events in Afghanistan and cited as evidence the fact that the SALT II Treaty had not yet entered into force. At the same time, it welcomed indications that the USSR and the United States would act in conformity with the provisions of the Treaty until such time as definitive action could be taken to bring it into force. Japan hoped to see as soon as possible the advent of an international situation in which the SALT II agreement could be ratified. That, in its opinion, would be the first step towards nuclear disarmament, inasmuch as the ratification and coming into effect of the SALT II agreement were indispensable for initiating the SALT III negotiations, which would presumably have as their objective a more substantial reduction of the strategic nuclear weapons of the two countries, as well as a curb on their qualitative development. Japan also expressed the hope that, pending the entry into force of the SALT II agreement, both the United States and the Soviet Union would refrain from any action contrary to the letter and spirit of the SALT I interim agreement and the SALT II agreement.

Other countries generally stressed the special responsibility of the two major nuclear Powers in the area of nuclear arms limitation and disarmament and, in that connexion, the critical importance of a prompt ratification of the SALT II Treaty and the continuation of the SALT process with a view to achieving significant and substantial reductions of strategic weapons and qualitative limitations thereon. Mexico recalled that by resolution 34/87 F the General Assembly had expressed its confidence that the SALT II Treaty would enter into force at an early date, inasmuch as it constituted a vital element for the continuation and progress of the negotiations between the two States possessing the most important arsenals of nuclear weapons and that such negotiations, intended to achieve, as soon as possible, agreement on further measures for the limitation and reduction of strategic arms, would begin promptly after the entry into force of the Treaty with the objective of concluding well in advance of 1985 the SALT III agreement which would replace the Treaty. Noting that the confident hope expressed by the General Assembly had so far been totally frustrated, Mexico commented that the situation in south-west Asia, which did not exist during the period of June to December 1979, should not be adduced as justification.

Nigeria, while recognizing that effective steps towards the cessation of the nuclear arms race and nuclear disarmament necessarily had many facets,

held that none was as important as the willingness of the nuclear-weapon States, especially the two most advanced, to heed the concerns that emanated not only from outside but also from within their own borders. It believed that the two super-Powers and their alliances had to demonstrate self-restraint in their continued development, refinement and deployment of nuclear weapons, so as to create the right atmosphere for meaningful assurance that their bilateral negotiations on nuclear disarmament would not always be vitiated by new developments, and to make it easier for the three other nuclear-weapon States to join in the negotiations. In Nigeria's opinion, nuclear disarmament could be said to have effectively begun only when there was agreement, first by the two super-Powers, to stop further development or refinement of nuclear weapons and to embark on a meaningful reduction of stockpiles. In that context, not only must SALT II be urgently ratified, but negotiations on SALT III must be initiated and the treaty concluded, leading to bold and imaginative reductions in the stockpiles of both the United States and the Soviet Union.

A related matter which also figured prominently in the debate was the question of nuclear-weapons systems in Europe. Various socialist countries criticized the decision of the NATO Council of 12 December 1979 on the subject. Czechoslovakia, for instance, held that the decision on the deployment of new United States medium-range nuclear missiles in a number of western European countries had destroyed the existing basis for talks on those weapons as suggested by the Soviet Union and other countries of the Warsaw Treaty in order to avert a new round of the nuclear arms race. In its view, both the production and deployment of Pershing 2 and cruise missiles and the cold war anti-Soviet and anti-peace campaign initiated by the United States was in clear contradiction with the major efforts being made by the socialist and other countries every day to strengthen international confidence and the process of détente. The Soviet Union referred to various proposals advanced by the parties to the Warsaw Treaty to reduce military confrontation in Europe and to strengthen European security, in particular those contained in the Declaration adopted at the meeting of the Political Consultative Committee, held in Warsaw on 15 May 1980, which was circulated as a Committee document.¹⁹

Echoing the views of other Western countries, Canada rejected the contention that the decision by NATO to modernize its theatre nuclear forces destroyed the basis for negotiations on the limitation of such weapons. It pointed out that the communiqué of the NATO ministerial meeting of 12 December 1979 contained an open invitation for negotiations on those matters. The United States, commenting that despite the tense international climate it continued to look for practical ways to curb the arms race, stated that when NATO decided to respond to the threat posed by the continuing deployment of Soviet long-range SS-20 missiles with plans for long-range theatre nuclear missiles of its own, the United States, on behalf of its NATO al-

¹⁹ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. II, document CD/98.

lies, had proposed at the same time that the Soviet Union join in negotiations on the limitation of land-based long-range theatre missiles. It was now preparing, in close consultation with its NATO allies, for preliminary exchanges with the Soviet Union on the subject, which could lead to formal negotiations and, it hoped, meaningful limits on theatre nuclear weapons within the SALT framework.

Sweden expressed particular anxiety about military trends in Europe, especially with regard to nuclear weapons, and urged both sides to initiate, without delay, negotiations on theatre nuclear forces. It also voiced concern about the announcement that one more nuclear-weapon State had developed and tested neutron weapons.

In its report to the General Assembly,²⁰ the Committee stated that it did not have an opportunity to attempt to reconcile the different points of view as regards the approach, machinery and basis for multilateral negotiations on nuclear disarmament. In this context, various delegations emphasized, *inter alia*, that an appropriate degree of trust and confidence among States, especially nuclear-weapon States, would facilitate negotiations; that negotiations, in turn, would greatly contribute to the relaxation of international tensions; that the participation of non-nuclear-weapon States was essential in such negotiations since nuclear disarmament was of concern to all States; and that the ratification of SALT II, the opening of SALT III negotiations and early negotiations on nuclear weapons in Europe were of paramount importance and urgency. It was emphasized that the Committee on Disarmament provided the most appropriate forum for multilateral negotiations relating to nuclear disarmament. On the other hand it was stressed that, without prejudice to the responsibilities of the Committee, all problems of a bilateral and regional character fell first of all within the competence of the States directly concerned. The Committee on Disarmament agreed to resume intensive consideration at its next session of the item on the cessation of the nuclear arms race and nuclear disarmament, taking into account the proposals and views presented during its 1980 session.

Consideration by the General Assembly, 1980

Consideration of problems of nuclear arms limitation and disarmament was resumed at the thirty-fifth session of the General Assembly, both during the general debate and in the First Committee.²¹ It should be noted here that the Assembly had before it the comprehensive study on nuclear weapons²² prepared by a group of experts appointed by the Secretary-General pursuant to General Assembly resolution 33/91 D (see chapter XXII below).

In the course of the deliberations, an overwhelming majority of coun-

²⁰ *Ibid.*, Supplement No. 27 (A/35/27), paras. 37-44.

²¹ *Ibid.*, Thirty-fifth Session, Plenary Meetings, 4th to 33rd and 94th meetings; *ibid.*, Thirty-fifth Session, First Committee, 4th to 49th meetings; and *ibid.*, First Committee, *Sessional Facsicle*, corrigendum.

²² United Nations publication, Sales No. E.81.I.11.

tries variously emphasized the primacy of the task of halting the nuclear arms race and moving towards nuclear disarmament, with some, notably Western, countries also stressing the need to tackle problems relating to conventional weapons, particularly the questions of regulating them in parallel with nuclear weapons and of their international transfer.

With respect to the specific question of multilateral negotiations on the cessation of the nuclear arms race and nuclear disarmament, two draft resolutions were submitted to the General Assembly. The first was sponsored by the Eastern European and a number of non-aligned countries: Afghanistan, Angola, Benin, Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Laos, Mongolia, Poland, Romania, Ukrainian SSR, USSR and Viet Nam. The other was sponsored by Algeria, Argentina, Brazil, Burma, the Congo, Cuba, Ecuador, Egypt, Ethiopia, India, Indonesia, Mexico, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela and Yugoslavia, for the most part members of the group of 21 in the Committee on Disarmament.

In introducing the first draft resolution, the Soviet Union recalled that, in the Final Document of its first special session devoted to disarmament, the General Assembly had stressed that bringing about nuclear disarmament would require the urgent holding of talks in order to arrive at agreement, providing for, *inter alia*, halting the qualitative improvement and development of nuclear-weapons systems and cessation of the manufacture of nuclear weapons. In its view, the most appropriate forum for preparing and holding such talks was the Committee on Disarmament. It pointed out that, in 1979, other socialist countries together with the USSR had submitted to the Committee on Disarmament the working paper entitled "Negotiations on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until they have been completely destroyed"²³ In the view of those countries, the negotiations should cover, *inter alia*, the cessation of the manufacture of fissile material for military purposes and the gradual reduction of stockpiles of nuclear weapons and means of delivery. Progress towards the final goal — the total elimination of all stockpiles of nuclear weapons — would be on a stage-by-stage, mutually acceptable and agreed basis; and at all stages it would be necessary to preserve undisturbed the existing balance in the field of nuclear weapons while constantly reducing their levels. The implementation of measures should go hand in hand with the adoption of international political and legal guarantees for strengthening the security of States. The Soviet Union noted that the Eastern European initiative on comprehensive talks on nuclear disarmament had met with support from non-aligned and neutral countries, and that those countries had submitted useful ideas about the substance and form of such negotiations. While the Soviet Union was ready to continue to consider other proposals, it could not but note with regret that progress towards a beginning of negotiations on nuclear disarmament was being blocked by the negative position of other nuclear-weapon States, which had attempted even to cast doubt on the

²³ See foot-note 13.

need and usefulness of holding such negotiations in the Committee on Disarmament.

In the draft resolution, the sponsors had felt it necessary to focus attention on preparations for negotiations on nuclear disarmament because the beginning of practical work in that area brooked no delay. The decision of the Committee on Disarmament to resume active consideration of the question of the cessation of the nuclear arms race and nuclear disarmament in 1981 had also been taken into account. In the light of the discussion of the problem, the sponsors believed it necessary to step up efforts to initiate negotiations, with the participation of all nuclear-weapon States and a certain number of non-nuclear-weapon States, on the question of halting the nuclear arms race and achieving nuclear disarmament, in accordance with the provisions of paragraph 50 of the Final Document. To ensure an early start on such talks, the draft contained a concrete proposal for considering, *inter alia*, the question of establishing an *ad hoc* working group on the cessation of the nuclear arms race and on nuclear disarmament which would be endowed with very clear-cut and well-defined functions and powers; that would be in keeping with the practice in the Committee on Disarmament of holding negotiations on items of its agenda. The Soviet Union commented that the steps proposed in the draft resolution were designed to remedy a situation that had evolved wherein consideration of the problem of limiting the nuclear arms race and nuclear disarmament was, for no good reason, outside the framework of practical negotiations in the Committee on Disarmament. A beginning of consultations and commencement of businesslike negotiations on that urgent problem would, without any doubt, enhance the authority of the Committee in performing the tasks entrusted to it in the area of limiting the arms race. The sponsors hoped the draft resolution would enjoy widespread support.

The other draft resolution was introduced by Mexico. In summarizing the most essential points, Mexico noted that by the preambular part the General Assembly would recall that at the special session it had decided that effective measures of nuclear disarmament and the prevention of nuclear war had the highest priority and recognized that those measures required the urgent negotiation of agreements at appropriate stages. It would also recall its conviction, as stated in resolution 34/83 B, that the Committee on Disarmament, as the single multilateral negotiating body, should become directly involved in substantive negotiations on those priority questions. By the draft resolution the General Assembly would also bear in mind the declaration of the group of 21 to the effect that working groups were the best available machinery for the conduct of concrete negotiations within the Committee,²⁴ and take account of the experience derived from the performance of the four *ad hoc* working groups established by the Committee at its 1980 session. Mexico stated that those groups had produced positive results, and should therefore be used in the future, especially for priority items. On that basis the

²⁴ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. I, document CD/64.

sponsors were suggesting to the Assembly that it urge the Committee on Disarmament to establish, upon the initiation of its 1981 session, an *ad hoc* working group on the agenda item entitled "Cessation of the nuclear arms race and nuclear disarmament" By the second operative paragraph, the Assembly would consider that, in the light of the exchange of views held on that subject during the last two annual sessions of the Committee, it would be advisable for the working group to begin by addressing the question of the elaboration and clarification of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document, including identification of the responsibilities of the nuclear-weapon States and the role of the non-nuclear-weapon States in the process of achieving nuclear disarmament.

On 20 November, the First Committee approved the first draft resolution by a recorded vote of 105 to 14, with 13 abstentions, and the second, also by a recorded vote, by 115 to 3, with 18 abstentions.

A number of countries made statements to explain their position, many of them covering both draft resolutions. Commenting on its negative votes on both draft resolutions, France stated, with regard to the first, that it believed that the conditions necessary for the opening of negotiations with the participation of all nuclear-weapon States on the question of nuclear disarmament did not exist and it did not, therefore, feel that a working group should be set up under the Committee on Disarmament. In France's view, responsibility for negotiations on nuclear disarmament rested with the two Powers possessing the most sizable nuclear arsenals. Only when the disproportion between those arsenals and those of other nuclear-weapon States had changed would France be able to consider entering into commitments. With regard to the other draft resolution, France objected on two counts to the recommendation contained therein that the Committee on Disarmament create a working group to consider nuclear disarmament. First, it was not up to the General Assembly to take action with respect to the organization of the work of the Committee on Disarmament and the choice of its methods. In addition — and this was the essential point for France — the question of nuclear disarmament did not at that stage seem to lend itself to consideration, and still less to negotiation, in a working group. However, France did not object to the principle of a debate on the question, which was on the Committee's agenda. Such a debate might very well contribute to the study of the comprehensive programme on disarmament, which the Committee would continue to consider at its next session.

The United Kingdom explained that it had voted against the two draft resolutions because, although attaching great importance to the urgent task of the limitation of nuclear weapons, it believed that the relationship between nuclear weapons and the fundamental security concerns of some States meant that a general approach to the issue of nuclear disarmament, as reflected in the draft resolutions, was unlikely to produce tangible and positive results. Furthermore, with regard to the second of the two, it could not accept the Assembly giving what amounted to directions to the Committee on Disarmament about the nature and responsibilities of its subsidiary bodies. Referring to its participation in the tripartite negotiations on a com-

prehensive nuclear test ban, the United Kingdom stated that it looked forward to the successful conclusion of those negotiations and to further specific measures which would contribute to achieving adequately verified nuclear disarmament and to achieving disarmament in a manner which protected the security of all States concerned.

Referring to the second draft resolution, the Soviet Union stated that it had voted in favour because it concurred with the general thrust of that draft to the effect that practical work in the Committee on Disarmament should begin as early as possible on the cessation of the nuclear arms race and nuclear disarmament, and it believed that the creation in the Committee on Disarmament of a special working group with a very clearly defined mandate would serve that cause. However, it had definite reservations on operative paragraph 2 of the draft resolution because in its opinion the General Assembly was not entitled to tell the Committee on Disarmament how to organize the work of its subsidiary organs or to determine their mandate — that was exclusively a prerogative of the Committee on Disarmament itself since it was an independent organ with a special status vis-à-vis the General Assembly. Concluding that the adoption of both draft resolutions indicated that the Committee on Disarmament would at long last move to embark on negotiations on nuclear disarmament, the Soviet Union reiterated its support of such negotiations.

Australia, which had abstained in the vote on both draft resolutions, expressed concern at the number of issues being assigned to the Committee on Disarmament for substantive consideration. In its view, it was not possible to assign a large number of issues to the Committee without creating confusion over which of them should in fact be given priority. Furthermore, Australia considered that the draft resolutions attached too high a priority to a proposal which was yet to be given a specific form. The Committee on Disarmament had already been assigned more specific and pressing matters, the consideration of which should not be impeded. Finally, Australia expressed serious reservations on the fourth preambular paragraph of the first draft resolution (see below) which referred to a new doctrine of use of nuclear weapons; those reservations were shared also by Belgium, Canada and Turkey, which, on that account, had voted against it.

With respect to the other draft resolution, on which it abstained, Belgium commented that while it agreed with the sponsors that the working groups created within the Committee on Disarmament had proved the advantage of that working method, it believed that the Committee on Disarmament itself was the most appropriate body to determine how it wished to conduct its work. Moreover, Belgium did not feel that the questions of halting the nuclear arms race and of nuclear disarmament lent themselves to the establishment of a working group. In its view, the resumed intensive consideration of those questions in the Committee on Disarmament could better proceed on the basis of their component elements.

The Federal Republic of Germany stated that it was prepared to support any realistic effort aimed at achieving arms control and disarmament in the nuclear and conventional fields, but had reservations as to whether the mea-

asures proposed in the draft resolution introduced by Mexico were really adapted to the complex process of nuclear disarmament and, therefore, would abstain in the vote.

In explaining its abstention on the draft introduced by the USSR, Brazil said that it welcomed the readiness of its sponsors to intensify efforts with a view to initiating negotiations in the Committee on Disarmament on the cessation of the nuclear arms race and nuclear disarmament. However, in Brazil's opinion, as long as the draft required the participation of all nuclear-weapon States before the negotiations could be initiated, it would defeat its own purpose. That requirement amounted to conferring virtual veto power on individual nuclear-weapon States by enabling them to block the negotiating process.

Sweden, commenting on its vote in favour of the draft resolution, said that it had in principle supported the initiative submitted in the Committee on Disarmament by the socialist States²⁵ concerning negotiations on nuclear disarmament and had contributed to efforts in the Committee to establish the appropriate framework for the initiation of such negotiations. However, it had made it clear that the nuclear-weapon States which possessed the most important nuclear arsenals bore a special responsibility for the achievement of the goals of nuclear disarmament. Consequently, it attached particular importance to the second preambular paragraph of the draft resolution, where the particular responsibility of the major nuclear-weapon States was emphasized, and felt that the reference in operative paragraph 2 to the participation of all nuclear-weapon States was superfluous and should in no way be construed as diminishing the particular responsibility of the major nuclear-weapon States. With regard to the fourth preambular paragraph, referring to a new nuclear doctrine, Sweden emphasized that it reacted against all formal doctrines and all other measures taken by the nuclear-weapon States in terms of weapon development, deployment and so on, which were apt to make those States more likely to resort to the use of nuclear weapons. However, in its view, one-sided and inaccurate descriptions of those complex matters were of little value in promoting the cause of nuclear disarmament, and therefore it would have preferred the deletion of the reference. Austria, which had also voted in favour of the draft resolution, voiced similar views.

Mexico commented that, although the two draft resolutions coincided in that both referred to the establishment of the Committee on Disarmament of an *ad hoc* working group under the relevant agenda item and thus in many respects could be regarded as complementary, there were certain substantive differences in respect of the establishment, functioning and definition of the terms of reference of the working group. Therefore, Mexico, on behalf also of the other sponsors of the second draft resolution that had voted in favour of the first — and without prejudice to supplementary explanations such as the one made by Sweden — stated that their vote in favour of the first draft resolution should in no way be regarded as affecting the meaning and scope of the operative part 2 of their draft resolution which,

²⁵ See foot-note 13.

they believed, defined most adequately the establishment, functioning and terms of reference of the *ad hoc* working group they hoped to see created. Finland explained that it had voted in favour of both draft resolutions because, in its view, nuclear weapons posed the gravest danger to mankind and it believed that efforts to halt and reverse the nuclear arms race should be intensified and that further aspects of the nuclear arms buildup, particularly the buildup in Europe, should be brought within the scope of negotiations. It was gravely concerned that the nuclear arms race seemed to be assuming new dimensions, technologically, conceptually and geographically. With regard to the fourth preambular paragraph of the first draft resolution, Finland said it rejected all concepts of nuclear war as well as any other nuclear doctrines which made a nuclear war more possible and therefore more probable.

In the General Assembly, the first draft resolution was adopted on 12 December by a recorded vote of 118 to 18 (France, United Kingdom, United States, and a number of other Western countries), with 7 abstentions, as resolution 35/152 B. China did not participate in the vote. Immediately thereafter, the Assembly adopted the other draft resolution by a vote of 124 to 4, with 17 abstentions, as resolution 35/152 C. With regard to the nuclear-weapon States, China and the Soviet Union voted in favour, while France, the United Kingdom and the United States voted against.

Resolution 35/152 B reads as follows:

The General Assembly,

Reaffirming that nuclear weapons pose the most serious threat to mankind and its survival and that it is therefore essential to proceed with nuclear disarmament and the complete elimination of nuclear weapons,

Reaffirming also that all nuclear-weapon States, in particular those which possess the most important nuclear arsenals, bear a special responsibility for the fulfilment of the task of achieving the goals of nuclear disarmament,

Stressing again that existing arsenals of nuclear weapons alone are more than sufficient to destroy all life on earth, and bearing in mind the devastating results which nuclear war would have on belligerents and non-belligerents alike,

Noting with alarm the increased risk of a nuclear catastrophe associated both with the intensification of the nuclear arms race and with the adoption of the new doctrine of limited or partial use of nuclear weapons giving rise to illusions of the admissibility and acceptability of a nuclear conflict,

Stressing again that priority in disarmament negotiations should be given to nuclear weapons, and referring to paragraphs 49 and 54 of the Final Document of the Tenth Special Session of the General Assembly,

Recalling its resolutions 33/71 H of 14 December 1978 and 34/83 J of 11 December 1979,

Noting with satisfaction that the Committee on Disarmament during its session held in 1980 considered the item of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament",

Noting also the proposals and statements made in the Committee on Disarmament on the cessation of the nuclear arms race and nuclear disarmament,

Noting with regret that the Committee on Disarmament during its session held in 1980 did not have an opportunity to attempt to reconcile the different points of view as regards the approach, machinery and basis for multilateral negotiations on nuclear disarmament,

Convinced that the Committee on Disarmament is the most suitable forum for the preparation and conduct of the negotiations on nuclear disarmament,

1. *Notes* the decision of the Committee on Disarmament to resume intensive consideration, at its session to be held in 1981, of the item on the cessation of the nuclear arms race and nuclear disarmament;

2. *Believes* it necessary to intensify efforts with a view to initiating, as a matter of high priority, negotiations, with the participation of all nuclear-weapon States, on the question of the cessation of the nuclear arms race and nuclear disarmament, in accordance with the provisions of paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly;

3. *Calls upon* the Committee on Disarmament, as a matter of priority and for the purpose of an early commencement of the negotiations on the substance of the problem, to undertake consultations in which to consider, *inter alia*, the establishment of an *ad hoc* working group on the cessation of the nuclear arms race and of nuclear disarmament with a clearly defined mandate;

4. *Requests* the Committee on Disarmament to report on the results of those negotiations to the General Assembly at its thirty-sixth session.

Resolution 35/152 C reads as follows:

The General Assembly,

Recalling that, at its tenth special session, the first special session devoted to disarmament, it decided that effective measures of nuclear disarmament and the prevention of nuclear war had the highest priority and that it was essential to halt and reverse the nuclear arms race in all its aspects in order to avert the danger of war involving nuclear weapons,

Recalling also that, at the same session, it was expressly recognized that the achievement of nuclear disarmament would require urgent negotiation of agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned, and the results that should be pursued in each one of those stages were defined,

Reiterating its conviction, as stated in its resolution 34/83 B of 11 December 1979, that the Committee on Disarmament, as the single multilateral disarmament negotiating body, should become urgently and most directly involved in substantive negotiations on priority disarmament questions,

Bearing in mind the declaration formulated by twenty-one of the States members of the Committee on Disarmament, in the working paper of 27 February 1980, to the effect that working groups are the best available machinery for conduct of concrete negotiations within the Committee,

Taking into account the positive conclusions derived from the performance of the four *ad hoc* working groups established by the Committee on Disarmament on 17 March 1980 to deal, respectively, with the items relating to chemical weapons, radiological weapons, "negative guarantees" and the comprehensive programme on disarmament,

1. *Urges* the Committee on Disarmament to establish, upon initiation of its session to be held in 1981, an *ad hoc* working group on the item which, in its agenda for 1979 and 1980, was entitled "Cessation of the nuclear arms race and nuclear disarmament";

2. *Considers* that, in the light of the exchange of views held on this subject during the last two annual sessions of the Committee on Disarmament, it would be advisable that the working group begin its negotiations by addressing the question of the elaboration and clarification of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, including identification of the responsibilities of the nuclear-weapon States and the role of the non-nuclear-weapon States in the process of achieving nuclear disarmament.

Four other resolutions adopted at the thirty-fifth session dealt with measures in the field of nuclear arms limitation and disarmament, namely, prohibition of the production of fissionable material for weapons purposes, non-use of nuclear weapons and the prevention of nuclear war, non-stationing of nuclear weapons on the territories of States where there are no such weapons at present, and the Strategic Arms Limitation Talks. Such measures had been

under consideration in previous years and States in their comments generally reiterated the views they had expressed in the past, in either the General Assembly or the Committee on Disarmament, or both.

The draft resolution entitled "Prohibition of the production of fissionable material for weapons purposes" was submitted at the initiative of Canada and was also sponsored by Australia, Austria, Bolivia, Costa Rica, Denmark, Greece, Indonesia, Ireland, Japan, the Netherlands, New Zealand, Nigeria, Norway, the Philippines, Romania, Singapore, Sweden and Uruguay—mainly the same countries that had sponsored resolutions on the subject at the thirty-third and thirty-fourth sessions of the Assembly.

In introducing the draft resolution, Canada pointed out that its purpose was basically the same as that of resolutions 33/91 H and 34/87 D, that is, to draw the attention of the General Assembly to what had happened in the Committee on Disarmament during the previous year and remind the Committee on Disarmament of the General Assembly's continuing interest in the question. Canada noted that the report of the Committee on Disarmament indicated that the matter had again been discussed during the year but that no agreement had been reached on either specific steps, such as the banning of the production of fissionable material for weapons purposes or, more generally, on the whole subject of multilateral negotiations leading to nuclear disarmament. It believed that in a period of heightened international tension it was important to explore every avenue that offered greater control of nuclear weapons. Realization of the purpose of the draft resolution could dampen both the vertical and horizontal proliferation of nuclear weapons. As in the past, therefore, Canada was confident that the draft resolution would commend itself to a large number of delegations.

In the First Committee, the draft resolution was approved on 26 November by a recorded vote of 114 to 11, with 9 abstentions.

In explaining their objections to the draft resolution India, which abstained, as well as the German Democratic Republic and the Soviet Union, which voted against, reiterated the view that a cut-off in the production of fissionable material could not be separated from the cessation of the production of nuclear weapons and, in support of their position, cited paragraph 50 of the Final Document. India further commented that the combination of the two measures would mean that all nuclear facilities, whether in nuclear or non-nuclear-weapon States, would become peaceful facilities, and one system of international safeguards could then be applied on a universal basis without any discrimination whatsoever.

The United States commented that its favourable vote demonstrated that it continued to support the objective of a prohibition of the production of fissionable material for weapons purposes as a long-term goal. However, it believed that there were other, more practicable and pressing near-term arms control steps to which attention should be directed at the present time. In its view, adequate verification was an essential factor in any consideration of the question of a cut-off, and it believed that verification would pose considerable difficulties. Along similar lines, the United Kingdom said that it accepted the idea of a cut-off as a long-term objective in association with other

measures, but it was bound to conclude that the two prerequisites for any negotiations on a cut-off, as set out in paragraph 50 of the Final Document, still appeared to be lacking. The first prerequisite would be agreement by all the parties directly concerned, and in that connexion the United Kingdom noted that the Soviet Union and its allies had consistently opposed proposals on the subject. Accordingly, an appropriate stage for such negotiations had not been reached and negotiations by the Committee on Disarmament would not be fruitful. A second prerequisite would be agreement on appropriate methods of verification. As it had stated previously, the United Kingdom believed that verification of a cut-off would present formidable difficulties which were likely to remain insuperable for the foreseeable future; therefore a cut-off could not in existing circumstances be regarded as a verifiable measure. For those reasons the United Kingdom in 1980 had decided to adopt a neutral position and abstain on the vote.

On 12 December, the Assembly adopted the draft resolution as resolution 35/156 H, by a recorded vote of 125 to 11 (including USSR and other Eastern European countries), with 8 abstentions (including France and United Kingdom among the nuclear-weapon States, and Argentina, Brazil and India). China did not participate in the vote.

Resolution 35/156 H reads as follows:

The General Assembly,

Recalling its resolutions 33/91 H of 16 December 1978 and 34/87 D of 11 December 1979, in which it requested the Committee on Disarmament, at an appropriate stage of the implementation of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly and of its work on the item entitled "Nuclear weapons in all aspects", to consider urgently the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the Assembly informed of the progress of that consideration,

Noting that the agenda for 1980 of the Committee on Disarmament included the item entitled "Nuclear weapons in all aspects" and that its programme of work for both parts of its session held in 1980 contained the item entitled "Cessation of the nuclear arms race and nuclear disarmament"

Recalling the proposals and statements made in the Committee on Disarmament on these items,

Noting further that the report of the Committee on Disarmament contains a summary of the work of the Committee during 1980 on this subject and refers to the submission of the document entitled "The prohibition of the production of fissionable material for weapons purposes",

Considering that the cessation of production of fissionable material for weapons purposes and the progressive conversion and transfer of stocks to peaceful uses would be a significant step towards halting and reversing the nuclear arms race,

Considering that the prohibition of the production of fissionable material for nuclear weapons and other explosive devices would also be an important measure in facilitating the prevention of the proliferation of nuclear weapons and explosive devices,

Requests the Committee on Disarmament, at an appropriate stage of its work on the item entitled "Nuclear weapons in all aspects", to pursue its consideration of the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the General Assembly informed of the progress of that consideration.

The proposal on the non-use of nuclear weapons and the prevention of nuclear war was again pursued at the thirty-fifth session at the initiative of

India. The additional sponsors of the draft resolution, mainly non-aligned countries, were Algeria, Angola, Argentina, Bhutan, the Congo, Costa Rica, Cyprus, Ecuador, Egypt, Ethiopia, Indonesia, Jamaica, Madagascar, Malaysia, Nigeria, Peru, Qatar, Romania, Sri Lanka, Uruguay, Yemen, Yugoslavia and Zaire.

India noted, in introducing the draft resolution, that the statements made in the First Committee had stressed the fact that the nuclear arms race had continued unchecked and the danger of nuclear war breaking out had escalated, not only because of the continued increase in the nuclear arsenals of nuclear-weapon States, but also because of the espousal of such dangerous strategic doctrines as nuclear deterrence, limited nuclear strikes and so on. In that situation, India held that the question of providing mankind with a credible and binding assurance against the use or threat of use of nuclear weapons had become more urgent than ever before. India explained that the draft resolution basically reiterated the provisions of the Declaration contained in General Assembly resolution 1653 (XVI) of 24 November 1961, which had clearly stated that the use of nuclear weapons would be a violation of the United Nations Charter and a crime against humanity. It observed that the effects of nuclear war would not be limited merely to the territories of those who might wage it; all States, including non-nuclear-weapon countries, would suffer from the radioactive fall-out and the contamination that would inevitably ensue, as was made amply clear by the recent study on nuclear weapons prepared by the Secretary-General with the assistance of a group of experts.²⁶ Thus the sovereignty and well-being of all States, including those not involved in the conflict, would be endangered in the event of a nuclear war. India pointed out that the sponsors of the draft resolution were not asking for the immediate conclusion of a convention on the non-use of nuclear weapons, since that would obviously take considerable time, but they did consider it necessary that at least a beginning be made without delay in that direction to prevent the possibility of a nuclear conflict. Noting that, in response to resolution 33/71 B adopted at the thirty-third session, some States had communicated their proposals on the question to the Secretary-General of the United Nations,²⁷ India commented that the draft resolution under consideration called upon those States that had not already done so similarly to submit their suggestions so that the possibility of concluding an international convention or other suitable agreement on the subject might be seriously considered by the General Assembly at its thirty-sixth session. It was the opinion of the sponsors that as broad a cross-section of views as possible would facilitate taking up the question of negotiating an agreement in a practical and concrete manner. India concluded by saying that the sponsors of the draft resolution earnestly hoped that it would receive the widest support and that that would in turn move the world community closer towards the goal of eliminating once and for all the danger of a nuclear war.

²⁶ United Nations publication, Sales No. E.81.I.11.

²⁷ A/34/456 and Add.1.

The First Committee adopted the draft resolution on 21 November by a non-recorded vote of 101 to 19, with 15 abstentions.

The Soviet Union, in explaining its abstention, reiterated the view that the solution to the question of the non-use of nuclear weapons and the prevention of nuclear war could be achieved first and foremost through a cessation of the nuclear arms race; secondly, through the parallel strengthening of political and international legal guarantees for the security of States, including a ban on the use of nuclear and other types of weapons and banning the use of force in general in international relations; and thirdly, through the adoption of measures aimed at strengthening the non-proliferation régime and preventing the danger of conflicts arising where nuclear weapons might be used. It was convinced that the question of the non-use of nuclear weapons should be resolved in the context of the prohibition of the use of all types of weapons and regretted that in the draft resolution the question was once again artificially divorced from those of the adoption of international political and legal measures to strengthen the security of all States and the renunciation by States of the use of force in international relations.

Ireland, which voted against the draft resolution, recalled the views it had expressed with respect to the first resolution adopted by the General Assembly on the subject — resolution 1653 (XVI) of 24 November 1961 — which it had also opposed. Ireland considered it to be unrealistic and indeed dangerously misleading to the world at large to suggest that pending nuclear disarmament the nuclear Powers could be willing to accept a prohibition on the threat of use of nuclear weapons when that was central to the logic of their strategic doctrines, however much one regretted those doctrines. Ireland believed that, given the huge arsenals that existed, it was only through nuclear disarmament that the immense risk to mankind could be reduced and eventually removed. It seriously questioned the value of sweeping declarations of the kind contained in the draft resolution, because it feared that they might distract attention from the very serious need to negotiate the reduction and eventual elimination of nuclear weapons, and devalue United Nations resolutions and their authority. Therefore, with regret, it had to vote against the draft. Japan, which also cast a negative vote, stated that, against the background of increased international tension in various regions, notably in Afghanistan, it considered a stabilized system of nuclear deterrence to be of ever-increasing importance as a factor to contain the further spread of such tension.

Sweden maintained that effective measures in the field of non-use could not be achieved without fully taking into account the problems inherent in the nuclear arsenals and their related military doctrines. It was in fact necessary to grapple with the concrete reality of nuclear forces and doctrines for their possible use which were engrained in the general military dispositions of the leading military Powers and concerned their conventional forces as well. It believed that more resolute efforts to achieve nuclear disarmament were urgently needed and should take place through gradual and balanced reductions of nuclear-weapon stockpiles with the aim of their total abolition. Sweden considered that measures to ensure non-use had their natural place

in such a process, although unfortunately it did not seem realistic to expect they could start the process. It also shared the opinion expressed by India that the probable effects of a nuclear war would be such as to constitute a crime against humanity. However, while agreeing with the objectives of the draft resolution, Sweden felt that, as operative paragraph 1 was worded, making a precise interpretation of the Charter of the United Nations, it had to be carefully scrutinized from a legal standpoint as well. Sweden regretted that it had not been able to vote in favour of the draft resolution, since it did not think that the kind of declaration it espoused would fulfil its purpose.

Finland believed that efforts to eliminate the dangers posed by nuclear weapons should include a variety of approaches, including measures aimed at the prevention of nuclear war. In its view, operative paragraph 1 was not in conformity with the Charter of the United Nations — a serious shortcoming. Taking into account, however, the ultimate objective of the draft, namely, the prevention of nuclear war, Finland had cast a positive vote.

In the General Assembly, the draft resolution was adopted on 12 December as resolution 35/152 D, by a recorded vote of 112 to 19, with 14 abstentions. With regard to the nuclear-weapon States, China voted in favour, France, the United Kingdom and the United States voted against, and the Soviet Union abstained.

The resolution reads as follows:

The General Assembly,

Alarmed by the threat to the survival of mankind and to the life-sustaining system posed by nuclear weapons and by their use, inherent in concepts of deterrence,

Convinced that nuclear disarmament is essential for the prevention of nuclear war and for the strengthening of international peace and security,

Recalling its declaration, contained in the Final Document of the Tenth Special Session of the General Assembly, that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and which would preclude the use or threat of use of nuclear weapons,

Recalling its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978 and 34/83 G of 11 December 1979,

Taking note of the report of the Secretary-General on the comprehensive study on nuclear weapons, prepared with the assistance of a Group of Experts,

1. *Declares once again* that:

(a) The use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity;

(b) The use or threat of use of nuclear weapons should therefore be prohibited, pending nuclear disarmament;

2. *Requests* all States that have so far not submitted their proposals concerning the non-use of nuclear weapons, avoidance of nuclear war and related matters, to do so, in order that the question of an international convention or some other agreement on the subject may be further considered at the thirty-sixth session of the General Assembly;

3. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Non-use of nuclear weapons and prevention of nuclear war"

The draft resolution entitled "Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present" was sponsored, as it had been in 1978 and 1979, by the Eastern European and a num-

ber of non-aligned countries: Angola, Benin, Bulgaria, Byelorussian SSR, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Madagascar, Mongolia, Poland, Romania, Ukrainian SSR, USSR and Viet Nam. In connexion with the question, the General Assembly had before it a report of the Secretary-General²⁸ prepared pursuant to resolution 34/87 C by which the Assembly had requested the Secretary-General to call upon all States to transmit to him their opinions and observations regarding the possibility of concluding the agreement on the non-stationing of nuclear weapons on the territories of States where there were no such weapons currently, and to report thereon to the General Assembly at its thirty-fifth session.

The draft resolution was introduced by Hungary, which stated that the conclusion of an agreement on the non-stationing of nuclear weapons on the territories of States where there were currently no such weapons would considerably strengthen the non-proliferation régime, could contribute to reducing the danger of nuclear war and the nuclear arms race, and could promote the establishment of nuclear-weapon-free zones. It also noted, on behalf of the sponsors, the considerable amount of attention and support that the proposal had received. For those reasons, the sponsors of the draft resolution considered that the conclusion of such an agreement was both possible and necessary, as well as timely. Hungary held that the opinions of a significant number of States on the subject contained in the report of the Secretary-General clearly demonstrated the necessity and possibility of such an agreement and the wish to take practical steps to prevent the further stationing of nuclear weapons. In its view, it was now clearly necessary to consider further concrete action concerning the actual conclusion of an international agreement on the question, which was precisely the purpose of the draft resolution.

The First Committee approved the draft resolution by a non-recorded vote of 69 to 19, with 44 abstentions.

A number of States explained their positions, either before or following the vote. Portugal, which voted against the draft, maintained that, if adopted and implemented, it would have the practical result of limiting the freedom of States to exercise their sovereign right to defend their territories. Moreover, it believed that the proposal was based on a false premise, namely that the stationing of nuclear weapons on the territory of a State or in a region had a destabilizing effect on international peace and security, while in reality there were situations where the introduction of nuclear weapons in a territory or region could contribute to the political or military stability of the entire region and, consequently, to peace and the maintenance of international security. That was true where there was an imbalance of forces threatening peace which could be speedily corrected by the introduction of additional weapons, even nuclear weapons. Along similar lines, the Federal Republic of Germany stated that in Europe nuclear weapons helped to offset an existing imbalance in the conventional field and were therefore an indispensable

²⁸ A/35/145 and Add. I.

prerequisite for peace and stability. It argued that any measure aimed at reducing or, as in the draft resolution, restricting the freedom of States to accept the stationing of nuclear weapons on their territories as a means of ensuring their security in accordance with Article 51 of the United Nations Charter had therefore to be seen in connexion with the over-all security situation of that region. In its opinion, nuclear disarmament could only lead to greater stability and security at a lower level of armaments if it was based on concrete and ultimately verifiable measures with a view to achieving a stable balance. In that spirit the Federal Republic of Germany welcomed any realistic approach — for example, the recent first round of talks for the mutual limitation of land-based nuclear medium-range missiles within the framework of the SALT process, which was an important step towards the mutual limitation of those weapons systems.

Sweden, which abstained in the vote, stated that it attached great importance to measures aimed at preventing the stationing of nuclear weapons on the territory of additional States as it felt such measures could constitute a significant contribution to non-proliferation and nuclear disarmament efforts. Accordingly, it strongly supported existing international instruments by which the parties concerned were committed to refrain from actions that would lead to stationing of nuclear weapons in additional States. Sweden felt, however, that the question of non-stationing was extremely complex since it concerned the general military situation in the world, fundamental aspects of existing security arrangements and the doctrines and force postures of the leading military Powers, and that progress in that field could be achieved only in the context of real disarmament agreements. Ireland believed that the question of where the weapons of the two major Powers should be stationed and under what kind of control was a matter of contention between the alliances of which those major Powers were members. For that reason, and notwithstanding its strong general position against the spread of nuclear weapons to other areas, it felt it necessary to abstain on the draft resolution since voting in favour could be seen as taking sides on strategic issues between the two alliances, which it considered unacceptable given that Ireland was not a member of either or of any other military alliance.

Yugoslavia held that the framework for non-stationing as laid down in operative paragraph 1 of the draft resolution was too narrow. In its view, the convention should deal with all aspects of the non-stationing of nuclear weapons and not solely with one of them, that is, it should provide for the obligations of nuclear-weapon States with regard to the non-stationing of nuclear weapons on the territories of non-nuclear-weapon States and in other areas, such as international air and maritime spaces, where there were no such weapons, as well as with respect to the withdrawal of nuclear weapons from the territories of non-nuclear-weapon States where such weapons were already stationed. For those reasons, Yugoslavia could not support the limited approach to the consideration and solution of the question of non-stationing envisaged in the draft resolution and would abstain. Brazil similarly explained its abstention on the ground that the draft lacked a specific requirement for the withdrawal of nuclear weapons from the territories of

countries that already had them and the elimination of those weapons in the territories of nuclear-weapon States themselves within the context of effective measures of nuclear disarmament. Ghana, which also abstained, shared the views expressed by Yugoslavia and Brazil.

Cuba, while it had supported the draft resolution, emphasized that non-stationing agreements should not constitute formal acceptance of the existence of nuclear weapons on territories of States which already possessed them. It also drew attention to the right of all States to have whatever weapons they deemed necessary to defend their sovereignty, independence and territorial integrity and held that the renunciation of that right could not be conceived of unless there was respect for the right of all States to determine their future and choose the economic, political and social systems that most suited their peoples. India stated that its affirmative vote was without prejudice to its consistent and well-known position of total opposition to nuclear weapons as such and to the deployment of nuclear weapons anywhere in the world. It firmly stood for the complete elimination of nuclear weapons and had consistently called for urgent negotiations to achieve nuclear disarmament, and it was in that context that it supported the draft resolution. Furthermore, in its view, the question of taking up the proposal for consideration in the Committee on Disarmament would depend upon the priorities assigned to the various agenda items by the Committee itself, whose decisions in that regard could not be pre-empted.

Finland supported the general objective of achieving a world-wide zone of countries that were permanently free of nuclear weapons, an objective that required a carefully considered and balanced arrangement of obligations and responsibilities, including appropriate security assurances. In view of the over-all goal of nuclear disarmament, Finland believed that there should be no new owners of nuclear arms, that no new types of nuclear weapons should be developed and that no new deployment should be undertaken in areas where they did not exist. Secondly, in its view, only the Government of the country concerned, be it large or small, allied or non-allied, could be qualified to interpret its own security needs. For its part, it had forgone the option of nuclear weapons, had consistently worked for their prohibition and would not receive nuclear weapons on its territory on behalf of other countries. It had endeavoured to strengthen the non-proliferation régime and had supported the concept and practice of nuclear-weapon-free zones, as well as other measures aimed at lessening the dangers posed by nuclear weapons. Furthermore, it had made proposals that aimed at entirely excluding the Nordic countries from any nuclear speculation. Finland considered that the talks envisaged in operative paragraph 1 of the draft resolution would involve a wide range of issues, and hoped they would reflect the principles it had mentioned. It also hoped they would be conducted in accordance with the order of priorities already agreed upon.

The General Assembly adopted the draft resolution on 12 December, as resolution 35/156 C, by a recorded vote of 95 to 18 (including France, United Kingdom, United States and other Western countries), with 27 abstentions. China did not participate in the vote. Only Mexico explained its

position in the Assembly, stating that its affirmative vote was on the understanding that the talks envisaged in paragraph 1 would proceed without detriment to other priorities for items on the agenda of the Committee on Disarmament.

Resolution 35/156 C reads as follows:

The General Assembly,

Conscious that a nuclear war would have devastating consequences for the whole of mankind,

Recalling its resolution 33/91 F of 16 December 1978, in which it called upon all nuclear-weapon States to refrain from stationing nuclear weapons on the territories of States where there are no such weapons at present, and on all non-nuclear-weapon States which do not have nuclear weapons on their territories to refrain from any steps which would directly or indirectly result in the stationing of such weapons on their territories,

Taking note of the report of the Secretary-General, submitted in accordance with General Assembly resolution 34/87 C of 11 December 1979,

Bearing in mind the clearly expressed intention of many States to prevent the stationing of nuclear weapons on their territories,

Considering that the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present would constitute a step towards the larger objective of the subsequent complete withdrawal of nuclear weapons from the territories of other States, thus contributing to the prevention of the spread of nuclear weapons and leading eventually to the total elimination of nuclear weapons,

1. *Requests* the Committee on Disarmament to proceed without delay to talks with a view to elaborating an international agreement on the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present;

2. *Requests* the Secretary-General to transmit to the Committee on Disarmament all documents relating to the discussion of this question by the General Assembly at its thirty-fifth session;

3. *Requests* the Committee on Disarmament to submit a report on the question to the General Assembly at its thirty-sixth session;

4. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present: report of the Committee on Disarmament"

With respect to SALT, the debate in the Assembly essentially proceeded along the lines of the discussion in the Committee on Disarmament. The need for an early ratification of the SALT II Treaty and for the continuation of the negotiations were constantly stressed. For their parts, the Soviet Union and the United States reiterated their respective views on the matter, the latter also noting the initiation of preliminary discussions with a view to meaningful and equal limitations of United States and Soviet theatre nuclear forces within the framework of SALT III.

The draft resolution on the subject was sponsored by Argentina, Indonesia, Mexico, Niger, Nigeria, Pakistan, Sweden and Yugoslavia. In introducing it, Mexico pointed out that the purpose of the draft resolution was to seek a remedy for the alarming situation that had been caused by the unbridled nuclear arms race on the planet. It aimed at promoting the adoption of effective practical action to prevent a nuclear war which so many in authority had said would mean universal suicide. Mexico explained that the purpose of the operative part was basically to call on the General Assembly to

give formal expression in the records of the United Nations to what was spelt out therein (see below).

In the First Committee the resolution was adopted on 24 November without a vote. In explaining its position, the Soviet Union stated that the delay in the entry into force of the SALT II Treaty was not the fault of its side and reiterated that it was in favour of the immediate ratification of the Treaty and the consequent entry into force of the obligations it contained, which would apply to both parties. For its part, the United States commented that, as it had stated on numerous occasions, "the invasion of Afghanistan after the SALT II agreement had been sent to the Senate for consideration created a serious obstacle to Senate action on ratification". Noting that the position of the current United States Administration on SALT II was well known and had been spelt out in its opening statement in the Committee, the United States pointed out that it expected that the incoming Administration would be reviewing the nation's position on SALT II very soon. New Zealand, which supported the consensus, would have preferred the word "expectation" rather than "presumption" in the final pre-ambular paragraph, especially in light of the reference to time in operative paragraph 1. The Federal Republic of Germany stressed the importance it attached to further negotiations covering both strategic and long-range theatre weapons, and its appreciation of the steps being taken by the two parties with regard to the latter. In explaining its position, Albania dissociated itself from the consensus on various grounds, holding especially that the super-Powers contradicted their statements by their actions and that SALT II did not represent measures for either disarmament or arms limitation. It therefore did not find it useful to appeal to the two Powers to ratify SALT II and begin negotiations on SALT III.

The General Assembly, on 12 December, adopted the draft resolution, also without a vote, as resolution 35/156 K. It reads as follows:

The General Assembly,

Recalling its resolutions 2602 A (XXIV) of 16 December 1969, 2932 B (XXVII) of 29 November 1972, 3184 A and C (XXVIII) of 18 December 1973, 3261 C (XXIX) of 9 December 1974, 3484 C (XXX) of 12 December 1975, 31/189 A of 21 December 1976 and 32/87 G of 12 December 1977,

Reaffirming once again its resolution 33/91 C of 16 December 1978, in which it, *inter alia*:

(a) Reiterated its satisfaction at the solemn declarations made in 1977 by the heads of State of the Union of Soviet Socialist Republics and the United States of America, in which they stated that they were ready to endeavour to reach agreements which would permit starting the gradual reduction of existing stockpiles of nuclear weapons and moving towards their complete, total destruction, with a view to a world truly free of nuclear weapons,

(b) Recalled that one of the disarmament measures deserving the highest priority, included in the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly, was the conclusion of the bilateral agreement known as SALT II, which should be followed promptly by further strategic arms limitation negotiations between the two parties, leading to agreed significant reductions of and qualitative limitations on strategic arms,

(c) Stressed that in the Programme of Action it was established that, in the task of achieving the goals of nuclear disarmament, all nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility,

Recalling that the SALT II agreement — which bears the official title of “Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms” — was finally signed on 18 June 1979, after six years of bilateral negotiations, and that its text, together with the texts of the Protocol to the Treaty and of the joint statement of principles and basic guidelines for subsequent negotiations on the limitation of strategic arms, both signed on the same date as the Treaty, and that of a joint communiqué, also issued on 18 June 1979, were reproduced as a document of the Committee on Disarmament.

Reaffirming that, as stated in its resolution 34/87 F of 11 December 1979, it shares the conviction expressed by the Union of Soviet Socialist Republics and the United States of America in the joint statement that early agreement on the further limitation and further reduction of strategic arms would serve to strengthen international peace and security and to reduce the risk of outbreak of nuclear war,

Bearing in mind that in the same resolution it expressed its trust that the SALT II Treaty would enter into force at an early date, inasmuch as it constituted a vital element for the continuation and progress of the negotiations between the two States possessing the most important arsenals of nuclear weapons,

Recalling that, at its first special session devoted to disarmament, it proclaimed that existing arsenals of nuclear weapons alone were more than sufficient to destroy all life on earth, that the increase in weapons, especially nuclear weapons, far from helping to strengthen international security, on the contrary weakened it, and that the existence of nuclear weapons and the continuing arms race posed a threat to the very survival of mankind, for which reasons the General Assembly declared that all the peoples of the world had a vital interest in the sphere of disarmament.

Noting that the Disarmament Commission, at its session held in 1980, agreed, while examining the “Elements of the Declaration of the 1980s as the Second Disarmament Decade”, to include, among the concrete measures which should be given the highest priority, the ratification of the strategic arms limitation agreement (SALT II) and the commencement of negotiations for a SALT III agreement,

Noting also that in the debates of the Committee on Disarmament during its session held in 1980 the need for prompt ratification of the Treaty was constantly stressed,

Convinced that the signature in good faith of a treaty, especially if it is the culmination of prolonged and conscientious negotiations, carries with it the presumption that its ratification will not be unduly delayed,

1. *Deplores* that the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms (SALT II) has not yet been ratified, notwithstanding that it was signed on 18 June 1979 and in spite of the many other reasons existing for such ratification, as illustrated by those summarized in the preamble of the present resolution;

2. *Urges* the two signatory States not to delay any further the implementation of the procedure provided for in article XIX of the Treaty for its entry into force, taking particularly into account that not only their national interests but also the vital interests of all the peoples are at stake in this question;

3. *Trusts* that, pending the entry into force of the Treaty, the signatory States, in conformity with the provisions of the Vienna Convention on the Law of Treaties, will refrain from any act which would defeat the object and purpose of the Treaty;

4. *Reiterates its satisfaction*, already expressed in its resolution 34/87 F, at the agreement reached by both parties in the joint statement of principles and basic guidelines for subsequent negotiations on the limitation of strategic arms, signed the same day as the Treaty, to the effect of continuing to pursue negotiations, in accordance with the principle of equality and equal security, on measures for the further limitation and reduction in the number of strategic arms, as well as for their further qualitative limitation which should culminate in the SALT III treaty, and to the effect also of endeavouring in such negotiations to achieve, *inter alia*, the following objectives:

- (a) Significant and substantial reductions in the numbers of strategic arms;
- (b) Qualitative limitations on strategic offensive arms, including restrictions on the devel-

opment, testing and deployment of new types of strategic offensive arms and on the modernization of existing strategic offensive arms;

5. *Invites* the Governments of the Union of Soviet Socialist Republics and the United States of America to keep the General Assembly appropriately informed of the results of their negotiations, in conformity with the provisions of paragraphs 27 and 114 of the Final Document of the Tenth Special Session of the General Assembly;

6. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Strategic arms limitation talks"

Conclusion

Divergent approaches continue to mark the consideration of questions related to nuclear arms limitation and nuclear disarmament.

It is clear that there is general recognition of the pressing need for progress towards the objectives set out in the Final Document of the first special session devoted to disarmament, particularly in paragraph 50. But equally clear, serious differences persist, especially among the nuclear-weapon States, with respect to a number of fundamental issues, such as: suitable conditions and framework for negotiations; the stages by which nuclear disarmament should proceed; the respective responsibilities of the five nuclear-weapon States at various stages of the process; the relationship between nuclear and conventional disarmament; and the practical implications of the concept of undiminished security at all stages.

Those differences are of long standing and therefore the search for common grounds would, under any circumstances, be lengthy and laborious. Awareness of existing difficulties has increased in the midst of developments in the international situation which have had adverse effects on the discussions on questions relating to the cessation of the nuclear arms race and nuclear disarmament in the Disarmament Commission, the Committee on Disarmament and the General Assembly, as well as in other forums, notably SALT. However, the exchange of views on the various questions involved continued during 1980 without signs of irreparable damage to a deliberative process essential for concerted international action on the complex matters in question.

At the same time, the deterioration of international relations has heightened the urgency of coming to grips with the questions relating to nuclear arms limitation and disarmament. It may, therefore, be expected that renewed efforts will be made to open avenues that will permit the international community to advance beyond the deliberative stage and find practical ways of approaching questions which involve nothing less than the survival of humanity.

The Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Introduction

THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, commonly referred to as the non-proliferation Treaty, entered into force on 5 March 1970.¹ It has since been the fundamental instrument to avert the danger of the proliferation of nuclear weapons and the basis of measures that have, over the years, led to the emergence of a widespread international non-proliferation régime. In that context, it was important that the first Review Conference of the Parties to the Treaty, in 1975, after four weeks of intensive deliberations, adopted, by consensus, a Final Declaration reaffirming, *inter alia*, the parties' common interest in averting the further proliferation of nuclear weapons and in that context their strong support for the Treaty and continued dedication to its principles and objectives. By mid-1980, 10 years after the entry into force of the Treaty, the number of States parties to it had reached 114. That number includes three nuclear-weapon States: the Soviet Union, the United Kingdom and the United States.

The non-nuclear-weapon States parties to the Treaty include some which possess the most advanced nuclear technology, such as Canada, the Federal Republic of Germany, Japan, Sweden and Switzerland. On the other hand, several non-nuclear-weapon States with significant peaceful nuclear programmes have not become parties, among them Argentina, Brazil, India (which announced that it had carried out a peaceful nuclear explosion experiment in 1974), Israel, Pakistan, South Africa and Spain.

The non-proliferation Treaty provides, in article VIII, for a conference of its parties to be held in Geneva five years after its entry into force to review its operation with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized. It is also foreseen that at

¹ For a more detailed account of the work of the United Nations on the question of nuclear weapons proliferation in the early years, see *The United Nations and Disarmament: 1945-1970* (United Nations publication, Sales No. 70.IX.1) and *The United Nations and Disarmament: 1970-1975* (United Nations publication, Sales No. E.76.IX.1). Also, previous volumes of *The United Nations Disarmament Yearbook* contain chapters on the Treaty on the Non-Proliferation of Nuclear Weapons (United Nations publications, Sales Nos. E.77.IX.2 (vol 1: 1976); E.78.IX.4 (vol 2: 1977); E.79.IX.2 or 3 (vol. 3: 1978); and E.80.IX.6 or 7 (vol. 4: 1979)).

intervals of five years thereafter, review conferences shall be held if a majority of the parties so wish. Accordingly, the first Review Conference met at Geneva from 5 to 30 May 1975 and reviewed the operation of the various articles of the Treaty. In reviewing article VIII, the Conference proposed to the depositary Governments — the Soviet Union, the United Kingdom and the United States — that another conference to review the operation of the Treaty be convened in 1980. On that basis, the General Assembly placed an appropriate item on the agenda of its thirty-third session in 1978 and adopted, on the initiative of the three depositaries, resolution 33/57, by which it noted that, following appropriate consultations, a Preparatory Committee had been formed of those States parties to the Treaty and serving on the Board of Governors of the International Atomic Energy Agency (IAEA) or represented in the Committee on Disarmament.⁴

The Preparatory Committee for the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons held three sessions, all in Geneva. In much of its work, especially in such areas as rules of procedure, financing, background documentation, the provisional agenda for the Second Review Conference and questions relating to a final document or documents of the Conference, the Preparatory Committee took advantage of the experience gained in the preparations for the first Review Conference. The work of the Committee was for the most part characterized by the absence of controversy, but efforts to have the Committee deal with the substance of the issues which would inevitably arise at the Conference were unsuccessful.⁵

With regard to the item on the provisional agenda of the Second Review Conference, entitled "Preparation and adoption of final document(s)", working papers were submitted to the Preparatory Committee by Australia, Hungary, Norway and Romania. All four papers provided ideas for consideration by the Committee in designing an outline or structure for the final document or documents. An attempt to begin drafting a final declaration or document in the Preparatory Committee, however, did not succeed, nor was agreement reached on an outline of such a document. Consequently, it was left for the Second Review Conference itself to decide upon the structure and main elements of its final document or documents, and to that end the

⁴ Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Ecuador, Ethiopia, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Hungary, Iran, Italy, Japan, Kenya, Korea, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Norway, Peru, Poland, Romania, Sri Lanka, Sweden, Thailand, Tunisia, USSR, United Kingdom, United States, Venezuela, Yugoslavia and Zaire.

At the time of the second session, as Indonesia was already a member of the Committee on Disarmament and had ratified the Treaty, it became eligible for membership in the Preparatory Committee. At the time of the third session, Ireland, the Philippines and Switzerland had been elected to the Board of Governors of the International Atomic Energy Agency and thus became eligible to serve on the Committee.

⁵ For a more detailed account of the work of the Preparatory Committee, see *The United Nations Disarmament Yearbook*, vol. 4: 1979, chap. XX, and *Disarmament*, vol. III, No. 2, July 1980 (United Nations publication, Sales No. E.80.IX.5), article entitled "Preparation for the second Review Conference: decisions of the Preparatory Committee"

four working papers mentioned above were transmitted, as part of the final report of the Preparatory Committee, to the Conference.

The importance of the non-proliferation Treaty can be demonstrated in a number of ways. Although not all States have adhered to it, there can hardly be any doubt about its world-wide impact in setting a standard or a norm of non-proliferation. With that awareness of the value of the Treaty, it was the hope of the Preparatory Committee, despite its own modest achievements, that the Second Review Conference would provide an opportunity for the parties to reconfirm and further strengthen the non-proliferation régime and consider simultaneously all the aspects of international co-operation in the peaceful uses of nuclear technology.

The Second Review Conference

Participation

The Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was held in Geneva on 11 August to 7 September 1980. The number of participants in the Conference was 75 as compared to 58 at the 1975 Conference; this reflected the increase in the number of parties to the Treaty by some 20 States between the two Review Conferences.⁴ Of the participants, 42 belonged to the Group of 77, 24 to the Group of Western European and Other States, and 8 to the Eastern European Group. Sweden did not affiliate itself with any group.

Egypt, a signatory State which had not yet ratified the Treaty, participated in the Conference without taking part in its decisions, as provided for by the rules of procedure. Eleven additional States, neither parties nor signatories of the Treaty, namely, Algeria, Argentina, Brazil, Chile, Cuba, Israel, Mozambique, Spain, the United Arab Emirates, the United Republic of Tanzania and Zambia, applied for and were granted observer status by the Conference.

With regard to regional organizations, the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL) and the League of Arab States were granted Observer Agency status. Many non-governmental organizations also attended the Conference and actively followed its work.

The United Nations and the International Atomic Energy Agency (IAEA) were represented by high-level delegations.

⁴ The participants were the Soviet Union, the United Kingdom and the United States, as depositaries, and 72 non-nuclear-weapon States parties: Australia, Austria, Bangladesh, Belgium, Bulgaria, Burundi, Canada, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Ethiopia, Finland, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, San Marino, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uruguay, United Republic of Cameroon, Venezuela, Yugoslavia and Zaire.

The Conference received a message from the Secretary-General of the United Nations, and was addressed by the Director-General of IAEA. Messages were also addressed to the participants of the Conference by L. I. Brezhnev, President of the Presidium of the Supreme Soviet of the USSR, and by President Carter of the United States.

The Conference, by acclamation, elected Mr. Ismat Kittani of Iraq as its President, and later unanimously elected Mr. C. G. Maina (Kenya) as Chairman of its Main Committee I and Mr. N. N. Fernandez (Australia) as Chairman of Main Committee II. In accordance with its rules of procedure, the Conference elected 26 Vice-Presidents, again unanimously, from States parties to the Treaty representing all political groupings and geographical areas.

The general debate in plenary meetings

Fifty-two delegations participated in an extensive general debate, in the course of which it was widely observed that the Conference was being held during a period marked by an increase in international tension. A number of participants felt that in the light of recent international events and increased possibilities of danger to peace, the Conference assumed even greater importance and was of more significance than it otherwise would have been.

A number of divergent views were expressed with regard to which aspects of the review of the Treaty merited the greatest attention. The nuclear-weapon States and the developed non-nuclear-weapon States usually associated with them generally felt that the Conference should first of all endeavour to strengthen the Treaty by encouraging wider adherence and taking measures to set up a more effective safeguards system to prevent the diversion of nuclear materials and technology to military purposes. The States stressing those points regarded the Treaty as having met its primary purpose, both as an instrument to prevent the spread of nuclear weapons and as the most appropriate framework for international co-operation in the peaceful uses of nuclear energy. On the other hand, many non-nuclear-weapon States, especially developing countries, held that the main emphasis should be to determine whether all the provisions of the Treaty were being implemented and to call for measures required to fill gaps and remedy any inadequacies that might be uncovered. They believed that, while a strong and universal Treaty was desirable, that goal could best be accomplished on the basis of a balance of mutual responsibilities and obligations on the part of both its nuclear and non-nuclear parties. Among the main proponents of that view were Mexico, Nigeria, Romania, the Philippines, Sri Lanka and Yugoslavia.

Virtually all speakers noted with satisfaction that the number of States parties to the Treaty had increased considerably since the previous Review Conference. The United States pointed out that together with France — which had made it clear that it would act as if it were a party to the Treaty — the countries that had adhered to a non-proliferation régime repre-

sented an aggregate population of over 2 billion people and an aggregate gross national product of 7.7 trillion dollars, 98 per cent of the world's installed nuclear capacity and 95 per cent of the nuclear power reactors, and all major exporters of key nuclear materials and equipment. Nigeria, for its part, while acknowledging the pace at which countries had joined the Treaty since 1975, noted that they included some which added little to the overall potential for proliferation. It stressed that 10 of the non-nuclear-weapon States which had not acceded to the Treaty operated significant nuclear facilities and, moreover, that three of them with unsafeguarded facilities were in a position to produce weapons-usable materials.

In the discussion of the provisions of articles I and II of the Treaty, a number of delegations, among them the Federal Republic of Germany, Hungary and the Soviet Union, noted that there had been no complaints or suggestions that States parties to the Treaty had failed to carry out the obligations they had assumed. Others, however, did not fully agree. Senegal, for instance, observed that, according to reports, some States such as Israel and South Africa were developing nuclear weapons; if such reports were accurate, those countries would be doing so with the assistance or complacent tolerance of certain States parties to the Treaty. Thus, in contrast to the first Review Conference, there was some difference of opinion regarding the effectiveness of those articles.

Of the various provisions of the non-proliferation Treaty, the most intense debate was on the implementation of article VI concerning nuclear disarmament. The participants addressed themselves, in particular, to four main questions: (a) the early conclusion of a comprehensive nuclear test ban; (b) the ratification of the SALT II agreement by the Soviet Union and the United States; (c) the progressive reduction of stocks, together with negotiations on qualitative restrictions, of nuclear weapons; and (d) the granting of effective security guarantees to non-nuclear-weapon States against the threat or use of nuclear weapons. Cessation of production of fissionable material for nuclear weapons purposes and the matter of nuclear-weapon-free zones were also issues which drew considerable attention.

With regard to article VI, most participants held that the nuclear-weapon States had not adequately fulfilled their obligations to negotiate effective measures to halt the nuclear arms race and achieve nuclear disarmament. It was broadly felt that the Conference should urge the major nuclear Powers to intensify their efforts to stop the nuclear arms race and start a real process of nuclear disarmament. Sri Lanka, the Co-ordinator of the Group of 77 participating in the Conference, while accepting that recrimination would be futile, at the same time felt that one could hardly conceive of a "review" which did not relate to past performance. Some countries, Mexico in particular, asserted that the future of the Treaty depended primarily on the implementation of article VI by the nuclear Powers.

In reply to that viewpoint, the three depositary Governments, in particular the Soviet Union and the United States, drew attention to the efforts they had made to reach agreement on a number of issues, including a comprehensive nuclear test ban, and to provide security guarantees to non-

nuclear-weapon States. They also stressed the importance of the SALT II Treaty for the future of international security. The United States stated that it was determined to complete the ratification of the SALT II Treaty and, until that was feasible, to refrain from actions inconsistent with that objective. Both the Soviet Union and the United States reiterated their determination to continue their negotiating efforts after the ratification of SALT II, with a view to achieving substantial reductions and further qualitative limitations in their nuclear armaments. The Soviet Union, in particular, recalled its proposal on the cessation of the production of all types of nuclear weapons and gradual reduction of stockpiles of such weapons until their complete elimination. The three depositary Governments circulated, as a document of the Conference, their joint report of 30 July 1980 to the Committee on Disarmament⁵ on the question of a treaty on the prohibition of nuclear-weapon tests.

The question of security guarantees was widely discussed in the plenary debate. The United States and the United Kingdom reiterated their earlier declarations (see chapter IX below). The Soviet Union advocated the conclusion of an international convention by which the nuclear-weapon States would undertake not to use nuclear weapons against States which had renounced the acquisition of such weapons and did not have them on their territories. Many countries, among them Finland, Iran, Ireland, Nigeria, Norway, Kenya and Zaire, regarded the question as still unresolved and the existing guarantees as inadequate. Japan felt that it would be better for the General Assembly or the Security Council solemnly to endorse, by resolution, the declarations on the non-use of nuclear weapons which had already been made by the nuclear-weapon States. Poland and Bulgaria supported the idea of an international convention. Indonesia thought that it should be one of the tasks of the Conference to seek a multilaterally agreed formula for some form of legally binding international instrument on security assurances. Switzerland, for its part, welcomed the fact that an *ad hoc* working group on guarantees had been established by the Committee on Disarmament. In general, there was strong support among the participants for stronger assurances to the non-nuclear-weapon States, and at the same time it was understood, among both nuclear and non-nuclear-weapon States, that some progress had been achieved on the question of assurances since the first Review Conference.

The development and promotion of the peaceful uses of nuclear energy was also a major focus of attention in the general debate. A number of parties felt, however, that it was necessary to emphasize that the primary purpose of the Treaty had always been and remained the prevention of the spread of nuclear weapons. Finland, for instance, in viewing non-proliferation and the wider use of nuclear energy as complementary rather than contradictory aims, thought that the basic reason for the lack of international co-operation in the peaceful uses of nuclear energy was not the restraints exercised but rather the fear that they could lead to the proliferation

⁵ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. II, document CD/130.

of nuclear weapons. With regard to article IV, New Zealand stressed that it would not wish to see the Treaty re-written to become, in effect, a charter for the promotion of the peaceful uses of nuclear energy. Switzerland, for its part, thought that, in spite of the efforts to redefine proliferation, it was unrealistic to think that the problem could be solved by the regulation of peaceful uses of nuclear energy, since the problem of proliferation was political rather than technical. Yugoslavia referred in its statement to the assessment made by the Sixth Conference of Heads of State or Government of Non-Aligned Countries,⁶ according to which "concern for non-proliferation should not be used as a pretext to prevent States from exercising the right to acquire and develop peaceful nuclear technology" Australia asserted that reconciling international security concerns with co-operation in the peaceful uses of nuclear energy had become more urgent because, on the one hand, there were indications that some States outside the Treaty might have covert nuclear programmes and, on the other, that nuclear energy was of growing importance to many countries.

In the debate on the provisions of the Treaty relating to the peaceful application of nuclear energy, virtually all speakers commended IAEA for the manner in which it had thus far carried out its safeguards activities pursuant to article III. Many stressed the need to improve and strengthen IAEA safeguards further and for non-nuclear-weapon States not parties to the Treaty to accept the same safeguards obligations as were accepted by non-nuclear-weapon States parties. The Federal Republic of Germany stated that it was satisfied that, among the nuclear-weapon States, France, the United Kingdom and the United States had submitted their civil installations to the same control regulations as those applying to non-nuclear-weapon States parties to the Treaty, thus reducing one discriminatory aspect of the Treaty.

With regard to the implementation of article IV, however, a number of developing non-nuclear-weapon States, among them Ethiopia, Nigeria, the Philippines and Sri Lanka, expressed dissatisfaction with what they considered to be restrictive export policies of suppliers and the inadequacy of technical assistance in the field of nuclear energy given to developing countries parties to the Treaty. Australia, among others, found it unfortunate that suppliers who were parties to the Treaty had continued to engage in nuclear trade and co-operation with non-parties, often demanding safeguards less stringent than those required by the Treaty. The view was also put forward that non-parties to the Treaty, including some relatively advanced countries, had benefited more from the transfer of nuclear technology and equipment than countries which were parties. Venezuela, for instance, stressed that the Treaty called for the development of nuclear energy for the developing countries parties to the Treaty, and in that context it called for greater equality to be established between the nuclear and the non-nuclear-weapon States parties.

The United States, for its part, felt strongly that the Conference should promote full-scope safeguards under IAEA by calling on members of the

⁶ See A/34/542, annex, para. 232.

non-proliferation régime to enter into new nuclear supply commitments only with those States that accepted IAEA safeguards on all their peaceful nuclear activities. To facilitate development of the peaceful uses of nuclear energy, the United States stressed that since 1975 it had not denied a single licence for export of power reactors to any party to the Treaty and also that it was second to none in the sharing of nuclear research and technology and in other areas of nuclear co-operation. All new United States agreements for co-operation since 1975 had been with parties to the Treaty and all United States material supplied through IAEA had gone to such parties.

The Soviet Union, in stressing that all countries would benefit equally from the strengthening of the non-proliferation régime, saw the need for expanded co-operation in peaceful uses of nuclear energy, particularly with regard to the problem of assured supply of nuclear fuel on an equitable and mutually acceptable basis. It had repeatedly advocated the establishment of international or regional fuel centres under IAEA control as the best way of meeting the needs of countries with small or medium-size nuclear development programmes. Such centres could, in its view, solve the problems of long-term reliable supply of nuclear fuel, and provide storage, reprocessing and other services to participating countries.

The results and significance of the International Fuel Cycle Evaluation (INFCE), completed in early 1980, were the subject of considerable comment in the general discussion. A number of speakers observed with satisfaction the opening for signature of the Convention on the Physical Protection of Nuclear Material, which had taken place in Vienna on 3 March 1980.

In a statement at the conclusion of the general debate, the President of the Conference, Mr. Kittani of Iraq, stated that it had been "frank and forthright" without being in any way damaging. In his view, the Treaty was one of the most important in the field of disarmament, and its goals even more valid in 1980 than in 1968 when it had been opened for signature. The President felt that the objective of the Conference should be to make the Treaty more attractive to its parties and non-parties alike, and thereby contribute to the goal of the universality of the non-proliferation régime. Accordingly he encouraged all delegations, in a spirit of give and take, to match their points of view, and stressed that for the remainder of the Conference it would be up to the main committees to achieve acceptable results.

The work of Main Committee I

The task of Committee I, on the basis of the allocation of items in the plenary meetings, was to review the implementation of the provisions of the Treaty relating to the non-proliferation of nuclear weapons, nuclear and general disarmament, and international peace and security, that is, primarily, articles I, II, VI, and VII. The deliberations in Committee I were marked by a slow start because of the various opposing positions that were taken. During the second week of its work, the following 12 working papers were submitted:

(a) A paper by the States members of the Group of 77 participating in the Conference, containing elements for the sections of the final document of the Conference dealing with items allocated to Committee I, in particular with regard to disarmament (article VI);

(b) Four working papers entirely on disarmament matters by (i) Sweden; (ii) Australia, Belgium, Canada, Greece, Italy, Japan, the Netherlands, New Zealand and Norway; (iii) Canada; and (iv) Hungary and Poland;

(c) A paper by Norway on articles I and II of the Treaty;

(d) Two papers, one by the Netherlands⁷ and one by Indonesia and the Philippines, on article VII of the Treaty;

(e) Three papers, by Bulgaria, Switzerland and the Netherlands respectively, on security guarantees to non-nuclear-weapon States;

(f) Two papers, one by Switzerland and one by Mongolia, on measures to promote wider acceptance of the Treaty.

Of the various working papers, the one submitted by the States members of the Group of 77 was the most comprehensive and became the focal point of discussion in Committee I. In its review of articles I and II, the Group raised questions affecting not only the nuclear-weapon States, but also non-nuclear-weapon States which were exporters of nuclear materials. It was agreed that the obligations of article I had been generally observed with regard to direct transfers of nuclear weapons. It was, however, thought that emphasis should be placed on the need to abide strictly by the obligation assumed by nuclear-weapon States not in any way, directly or indirectly, to assist, encourage or induce any non-nuclear-weapon State to manufacture or acquire such weapons. Moreover, the Group noted that the impact of assistance and co-operation in the nuclear field on the part of non-nuclear-weapon States which were exporters of nuclear material, equipment and technology was not covered by article I except by implication or inference. Thus such collaboration, particularly with some non-parties to the Treaty which had not assumed appropriate international obligations, could have a result contrary to the aim of non-proliferation. In that connexion, particular attention was called to the impact which peaceful co-operation was having on the development of the nuclear-weapon capability of South Africa, a non-party to the Treaty, and the consequent growing alarm of African States and the international community. It was recalled also that the General Assembly had expressed concern about the nuclear-weapon capability of Israel.

The Group was of the view that even non-nuclear-weapon States parties to the Treaty which were nuclear supplier countries should consider themselves bound by the requirements of the article, especially in areas of tension and conflict and where alarm had been raised about intentions of a country in the region concerned.

In the discussion, Morocco, Senegal and Zaire did not agree with statements that there had been no infringements of articles I and II. Nigeria suggested that the conclusions relating to the two articles should be listed separately in the final document as it could not accept a simple formula on article II to the effect that it had been observed by non-nuclear-weapon States par-

⁷ The same working paper by the Netherlands dealt with both article VII and security guarantees to non-nuclear-weapon States; consequently, it is referred to in both (d) and (e) above.

ties to the Treaty, while Morocco and Senegal felt that there had been "oblique" infringements of article I through transfer to third parties. Sweden and Yugoslavia supported the proposal of Nigeria, suggesting that the final document should reflect an interpretation of article I as applying to all parties to the Treaty. The United States, for its part, found that the statement relative to article I contained in the Final Declaration of the first Review Conference was still valid but at the same time agreed that articles I and II should be dealt with separately. It also agreed that it was incumbent on *all* States to abide by the letter and spirit of article I, and would support the inclusion of a statement to that effect in the final document of the Conference. Finally, it wished it to be placed on record that the United States had scrupulously abided by article I; to its knowledge, moreover, no nuclear-weapon State party had infringed the provisions of that article. The USSR stated that there had been no indications of any violations of either article I or II, and reserved its position as to whether comments on the two articles should be contained in one or two sections of a final document. In the view of Australia, there was no necessity for any delegation to adopt a definite position on the question of whether articles I and II should be dealt with separately or together since alternative texts might be prepared by the Secretariat and put before the Committee at a later stage.

In its review of the implementation of article VI, the Group of 77 dealt primarily with such questions as nuclear disarmament, SALT II and a comprehensive test ban. It stated that the provisions of article VI had not been fulfilled and had remained largely a dead letter.

During the discussion in Committee I in this area, a great number of speakers expressed their disappointment, concern and frustration at the slow and limited progress made in the field of nuclear arms control and disarmament. Ireland, for instance, asserted that the reliance on nuclear weapons and the importance accorded to them had increased rather than diminished in recent years while an essential feature of the Treaty had been the determination to reduce the role of nuclear weapons in international relations. It seemed to Sri Lanka that there was a wide measure of agreement among the participants of the Conference that article VI had not been implemented. The three nuclear-weapon States participating in the Conference shared the disappointment about the progress achieved so far in the efforts to end the nuclear arms race. The United Kingdom observed that nuclear weapons still played a vital role in maintaining national security and were an established part of the military balance which preserved peace in Europe. Nuclear disarmament therefore involved delicate and complex issues of security and significant nuclear disarmament measures which were difficult to negotiate. While continuing to depend on the deterrent value of nuclear weapons, the United Kingdom also remained committed to seeking a general relaxation of tensions and progress in arms control. The United States welcomed the high priority given to the question of a comprehensive test-ban treaty and renewed its pledge to continue the efforts to conclude such a treaty at the earliest possible date. The common objective, completion of negotiations for such a treaty, however, would not be served by a nuclear-testing morato-

rium, by the creation at the current stage of a comprehensive test-ban working group in the Committee on Disarmament, or by an attempt to set deadlines for the negotiating process. The Soviet Union shared the general view on the importance of rapid implementation of SALT II and the need to take up negotiations on SALT III, but it did not share the view that the parties should implement the provisions of the SALT II agreement prior to ratification, as that might lessen confidence in the observance of the agreement and make the process of its entry into legal effect seem unimportant. With regard to a comprehensive test-ban treaty, the Soviet Union favoured the tripartite negotiations as the best approach to the question.

In the third and final part of its document, the Group of 77 set out conclusions and recommendations to which it attached fundamental importance; hence, it stated, they should be fully reflected in the final document. Those conclusions and recommendations dealt exclusively with questions of disarmament and security guarantees to non-nuclear-weapon States. They were as follows:

(a) All parties to the non-proliferation Treaty, and particularly the nuclear-weapon States, should reaffirm their commitment to the implementation in good faith of article VI as well as the tenth preambular paragraph of the Treaty dealing with the discontinuance of all test explosions of nuclear weapons for all time;

(b) Multilateral negotiations on nuclear disarmament, as envisaged in the Final Document of the special session of the General Assembly devoted to disarmament, should be commenced without delay in the Committee on Disarmament, and the three nuclear-weapon States parties to the non-proliferation Treaty should give the Review Conference a joint undertaking to support the creation of an *ad hoc* working group of the Committee;

(c) The parties to the SALT negotiations should ratify most urgently the SALT II agreements and commence immediate negotiations for the conclusion of a new agreement — SALT III — which would provide for important qualitative limitations and substantial reductions of nuclear armaments, both strategic as well as theatre or medium-range;

(d) Pending ratification of the SALT II Treaty, the two contracting parties should adopt a solemn joint declaration, to be appended to the Final Document of the Review Conference, committing themselves to abide by the provisions of the Treaty as if it had already formally entered into force;

(e) Multilateral negotiations on a comprehensive test-ban treaty should be commenced in the Committee on Disarmament at the beginning of its 1981 session and, to that end, the three nuclear-weapon States parties to the non-proliferation Treaty should jointly undertake to support the creation of an *ad hoc* working group of the Committee;

(f) The three nuclear-weapon States should conclude urgently their trilateral negotiations on a comprehensive test-ban treaty and submit the results thereof to the Committee on Disarmament early in its 1981 session;

(g) Pending the conclusion of the trilateral negotiations, the three nuclear-weapon States should proclaim the immediate cessation of all their nuclear-weapon tests, either through simultaneous unilateral moratoria or through a trilateral moratorium;

(h) Satisfaction should be expressed that the Committee on Disarmament had begun, in an *ad hoc* working group, the elaboration of a comprehensive programme of disarmament, and all States, particularly the nuclear-weapon States, should ensure that the comprehensive programme of disarmament would provide an effective framework for negotiations leading at an early date to general and complete disarmament under effective international control;

(i) All States, particularly the nuclear-weapon States parties to the non-proliferation Treaty, should spare no effort in order to accelerate the negotiations in the Committee on Disarmament devoted to the urgent elaboration of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

In introducing the working paper of the Group of 77, Mexico stated that in comparison with the many proposals and draft resolutions which the Group had submitted at the first Review Conference, the conclusions and recommendations were more modest, feasible and realistic, and should be acceptable to all delegations.

The two working papers on article VI, one by Canada and the other by Hungary and Poland, were modelled on the relevant part of the Final Declaration of the first Review Conference. In dealing with SALT II and the third phase of the SALT negotiations, they were identical except for the addition of sections on medium-range missiles in Europe. The Canadian working paper urged preliminary exchanges on those weapons without delay, and advocated that the subsequent negotiations be conducted within the framework of the third phase of the SALT process, which would thus embrace limitations on other nuclear-weapons systems. In the Hungarian and Polish working paper, the hope was expressed that the parties concerned would begin, without delay, negotiations concerning medium-range nuclear missiles and United States forward-based systems in Europe with the aim of preventing a new spiral in the nuclear arms race on the European continent.

The working paper by Sweden dealt with article VI. It noted that, although the non-proliferation Treaty had made a major contribution in preventing the spread of nuclear weapons to more countries, it had had hardly any effect on the nuclear arms race. Thus it stressed that full implementation of article VI was a basic requirement for maintaining the effectiveness of the Treaty as an instrument for the non-proliferation of nuclear weapons.

The working paper by Australia, Belgium, Canada, Greece, Italy, Japan, the Netherlands, New Zealand and Norway expressed the hope that, pending the entry into force of the SALT II Treaty, the USSR and the United States would take no action inconsistent with any of its provisions.

The proposals of the Group of 77 presented difficulties in Committee I for some or all of the three depositary Governments. The proposals in fact covered matters that had already been debated in the Committee on Disarmament and other forums, and it was known that both the United States and the United Kingdom had found the conditions called for with regard to multilateral negotiations and a moratorium in nuclear tests ((*b*), (*e*) and (*g*) above) unacceptable; the Soviet Union had found the commitments to abide by SALT II pending ratification ((*d*) above) unacceptable; the three nuclear Powers felt they were not in a position to commit themselves to complete their negotiations on a comprehensive test ban treaty by early 1981 ((*f*) above); and the Soviet Union and the United States held that they could not start negotiations on SALT III until SALT II had been ratified ((*c*) above). The discussion reflected those known differences of opinion, particularly between countries that strongly supported the suggestions put forward in the working paper of the Group of 77 on the one hand and the depositary Governments on the other. In the discussion, hardly any accommodation of views was discernible.

In accordance with the mandate given to Committee I, its discussion also covered article VII of the Treaty on nuclear-weapon-free zones and the

question of security assurances. The views expressed on those issues were not widely divergent. The United Kingdom, for example, indicated that it was prepared to examine any serious proposals aimed at enhancing security assurances and believed that the Committee on Disarmament, in which there had already been much useful discussion, was the best place to pursue that question. In the view of the United States, the final declaration of the Conference should emphasize the particular importance of strengthening the security of non-nuclear-weapon States parties to the Treaty. As far as the United States was concerned, no further steps beyond its solemn declaration were necessary to provide a credible and effective guarantee. It particularly did not agree with the view expressed by several delegations that negative security assurances required further strengthening through the negotiation of a common formula which could be embodied in a binding international convention and it maintained the position that there was little practical possibility of reaching agreement on a single formula that would be acceptable to all concerned. The Soviet Union felt that the interest of non-nuclear-weapon States in increased security assurances was warranted, fair and legitimate, and that the best solution would be the conclusion of an international convention containing a binding obligation for nuclear-weapon States not to use nuclear weapons against States which had renounced the acquisition of such weapons and did not have them on their territory.

In the debate in Committee I on security guarantees, the variations in approach were maintained, as had been the case in the Committee on Disarmament (see chapter IX below).

The 12 working papers referred to above were introduced and considered in Committee I between 27 and 29 August and a tabulation of the proposals was submitted by the Secretariat. There was no effort, however, to start a process of consolidation of the various proposals at that time.

On 29 August, a decision was made to set up two open-ended informal groups, one to review articles I, II and VII and security guarantees, and the other to review articles VI, VIII and IX. The two groups worked intensively until 3 September, but had little success in reconciling the various positions except in the case of article VII (nuclear-weapon-free zones) and with regard to security guarantees to non-nuclear-weapon States, on which the group concerned came close to agreement. The other group decided, with regard to article VIII, that a third review conference should be held in 1985.

On article II there were no differences with regard to substance, in that the participants recognized that the obligations undertaken by the non-nuclear-weapon States parties to the Treaty under that article had been fulfilled. Nevertheless, there were some differences of viewpoint on language formulations, which remained unresolved. Differences on language also existed in respect of article IX, concerning measures to promote wider acceptance of the Treaty, but those differences would not have created a standing obstacle to agreement, provided the other difficulties could have been resolved.

Clearly, the main difficulties were in connexion with articles I and VI, as indicated by the plenary debate and also by the discussion in Committee I.

In both cases, the negotiators were unable to produce an agreed text and most of the proposals produced were placed in brackets, indicating the areas of disagreement. On 4 September, the Committee reported at the plenary meeting that it had been unable to reach agreement on the matters allocated to it and was not in a position to submit recommendations to the Conference.

The work of Main Committee II

The task of Committee II was to focus on those provisions of the Treaty that related to peaceful uses of nuclear energy, mainly articles III and IV. In the Committee, the variety of views advanced reflected divergent approaches to the questions under discussion. In the course of the work, some 40 working papers were presented containing various formulations for a final declaration on articles III and IV of the Treaty.

In the Committee, as in many earlier forums in which the question of international co-operation in the peaceful uses of nuclear energy and the question of the non-proliferation of nuclear weapons had been discussed, two main trends of thought dominated the debate. One emphasized the link between the spread of nuclear weapons and the dissemination of nuclear technology, equipment and materials for peaceful purposes, while the other stressed the benefits that may be derived from the peaceful applications of nuclear technology. Those differences of emphasis caused clashes in two related areas.

One area of disagreement concerned the transfer of nuclear technology, equipment and materials in accordance with article IV of the Treaty. With regard to the provisions of that article, changes were perceived in nuclear export policies in the direction of more stringent export controls and a stricter safeguards régime which sparked some controversy between supplier and recipient countries. In many interventions, however, the emphasis on the need to forge an international consensus in the field of peaceful uses of nuclear energy was quite apparent.

The other problem area concerned the application of safeguards. A large number of delegations, among them those of Australia, Belgium, Canada, the Federal Republic of Germany, Finland, Norway, Sweden and the United Kingdom, expressed the view that the acceptance of full-scope safeguards by all non-nuclear-weapon States would strengthen confidence that no nuclear materials or facilities could be used for making nuclear weapons or other explosive devices. Some participants, for instance Norway, argued for a universal application of the conditions applicable to exports of material or equipment covered by article III of the Treaty as a requirement for the transfer of such material, while others, like Japan, favoured an appeal to non-nuclear-weapon States not parties to the Treaty to agree to submit their nuclear activities to full-scope safeguards. The United States asserted that there was a middle way between those two approaches which would not compel exporting countries, under article III (2) of the Treaty, to insist on

acceptance of full-scope safeguards by non-nuclear-weapon States which were not parties, but would include the formulation of a recommendation to that effect. Finland suggested that broad consideration should be given to measures and means necessary for the harmonization and unification of the various non-proliferation and safeguards conditions attached to nuclear supplies, with a view to arriving at a non-proliferation régime that would, as far as possible, be universally applicable to nuclear transactions between the parties of the Treaty.

The Philippines raised the question as to whether full-scope safeguards should be considered *de jure* or *de facto*. If the Conference decided to require *de jure* full-scope safeguards on exports destined for States not parties to the Treaty, that would represent a unilateral decision which would have serious consequences for the nuclear programmes and economic development of many recipients. The United States explained that its Non-Proliferation Act required *de facto* safeguards. A number of countries, among them Australia, Austria, Canada, Denmark, Finland, New Zealand and Sweden, stood for the application of IAEA safeguards to non-parties to the Treaty on all nuclear materials to be used in both their present and future nuclear activities, that is, *de jure* safeguards.

Some countries, among them Nigeria and Kenya, asked the Conference to call for the cessation of all co-operation and the cut-off of supplies to such countries as Israel and South Africa, unless those countries submitted their nuclear programmes to IAEA full-scope safeguards, to prevent any further contribution to their capability to acquire or manufacture nuclear weapons or explosive devices. That proposal did not receive general approval.

The opening for signature of the Convention on the Physical Protection of Nuclear Material was broadly welcomed and in a number of statements States that had not yet signed were urged to become parties to the Convention. Switzerland, for its part, expressed regret that the Convention would apply only to international transfers of nuclear material.

A number of delegations welcomed the work of the IAEA Expert Group on International Plutonium Storage and supported efforts aimed towards early establishment of an internationally agreed effective scheme for such storage on the basis of article XII.A.5 of the IAEA statute.

With regard to article IV of the Treaty, many countries, mainly non-aligned, expressed concern that following the first Review Conference of the parties to the Treaty, a group of countries, through closed consultations on nuclear supply conditions, had adopted and applied common guidelines for the export of nuclear material, equipment and technology. The main concern was that those guidelines, while largely designed to broaden safeguards applicable to non-parties to the Treaty, also called for restraint in the transfer of sensitive facilities, technology and weapons-usable materials which might be applied as well to non-nuclear-weapons States parties to the Treaty. Iraq, Nigeria, Senegal, Switzerland and Yugoslavia particularly thought that some suppliers had decided to introduce, through bilateral arrangements, non-proliferation requirements which were more stringent than the provisions of article III in the Treaty. The United States, in an endeavour to clear up any

misunderstandings regarding its export policy, said that the guidelines agreed upon were intended to apply the provisions of the Treaty in a manner which would preclude unfair competition among the exporters. It stated that efforts to remove the ambiguity in export policies that India had exploited in 1974 had played a part in the background considerations behind the measures that had been agreed upon. The United States acknowledged that there had been some cases of frustration and delay in the export of its services and equipment, but the problems had either been solved already or were in the process of being solved.

Many countries, among them Indonesia, Italy, Nigeria, Malaysia, Mexico, the Philippines, Switzerland and Romania, were critical of the implementation of article IV, some of them holding that a lack of balance was reflected in the application of articles III and IV. Switzerland, for instance, suggested that those States non-parties to the Treaty that accepted the application of safeguards to all their nuclear activities in accordance with the provisions of article III might in exchange receive certain forms of compensation under article IV. Appeals were made by the Federal Republic of Germany, the Netherlands, Sweden and Yugoslavia to the States concerned to work together towards a new consensus in the area of their relations concerning the peaceful uses of nuclear energy.

Discussion of the results of the International Fuel Cycle Evaluation (INFCE) also figured prominently in the debate. A number of countries commended the positive contribution that the Evaluation had made to outstanding issues relating to the peaceful uses of nuclear energy, with different countries highlighting the significance of various aspects of the programme. Many developed countries, among both the Eastern European and Western European and Other States, emphasized the contribution that INFCE had made towards reducing the danger of nuclear proliferation, while a number of developing countries stressed its contribution to the clarification and harmonization of views on the many problems connected with the development and utilization of nuclear technology.

In addition, the establishment by IAEA of the Committee on Assurances of Supply, to consider and advise its Board of Governors on ways and means to assure supplies of nuclear materials, equipment and technology and fuel cycle services on a more predictable and long-term basis, was generally welcomed in the Committee. In that context, the importance of developing as wide a consensus as possible was stressed. States were asked to consider and make recommendations within the framework of the Committee on Assurances of Supply and in other relevant forums on appropriate institutional arrangements, which would range from various new multinational ventures to regional fuel cycle centres. States were also asked to continue the consideration, which had begun in INFCE, of suitable emergency back-up mechanisms, including a uranium emergency safety network and an international fuel bank.

Committee II, like Committee I, reported to the plenary on September 4 that it had been unable to reach agreement on the matters allocated to it and therefore was not in a position to submit any recommendations to the

Conference. In the case of Committee II, the problem was, however, more the result of its awareness of the intractable difficulties experienced in Committee I than because of any originating in the Committee itself, since, throughout its scheduled work period, Committee II had made continuous progress on the issues before it.

The final phase of the Conference

At the plenary meeting on September 4, the President stated that prospects for the successful conclusion of the work of the Conference were "not very bright" In view of the darkened situation, he urged an intensification of informal negotiations during the brief time that remained.

The following morning, the United States informed the President that, as a result of a decision taken at the highest level with a view to facilitating the reaching of agreement on the text of a final declaration, it was prepared to agree on the establishment of an *ad hoc* working group in the Committee on Disarmament for multilateral negotiations on a comprehensive nuclear test ban.

Thereupon, at the initiative of the President, negotiations were resumed in two informal drafting groups in a final attempt to reach agreement on the components of a final declaration that would be acceptable to all. The Conference also decided to extend its session by one day, until 6 September.

The informal group on the peaceful uses of nuclear energy completed its work during the night of 5 September and produced three informal papers on the review of articles III, IV and V of the Treaty. The papers on articles IV and V were completely free from the brackets used to portray alternative or disputed phraseology, thus indicating that consensus had been reached on all the major questions relating to research, production and use of nuclear energy for peaceful purposes and to appropriate international measures to ensure that potential benefits from any peaceful applications of nuclear explosions might be made available to non-nuclear-weapon States parties to the Treaty. The paper concerning article III of the Treaty relating to safeguards, produced by the informal group, contained three paragraphs in brackets, one of which dealt with the broad question of full-scope safeguards.

The other informal group worked almost without interruption until the afternoon of 6 September, but was unable to make significant progress on any of the questions before it, including the procedures for the establishment of an *ad hoc* working group of the Committee on Disarmament on a comprehensive nuclear test ban. On that question, the Group of 77 felt that the United States' position was not sufficiently specific as to when the working group would be set up and what its mandate would be.

In the afternoon of 6 September, the Group of 77 proposed that the Review Conference adjourn immediately and reconvene in 1981 to complete its work. That was an idea which several participants in the Conference had entertained earlier in the week, when it became evident that the negotiations

relating to articles I and VI were deadlocked. At the request of the Group of 77, the President ascertained the views of the other two Groups. It appeared that the Group of Western European and Other States was divided. The Eastern European Group, on the other hand, was prepared to go along with the idea. At the request of the President, the Conference was extended by another day in order to give the parties more time for reflection. The President drew attention to the fact that by then only two options were open to the Conference — either the suspension of the negotiations at that stage for resumption in 1981, or the adoption of a procedural final document without a substantive final declaration — at its next and final meeting.

On 7 September, it became clear that only the second alternative was practical. Consequently, the Final Document adopted contained only one definitive recommendation, namely, that a third conference to review the operation of the Treaty be convened in 1985.

After the adoption of the Final Document, 23 parties made statements. Virtually all speakers expressed regret that the Conference had not been able, despite the agreement reached in a number of important areas, to produce by consensus a substantive final declaration on the operation and implementation of the Treaty since 1975 and measures to be taken in the future. Some delegations felt that the Conference had done what was required of it; it had reviewed the operation of the Treaty. Fears were expressed, however, that the failure to reach agreement on a final document represented a serious setback for international non-proliferation policies. On the other hand, delegations from all regions of the world affirmed their continued support for the Treaty and urged that work on the outstanding issues be continued.

Sri Lanka, speaking on behalf of the Group of 77, stated that there had so far been very little evidence about the cessation of the nuclear arms race and regarded article VI as having remained largely a dead letter for the entire 10 years since the conclusion of the Treaty; the Group saw those as the main reasons why it had not been possible to produce a substantive final document, and regretted that there had been a negative response to its suggestion that the Conference reconvene in 1981.

The United States, in assessing the results of the Conference, felt that it had fulfilled its purpose of providing the parties to the non-proliferation Treaty an extended opportunity to review together the operation of the Treaty and make progress towards achieving its objectives, although concern had undoubtedly been expressed for greater and faster progress towards fulfilling the objectives of article VI. In that regard, it stated "This is a concern that is broader than the non-proliferation Treaty and which is the focus of discussion in many other important forums. One could hardly have expected to settle it here."

The Soviet Union, speaking on behalf of the Eastern European Group, noted that the Conference had accomplished an important and useful task because it had reviewed in detail all aspects of the implementation of the Treaty. The great importance that States attached to the strengthening of the Treaty had, in its view, been evident during the work, and the need to make

real progress in the reduction of nuclear weapons, disarmament, and the development of co-operation in the peaceful uses of nuclear energy had also been stressed. New steps would be taken to strengthen the Treaty, and the socialist States would do everything in their power to ensure attainment of that objective.

In the view of United Kingdom, disagreement over a final declaration did not imply that there had been disagreement over the value of the Treaty, which continued in full force and effect, with all parties remaining bound by its provisions.

Among the individual States members of the Group of 77, Mexico held that, even if the Conference had been unable to achieve the desired objective, any impartial observer could see the advantages of it having been held. The non-proliferation Treaty could only be strengthened if one bore in mind that there should be a balance of obligations and responsibilities between the nuclear and non-nuclear-weapon States, thus implying that not only horizontal but also vertical proliferation of nuclear weapons must be stopped. Yugoslavia regretted that the nuclear-weapon States and their partners were trying to preserve the non-proliferation Treaty as an instrument enabling them to retain all the advantages that it offered them. It added that the developing countries particularly demanded a programme of measures to enhance the equality of rights and duties between nuclear and non-nuclear States. Nigeria held that the impasse during the final days of the Conference arose in part because some delegations wished to make only a routine review of the operation of the Treaty whereas others wanted to review the Treaty bearing in mind its objectives and purposes and studying in detail the implementation of its articles. In its view, the failure of the conference had reinforced the belief that there were important loopholes in the non-proliferation régime in that several important countries had not acceded to the Treaty, some of them on the threshold of acquiring nuclear capacity. Thus non-proliferation in the 1980s could not be based on the mere existence of the Treaty. Such factors, Nigeria said, made it more difficult for the States parties to urge non-proliferation on those countries which had not acceded to the Treaty.

Romania, for its part, regretted that the process of negotiation which had taken place at the Conference had not achieved the desired practical results, but had only emphasized the unsatisfactory state of affairs between the nuclear and non-nuclear-weapon States parties to the Treaty. If that important international instrument were to fail to achieve its purpose, Romania warned, its effectiveness and very existence would be at stake.

Japan was confident that all States parties to the Treaty would continue to support the letter and the spirit of the Treaty and would work for the strengthening of the only international legal framework there was for containing proliferation and promoting nuclear co-operation. It was encouraging to note that, in the field of the peaceful uses of nuclear energy, the Conference had been able to come very close to consensus. It had no doubt that the formulations which had been agreed upon would provide a useful basis for the future.

The Federal Republic of Germany felt that the non-proliferation Treaty

would continue to serve its purposes. It added that it would continue to work for a credible and effective non-proliferation régime, especially in the area of co-operation in the peaceful uses of nuclear energy with the developing nations. In its view, such a régime could only be built with the support of the maximum possible number of States.

In his closing statement, the President, sharing the disappointment of the Conference that it had not been able to reach a consensus on a substantive final document, said that the undertaking should be seen in all its complexity, which meant finding a common denominator among the positions of the States concerned on a matter influenced both by their individual views and by the international climate. Of the main fields covered by the Treaty, horizontal proliferation had been the subject of very little controversy, as all had recognized that the non-nuclear parties had observed the Treaty. And, while the question of the peaceful uses of nuclear energy had given rise to marked differences of opinion with regard to proposals on the relevant articles, it had been possible to obtain almost complete unanimity in that area. The President found that the greatest difficulties had been in respect of the third sector: disarmament. He said that it should be recognized that the Conference was not alone, since all the bodies which had to deal with the questions concerning the ending of the arms race — the First Committee, the Committee on Disarmament and others — were in no better position. In conclusion, he urged the delegations to study and implement in good faith the proposals considered during the Conference on which agreement had been reached, and to re-examine their positions, particularly with regard to disarmament, in order to see what they could do to attain the objectives which had been the *raison d'être* of the Conference.

References in the General Assembly, 1980

The evaluation of the Second Review Conference at the thirty-fifth session of the General Assembly, particularly in the First Committee,⁸ followed in general the lines and pattern already discernible in the final statements at the Conference itself, including recognition of the need for concrete action in respect of article VI, not only among the developing countries, or Group of 77 at the Conference, but also by some Eastern European and Western States.

Moreover, some non-parties and non-participants added their views, joining those that had been disappointed at, or critical of, the outcome. Among them, China referred in the First Committee to the solemn and just demands of the non-nuclear States at the Conference that the super-Powers carry out their obligations concerning nuclear disarmament, cease the vertical proliferation of nuclear weapons, and extend effective security guarantees to those States. Pakistan, for its part, held that it had been made evident by the Conference that the theory and practice of nuclear non-proliferation

⁸ *Official Records of the General Assembly, Thirty-fifth Session, First Committee, 4th to 28th meetings; and ibid., First Committee, Sessional Fascicle, corrigendum.*

had become nothing short of a device to impose a sort of technological colonialism in the nuclear field over the countries of the third world. Algeria, a non-party which had participated as an observer, stated that there were three basic difficulties with regard to the Treaty: that the nuclear Powers did not regard article VI as binding; that the non-proliferation Treaty system had proved powerless to close off access to nuclear weapons in certain cases; and that, in respect of co-operation in the peaceful uses of nuclear energy, it had proved ineffective for parties and had denied non-parties the right to development. Algeria also observed that negative security assurances to non-nuclear-weapon States had not yet been concluded.

Among the parties to the Treaty, Mexico expressed particular concern about a recent resurgence of the illusion that limited nuclear war could perhaps be won, and emphasized that the non-nuclear-weapon States, in refusing to accept a purely academic final declaration at the Review Conference, had demonstrated that their 10 years of patience awaiting nuclear disarmament had been exhausted. The United States stated that, despite the absence of a final declaration, there had been agreement on the fundamental soundness of the Treaty and the desirability of universal adherence, and no criticism of its objectives. While the United States shared the desire for more rapid achievement of concrete results in fulfilling article VI, it emphasized that at the same time it had to be recognized that there were no short cuts to effective and enduring arms control agreements — that required a steady, patient hand and painstaking effort, to which the United States was pledged.

No draft resolution concerning the non-proliferation Treaty or the Review Conference was called for in 1980, and none was put forward. However, resolution 35/156 C on the non-stationing of nuclear weapons (see chapter VI above, page 122) related to an aspect of the question of horizontal proliferation, while various other resolutions on questions of nuclear disarmament, such as those on the cessation of nuclear-weapon tests (resolutions 35/145 A and B, chapter VIII) and on security assurances to non-nuclear-weapon States (resolutions 35/154 and 35/155, chapter IX), may be regarded as being connected with the objectives espoused by the Treaty.

Conclusion

It was unfortunate that the Second Review Conference of the Parties to the Non-Proliferation Treaty failed to reach consensus agreement on a substantive final declaration. However, in part because the Group of 77 refused to downplay what amounted to basic differences in perception as to certain purposes and objectives of the Treaty, participants emerged from the Conference with a better understanding of the real issues. Moreover, the value of the Treaty was not called into question; the disagreement concerned its implementation rather than its usefulness.

A positive result was achieved in the area of peaceful uses of nuclear power, where general agreement on questions of safeguards on and access to

nuclear materials and technology provided a good basis for future action in other forums, especially those involving IAEA.

The complexities surrounding the question of achieving disarmament, however, were not significantly diminished by the Review Conference. Concrete progress in that area is urgently required to ensure the continuing effectiveness and further strengthening of the non-proliferation Treaty as the main international instrument for guarding the world against the proliferation of nuclear weapons.

Cessation of nuclear-weapon tests

Introduction

DESPITE PERSISTENT ATTENTION AND DISCUSSION for over a quarter of a century, the cessation of nuclear-weapon tests has so far eluded international agreement. The most significant achievement to date is the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water¹ known as the partial test-ban Treaty, which was signed on 5 August 1963 by the USSR, the United Kingdom and the United States and entered into force on 10 October of that year. Some 110 States are parties to the Treaty, although they do not include two nuclear-weapon States, China and France; the latter, however, has not conducted tests in the prohibited environments since 1974.

Two bilateral treaties between the Soviet Union and the United States subsequently placed further limits on nuclear explosions carried out by the parties concerned. On 3 July 1974, the Treaty on the Limitation of Underground Nuclear Weapon Tests,² known as the threshold test-ban Treaty, was signed. The two countries concerned agreed to limit the yield of underground tests to a maximum of 150 kilotons and to reduce the number of such tests to a minimum. As of the end of 1980, the Treaty had not entered into force but it was generally understood that both parties were observing its basic limitations. On 28 May 1976, the two States signed the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes,³ by which they agreed not to carry out any individual nuclear explosion having a yield exceeding 150 kilotons; not to carry out any group explosion having an aggregate yield exceeding 150 kilotons unless the individual explosion could be identified and measured by agreed verification procedures; and not to carry out any group explosion having an aggregate yield exceeding 1,500 kilo-

¹ See United Nations, *Treaty Series*, vol. 480, No. 6964, p. 43; see also *Status of Multilateral Arms Regulations and Disarmament Agreements* (United Nations publication, Sales No. E.78.IX.2), pp. 19-30; and appendix III below.

² See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 27* (A/9627), annex II, document CCD/431.

³ Text transmitted to the Secretary-General by the parties by a letter dated 7 July 1976 (see A/31/125, annex).

tons. A Protocol to the Treaty sets out arrangements concerning the provision of information by the parties, the rights and functions of observers of peaceful nuclear explosions, and means of ensuring that no weapons-related benefits precluded under the threshold test-ban Treaty would be derived from any peaceful nuclear explosion. At the end of 1980 the Treaty had not entered into force.

With the likelihood of qualitative and quantitative improvements in nuclear weapons increasing year by year, and the risk of further proliferation amongst States not yet possessing such weapons, the years since the conclusion of the partial test-ban Treaty have seen mounting pressure for a comprehensive test ban. In 1975, the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in its Final Declaration⁴ appealed to the nuclear-weapon States parties to the Treaty to take the lead in solving the technical and political differences involved and to make every effort to achieve a comprehensive ban at an early date.

The problem of verification having been identified as one of particular difficulty, in 1976 the Conference of the Committee on Disarmament (CCD) established the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

In 1977 the Soviet Union and the United States, later joined by the United Kingdom, began negotiations aimed at formulating the text of a treaty prohibiting nuclear-weapon test explosions in all environments and a protocol covering nuclear explosions for peaceful purposes. In addition to joint progress reports, the three negotiating parties have commented individually in the CCD, in the Committee on Disarmament and in the General Assembly.

In 1978 at the tenth special session of the General Assembly, nuclear disarmament was given the highest priority in the Programme of Action of the Final Document,⁵ and the cessation of nuclear-weapon testing by all States was placed first amongst the measures by which that goal might be achieved. Following the momentum created at the tenth special session, later in 1978 at its thirty-third session, the General Assembly adopted resolution 33/71 C calling upon nuclear-weapon States to refrain from further tests, pending the conclusion of a comprehensive treaty, and resolution 33/60 in which, *inter alia*, the three States were urged to expedite their negotiations and to present their results to the Committee on Disarmament during 1979.

Many States were dissatisfied with the joint progress report given to the Committee on Disarmament in 1979, and considered that negotiations in the Committee on Disarmament should not await the submission of an agreed text by the trilateral powers. At its thirty-fourth session, the General Assembly, by resolution 34/73, *inter alia*, requested the Committee on Disarmament to initiate negotiations on a treaty as a matter of the highest priority,

⁴ See NPT/CONF/35/1, annex I; the text is also reproduced in *The United Nations Disarmament Yearbook*, vol. I: 1976 (United Nations publication, Sales No. E.77.IX.2), appendix V.

⁵ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4), sect. III, paras. 45-71.

called upon the three negotiating States to endeavour to bring their negotiations to a positive conclusion, and invited Governments to contribute to the further development of co-operative measures to detect seismic events. The General Assembly also adopted decision 34/422 by which it requested the Secretary-General to prepare a study on the question of a comprehensive nuclear-test ban, as part of the follow-up action after the special session, and submit it to the Committee on Disarmament in the spring of 1980.

Thus the atmosphere at the start of 1980 was one of disappointment at the lack of progress, dissatisfaction with the reports of the tripartite negotiations and widespread, but not universal, agreement that the Committee on Disarmament should proceed to initiate negotiations without further delay.

Consideration by the Disarmament Commission, 1980

The 1980 substantive session of the Disarmament Commission took place in an international climate which the Chairman described as far from encouraging for disarmament, with negotiations on almost all issues at a standstill. The agenda contained items which the Commission had been unable to discuss in 1979, amongst which was consideration of the nuclear arms race and nuclear disarmament.

Some 26 members of the Commission made reference⁶ to the question of a comprehensive test ban. In discussing the measures to be achieved during the Second Disarmament Decade, the German Democratic Republic, Hungary, Indonesia, Japan, India, Mongolia, Nepal, Panama, the Philippines, Senegal, the Ukrainian SSR and the USSR considered that the cessation of nuclear-weapon tests would be a step of major importance towards removing the threat of a nuclear war. Several members drew attention to the link between the continuance of further nuclear-weapon tests and the dangers of proliferation, in particular, Ethiopia and Nigeria, which emphasized the added significance of the matter in view of the impending Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Austria and Sweden voiced their deep concern at the absence of progress in negotiations towards a comprehensive test-ban treaty, and Finland emphasized the need for dialogue between the leading nuclear States as not being a matter for their exclusive interest, but one which concerned the basic security interests of all States. China's view was that, in light of countless nuclear tests carried out by the two major nuclear-weapon States, the mere cessation of nuclear testing could not prevent them from further developing and improving their nuclear weapons. Thus, by itself, a comprehensive test ban would only tie the hands of weaker countries, thereby allowing the super-Powers to consolidate their nuclear monopoly and to conduct policies which would actually increase the danger of a nuclear war. For that reason, China had reservations about the content of a comprehensive nuclear test ban.

⁶ See A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

In the text of a draft entitled "Elements of the Declaration of the 1980s as the Second Disarmament Decade", adopted by consensus for submission to the General Assembly, the Disarmament Commission recommended⁷ that a comprehensive test-ban treaty should continue to remain at the top of the priority list for action in the Committee on Disarmament. Recalling the General Assembly's declaration at its special session that, among all disarmament measures, effective measures of nuclear disarmament and the prevention of nuclear war had the highest priority, the Commission also expressed⁸ the view that the Committee on Disarmament should fully discharge its responsibilities in the field of nuclear disarmament and should, therefore, continue its efforts to undertake negotiations with a view to the cessation of the nuclear arms race and to the achievement of nuclear disarmament.

Consideration by the Committee on Disarmament, 1980

China's participation in the Committee on Disarmament in 1980 completed the representation of all the nuclear-weapon States and was welcomed by several members of the Committee in their opening statements.

In accordance with General Assembly resolution 34/73 and its request that the Committee on Disarmament should initiate negotiations on a comprehensive test-ban treaty as a matter of highest priority, the item "Nuclear test ban" was listed as the first item on the Committee's agenda. Drawing attention to the strong wording of the resolution, Mexico stated that never before had the General Assembly been so categorical and imperative in urging the multilateral disarmament forum to embark upon substantive negotiations. Kenya, too, considered that the message of the resolution was quite clear and India was convinced that the Committee must assert its proper role and take the initiative in examining the actual drafts of a possible treaty.

There was, however, disagreement on how the Committee on Disarmament should set about its task of initiating negotiations. A majority, amongst which were the non-aligned members — the group of 21 — strongly favoured the establishment of a working group as being the best available machinery for the conduct of concrete negotiations within the Committee, and support for such a step became a persistent feature of the spring and summer sittings of the Committee. Pakistan stated that whilst the group of 21 hoped that the trilateral negotiations on a test-ban treaty would lead to a positive outcome in the near future, they were convinced that irrespective of the progress, or lack of it, the Committee on Disarmament should establish an *ad hoc* working group without delay to commence negotiations on such a treaty. India, Venezuela and Zaire, among others of the group of 21, favoured the setting up of a working group without waiting for the outcome of

⁷ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 19, sect. C, para. 12.

⁸ *Ibid.*, para. 20, "Recommendations on agenda item 4 (a) and (b)", para. 8.

the trilateral negotiations and Sweden requested the creation of such a group well before the Second Review Conference of the parties to the non-proliferation Treaty due to be held in August 1980.

Australia, although wanting negotiations on a treaty to begin as soon as possible, cautioned against any activity which might impede the three negotiating Powers: in Australia's view it would be quite unrealistic to start drafting a treaty without their participation and therefore the three Powers should be invited to suggest an area of work where wider international discussion could be fruitful and where the Committee might make a contribution as a partner. Australia presented a paper⁹ containing an illustrative list of subjects which might be examined, and also urged that consideration should be given to its suggestion, made in the Committee on Disarmament at its 1979 session, that the Committee should start to work out the institutional framework within which an international seismic detection system to monitor adherence to a comprehensive test ban could operate. Canada, Italy and the Netherlands supported the proposal that the Committee should consider measures of practical implementation, particularly those concerning the international verification system, which would be of major importance.

The Soviet Union reaffirmed the great importance it attached to the question of a nuclear-test ban and stated that a long-term and effective solution could be achieved provided that all the nuclear Powers without exception were parties to the corresponding agreement. In the light of this, the Soviet Union did not object to the establishment of a working group, on condition that representatives of all the nuclear Powers would take part in it and that its purpose would be to discuss questions relating to the complete and general prohibition of nuclear weapon tests. That position was supported by Bulgaria and Czechoslovakia.

The United Kingdom, responding early in the session to questions addressed to the Governments engaged in the tripartite negotiations, stated that in the view of the United Kingdom Government the best way forward lay in those confidential negotiations. However, in view of the interest of the members of the Committee and the world community at large in this subject, the United Kingdom attached importance to providing the Committee with information about the course of negotiations and so, together with the other two negotiating States, efforts would be made to make as full a statement as feasible at an appropriate time. The United States agreed with those views.

The *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events held its ninth and tenth formal sessions in February and July, respectively, and made two progress reports¹⁰ to the Committee. The Group set up five study groups to deal with specific issues of a system for international seismic data exchange, and considered that it would need to hold three or four more sessions before pre-

⁹ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. II, document CD/95.

¹⁰ *Ibid.*, appendix II (CD/139), vol. I, document CD/61, and *ibid.*, vol. II, document CD/119.

senting its third report to the Committee on Disarmament, probably in the summer of 1981.

Committee members expressed their appreciation of the Group's detailed work, and Japan noted with approval the initiatives of certain countries to hold workshops or seminars to develop further the scientific and technical aspects of international co-operative measures to detect and identify seismic events. However, Japan felt that as time passed the long-awaited global experimental exercise of seismic data exchange seemed to be receding into the future, and asked for an explanation of the difficulties. Mr. Ericsson of Sweden, the Chairman of the *Ad Hoc* Group, replied that it had not been possible to obtain a consensus within the Group on the matter of the proposed exercise; and regarding the other activities of the Group, he felt that, to an extent, the Group was waiting for the emergence of a text for a test-ban treaty and that, once that was available, progress would be faster.

In a sombre assessment early in the session, Sweden considered that the situation did not augur well for the struggle against proliferation. The serious delays in the ratification of SALT II and the conclusion of a test-ban treaty might even lead to the erosion of the non-proliferation régime. Sweden was convinced that the continuing work of the *Ad Hoc* Group of Seismic Experts would provide unambiguous results that an adequately verifiable comprehensive test-ban treaty could be operable at short notice; what was needed was a change in political attitudes amongst the nuclear-weapon States. Sweden noted that there had been 53 underground nuclear tests reported in 1979, and two of the four States concerned had set new national levels for the numbers of tests carried out in a single year. In Sweden's view, the record of nuclear-weapon testing was ample proof that no change of political attitudes had yet occurred.

On 16 April the Secretary-General transmitted to the Committee the report¹¹ of the study of a comprehensive nuclear-test ban requested by the General Assembly in decision 34/422 (see chapter XXII below). The Committee expressed appreciation for the report and several delegations referred to it in their statements, particularly to its sections on verification.

Statements made during the summer sitting of the Committee on Disarmament reflected even more deeply the frustration of members of the group of 21 at the continuing absence within the Committee of a readiness to create a working group to initiate negotiations. Kenya, India, Pakistan and Sweden, among others, reiterated their request for a working group, and the position of the group of 21 was supported by the German Democratic Republic speaking on behalf of the socialist countries in the Committee. At the same time, Canada doubted whether the establishment of a working group would really accelerate the common objective, and the United Kingdom considered that it would be premature to decide on the matter until the tripartite report had been received and considered. France indicated that, insofar as it was free not to participate in the work of such a group, it would certainly not oppose its establishment.

¹¹ *Ibid.*, vol. I, document CD/86; also circulated as A/35/257.

As the end of the session approached, there were expressions of impatience at the continued absence of a report on the trilateral negotiations. The report in question¹² was introduced on 31 July by the United Kingdom on behalf of the three negotiating Powers. It recorded that considerable progress had been made in negotiating a comprehensive test-ban treaty and provided information on the extent of the treaty envisaged, an accompanying protocol on nuclear explosions for peaceful purposes, procedure for amendments, and the provision of verification procedures and suggested procedures for challenge together with a provision for special arrangements for on-site inspection.

While welcoming the presentation of a report containing more detail than its predecessors, several members voiced critical comments. Algeria, Cuba, Japan, the Netherlands, Pakistan, Sri Lanka and Sweden remarked that yet again the report to the Committee was rendered too late to be given full consideration in the 1980 programme of work. Venezuela, supported by Algeria, Canada, India, Nigeria, Pakistan and Sweden, expressed dislike of the apparent intention that any amendments to the treaty would require the assent of all permanent members of the Security Council. India and Mexico called for a moratorium on all further tests pending the outcome of the trilateral negotiations. Nigeria, among others, commented that the proposed duration of the treaty was not clear and, on the same point, Australia favoured a treaty of long duration, preferably one banning tests for all time. Pakistan noted that there seemed to be no apparent intention to involve the Committee on Disarmament in elaborating a multilateral treaty. The Netherlands welcomed the proposed establishment of a committee of experts for the international seismic system, but asked why their work was to be delayed until after ratification of the treaty. Sweden considered that the *Ad Hoc* Group of Scientific Experts should be entrusted with the task of developing the detailed specifications of the international monitoring system. Belgium suggested that the *Ad Hoc* Group might be given a new mandate in 1981 in connexion with the exchange of seismological data.

The United States felt that the report represented the co-ordinated assessment of a complicated and delicate negotiation. Regarding the suggestion of a moratorium on testing, the United States did not believe that to be a good idea because the three Powers were engaged in a technically complex process of elaborating verification procedures: a moratorium could seriously complicate efforts to develop satisfactory procedures and might even lengthen the negotiating process. With regard to the question of establishing a working group within the Committee on Disarmament, as stated in the report the three Powers believed that for the time being their trilateral negotiations offered the best way forward. The Soviet Union, however, supported the proposal on the conditions it had stated earlier, and considered that discussion with the participation of all five nuclear Powers would not in any way conflict with the trilateral negotiations or do them any harm.

In essence, therefore, despite much discussion of the matter of a com-

¹² *Ibid.*, vol. II, document CD/130.

prehensive test-ban treaty in the Committee during 1980 and certain progress in the trilateral negotiations, the Committee was not able to commence any specific negotiations as requested by the General Assembly in resolution 34/73.

Consideration by the General Assembly, 1980

In their opening statements at the thirty-fifth session, some 30 Member States made reference to the pressing need for cessation of nuclear-weapon testing, and subsequently there was much active discussion in the First Committee.¹³ The USSR stated that, subject to the United States and the United Kingdom showing corresponding readiness, it was quite realistic to expect a successful conclusion within a short time of the elaboration of an international treaty on the complete and general prohibition of nuclear-weapon tests. The USSR proposed a one-year moratorium on all nuclear explosions while negotiations continued. The United States reaffirmed its commitment to seeking an effective and verifiable comprehensive test-ban treaty; substantial progress had been made towards that goal and the United States would continue to pursue such efforts vigorously.

Ireland, Nepal, the Netherlands and Turkey urged the completion of a test-ban treaty as a valuable means of strengthening the non-proliferation Treaty, and Japan appealed for the early conclusion of a comprehensive nuclear test-ban treaty as a first step towards making the Second Disarmament Decade a "fruitful decade"

In the First Committee there were many statements concerning the Committee on Disarmament's continued inability to commence multilateral negotiations. Although the latest report on the trilateral negotiations was generally regarded as a step forward, there was a majority feeling that an *ad hoc* working group should be established at the 1981 session of the Committee on Disarmament to work on a multilaterally negotiated text for submission to the General Assembly at its thirty-sixth session. There were also calls for a moratorium on further nuclear-test explosions pending the completion of a comprehensive test-ban treaty.

Proposing a number of urgent steps to reduce the danger of war, the Soviet Union stated, *inter alia*, that if its partners in the trilateral negotiations, the United States and the United Kingdom, evinced the necessary readiness it would be realistic to expect a successful completion of the elaboration of a relevant treaty shortly. To facilitate this, the Soviet Union included the proposal that all nuclear-weapon States should agree to a one-year moratorium on all nuclear explosions. An understanding on a time-frame of such a moratorium was imperative, the Soviet representative

¹³ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 44th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

said, and he also stressed that all nuclear-weapon States should be involved as it was difficult to conceive of a situation in which some nuclear Powers would cease testing while others continued.

The Soviet proposal was supported by Afghanistan, Angola, Bulgaria, the Byelorussian SSR, Czechoslovakia, Ethiopia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR and Viet Nam, whose general opinion was that the Soviet initiative would provide a new and valuable stimulus to the trilateral negotiations.

Although in agreement with the principle of a moratorium, several States speaking in the First Committee considered that it should be of unspecified duration, pending the completion of a comprehensive test-ban treaty. Mexico said that it would be highly desirable to have a moratorium subscribed to by at least the three nuclear-weapon States acting as depositaries of the Treaty on the Non-Proliferation of Nuclear Weapons, and Japan stated that it would be a tremendous encouragement if nuclear-weapon States would suspend spontaneously or at least reduce their nuclear-weapon tests. In Japan's view, there could not be a more poignant demonstration of the necessity of comprehensive test ban than the fact that nuclear-test explosions had actually been increasing in number since the conclusion of the partial test-ban Treaty in 1963.

Several members of the Committee commented on the latest report of the trilateral negotiations, presented to the Committee on Disarmament. Denmark, the German Democratic Republic, Ghana, the Netherlands and Pakistan, among others, considered that welcome progress had been made. Pakistan, however, noted that the duration of the proposed test-ban treaty had yet to be agreed upon, that in certain aspects of verification account would be taken of the special concerns of the three negotiating Powers, and that, even more important, in several other respects the treaty would include provisions in effect extending the right of veto of the five permanent members of the Security Council. Thus, from the report submitted to the Committee on Disarmament, it appeared to Pakistan that the treaty being evolved would be neither comprehensive, durable nor equitable. To Venezuela, it did not seem that the progress achieved was actually "considerable" as the document had asserted, and several other members criticized the slow progress of the trilateral negotiations.

Sweden referred to the tenth preambular paragraph of the Treaty on the Non-Proliferation of Nuclear Weapons wherein the States parties recalled their determination of 1963 to achieve the discontinuance of all nuclear-weapon tests for all time. It drew attention to the fact that one third of all nuclear explosions to date had taken place in the first Disarmament Decade, namely, in the 1970s. In her statement, the representative of Sweden referred to the following table:¹⁴

¹⁴ *Ibid.*, First Committee, 18th meeting: some States do not accept responsibility for the accuracy of such data.

**Summary of nuclear explosions
(as registered and reported)**

	1944-1980		1970-1974		1975-1979		1980*
		%		%		%	
China	26	2	6	3	9	4	1
France	95	7.5	28	13	28	13	9
India	1	—	—	—	—	—	—
United Kingdom	32	2.5	1	—	4	2	2
United States	664	53	83	41	71	32.5	12
Soviet Union	442	35	86	43	106	48.5	16
TOTAL	1260	100	204	100	218	100	40

*As of 24 October 1980. Figures for 1980 do not yet indicate any trend, as some nuclear-weapon States concentrated their testing on the autumn months.

An unchallengeable conclusion stood out, said the representative of Sweden: the nuclear-weapon States concerned had not lived up to their own commitments. Commenting on the trilateral negotiations, Sweden considered that a majority of States members of the Committee on Disarmament were very dissatisfied. The negotiations were not aimed at concluding a treaty of unlimited duration but rather an agreement of a mere three years; this would amount only to a moratorium on tests which might stall multilateral negotiations on a treaty for all time and could jeopardize international efforts to establish and maintain an international verification system.

Several delegations made reference to the failure of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to agree by consensus on a final document. Indonesia, for example, remarked that without a ban on nuclear tests and without applying measures to halt vertical proliferation it was unrealistic to expect the non-proliferation Treaty to play its assigned role.

Many countries urged the establishment of an *ad hoc* working group in the Committee on Disarmament. India recalled that the group of 21 in that Committee had repeatedly called for such a working group. Czechoslovakia stated that a working group was necessary and that it could act on the basis of the results achieved in the trilateral negotiations as well as of other background material, including the results of the meetings of scientific experts concerned with the detection and identification of seismic phenomena.

Mexico detailed the many attempts by the General Assembly to conclude a comprehensive test-ban treaty, leading to the strong wording of resolution 34/73 and the high level of current frustration. Mexico considered that, in view of many statements to the effect that there were no technical reasons why an acceptable treaty could not be agreed upon, the explanation given in the trilateral report — basically that verification was a laborious process that required the greatest care — was unacceptable and groundless.

The United States representative stated that his country remained fully committed to the early conclusion of an effective and reliable comprehensive test-ban treaty, and substantial progress had been made. The remaining is-

sues were, with few exceptions, matters of considerable technical complexity and political sensitivity, and solutions did not come easily.

China's position was that the correct first step must be for the super-Powers to take the lead in reducing their nuclear arsenals, thereby narrowing the tremendous gap between them and other nuclear States. Once the two States concerned had ceased nuclear tests and substantially reduced and destroyed their nuclear weapons, then the other nuclear States would follow suit. In the meantime, the super-Powers, in China's view, were sidestepping the question of the complete prohibition and total destruction of nuclear weapons, and clamoured only for a complete test ban.

On 14 November, two draft resolutions were submitted to the First Committee under the agenda item entitled "Implementation of General Assembly resolution 34/73"

On 25 November, Mexico introduced the first draft resolution, which was also sponsored by Ecuador, Ireland, Kenya, Pakistan, Sri Lanka, Sweden, Venezuela, Yemen and Yugoslavia. Mexico explained that the draft resolution stressed the *sui generis* nature of the pressure for cessation of nuclear-weapon tests, and emphasized that the problem could be solved immediately. By the operative paragraphs, the Assembly would, *inter alia*, reaffirm the highest priority of a test-ban treaty, urge all States members of the Committee on Disarmament to support creation of an *ad hoc* working group to begin multilateral negotiations to enable a treaty text to be transmitted to the General Assembly at its thirty-sixth session, and call upon the trilateral Powers to halt tests without delay, either by a trilateral moratorium or unilaterally.

On 26 November, before the vote in the First Committee, Australia and New Zealand said they would abstain as the moratorium proposed was partial, applying only to the trilateral Powers, and perhaps condoning peaceful nuclear explosions. The Soviet Union took a similar position, stating also that the period of the moratorium envisaged did not take into account its position that States refrain from conducting any nuclear explosions for one year.

The Committee adopted the draft resolution by a recorded vote of 95 to 1 (United States), with 35 abstentions.

In explanation of vote, Austria and India (which had voted for the draft resolution) and Cuba, Finland and Mongolia (which had abstained) expressed reservations concerning the implications of different categories of nuclear-weapon States assuming different obligations. The Niger considered that a new treaty banning nuclear tests would not change a situation that had existed for 20 years and which would not have arisen if the three depositary States of the partial test-ban Treaty had respected its terms.

On 18 November, Australia introduced the other draft resolution, sponsored also by Canada, Denmark, Japan, the Netherlands, New Zealand and Norway. Recalling the terms of resolution 34/73, the representative of Australia pointed out that by the draft resolution the Assembly would acknowledge the progress of the trilateral negotiations but express regret that they had not moved as rapidly as had been expected. In addition, the draft sug-

gested that the Committee on Disarmament should establish an *ad hoc* working group. In the sponsors' view, a comprehensive test-ban treaty leading to a cessation of all nuclear-test explosions for all time would limit and even stop the vertical proliferation of nuclear weapons by parties to the treaty. The implementation of such a treaty would considerably help the non-proliferation Treaty by helping overcome the objections of those States which saw that treaty as discriminating in favour of the existing nuclear-weapon States.

On 19 November, Sweden, on behalf also of India, Nigeria and Yugoslavia, introduced significant amendments. In addition to proposing changes to certain preambular paragraphs, the suggested amendments were designed to strengthen the specific steps that the Committee on Disarmament should take to initiate substantive negotiations, including the establishment of a working group. They would also request the Committee on Disarmament to determine the institutional and administrative steps necessary in connexion with international seismic monitoring "in the context of its negotiation" rather than "as a matter of priority" as originally proposed. Finally, by the amendments, the Committee on Disarmament would be called upon to make all efforts to submit a draft treaty to the General Assembly before its second special session on disarmament. The same day, the original sponsors, joined by Japan and later Greece, submitted a revised version of the original draft containing small changes in the preamble.

On 26 November, the Committee adopted the amendments by a recorded vote of 90 to 3 (including United Kingdom and United States), with 35 abstentions. The Committee then approved the draft resolution as amended and revised by a vote of 115 to none, with 18 abstentions.

In explanation of its abstention in the vote on the draft resolution as amended, the United Kingdom stated that it believed the trilateral negotiations offered the best hope for progress and that nothing should be done that might disturb them. As revised, the draft resolution invited the Committee on Disarmament to play a role incompatible with the responsibility of the three negotiating States, and also purported to impose a deadline. France explained its abstention on the grounds that it had difficulty in believing that the testing Powers referred to in the first preambular paragraph were in fact continuing their tests to the detriment of "the health of present and future generations". The Soviet representative said that his country had been striving consistently for a general and complete ban on nuclear-weapon-test explosions, and continued to advocate that the Committee on Disarmament take up the matter of a general and complete cessation of nuclear-weapon testing. It also supported the creation of a working group to that end. However, a number of provisions in the amendments and the revised draft resolution as a whole had caused the Soviet Union to abstain. It considered that the General Assembly should not tell the Committee on Disarmament how to organize its subsidiary bodies and their work. Furthermore, it believed that the task facing that Committee was not to prepare a comprehensive nuclear test-ban treaty but rather a treaty on the general and complete cessation of nuclear-weapon tests. Finally, the Soviet Union considered that an evalu-

ation of how a global seismic monitoring system would work in practice could be decided after conclusion of the treaty.

In explanation of its voting on both draft resolutions, the United States, with regard to the non-aligned countries' proposal, stated that it had objected because, in its view, multilateral negotiations would interfere with, and complicate, the trilateral negotiations. Furthermore, it was not useful to set a deadline for submission of a treaty text to the General Assembly, nor could it accept a call for a moratorium which would not be verifiable. In addition, the United States pointed out that General Assembly resolutions constituted only recommendations to the Committee on Disarmament, not instructions. With regard to the Western proposal, the United States had similar difficulties and, moreover, it opposed the amendments *en bloc* as they had the effect of changing the character of the draft resolution. It had therefore voted against the amendments, and abstained from the vote on the draft resolution as a whole. France, in comments applicable to both draft resolutions, considered that a ban on using the underground environment would not prevent the two major nuclear-weapon States from increasing their qualitative and quantitative advantage and thus, to be a real contribution, the ban should be tied to commitments relating to nuclear arsenals and be an integral part of the nuclear disarmament process. With regard to the proposal to establish a working group, France believed that it was up to the Committee on Disarmament itself to take that decision.

The General Assembly, at its 94th plenary meeting, on 12 December, adopted the non-aligned States' draft resolution as resolution 35/145 A by a recorded vote of 111 to 2 (United Kingdom and United States), with 31 abstentions. It reads as follows:

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than twenty-five years and on which the General Assembly had adopted more than forty resolutions, is a basic objective of the United Nations in the sphere of disarmament, to whose attainment it has repeatedly assigned the highest priority,

Stressing that on seven different occasions it has condemned such tests in the strongest terms and that, since 1974, it has stated its conviction that the continuance of nuclear-weapon testing will intensify the arms race, thus increasing the danger of nuclear war.

Reiterating the assertion made in several previous resolutions that whatever may be the differences on the question of verification, there is no valid reason for delaying the conclusion of an agreement on a comprehensive test ban.

Recalling that since 1972 the Secretary-General has declared that all the technical and scientific aspects of the problem have been so fully explored that only a political decision is now necessary in order to achieve final agreement, that when the existing means of verification are taken into account, it is difficult to understand further delay in achieving agreement on an underground test ban and that the potential risks of continuing underground nuclear-weapon tests would far outweigh any possible risks from ending such tests,

Recalling also that the Secretary-General, in his foreword to the report entitled "Comprehensive nuclear test ban", has reiterated with special emphasis the opinion he expressed eight years ago and, after specifically referring to it, has added: "I still hold that belief. The problem can and should be solved now"

Noting that in the same report, which was prepared in compliance with General Assembly decision 34.422 of 11 December 1979, the experts have emphasized that non-nuclear-weapon States in general have come to regard the achievement of a comprehensive test ban as a litmus

test of the determination of the nuclear-weapon States to halt the arms race, adding that verification of compliance no longer seems to be an obstacle to reaching agreement,

Taking into account that the three nuclear-weapon States which act as depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, undertook in that Treaty, almost twenty years ago, to seek the achievement of the discontinuance of all test explosions of nuclear weapons for all time and that such an undertaking was explicitly reiterated in 1968 in the Treaty on the Non-Proliferation of Nuclear Weapons,

1. *Reiterates once again its grave concern* that nuclear-weapon testing continues unabated against the wishes of the overwhelming majority of Member States;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority and constitutes a vital element for the success of efforts to prevent both vertical and horizontal proliferation of nuclear weapons and a contribution to nuclear disarmament;

3. *Urges* all States that have not yet done so to adhere without further delay to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water and, meanwhile, to refrain from testing in the environments covered by that Treaty;

4. *Urges likewise* all States members of the Committee on Disarmament:

(a) To support the creation by the Committee, upon initiation of its session to be held in 1981, of an *ad hoc* working group which should begin the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests;

(b) To use their best endeavours in order that the Committee may transmit to the General Assembly at its thirty-sixth session the multilaterally negotiated text of such a treaty;

5. *Calls upon* the States depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water and the Treaty on the Non-Proliferation of Nuclear Weapons, by virtue of their special responsibilities under those two treaties and as a provisional measure until the new comprehensive test-ban treaty enters into force, to bring to a halt without delay all nuclear test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria;

6. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled "Cessation of all test explosions of nuclear weapons"

At the same meeting on 12 December, the General Assembly adopted the other draft as resolution 35/145 B by a recorded vote of 129 to none, with 16 abstentions. It reads as follows:

The General Assembly,

Reaffirming its conviction that it is in the interests of all people that nuclear-weapon testing by all States in all environments should cease, as this would be a major step towards ending the qualitative improvement, development and proliferation of nuclear weapons, a means of relieving the deep apprehension concerning the harmful consequences of radio-active contamination for the health of present and future generations and a measure of the utmost importance in bringing the nuclear arms race to an end,

Recalling that the parties to the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water and the Treaty on the Non-Proliferation of Nuclear Weapons have already expressed in those treaties their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Recalling its previous resolutions on the subject, in particular resolution 32/78 of 12 December 1977, paragraph 51 of resolution S-10/2 of 30 June 1978, resolution 33/60 of 14 December 1978, section IV of resolution 33/71 H of 14 December 1978 and resolution 34/73 of 11 December 1979,

Noting with appreciation the report of the Secretary-General on a comprehensive test ban,

Noting the progress report on the trilateral negotiations, submitted to the Committee on Disarmament by the three negotiating nuclear-weapon States, on a treaty prohibiting nuclear-test explosions in all environments and its protocol covering nuclear explosions for peaceful purposes,

Expressing regret that those negotiations have not moved as rapidly as had been expected,
Emphasizing the urgent need for all nuclear-weapon States to cease the testing of nuclear weapons,

Recognizing the indispensable role of the Committee on Disarmament in the negotiation of a comprehensive test-ban treaty capable of attracting the widest possible international support and adherence,

Believing that the Committee on Disarmament should establish an *ad hoc* working group on a nuclear-test-ban treaty,

Recognizing the importance to a treaty prohibiting nuclear testing of the work being carried out under the auspices of the Committee on Disarmament on the development of a global seismic verification system,

Convinced that the conclusion of such a treaty would create a favourable international climate for the second special session of the General Assembly devoted to disarmament, to be held in 1982,

1. *Reiterates its grave concern* that nuclear-weapon testing continues unabated against the express wishes of the overwhelming majority of Member States;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the greatest urgency and priority;

3. *Calls upon* the three negotiating nuclear-weapon States to exert their best efforts to bring their negotiations to a successful conclusion in time for consideration during the next session of the Committee on Disarmament;

4. *Expresses the conviction* that such a treaty is a vital requirement to halt the nuclear arms race and the qualitative improvement of nuclear weapons and to prevent the spread of nuclear weapons to additional countries;

5. *Requests* the Committee on Disarmament to take the necessary steps, including the establishment of a working group, to initiate substantive negotiations on a comprehensive test-ban treaty as a matter of the highest priority at the beginning of its session to be held in 1981;

6. *Further requests* the Committee on Disarmament to determine, in the context of its negotiations on such a treaty, the institutional and administrative steps necessary for establishing, testing and operating an international seismic monitoring network and effective verification system;

7. *Urges* all members of the Committee on Disarmament to co-operate with the Committee in fulfilling its mandate and, to this end, to support the creation of a working group on a comprehensive nuclear-test ban;

8. *Calls upon* the Committee on Disarmament to exert all efforts in order that a draft comprehensive nuclear-test-ban treaty may be submitted to the General Assembly no later than at its second special session devoted to disarmament, to be held in 1982;

9. *Decides* to include in the provisional agenda of its thirty-sixth session an item relating to the implementation of the present resolution.

Conclusion

In the view of many States, 1980 was another year of little or no progress towards the cessation of nuclear-weapon tests. Despite the General Assembly's request to the Committee on Disarmament, expressed in resolution 34/73, to initiate negotiations on a treaty as a matter of the highest priority, the Committee was not able to begin such a task. Persistent efforts to establish a working group failed to find consensus, and there was no clear agreement on what such a group would have done if it had been established.

Drawing on earlier statements by the Secretary-General, and the content of the study on the question of a comprehensive nuclear-test ban pre-

pared pursuant to General Assembly decision 34/422, there was wide criticism of the argument that effective verification remained a major obstacle to reaching agreement. The real reason, it was declared, was a continued lack of political will on the part of the nuclear-weapon States.

The more comprehensive nature of the report of the tripartite negotiations was favourably received, and the statement that the three negotiating parties had made considerable progress was welcomed. However, study of the report raised several points of criticism on the part of non-nuclear States, particularly concerning the apparent short duration of the treaty under consideration and the significant authority being reserved for permanent members of the Security Council in such matters as review and amendments.

Discussion at the thirty-fifth session centred around whether the Committee on Disarmament should proceed to initiate negotiations as requested by the General Assembly, or whether such a step would complicate and possibly further delay a successful outcome to the trilateral negotiations. In addition, there were various suggestions on the value of a moratorium on further testing, either for a one-year period or pending completion of a treaty.

The wishes of an overwhelming number of Member States were expressed in the two resolutions adopted by the General Assembly, and it seems likely that the work of the Committee on Disarmament in 1981 will reflect further vigorous efforts to establish a working group to initiate multi-lateral negotiations, notwithstanding certain misgivings expressed by the tri-lateral negotiating Powers.

Strengthening of the security of non-nuclear-weapon States

Introduction

STATES HAVE FEARED FOR THEIR SECURITY throughout the nuclear era in the light of the threat of destruction of a whole new order of magnitude which is posed by nuclear weapons. Since only a few States possess nuclear weapons, the non-nuclear-weapon States in particular have called repeatedly in international forums for reliable assurances against the possibility of threat or attack by forces having nuclear weapons.

The question of strengthening the security of non-nuclear-weapon States has been discussed mainly in the context of the Treaty on the Non-Proliferation of Nuclear Weapons of 1968.¹ In the course of negotiations on the non-proliferation Treaty in the Eighteen-Nation Committee on Disarmament (ENDC) and since its opening for signature, many non-nuclear and, particularly, non-aligned States have argued that undertakings by non-nuclear-weapon States to forego the acquisition of nuclear weapons should be accompanied by reliable security assurances to non-nuclear-weapon States that nuclear weapons, or any threat thereof, would not be used against them. Thus, a non-proliferation régime was widely envisaged as part of a general system of security against nuclear weapons. In 1966 the eight non-aligned members of ENDC submitted a joint memorandum² based on the principle of balanced mutual responsibilities and obligations between nuclear and non-nuclear Powers, in which, among other things, they noted the individual suggestions which had been put forward as to tangible steps to be taken, including the banning of the use of nuclear weapons and assurances of the security of non-nuclear-weapon States.

In March 1968, the Soviet Union, the United Kingdom and the United States, the three nuclear-weapon States participating in the non-proliferation negotiations, introduced in ENDC a draft resolution on security assurances in connexion with the expected treaty with a view to submitting it to the Security Council. The proposed Security Council resolution was subsequently

¹ For details, see *The United Nations and Disarmament: 1945-1970* (United Nations publication, Sales No. 70.IX.1), chap. 13; see also chapter VII above.

² *Official Records of the Disarmament Commission, Supplement for 1966*, document ENDC/178.

considered in the debate on the draft treaty in the General Assembly. A number of States expressed misgivings as to the effectiveness of the assurances envisaged, some because of the possibility of use of the veto in the Security Council, others because "positive" rather than "negative assurances" were involved,³ and still others because they felt the commitment to render assistance was already inherent in the United Nations Charter. Following the commendation of the non-proliferation Treaty by the General Assembly in its resolution 2373 (XXII), the three Powers submitted the draft in the Security Council, which adopted it as resolution 255 (1968).

By the terms of that resolution, the Security Council recognized that aggression with nuclear weapons would create a situation in which it, and above all its nuclear-weapon States permanent members, would have to act immediately. It welcomed the intention expressed by certain States that they would assist any non-nuclear-weapon State party to the non-proliferation Treaty that was victim of an act or threat of aggression involving nuclear weapons and reaffirmed the right collective self-defence under Article 51 of the Charter.

In August 1968, at the initiative of mainly non-aligned countries, a Conference of Non-Nuclear-Weapon States was convened to consider various questions related to the non-proliferation régime, including that of required security assurances which they felt was not adequately resolved by Security Council resolution 255. The Conference, in its Declaration,⁴ stressed the necessity of further steps for an early solution to the question of security assurances in the nuclear era.

The security assurance question was considered at the first Review Conference of the parties to the non-proliferation Treaty in 1975. While differences in viewpoint persisted between the nuclear and non-nuclear-weapon States with regard to what constituted reliable assurances, the Conference, in its Final Declaration, urged both nuclear and non-nuclear-weapon States to refrain from the threat or use of force in relations between States, involving either nuclear or non-nuclear weapons. Additionally it stressed the responsibility of all parties to the Treaty, and especially the nuclear-weapon States, to take effective steps to strengthen the security of non-nuclear-weapon States.

Meanwhile, in the Conference of the Committee on Disarmament (CCD) — the successor to ENDC — the non-nuclear-weapon States continued to press for credible and binding guarantees that nuclear weapons would not be used against them. Such guarantees, they felt, would promote an international climate conducive to the continued success of the non-proliferation régime.

³ By a "positive assurance" the nuclear-weapon States would commit themselves to come to the defence of non-nuclear-weapon States, under specified circumstances, as envisaged, for example, by Security Council resolution 255 (1968) subsequently referred to. "Negative assurances" are pledges by nuclear-weapon States not to use or threaten to use nuclear weapons against non-nuclear-weapon States.

⁴ See *Official Records of the General Assembly, Twenty-third Session, agenda item 96, document A/7277 and Corr.1 and 2, para. 17.*

In 1978, at the special session of the General Assembly devoted to disarmament, the five nuclear-weapon States, China, France, the Soviet Union, the United Kingdom and the United States, individually made declarations to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons.⁵ There was general agreement at the time of the special session that more formal and concrete assurances were desirable, and discussion focused on the form and content of the proposed undertakings and the manner in which they should be effected. In the Final Document of the special session, the Assembly confirmed the desirability of effective security guarantees.

During 1978 and 1979 at the regular sessions of the General Assembly, two major approaches to this question emerged and resolutions were adopted by large majorities on the basis of each of them. One approach sought the conclusion of an international convention on the subject. To that end, the Soviet Union and Pakistan initiated proposals in the Assembly in 1978, both with draft conventions attached.⁶ However, Pakistan made it clear that, although it strongly preferred an international convention or other approaches involving effective, internationally binding arrangements, it felt that the various views should be taken into account in negotiating such arrangements. Both the sponsors of the Soviet initiative and Pakistan revised their draft resolutions, deleting the draft conventions in the process; thereafter they were voted upon and adopted as resolutions 33/72 A and 33/72 B by the Assembly. In 1979 the respective sponsors submitted working papers⁷ containing their draft conventions to the Committee on Disarmament for its consideration, with Pakistan subsequently suggesting that other proposals also be considered.

The second approach, supported by the United States and other Western countries, emphasized the diverse nature of the security requirements of both the different nuclear-weapon and also the non-nuclear-weapon States. The advocates of that approach felt that the widely varying situations and concerns to be taken into account probably precluded conclusion of a generally acceptable world-wide treaty. They agreed, however, that guarantees of the security of non-nuclear-weapon States should be formalized in an internationally recognized manner. Accordingly, the United States, having explained its position in the Assembly, submitted a working paper to the Committee on Disarmament in 1979,⁸ in which it proposed that, instead of a treaty, the General Assembly adopt a resolution incorporating the pledges made by the nuclear-weapon States during the 1978 special session. In the view of the United States, those pledges represented an immediately effective measure of security for the non-nuclear-weapon States.

⁵ For details, see *The United Nations Disarmament Yearbook*, vol. 3: 1978, pp. 221-223.

⁶ *Ibid.*, pp. 223-228.

⁷ *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr.1)*, appendix III (CD/53 and Corr.1), vol. I, documents CD/10 and CD/23; for details, see *The United Nations Disarmament Yearbook*, vol. 4: 1979, pp. 155-159.

⁸ *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr.1)*, appendix III (CD/53 and Corr.1), vol. I, document CD/27.

Three draft resolutions on the issue were submitted to the Assembly in 1979 and all were adopted (resolutions 34/84, 34/85 and 34/86). Two, reflecting the first basic approach, were again sponsored by the Soviet Union and Eastern European States, and by Pakistan. The third, reflecting its proposal to the Committee on Disarmament as a means of formalizing individual guarantees, was initiated by the United States.

Consideration by the Disarmament Commission, 1980

At the second substantive session of the Disarmament Commission⁹ the question of security assurances to non-nuclear-weapon States was referred to by a number of delegations, particularly during the general exchange of views. Among them, the Byelorussian SSR, noting that the Soviet Union had submitted the draft of a world treaty on the non-use of force in international relations for the consideration of the United Nations, stated that the earliest possible preparation and conclusion of such a treaty would not only give the nuclear Powers a greater measure of security in the absence of a threat from each other, but would also benefit those States which did not possess nuclear weapons and felt well-founded concern about the danger that nuclear weapons might be used against them. Yugoslavia noted that although two draft conventions with regard to the limitation of the use of nuclear weapons against non-nuclear-weapon States had been submitted in the Committee on Disarmament, negotiations on an issue of such importance had not yet started. It held that, despite the limitations of such a convention, its elaboration should be accelerated and consideration should be given to the demand of the non-aligned countries for a comprehensive ban on the use of nuclear weapons.

In the Philippines' view, there should be an intensification of efforts seeking effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons, and, together with the Lao People's Democratic Republic and Romania, it supported the idea of an international convention on the subject. The representative of Viet Nam also expressed support for any initiative which ensured that nuclear weapons would not be used by nuclear-weapon States to attack or threaten to attack non-nuclear-weapon States, adding that it would welcome any moves aimed at strengthening guarantees for non-nuclear-weapon States, both guarantees of security and guarantees of the development of nuclear energy for peaceful uses.

Pakistan stated that the Disarmament Commission should urge the nuclear-weapon States to display a greater willingness to respond to the demand of the non-nuclear-weapon States about assurances against the use or threat of the use of nuclear weapons. Each of them, in its view, must be urged to undertake not to be the first to use or threaten to use nuclear weapons; in that connexion, Pakistan noted that China had made such a dec-

⁹ See A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

laration and the members of the Warsaw Treaty had proposed one, although only in the context of Europe. Those positions might be expanded or enlarged and applied at the international level.

India noted that it had consistently argued that the only effective guarantee against the use or threat of use of nuclear weapons was the total elimination of such weapons. Pending that, all States possessing such weapons should give a binding commitment not to use them under any circumstances, and the search for adequate security guarantees should not deflect from the primary responsibility of pressing for urgent measures on nuclear disarmament. In its observations at the final meeting of the session, India stated that proposals for so-called negative guarantees provided only an illusory security for those States to which immunity might be assured. More importantly, they implied that the use of nuclear weapons against other States in certain situations was legitimate, a position that it regarded as totally unacceptable.

In its report to the General Assembly,¹⁰ the Disarmament Commission included in its recommendations on the elements of the declaration of the 1980s as the Second Disarmament Decade the question of security assurances to non-nuclear-weapon States, listing it as one of the specific measures worthy of priority negotiations. The item was among those on which the Commission was unable during its session to reach agreement with regard to a final formulation, but decided by consensus to include bracketed alternatives reflecting the two basic approaches to the question.¹¹ The contact group convened by the Chairman of the First Committee subsequently agreed on a compromise text and included the item in the draft resolution on the Disarmament Decade among the measures for urgent negotiations by the Committee on Disarmament with a view to the submission of "agreed texts where possible before the second special session devoted to disarmament" The measure, as contained in resolution 35/46 (see chapter V above), reads:

Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all proposals and suggestions that have been made in this regard.

Consideration by the Committee on Disarmament, 1980

The item on the agenda of the Committee on Disarmament entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" was discussed in plenary meetings, mainly during the period of 19 February to 12 March, and subsequently in closed meetings of an *ad hoc* working group established by the Committee for the purpose of continuing negotiations on the subject.¹² Near the conclusion of the session, a number of members summarized their positions on the question in the light of the report of the Working Group.

¹⁰ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*.

¹¹ *Ibid.*, para. 19, sect. C, para. 12 (d).

¹² *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, chap. III, paras 45-49.

In its plenary interventions, the Soviet Union stated that it continued to attach exceptional importance to the problem of strengthening security guarantees to non-nuclear-weapon States and was in favour of the elaboration of an international convention, the participants in which would be, on the one hand, nuclear-weapon States, which would undertake to give non-nuclear-weapon States appropriate guarantees of security, and, on the other hand, non-nuclear-weapon States, which would renounce the production or acquisition of nuclear weapons and had no such weapons on their territory. In the Soviet view, the basic criterion should not concern membership of particular non-nuclear-weapon States in military and political blocs but their actual non-nuclear status. The question of such membership, and of their bilateral security agreements with nuclear Powers, only complicated the solution of the problem. Another complicating factor was that a number of nuclear-weapon States based the criterion for providing negative guarantees not on objective factors such as the non-possession of nuclear weapons by a State or the non-deployment of such weapons on its territory, but on purely subjective considerations — in particular, on one nuclear Power's assessment of the involvement of a non-nuclear State in the acts of another nuclear Power. The representative of the Soviet Union stated, in the context of possible parallel measures, that a measure such as a joint declaration, or separate but identical declarations, by all nuclear Powers, providing negative guarantees to non-nuclear countries could have a positive significance. Such an initiative — with the approval of the Security Council — would be a step forward.

The United States representative, expressing satisfaction that all States appeared to share the same objective, stated that one should not lose sight of the fact that the 1978 special session of the General Assembly was the occasion of a major development on the question. During that session, nuclear-weapon States had given unilateral pledges to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The assurances of the United States, which applied to the vast majority of non-nuclear States of the world, were fitting, proper and effective. The United States statement of 1978 could be taken as a firm and reliable declaration of United States policy.

In addition, the representative observed that the deliberations in the *Ad Hoc Working Group* had shown the difficulty of reconciling different ideas of what would constitute the best type of assurance.

China stated that the non-nuclear-weapon States were opposed to the nuclear threat and justly and reasonably demanded that their security should be guaranteed as far as the use of nuclear weapons was concerned. It reiterated its position that the complete prohibition and total destruction of nuclear weapons were essential for the elimination of nuclear war and threats. All nuclear-weapon States therefore should undertake not to use nuclear weapons against non-nuclear-weapon States.

Speaking on behalf of the group of 21¹³ late in the session, the repre-

¹³ See chapter I, foot-note 22.

sentative of Sri Lanka expressed disappointment that the search for a common approach which could be included in an effective international instrument on the question of assurances had not been fruitful so far. The group continued to believe that the most effective assurance of security against the use or threat of use of nuclear weapons would be nuclear disarmament and prohibition of the use of nuclear weapons. The group reiterated its view that the nuclear-weapon States had an obligation categorically to assure all non-nuclear-weapon States against the use or threat of use of nuclear weapons and, pending the conclusion of a legally binding instrument to that effect, called for consideration of measures based on that principle and other appropriate measures.

The delegation of Pakistan continued to believe that an international convention would be the most appropriate form in which assurances regarding the non-use of nuclear weapons could be provided to non-nuclear-weapon States. To be effective and credible, Pakistan held, the guarantees should be as categorical and unconditional as the declaration made by China, which had undertaken never to use or threaten to use nuclear weapons against non-nuclear-weapon States. It also held that the need for extending such assurances had arisen because of the claim of the nuclear-weapon States that they possessed and deployed nuclear weapons for their own security. The non-nuclear-weapon States had not played any part in the decision of the nuclear Powers to acquire or retain such weapons, yet their security was seriously threatened by their presence in the arsenals of the nuclear-weapon Powers. It was quite evident, according to Pakistan, that the statements made by three nuclear-weapon Powers under Security Council resolution 255 (1968) were insufficient, and it had since emphasized the need to strengthen that resolution in a manner which would more adequately articulate the provisions of Article 51 of the Charter of the United Nations pertaining to the right of individual and collective self-defence. Specifically, Pakistan regarded it as necessary to provide for the possibility of failure of the Security Council to act by stipulating the responsibility of a permanent member of the Security Council to act individually should disagreement preclude the joint action envisaged in resolution 255 (1968). Pakistan subsequently stressed its readiness to explore the possibility of the Committee on Disarmament recommending that the Security Council adopt an appropriate resolution on the question under Chapter VII of the Charter of the United Nations entitled "Action with respect to threats to the peace, breaches of the peace and acts of aggression" That would constitute some advance, however modest, towards the objective of concluding a binding and effective international instrument.

Among other statements, India again argued that the only effective guarantee against the use or threat of use of nuclear weapons was the total elimination of such weapons from the stockpiles of nuclear-weapon States. Pending that, all States possessing such weapons should give a binding commitment not to use such weapons under any circumstances. Sweden stated that the responsibility to formulate a binding set of assurances acceptable to all States must rest primarily with the nuclear-weapon Powers themselves. Co-ordinated guarantees should be worked out by those Powers and thereaf-

ter endorsed by the Security Council. If the nuclear-weapon Powers preferred to formulate the agreement among themselves in a treaty or convention they were free to do so. But for the non-nuclear-weapon countries to sign such a convention did not seem to serve any rational purpose. Sweden had reservations regarding agreements that would imply that nuclear-weapon and non-nuclear-weapon States enter into some kind of reciprocal obligations. The vast majority of non-nuclear-weapon States had already accepted their share of responsibility in adhering to the non-proliferation Treaty and there was no need for them to repeat that obligation. The representative of Austria stated that his country, having committed itself to a status of permanent neutrality, could not accept to confer upon an outside Power the responsibility for the maintenance of its own security. Austria, therefore, had reservations concerning so-called "positive security guarantees", and held that it had to be clear that it was up to the country which was a victim of an act of aggression, or threat of such an act, to decide by itself whether and to what extent any assistance offered would be accepted. Furthermore, Austria had reservations on the use of the word "guarantees" as such, since it implied a certain outside responsibility for the security of a sovereign State.

Bulgaria and Poland were among the States which supported the idea of an international convention on negative security guarantees, with the former adding that it was also prepared to consider other possible, parallel measures, including interim arrangements, which might add to the credibility and the effectiveness of the existing non-use undertakings and facilitate future work on a convention. The Bulgarian delegation also believed that future examination of the question might lead to practical results if not only some, but all, nuclear-weapon States were to co-operate constructively in the search for a common approach, acceptable to all. Hungary was of the view that the broadest possible guarantees should be provided for the non-nuclear-weapon States which renounced the acquisition of nuclear weapons and did not have nuclear weapons of third countries on their territory, and that such guarantees should be provided for all non-nuclear-weapon States whether they belonged to military alliances or not. Romania observed that the problem of providing effective guarantees of security for the non-nuclear-weapon States in exchange for their renunciation of the nuclear option had remained unsolved since the conclusion of the non-proliferation Treaty in 1968, and still needed determined action. It felt that the credibility and viability of the Treaty were at stake.

The Federal Republic of Germany took the position that countries which enjoyed the nuclear umbrella of a nuclear-weapon State did not have the same need as others for the additional benefit of a guarantee, and regarded the question of stationing or non-stationing of nuclear weapons as irrelevant to the assessment of the objective need of a non-nuclear-weapon State for protection. Canada also believed it necessary to define the notion of "non-nuclear-weapon State" in a way satisfactory to all concerned. Such a definition, once accepted, would have to be acknowledged in some form, just as the assurance against attack would need to be acknowledged, whether the vehicle was a convention or some other international instrument of a less formal character. Canada felt that a joint guarantee, even if feasible, would

not be desirable if it were to weaken the assurances already given. Australia was of the view that the undertakings given by the nuclear-weapon States must be reciprocally matched by verifiable undertakings by the non-nuclear-weapon States benefiting from negative security assurances showing that they were in fact non-nuclear-weapon States, either by adherence to the non-proliferation Treaty with its attendant safeguards, or by an equally effective alternative.

The Committee, on 17 March, established an *ad hoc* working group, for the duration of the 1980 session, to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.¹⁴ Most of the discussion on the subject took place in the *Ad Hoc* Working Group, with Mr. El-Baradei of Egypt as Chairman. It held nine meetings between 25 April and 28 July, as well as conducting informal consultations. At the Chairman's suggestion, the Group focused its attention primarily on the scope and nature of the arrangements, on the understanding that an agreement on substance could facilitate agreement on form. In that connexion, a working paper was submitted by the Chairman as a basis for negotiation, which included the different formulae contained in the declarations of the nuclear-weapon States and in proposals and ideas of other States.

Following the conclusion of its work, the Group submitted its report¹⁵ to the Committee. In introducing it, the Chairman of the Group stressed that there was continuing recognition of the urgent need to reach agreement on effective international assurances. He added that the negotiations had further revealed the complexity of the issues involved.

According to the report, there was agreement in the Group that the object of the arrangements should be to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. However, there were divergent views as to the scope of application, and various criteria for the extension of arrangements were suggested. There was at the same time recognition in the Group that the search should continue for a common approach acceptable to all which could be included in an international instrument of a legally binding character. In that connexion some difficulties were encountered, but the various positions were amplified and clarified. As to interim arrangements, the idea of a new Security Council resolution was one of the suggestions considered.

In the conclusion of the report, besides recognizing the need to reach agreement on effective international assurances, the Group also noted the suggestion that, upon the recommendation of the General Assembly, the Security Council might consider adoption of a resolution, as an interim arrangement, without prejudice to renewed efforts to reach agreement on a common approach. The Group recommended that, at the beginning of its

¹⁴ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, paras. 47-49.

¹⁵ *Ibid.*, para. 49; the original report, as submitted to the Committee, is contained in *ibid.*, appendix II (CD/139), vol. II, document CD/125.

1981 session, the Committee on Disarmament should continue to explore ways to overcome the difficulties encountered, and to negotiate with a view to reaching agreement on effective international arrangements on assurances.

At its final plenary meeting the Committee on Disarmament adopted the report of the Working Group.

Consideration by the General Assembly, 1980

Three items, entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament", "Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament", and "Strengthening of the security of non-nuclear-weapon States: report of the Committee on Disarmament", were included in the agenda of the thirty-fifth session pursuant to General Assembly resolutions 34/84, 34/85 and 34/86 of the 1979 regular session. With regard to the last-mentioned item, no draft resolution was put forward and the Assembly merely took note by its decision 35/431 of 12 December that no report on the item was submitted by the First Committee (see appendix VIII below).

The views expressed by delegations in the general debate in plenary meetings and in the First Committee generally reflected positions stated earlier in 1980 in the Disarmament Commission and the Committee on Disarmament.¹⁶ Once again, many countries from all regions of the world called for the strengthening of guarantees of security of non-nuclear States.

Both in the plenary general debate and in the First Committee, the Soviet Union called on all nuclear-weapon countries to make identical and solemn declarations concerning the non-use of nuclear weapons against non-nuclear States which had no such weapons on their territories. Such declarations could be reinforced by an authoritative decision of the Security Council. The Soviet proposal received support from the delegations of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and the Ukrainian SSR. The Soviet Union reaffirmed once again that it would never use nuclear weapons against those countries which renounced the production and acquisition of such weapons and did not have them on their territories. It also stated that the early conclusion of an appropriate convention would best serve to strengthen security guarantees for non-nuclear States, a view that was shared by other Eastern European States and Afghanistan, Lebanon, Nigeria, Saint Lucia, the United Republic of Cameroon and Uruguay.

Indonesia supported the adoption of interim measures through an inter-

¹⁶ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 43rd meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

nationally binding legal instrument, holding that an agreed formula could be achieved if only the nuclear-weapon States would consider that such action would also benefit their peoples by saving them from annihilation. Austria, expressing a similar view, believed that if the nuclear-weapon States would muster goodwill and show readiness for compromise, it would be possible to overcome the existing difficulties. Nepal felt that mere assurances regarding the non-use or non-development of nuclear weapons could not ensure the security of non-nuclear-weapon States, since such assurances were credible only when supported by binding legal instruments.

The United Republic of Tanzania stated that the extension of security assurances to non-nuclear-weapon States would not only offer a disincentive to the acquisition of nuclear weapons but would also demonstrate the commitment of the nuclear-weapon States to matters pertaining to international peace and security. Ghana, while not believing that an international convention on the matter would be a substitute for general disarmament, held that such a convention, legally binding and applicable to all non-nuclear-weapon States without any qualifications or limitations, was desirable until the ultimate objective was attained. Senegal felt that the positive guarantees of Security Council resolution 255 (1968) should be strengthened so as to take on a preventive character. Although not disputing the need for negative security guarantees, it observed that they did not seem to envisage nuclear aggression except by the five current members of the nuclear club. India reiterated its position that the only effective guarantee lay in the achievement of nuclear disarmament and, pending that, in the negotiation of a legally binding convention prohibiting the use or the threat of use of nuclear weapons. Such a convention would be on the pattern of the Geneva Protocol of 1925 forbidding the use of biological and chemical weapons.

France stated that the search for a uniform solution seemed unlikely to be successful in the circumstances existing at the time. It held, however, that the assurances already given or offered, whatever their diversity and limitations, were a substantive response and it would be unfair not to recognize that. Italy felt that unilateral declarations by individual nuclear-weapon States, taking into account the needs of legitimate individual and collective self-defence of the nuclear States and their allies, seemed to be the most appropriate and effective solution suggested so far, in view of existing political and strategic realities. The Netherlands was convinced that between an international convention or a Security Council resolution on the question, a convention would be the more difficult approach. The crucial question thus arose as to whether a meaningful common formula could be found to constitute the heart of such a Security Council resolution; the Netherlands felt that it could be. Norway felt that States that were not parties to alliances involving nuclear security guarantees and which had renounced the option of acquiring nuclear weapons had a legitimate claim to guarantees. Therefore, the nuclear-weapon States had a special responsibility for finding a solution to the problem, which it considered to be of crucial significance to the entire non-proliferation régime.

Finland stated that the minimum which must be achieved was that the

nuclear Powers — either in unilateral declarations or through multilateral agreements — provide guarantees that non-nuclear-weapon countries would not be attacked and also that their territory or air space would not be violated when such weapons were delivered to their targets. Egypt, for its part, saw a need for security guarantees without restrictions which hindered the Security Council from fulfilling its responsibilities and taking preventive measures before nuclear aggression took place rather than after. Pending the ratification of a treaty to that effect, the nuclear-weapon States should submit instruments, embodying their commitments, to the Security Council.

On 18 November, under the agenda item "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons", a draft resolution was submitted by Angola, Bulgaria, Ethiopia, Mongolia and the Soviet Union, and subsequently sponsored also by the Byelorussian SSR, Czechoslovakia, Democratic Yemen and Nicaragua. Bulgaria introduced the proposal, stressing that non-nuclear-weapon States which had renounced the nuclear option and had no nuclear weapons on their territories had the moral right to obtain guarantees that their populations and territories would never be subjected to the horrors of a nuclear conflagration. It stated that the sponsors continued to believe that, among the several possible arrangements, the most effective guarantees were those which could be included in a legally binding instrument. Such guarantees should benefit all non-nuclear-weapon States, regardless of whether they were covered by other security arrangements or not.

Before the vote in the First Committee the Soviet Union pointed out that the draft resolution in question was different from the proposal under the other agenda item in that it took into consideration that there had been broad-based support for the idea that, on the recommendation of the General Assembly, the Security Council might take up the question of concrete measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Naturally, such an interim agreement could not replace the conclusion of arrangements acceptable to all which might be reflected in a legally binding international instrument.

On behalf of the nine member States of the European Economic Community, the Netherlands said that the draft took no account of any approach to the question of security assurances other than that advocated by the sponsors. It also included a qualification of non-nuclear-weapon status which was not acceptable to the Nine. Accordingly, they would abstain in the vote. The United Republic of Cameroon, which also abstained, held that the security of non-nuclear-weapon States could not be governed by declarations in the Security Council since that body's decisions may be flouted.

On 24 November, the First Committee took separate votes on two operative paragraphs of the draft resolution before approving it as a whole. Operative paragraph 5 of the draft was approved by a recorded vote of 90 to 12, with 28 abstentions, and operative paragraph 6 by a recorded vote of 84 to 13, with 28 abstentions (see below for texts). The draft resolution as a whole was then approved by a recorded vote of 100 to 2, with 30 abstentions.

On 12 December, it was adopted by the General Assembly by a recorded vote of 110 to 2 (Albania and United States), with 31 abstentions (mainly Western States), as resolution 35/154. It reads as follows:

The General Assembly,

Convinced of the need to take effective measures for the strengthening of the security of States and prompted by the desire shared by all nations to eliminate war and prevent nuclear conflagration,

Taking into account the principle of non-use of force or threat of force enshrined in the Charter of the United Nations and reaffirmed in a number of United Nations declarations and resolutions,

Noting with satisfaction the desire of States in various regions to prevent nuclear weapons from being introduced into their territories, including through the establishment of nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, and being anxious to contribute to the attainment of this objective,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

Mindful of the statements and considerations made by various States on the strengthening of the security of non-nuclear-weapon States,

Desirous of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Recalling its resolutions 33/72 of 14 December 1978 and 34/84 and 34/85 of 11 December 1979,

Noting the consideration by the Committee on Disarmament in 1980 of the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" and the setting up of an *ad hoc* working group to continue the negotiations on this problem.

Recalling the drafts of an international convention submitted on this item to the Committee on Disarmament in 1979,

Taking note of the report of the Committee on Disarmament, including the report of the *Ad Hoc* Working Group,

Noting with satisfaction that the idea of such a convention has received widespread international support,

Wishing to promote an early and successful completion of the negotiations on the elaboration of such a convention,

Noting further the examination by the Committee on Disarmament of the suggestion that, upon the recommendation of the General Assembly, the Security Council might consider the question of concrete measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons which, as an interim arrangement, should not be a substitute for the indispensable renewed efforts to reach agreement on a common approach acceptable to all which could be included in an international instrument of a legally binding character,

1. *Welcomes* the conclusion of the Committee on Disarmament that there is continuing recognition of the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Committee on Disarmament there was no objection, in principle, to the idea of an international convention;

3. *Requests* the Committee on Disarmament to continue on a priority basis, during its session to be held in 1981, the negotiations on the question of strengthening of security guarantees of non-nuclear-weapon States;

4. *Calls upon* States participating in talks on the question of providing guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons to make efforts for the speedy elaboration and conclusion of an international convention on this matter;

5. *Calls upon* 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;

6. *Recommends* that the Security Council should examine declarations which may be made by nuclear States regarding the strengthening of security guarantees for non-nuclear States and, if all these declarations were found consistent with the above-mentioned objective, should adopt an appropriate resolution approving them;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons"

With regard to the agenda item entitled "Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", a draft resolution was submitted by Pakistan; it was later sponsored also by Guinea, and was subsequently revised in one of its preambular paragraphs. In introducing the draft resolution on 10 November, Pakistan stated that while it had an open mind on the question of both the form and the nature of negative guarantees, it remained convinced that a common and uniform approach could be evolved to meet the concerns of all States. At the same time, however, it could not agree with the proposals that a Security Council resolution or, much less, a General Assembly resolution, noting the unilateral declarations by the nuclear-weapon Powers, could serve as an effective arrangement. Moreover, those unilateral declarations were different from each other in scope, conditions and qualifications and were susceptible of varying interpretations. Pakistan called for pursuit of efforts on the question with greater determination and political will, and hoped that the draft resolution would receive wide support.

In explanation of vote before the vote, speaking on behalf of the nine member States of the European Economic Community, the Netherlands said that the text of the Pakistani draft did not altogether reflect the balance of opinions expressed during consideration of the subject in 1980 in the Committee on Disarmament and gave pre-eminence to the idea of an international convention. Further, it did not refer to the assurances that nuclear-weapon States had made to non-nuclear-weapon States in regard to the use of nuclear weapons. For those reasons, the Nine, regretfully, would again abstain.

Sweden stated that the responsibility to formulate co-ordinated assurances acceptable to all States and legally binding must rest primarily with the nuclear Powers themselves. As to the question of the legal framework for negative security assurances, both draft resolutions before the Committee seemed to favour an international convention involving some kind of mutual obligation. The Swedish Government had strong reservations about such arrangements. The vast majority of non-nuclear-weapon States had already done their share in adhering to the non-proliferation Treaty, and there was no reason for them to repeat that obligation. Accordingly, Sweden saw fit to abstain on both draft resolutions.

After the votes in the First Committee on both draft resolutions, Albania stated that the kind of guarantees that had been sought could only be formal or fictitious, especially if one took into account the aggressive policies of the greatest protagonists in the nuclear weapons field, the United States and the Soviet Union. It could not share the view that, for the lack of anything better, it was worth signing a convention, since the nuclear Powers could violate it at any moment. Accordingly, it had voted against the first draft resolution and not participated in the vote on the Pakistani proposal. Austria stated that it continued to have reservations about the elaboration of an international convention. In its opinion, States which had demonstrated their renunciation of the nuclear-weapons option by adhering to the non-proliferation Treaty or to the Treaty of Tlatelolco could not be expected to undertake any further obligations to attain the benefits of security assurances. The two draft resolutions seemed to prejudge the future course of action in the direction of the eventual conclusion of a convention. Therefore Austria had abstained in both votes.

On 24 November, the First Committee approved the revised Pakistani draft by a recorded vote of 114 to none, with 24 abstentions, and on 12 December the General Assembly adopted it, by a recorded vote of 121 to none, with 24 abstentions (including most Western States), as resolution 35/155. The resolution reads as follows:

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Deeply concerned at the continuing escalation of the arms race, in particular the nuclear arms race, and the possibility of the use or threat of use of nuclear weapons,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Taking into account the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

Deeply concerned about any possibility of the use or threat of use of nuclear weapons,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

Recalling its resolution 3261 G (XXIX) of 9 December 1974,

Further recalling its resolution 31/189 C of 21 December 1976,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, in which it urged the nuclear-weapon States urgently to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling its resolution 33/72 of 14 December 1978,

Further recalling its resolution 34/85 of 11 December 1979,

Welcoming the in-depth negotiations undertaken in the Committee on Disarmament and its *Ad Hoc Working Group* with a view to reaching agreement on consideration of the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons",

Noting the drafts of an international convention submitted under that item in the Committee on Disarmament in 1979,

Further noting the report of the Committee on Disarmament, including the report of the *Ad Hoc Working Group*.

Noting the decision of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979, as well as the relevant recommendations of the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980, calling on the Committee on Disarmament to elaborate and reach an agreement on an international basis to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Further noting the general support expressed in the Committee on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

1. *Reaffirms* the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Committee on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although there has been lack of progress in the Committee towards evolving a common approach acceptable to all;

3. *Appeals* to all States, in particular the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach which could be included in an international instrument of a legally binding character;

4. *Recommends* that the Committee on Disarmament should actively continue negotiations with a view to reaching agreement and concluding effective international arrangements during its next session to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

5. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

Conclusion

While the question of having effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons continued to receive support in 1980 from the majority of States, views differed on the best approach to the problem. Some delegations continued to emphasize the importance of the unilateral declarations issued by the nuclear Powers in the course of the 1978 special session of the General Assembly on disarmament. A majority, however, found those declarations to be inadequate and regarded them as no substitute for commitments acceptable to all and embodied in a legally binding international instrument. It was repeatedly stressed in 1980 that the nuclear-weapon States had a special responsibility for finding a solution to the problem, which was of crucial importance if the spread of nuclear weapons was to be prevented.

Although little concrete progress was made in the Committee on Dis-

armament in 1980 towards evolving a common approach acceptable to all States, it should be noted that despite doubts as to the possibility of reaching agreement on its formulation there was no objection in principle in the Committee to the idea of an international convention on the question.

The two resolutions adopted by the General Assembly ensure that the Committee will continue in 1981 to explore ways and means to overcome the difficulties encountered in the negotiations with a view to reaching agreement on effective international security arrangements for non-nuclear-weapon States. While the two resolutions were similar in many respects, it should be noted that the one initiated by Eastern European States provides for the possibility of a Security Council resolution approving individual declarations of nuclear-weapon States as a first step towards an international convention, while that of Pakistan, while favouring a convention, opens the door for consideration of any other proposals designed to achieve effective international guarantees.

Nuclear-weapon-free zones

Introduction

THE FINAL DOCUMENT OF THE TENTH SPECIAL SESSION of the General Assembly,¹ in paragraphs 60 and 61, states, in part, "The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure. The process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons."

In recent years the international community has given increasing attention to the creation of nuclear-weapon-free zones as a means of halting the horizontal spread of nuclear arms. Through the creation of such zones the non-nuclear-weapon States could, by their initiative and effort, ensure the total absence of nuclear weapons for their territories, enhance their mutual security, and more readily obtain effective assurances from the nuclear-weapon Powers never to use or threaten to use nuclear weapons against States in the zones.

Several proposals on the establishment of nuclear-weapon-free zones have been made since 1957, and a number of them have been reflected in the decisions of the General Assembly at its subsequent sessions. The entry into force of the Antarctic Treaty, which demilitarized that vast area, on 23 June 1961 marked the establishment of the first nuclear-weapon-free zone.² Of the various proposals put forward to keep densely populated regions free of nuclear arms, only one has been realized to date, with the opening for signature in 1967 and subsequent entry into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).³ Other important areas for which nuclear-weapon-free zones have at one time or another been proposed include Africa, the Balkans, Central Europe, the Medi-

¹ *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III.

² United Nations, *Treaty Series*, vol. 402, No. 5778, p. 72; text and status are also given in *Status of Multilateral Arms Regulation and Disarmament Agreements* (United Nations publication, Sales No. E.78.IX.2); see also appendix I to the present volume.

³ United Nations, *Treaty Series*, vol. 634, No. 9068, p. 326.

terranean, the Middle East, the Nordic countries, South Asia, and the South Pacific. In 1975 a comprehensive study on the question was carried out by an *ad hoc* group of governmental experts and transmitted to the General Assembly at its thirtieth session.⁴ At its recent regular sessions and in 1980 at its thirty-fifth session, the General Assembly continued to consider agenda items regarding four specific zones, namely, full implementation of the nuclear-weapon-free zone in Latin America and the establishment of such zones in Africa, the Middle East and South Asia.

Consideration by the Disarmament Commission, 1980

The question of nuclear-weapon-free zones was considered by the United Nations Disarmament Commission at its 1980 substantive session, held from 12 May to 6 June 1980, under two of its agenda items:⁵

3. Preparation of the elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade"
4. (a) Consideration of various aspects of the arms race, particularly the nuclear arms race and nuclear disarmament, in order to expedite negotiations aimed at effective elimination of the danger of nuclear war;
(b) Consideration of the agenda items contained in section II of resolution 33/71 H, with the aim of elaborating, within the framework and in accordance with the priorities established at the tenth special session, a general approach to negotiations on nuclear and conventional disarmament.

In the discussions,⁶ many delegations emphasized the importance of the concept of nuclear-weapon-free zones in various geographical regions as practical measures towards the ultimate goal of general and complete disarmament, particularly nuclear disarmament.

In referring to the question more specifically, a number of States, including Bangladesh, Brazil, the Byelorussian SSR, Mongolia, Nepal, Nigeria, Pakistan, Peru, the Philippines, Senegal and Viet Nam, not only indicated their support of the concept, but generally considered it as a practical and effective step for the prevention of further horizontal proliferation of nuclear weapons. Pakistan, for example, expressed the belief that a most feasible way to promote the goal of non-proliferation of nuclear weapons was through the creation of nuclear-weapon-free zones in various areas of the world and accordingly it remained committed to the objective of establishing such a zone in South Asia. In Pakistan's view, the establishment of nuclear-weapon-free zones in Africa and the Middle East was also important in light of the nuclear ambitions of South Africa and Israel. Peru stated that the

⁴ *Comprehensive Study of the Question of Nuclear-Weapon-Free Zones in All Its Aspects* (United Nations publication, Sales No. E.76.I.7); the study includes a review of early initiatives.

⁵ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 8.

⁶ A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

Treaty of Tlatelolco, on the denuclearization of Latin America, was a model, unique in the world, for a system of nuclear non-proliferation. It provided adequate access to nuclear technology, while at the same time guaranteeing regional security through its Additional Protocols I and II. Moreover, the Treaty promoted regional co-operation in a non-discriminatory way. India emphasized the need for application of the principle of free and voluntary participation of States and that proposals should take into account the specific characteristics of the region concerned. It held that for a nuclear-weapon-free zone to be viable, it should come into being at the initiative of the zonal States because of their common perceptions of their security and threats thereto and a desire to help each other. Thus a viable zone could not be imposed from outside the region, nor from within the region by one or a few States.

In connexion with its agenda item 3, the Disarmament Commission set up an informal, open-ended working group. During its discussions, the concept of nuclear-weapon-free zones in the context of nuclear disarmament was generally supported. As a result, the Commission included the item "Strengthening of the existing nuclear-weapon-free zone and the establishment of other nuclear-weapon-free zones in accordance with the relevant paragraphs of the Final Document"⁷ within the framework of the "Elements of the Declaration of the 1980s as the Second Disarmament Decade"⁸ which it recommended to the General Assembly for appropriate action as one of the priority disarmament measures to be pursued during the Decade.

Consideration by the Committee on Disarmament, 1980

The idea of creating nuclear-weapon-free zones in various regions of the world continued to receive support in the Committee on Disarmament in 1980. The subject was considered mainly in connexion with other questions such as the cessation of the nuclear arms race and nuclear disarmament, non-proliferation of nuclear weapons, and security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons.⁹ Although no negotiations were held on proposals to establish nuclear-weapon-free zones, a number of delegations, including those of Bulgaria, China, Egypt, Ethiopia, Iran, Kenya, Mongolia, Nigeria, Pakistan, Sweden, the Soviet Union and Zaire, expressed their concern about horizontal as well as vertical proliferation of nuclear arms and indicated their support of such zones either in general or in particular regions.

The delegation of the Soviet Union held that the achievement of agreement, on a reciprocal basis, on the non-deployment of nuclear weapons

⁷ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, chap. IV, para. 19, sect. C, para. 14 (e). The recommendations were subsequently embodied in resolution 35/46 (see chapter V above).

⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*.

where there were no such weapons at present could be significant both in terms of security guarantees to non-nuclear States and of non-proliferation of nuclear weapons. Further, the Soviet Union believed that a substantial contribution to the solution of both problems could be made by intensifying efforts to establish nuclear-weapon-free zones. It noted that favourable conditions for such zones existed in certain regions of the world, and considered that the problem should be solved while some of the regional States which had the potential for acquiring nuclear weapons had not yet done so, since such acquisition would complicate both the security and non-proliferation aspects of the problem.

China held that the nuclear-weapon States should, at the very least, undertake not to use or threaten to use nuclear weapons against the non-nuclear-weapon States and nuclear-free zones. It had long ago declared that at no time and in no circumstances would it be the first to use nuclear weapons, and furthermore it had signed Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America.

Several delegations, including those of Bulgaria, Nigeria and Sweden, in underlining the importance of non-proliferation of nuclear weapons, expressed particular concern about the Middle East, Africa or South Asia and felt that the establishment of nuclear-weapon-free zones could be among alternative means of curbing proliferation and contributing to security in those regions.

Egypt stressed that the problems of the Middle East should not be used as a pretext for the introduction of nuclear weapons into the region. Such an occurrence would result in aggravating and complicating the existing problems and in sabotaging the efforts aimed at their settlement. It reaffirmed its support of the position that, pending the achievement of a nuclear-weapon-free zone in the Middle East, the States of the region should solemnly declare that they would refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, and agree to place all their nuclear activities under International Atomic Energy Agency safeguards. Egypt claimed that Israel's intransigent policies and inflexible stand had so far constituted a stumbling-block towards the establishment of a nuclear-weapon-free zone in the Middle East. Israel's refusal to accede to the non-proliferation Treaty and place its nuclear activities under IAEA safeguards, for instance, could expose the entire area to unlimited dangers. Accordingly, the General Assembly should review its request to all States to put an end to any co-operation with Israel which might assist it in acquiring and developing nuclear weapons. Egypt also referred briefly to its proposal to make the Red Sea a peace zone. That proposal would encourage co-operation among the countries concerned and was aimed also at keeping the Red Sea free from nuclear weapons and foreign military bases and out of the conflicts of the super-Powers.

With respect to the denuclearization of Africa, the representatives of Egypt, Ethiopia, Kenya, Nigeria and Zaire expressed concern over South Africa's nuclear programme, especially in light of the report of a possible

explosion of a nuclear device in the southern Atlantic region, and urged all countries, in particular the nuclear and certain Western Powers, to respect the Declaration on the Denuclearization of Africa and to refrain from assisting South Africa to develop its nuclear capability. Sweden commented on the concern which had been voiced about what had happened in the southern Atlantic region as well as on the possibility of a nuclear arms race in south Asia in the context of the deterioration of confidence between the super-Powers and its effect on SALT, a comprehensive test ban and non-proliferation. It felt that the situation could have serious consequences for the non-proliferation régime and that acquisition of nuclear weapons by any one State would have repercussions elsewhere.

The Committee's consideration of the question of nuclear-weapon-free zones was not emphasized in its report to the Assembly; in the context of security assurances to non-nuclear-weapon States, however, the provision of effective assurances to States parties to a nuclear-weapon-free zone was listed among the possible criteria for the extension of such assurances.⁹

Consideration by the General Assembly, 1980

The concept of nuclear-weapon-free zones continued, as at previous sessions of the General Assembly, to receive wide support among Member States in the general debate both at plenary meetings and in the First Committee.¹⁰ The discussion in 1980 was similar to that in 1979 but a new element was added in the form of complementary actions in connexion with resolutions adopted by the General Assembly at its thirty-fourth session relating to the establishment of nuclear-weapon-free zones in two regions. With regard to its previous resolutions on a nuclear-weapon-free zone in the Middle East, and pursuant to resolution 34/89 of 11 December 1979 regarding the question of Israeli nuclear armament, the General Assembly adopted resolution 35/157 by which it took note of the progress report of the Secretary-General on the work of the Group of Experts to Prepare a Study on Israeli Nuclear Armament¹¹ and requested him to pursue the question and report to the General Assembly at its thirty-sixth session (see chapter XXII below). Secondly, with respect to the Declaration on the Denuclearization of Africa, the General Assembly adopted, on the basis of resolution 34/76 B of 11 December 1979, resolution 35/146 A by which, *inter alia*, it requested the Secretary-General to give maximum publicity to the report on South Africa's plan and capability in the nuclear field¹² (see below, page 190). In addition, the Assembly continued its consideration of established agenda items relating to

⁹ *Ibid.*, para. 49, sect. III, para. 13.

¹⁰ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 43rd meetings, and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

¹¹ A/35/458.

¹² A/35/402 and Corr.1.

nuclear-weapon-free zones and once again adopted several resolutions on them.

In the First Committee, delegations from all political and geographical groups reiterated their strong support of the establishment of nuclear-weapon-free zones in various regions, particularly in Africa, the Middle East and South Asia, although other possibilities were also mentioned, and Latin America was held out as a model.

The Soviet Union regarded creation of nuclear-weapon-free zones as an important question in the context of the questions of nuclear arms limitation and non-proliferation. It stated that the desire of the States in Africa, the Middle East and northern Europe to create nuclear-weapon-free zones, and thereby preserve their peoples from the threat of involvement in a nuclear conflict, deserved full support. It noted that in 1978 it had signed and ratified Additional Protocol II to the Treaty of Tlatelolco.

The United Kingdom reaffirmed its support of the concept provided that all the States in the particular region concerned were in agreement on the proposed zone. It particularly welcomed efforts towards establishing a nuclear-weapon-free zone in the Middle East. The United Kingdom remained convinced that the best approach to follow in that region would be for all States of the Middle East to adhere to the non-proliferation Treaty and accept full-scope safeguards.

The United States also expressed its support for the principle of establishing nuclear-weapon-free zones in various regions provided their effectiveness was ensured. Such zones, negotiated and supported by the appropriate parties, could enhance the security of the States concerned and reinforce non-proliferation goals. The United States reviewed its criteria for judging the effectiveness of a nuclear-weapon-free zone:

(a) The initiative for the creation of the zones should come from States of the region concerned;

(b) All States whose participation was deemed important should participate in the zone;

(c) The arrangement should provide for adequate verification of compliance with the zone's provisions;

(d) The establishment of the zone should not disturb existing security arrangements to the detriment of regional and international security;

(e) The arrangement should effectively prohibit parties from developing any nuclear explosive device for whatever purpose;

(f) The arrangement should not seek to impose restrictions on the exercise by other States of rights recognized under international law, particularly the principle of freedom of navigation on the high seas, in international air space and in straits used for international navigation and the right of innocent passage through territorial seas; and

(g) The establishment of a zone should not affect the existing right of its parties under international law to grant or deny transit privileges, including port calls and overflights, to other States.

Moreover, the United States stressed that any nuclear-weapon-free zone arrangement must effectively preclude the conducting of any nuclear explosions, whatever their declared purpose, since the technologies involved were indistinguishable.

India continued to believe that the initiative for the creation of such

zones should come from the States within the region concerned, arising out of common security concerns, and that participation must be voluntary. Another important requirement in India's view was the clear definition of the region concerned in terms of acknowledged and well-defined geographical areas. In so far as South Asia was an integral part of the region of Asia and the Pacific, to define a proposal in terms of an artificial subregion such as South Asia would be not only misleading but also counter-productive.

Sweden held that the creation of nuclear-weapon-free zones should be based on several basic conditions, the most fundamental being that, in order to be effective, general agreement had to exist among all States concerned. Another was the non-possession of nuclear weapons by zonal States. A third was the non-development or non-presence of nuclear weapons in the zone, and the withdrawal of such nuclear weapons as could only be used against targets within the nuclear-weapon-free zone, thus establishing a safety area or security belt adjacent to the zone. Finally, there should be commitment by the nuclear-weapon States not to use or threaten to use nuclear weapons against targets within the zone.

Fiji regretted that the small island countries of the Pacific had received lukewarm support, if any, from the major Powers of the region, in their efforts aimed at the establishment of a nuclear-weapon-free zone in the South Pacific. Papua New Guinea also found it disappointing that some countries in the Pacific region, while advocating the concept in general, were not prepared to take steps to promote the concept of a nuclear-weapon-free zone in the Pacific. It called particular attention to the possibly catastrophic long-term effects of continuing nuclear tests and low-level waste dumping in the region. Finland, stressing that it had consistently worked for the prohibition of nuclear weapons, voiced its support of the general objective of a world-wide zone of countries permanently free of nuclear weapons and recalled that it had made specific proposals with regard to a Nordic nuclear-weapon-free zone.

A. Treaty for the Prohibition of Nuclear Weapons in Latin America

As a result of the adoption of resolution 34/74 in 1979 by which the General Assembly welcomed the signature and ratification of Additional Protocol II of the Treaty of Tlatelolco by all the five nuclear-weapon States, only one item dealing with the Treaty for the Prohibition of Nuclear Weapons in Latin America remained on the Assembly's agenda in 1980, a difference vis-à-vis several previous sessions. The item concerned the signature and ratification of Additional Protocol I of the Treaty, which deals with the application of the Treaty to territories in the zone for which outside States have *de jure* or *de facto* responsibility.

On 17 November, 22 Latin American countries¹³ submitted a draft reso-

¹³ Bahamas, Barbados, Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Trinidad and Tobago, Uruguay and Venezuela.

lution concerning Additional Protocol I, which was introduced by Mexico, on behalf of the sponsors, on 18 November. Mexico recalled that the United States and France had already signed Additional Protocol I and it was to be regretted that their signatures had not yet been followed by ratifications. The sponsors hoped that at its next session the General Assembly would be able in that connexion to take note that another of its aspirations had been fully realized — as it had been able to do in 1979 in respect of Additional Protocol II.

France, in explaining its position, reaffirmed its support of the nuclear-weapon-free zone in Latin America as demonstrated by the fact that it had signed Additional Protocol I of the Treaty of Tlatelolco on 2 March 1979. It pointed out, however, that it could not agree to its responsibility being challenged in respect of a Treaty which had not been signed and ratified by all of the countries of the area to which it applied.

The United States also reaffirmed its strong support of the Treaty of Tlatelolco both as a valuable contribution to the non-proliferation of nuclear weapons and as an example worthy of consideration in other regions. The delegation of the United States regretted that it would have to abstain in the voting because the draft resolution, while critical of two countries, ignored the failure of several States in the region to sign the Treaty or to take action necessary to bring it into force. It added that, having submitted the Protocol to the Senate, it was following its common internal procedures in that regard.

The draft resolution was approved by the First Committee on 20 November by a recorded vote of 129 to none, with 6 abstentions, and adopted by the General Assembly on 12 December by a recorded vote of 138 to none, with 5 abstentions (Central African Republic, Cuba, France, Guyana and United States), as resolution 35/143. It reads as follows:

The General Assembly,

Recalling its resolutions 2286 (XXII) of 5 December 1967, 3262 (XXIX) of 9 December 1974, 3473 (XXX) of 11 December 1975, 32/76 of 12 December 1977, S-10/2 of 30 June 1978, 33/58 of 14 December 1978 and 34/71 of 11 December 1979 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

Taking into account that within the zone of application of that Treaty, to which twenty-two sovereign States are already parties, there are some territories which, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits deriving from the Treaty through its Additional Protocol I, to which the States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Recalling with satisfaction that the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands became parties to Additional Protocol I in 1969 and 1971, respectively.

1. *Regrets* that the signature of Additional Protocol I by the United States of America and by France, which the General Assembly duly noted with satisfaction and which took place on 26 May 1977 and 2 March 1979, respectively, has not yet been followed by the corresponding ratifications, notwithstanding the time already elapsed and the invitations that the Assembly has addressed to them and which it reiterates with special urgency in the present resolution;

2. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled "Implementation of General Assembly resolution 35/143 concerning the signature and ratifica-

B. Denuclearization of Africa

In accordance with resolutions 34/76 A and B, the item entitled "Implementation of the Declaration on the Denuclearization of Africa: report of the Secretary-General" was again included in the agenda of the General Assembly at its thirty-fifth session. Various delegations expressed their deep concern about the nuclear plans and capability of South Africa which they believed constituted a grave danger to international peace and security, jeopardizing particularly the security of African States and increasing the danger of the proliferation of nuclear weapons. Much of the concern was voiced in the light of a report that a nuclear explosive device might have been detonated, possibly by South Africa, in the South Atlantic area in September 1979. Many African States, including Angola, Burundi, Egypt, Ethiopia, Ghana, Kenya, Madagascar, Nigeria, Somalia, the United Republic of Tanzania, Zaire and Zambia, regarded their fears as having been reinforced by the report of the Secretary-General, which was prepared with the assistance of the Group of Experts on South Africa's Plan and Capability in the Nuclear Field.¹⁴ A number of those States denounced the technological and military assistance in the nuclear field that they held was being given to South Africa by certain countries and could assist in its development of nuclear weapons. They urged the States concerned to terminate forthwith any nuclear collaboration with South Africa, and requested the Security Council to prohibit all forms of co-operation with and institute effective enforcement action against South Africa, so as to prevent it from endangering international peace and security through its acquisition of nuclear weapons. They also demanded that South Africa submit all its nuclear installations to inspection by IAEA, which would promote the realization of the Declaration on the Denuclearization of Africa.

Two draft resolutions were submitted in connexion with the item. The first, entitled "Nuclear capability of South Africa", was submitted on 18 November by 20 African countries and was subsequently also sponsored by 8 others.¹⁵ In introducing the draft resolution, Nigeria noted the serious danger posed on the African continent by South Africa's nuclear capability and observed that certain States, which had been collaborating with South Africa's nuclear programme, still regarded their collaboration in terms of peaceful uses of nuclear energy, while in reality the South African nuclear programme was aimed towards anything but peaceful purposes. In that connexion, Nigeria noted that the report of the Secretary-General on South Af-

¹⁴ A/35/402 and Corr. 1; for discussion of the report, see chapter XXII below.

¹⁵ Angola, Benin, Burundi, Chad, Congo, Egypt, Ethiopia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Libyan Arab Jamahiriya, Madagascar, Mali, Morocco, Mozambique, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Tunisia, Uganda, United Republic of Cameroon and United Republic of Tanzania.

rica's plan and capability in the nuclear field had shown such a distinction to be untenable. To illustrate the position of the sponsors, Nigeria called attention to the pertinent parts of the report, which they had taken into account in the draft resolution along with the recent report of the Security Council on making the arms embargo against South Africa more effective;¹⁶ the latter had been carried out by the Security Council Committee established by the Council's resolution 421 (1977).

The draft resolution was approved by the First Committee on 21 November by a recorded vote of 124 to none, with 13 abstentions, and by the General Assembly on 12 December 1980 by a recorded vote of 132 to none, with 13 abstentions (France, United Kingdom, United States, other Western countries, Israel and Japan), as resolution 35/146 A. It reads as follows:

The General Assembly,

Recalling its resolution 34/76 B of 11 December 1979,

Bearing in mind the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Alarmed by South Africa's increased sophistication in the nuclear field, including the advanced processing and enrichment of uranium as nuclear-weapon fuel and its advanced nuclear technology,

Alarmed also at the fact that South Africa's nuclear capability has been enhanced by the co-operation of certain Western States and Israel with the racist régime,

Taking note of the report of the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa on ways and means of making the mandatory arms embargo against South Africa more effective,

Noting with concern that South Africa has persistently refused to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and to conclude adequate and comprehensive safeguards agreements with the International Atomic Energy Agency with a view to preventing the diversion of nuclear materials from peaceful uses to the manufacture of nuclear weapons and other nuclear explosive devices,

Recalling its decision taken at the tenth special session, devoted to disarmament, that the Security Council should take appropriate effective steps to prevent the frustration of the decision of the Organization of African Unity for the denuclearization of Africa,

Bearing in mind the persistent concern with which the international community regards South Africa's capability and plans in the nuclear field,

Having considered the report of the Secretary-General on South Africa's plan and capability in the nuclear field, including the reported explosion of a nuclear device in the South Atlantic on 22 September 1979,

1. *Expresses its appreciation* to the Secretary-General for his report on South Africa's plan and capability in the nuclear field;

2. *Expresses its deep alarm* that the report has established South Africa's capability to manufacture nuclear weapons;

3. *Also expresses its deep concern* that South Africa's nuclear capability is being developed to preserve white supremacy by intimidating neighbouring countries and blackmailing the entire continent of Africa;

4. *Reaffirms* that the racist régime's nuclear plans and capability constitute a very grave danger to international peace and security and, in particular, jeopardize the security of African States and increase the danger of the proliferation of nuclear weapons;

¹⁶ S/14179 of 19 September 1980, submitted in accordance with Security Council resolution 473 (1980) of 13 June 1980.

5. *Requests* the Security Council to prohibit all forms of co-operation and collaboration with the racist régime of South Africa in the nuclear field;

6. *Calls upon* all States, corporations, institutions or individuals to terminate forthwith such nuclear collaboration between them and the racist régime of South Africa;

7. *Requests* the Security Council to institute effective enforcement action against the racist régime of South Africa, so as to prevent it from endangering international peace and security through its acquisition of nuclear weapons;

8. *Demands* that South Africa submit all its nuclear installations to inspection by the International Atomic Energy Agency;

9. *Requests* the Secretary-General to give maximum publicity to the report on South Africa's plan and capability in the nuclear field and to distribute it to Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, so that the international community and public opinion may be fully aware of the danger inherent in the programme;

10. *Further requests* the Secretary-General to follow closely South Africa's activity in the nuclear field and to report to the General Assembly at its thirty-sixth session;

11. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa"

The second draft resolution, which concerned the implementation of the Declaration on the Denuclearization of Africa, was submitted on 18 November by 21 African States and subsequently also sponsored by three additional African States.¹⁷ It was introduced by Nigeria on 19 November, in the same intervention as the first.

With regard to the second draft resolution, Nigeria stated that it followed the pattern of earlier ones on the question, reaffirming that the nuclear programme of South Africa was hindering the implementation of the Declaration and constituted a threat to peace and security, especially that of African States. It also noted the nuclear collaboration of certain Western States and Israel with South Africa despite the risk of proliferation entailed and the absence of distinction between peaceful and weapons capabilities.

The draft resolution was approved by the First Committee on 21 November by a recorded vote of 123 to 2 (France, United Kingdom), with 10 abstentions, and by the General Assembly on 12 December 1980 by 133 votes to none, with 12 abstentions (France, United Kingdom, United States, other Western States and Israel), as resolution 35/146 B. It reads as follows:

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of Africa adopted by the Assembly of the Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Recalling its resolution 1652 (XVI) of 24 November 1961, 32/81 of 12 December 1977, 33/63 of 14 December 1978 and 34/76 A of 11 December 1979, in which it called upon all States to consider and respect the continent of Africa, comprising the continental African States, Madagascar and other islands surrounding Africa, as a nuclear-weapon-free zone,

Recalling also that in its resolution 33/63 of 14 December 1978 it vigorously condemned

¹⁷ Algeria, Angola, Benin, Burundi, Chad, Congo, Ethiopia, Ghana, Guinea, Ivory Coast, Kenya, Libyan Arab Jamahiriya, Madagascar, Mali, Morocco, Mozambique, Nigeria, Senegal, Sierra Leone, Sudan, Tunisia, Uganda, United Republic of Cameroon and United Republic of Tanzania.

any attempt by South Africa to introduce in any way whatsoever nuclear weapons into the continent and demanded that South Africa should forthwith refrain from conducting any nuclear explosion on the continent of Africa or elsewhere,

Reaffirming that the nuclear programme of the racist régime of South Africa constitutes a very grave danger to international peace and security and, in particular, jeopardizes the security of African States,

Noting with concern that South Africa has persistently refused to conclude adequate and comprehensive safeguards agreements with the International Atomic Energy Agency with a view to preventing the diversion of nuclear materials from peaceful uses to the manufacture of nuclear weapons and other nuclear explosive devices,

Taking note of the report of the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa on ways and means of making the mandatory arms embargo against South Africa more effective and, in particular, its recommendation that all forms of nuclear collaboration with South Africa should cease,

Having seriously examined the report of the Secretary-General on South Africa's plan and capability in the nuclear field, including the reported detonation of a nuclear explosive device in the South Atlantic on 22 September 1979,

Gravely concerned that South Africa might have acquired nuclear weapons,

Expressing its indignation that certain Western countries and Israel have continued to collaborate with South Africa in the nuclear field despite the risk of proliferation of nuclear weapons which the South African nuclear programme poses,

Recalling its decision taken at the tenth special session, devoted to disarmament, that the Security Council should take appropriate effective steps to prevent the frustration of the decision of the Organization of African Unity for the denuclearization of Africa,

1. *Strongly reiterates* its call upon all States to consider and respect the continent of Africa, comprising the continental African States, Madagascar and other islands surrounding Africa, as a nuclear-weapon-free zone;

2. *Reaffirms* that the nuclear programme of the racist régime of South Africa constitutes a very grave danger to international peace and security and, in particular, jeopardizes the security of African States and increases the danger of the proliferation of nuclear weapons;

3. *Condemns* any form of nuclear collaboration by any State, corporation, institution or individual with the racist régime of South Africa since such collaboration frustrates, *inter alia*, the objective of the Declaration of the Organization of African Unity to keep Africa a nuclear-weapon-free zone;

4. *Calls upon* such States, corporations, institutions or individuals, therefore, to terminate forthwith such nuclear collaboration between them and the racist régime of South Africa;

5. *Requests* the Security Council, in keeping with the recommendation of its committee established by resolution 421 (1977) concerning the question of South Africa, to prohibit all forms of co-operation and collaboration with the racist régime of South Africa in the nuclear field;

6. *Demands* that South Africa submit all its nuclear installations to inspection by the International Atomic Energy Agency;

7. *Requests* the Secretary-General to render all necessary assistance to the Organization of African Unity towards the realization of its solemn Declaration on the Denuclearization of Africa;

8. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa"

C. Proposed nuclear-weapon-free zone in the Middle East

Pursuant to resolution 34/77, the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" was again included in the agenda of the General Assembly at its 1980 session.

A number of countries, including Bahrain, Bhutan, Democratic Yemen, Egypt, Iraq, Jordan, Lebanon, Oman, Pakistan, Sudan and the Syrian Arab Republic, continued to emphasize their support for the establishment of a nuclear-weapon-free zone in the Middle East. Generally, they reiterated their concern about the danger of the development of nuclear weapons by Israel which could represent a serious threat to the States in the region. In their view, the development of such a nuclear capability would further complicate the situation and immensely jeopardize the effort to create a nuclear-weapon-free zone in the area. It was also proposed that all States concerned, pending the establishment of such a zone, should refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and should place all their nuclear activities under IAEA safeguards. Finally, a number of delegations drew a comparison between reports of nuclear programmes in South Africa and Israel and particularly condemned any collaboration between the two in the nuclear field.

On 30 October, Egypt submitted a draft resolution which it introduced on 10 November. In the introduction, Egypt pointed out that the draft resolution took into account the situation resulting from the difficulty of bringing all countries in the region to the negotiating table in order to conclude the necessary arrangements relating to the establishment of a nuclear-weapon-free zone in the Middle East. Thus, by the draft resolution, the Assembly would invite States in the region to affirm their support for creation of such a zone and, in order to help achieve that objective, to declare solemnly their decision to refrain, on a reciprocal basis, from producing, acquiring or possessing nuclear weapons and to deposit those declarations with the Security Council, in keeping with relevant provisions of the Final Document of the Tenth Special Session of the General Assembly.¹⁸ Egypt stressed the importance of the role of the Security Council in the establishment of nuclear-weapon-free zones, particularly in the case of a special situation, such as in the Middle East.

On 31 October, Israel also submitted a draft resolution which it introduced on 13 November. The representative of Israel stated in the introduction that his Government continued to support measures to prevent the proliferation of nuclear weapons. It was Israel's belief that in the Middle East nuclear non-proliferation could best be achieved by a regional approach, because, among other things, a smaller group of States sharing certain regional interests might reach agreement relatively easily. It held that a nuclear-weapon-free zone could be established in the Middle East if the States concerned were prepared to negotiate in good faith. The representative further stated that his delegation would join a consensus in support of the draft resolution submitted by Egypt, in spite of certain reservations, to demonstrate its goodwill and support for the idea of the establishment of a nuclear-weapon-free zone in the region.

¹⁸ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 60-63.

By the Israeli proposal, the Assembly would call upon the States concerned to convene a conference with a view to negotiating a multilateral treaty establishing a nuclear-weapon-free zone in the Middle East, and to indicate their willingness to participate in such a conference by 1 May 1981. On 20 November, Israel withdrew its draft resolution, stating that its action was on the grounds that it was being argued, by those rejecting its proposal, that until all their demands were met in respect of the situation in the Middle East, no consultations among the regional States could take place with a view to establishing a nuclear-weapon-free zone; by comparison, its proposal was an unlinked deal and entirely without prejudice. Israel's action left only the Egyptian proposal on the question before the Committee.

On 20 November, the Committee, for the first time, approved the draft resolution on the question — as submitted by Egypt — without a vote.

A number of States — Canada, Finland on behalf of the Nordic countries, the Federal Republic of Germany, Ireland, Italy, the Netherlands, the United Kingdom and the United States — explained their positions, expressing their support and gratitude that the draft resolution was recommended by consensus. The Federal Republic of Germany also stated that it would encourage and assist the parties directly concerned to take the steps required to set up a properly conceived nuclear-weapon-free zone, while Finland, the Netherlands and the United Kingdom advocated that the States of the region should, as one step, adhere to the non-proliferation Treaty. Brazil, Bhutan and India, on the other hand, had reservations because of the mention of the non-proliferation Treaty in operative paragraph 1 of the draft resolution. Egypt, as sponsor, expressed its appreciation and regarded the consensus endorsement of its proposal as a significant development and the beginning of a new phase. It noted particularly the call for the States concerned to deposit appropriate declarations of their support for the zone with the Security Council.

On 12 December, the draft resolution was adopted by the General Assembly, also without a vote, as resolution 35/147. It reads as follows:

The General Assembly,

Recalling its resolution 3263 (XXIX) of 9 December 1974, in which it overwhelmingly commended the idea of the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolution 3474 (XXX) of 11 December 1975, in which it recognized that the establishment of a nuclear-weapon-free zone in the Middle East enjoyed wide support in the region,

Bearing in mind its resolution 31/71 of 10 December 1976, in which it expressed the conviction that progress towards the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance the cause of peace in the region and in the world,

Recalling its resolution 32/82 of 12 December 1977, in which it expressed the conviction that the development of nuclear capability would further complicate the situation and immensely damage the efforts to establish a nuclear-weapon-free zone in the Middle East,

Guided by the recommendations in the Final Document of the Tenth Special Session of the General Assembly dealing with the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolutions 33/64 of 14 December 1978 and 34/77 of 11 December 1979,

Recognizing that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

1. *Urges* all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Invites* those countries, pending the establishment of such a zone in the Middle East and during the process of its establishment, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices;

3. *Calls upon* those countries to refrain, on a reciprocal basis, from permitting the stationing of nuclear weapons on their territory by any third party and to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

4. *Further invites* those countries, pending the establishment of a nuclear-weapon-free zone in the Middle East and during the process of its establishment, to declare their support for establishing such a zone in the region consistent with paragraphs 60 to 63, in particular paragraph 63 (d), of the Final Document of the Tenth Special Session and to deposit those declarations with the Security Council for consideration as appropriate;

5. *Reaffirms again* its recommendation to the nuclear-weapon States to refrain from any action contrary to the spirit and purpose of the present resolution and the objective of establishing in the region of the Middle East a nuclear-weapon-free zone under an effective system of safeguards and to extend their co-operation to the States of the region in their efforts to promote these objectives;

6. *Renews its invitation* to the Secretary-General to continue to explore the possibilities of making progress towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East"

Following the adoption of resolution 35/147 by the General Assembly, Israel stated that it was essential that the nuclear-weapon-free zone in question be established in a manner most likely to assure each State in the region of the other's compliance with the terms of a freely negotiated convention on the model of the Treaty of Tlatelolco. In that regard, it advocated the conclusion of a multilateral convention through direct negotiations by all States of the region. The Syrian Arab Republic affirmed that its joining the consensus accurately reflected its position and readiness to implement such a zone, although it was concerned whether one force in the area was ready fully to implement the provisions of the resolution.

D. Proposal for a nuclear-weapon-free zone in South Asia

The item entitled "Establishment of a nuclear-weapon-free zone in South Asia: report of the Secretary-General" was included in the agenda of the thirty-fifth session pursuant to the General Assembly resolution 34/78 by which, *inter alia*, it requested the Secretary-General to render such assistance as might be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia and to report on the subject to the Assembly at its thirty-fifth session.

In his report,¹⁹ the Secretary-General stated that he had been in contact with States of the South Asian region and that there had been no request by the States concerned for his assistance in connexion with the subject, but that a view had been expressed that he should continue to be available for such assistance. During the debate, as in previous years, many delegations expressed their support for the establishment of a nuclear-weapon-free zone in South Asia, especially in connexion with the voting on the draft resolution on the question; in 1980 they included those of Bangladesh, Chile, the Federal Republic of Germany, Finland, Japan, Sri Lanka, Togo, the United Republic of Tanzania and the United States.

A draft resolution on the item was submitted by Pakistan on 24 October and introduced by that delegation on 10 November; it was also sponsored by the Niger. Pakistan stated that it was convinced that the creation of a nuclear-weapon-free zone in South Asia was a realistic objective, which all countries of the region should make earnest efforts to achieve. From the point of view of geographical, historical, cultural and other considerations, the South Asian region was distinct and qualified for the creation of such a zone. Moreover, the respective countries of the region had more than once declared unilaterally their commitment to nuclear non-proliferation. In Pakistan's view, the next step could be a joint endeavour to translate those unilateral commitments into a regional declaration which was binding on successive Governments. Such a joint declaration would be an important milestone towards the establishment of a nuclear-weapon-free zone in the region. In concluding, Pakistan noted that the draft was similar to that of 1979 on the matter.

Before the vote in the First Committee, India, in explaining its intention to vote against the draft, stated that it had consistently called for the total elimination of all nuclear weapons and did not intend to develop or acquire such weapons. India's nuclear programme was entirely devoted to peaceful purposes. It was not opposed to the concept of nuclear-weapon-free zones and had supported them in other regions. It was opposed, however, to a zone in South Asia on the basis of both principle and practical considerations. In India's view the initiative for their establishment must derive from all the States of the region concerned and participation must be voluntary. It was inadmissible for any one State in a region to try to impose such a zone on other States within the region. Moreover, South Asia was a contiguous and integral part of the region of Asia and the Pacific, and could not be treated in isolation. Finally, the deployment of nuclear weapons in the Asia-Pacific theatre and the presence of foreign military bases in the Indian Ocean complicated the security environment of the region. Bhutan explained its negative vote on grounds of lack of consultations and agreement among the States concerned.

Among those voting in favour of the draft, Japan reaffirmed its support of the establishment of such a zone but held that to strengthen the security of

¹⁹ A/35/452.

the region it would require the agreement of all the States concerned on the basis of a regional initiative. Japan also considered it highly desirable for the realization of nuclear-weapon-free zones that all the States in the regions concerned adhere to the non-proliferation Treaty and accept full-scope IAEA safeguards. The United States and the Federal Republic of Germany, in explaining their affirmative votes, stated that they believed effective nuclear-weapon-free zones, negotiated and supported voluntarily by all States concerned, could contribute to international non-proliferation efforts and to increased national and regional security for their participants. In that connection, the United States referred to paragraph 2 of the draft, which contained an admonition urging all States in the region to refrain from any action contrary to the objectives of the resolution, stating that it would expect those supporting the draft to take that provision seriously.

Australia, Italy and Sweden, which abstained in the vote, believed that the participation of all the countries of the region concerned, on the basis of arrangements freely arrived at and negotiated among themselves, was among the essential conditions for creating viable nuclear-weapon-free zones, such a zone as in South Asia.

On 21 November, the First Committee approved the draft resolution by 89 votes to 2 (Bhutan and India), with 41 abstentions, and on 12 December 1980, the General Assembly adopted it by 96 votes to 3 (Bhutan, India and Mauritius), with 44 abstentions, as resolution 35/148. It reads as follows:

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978 and 34/78 of 11 December 1979 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute most effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will strengthen the security of the States of the region against the use or threat of use of nuclear weapons,

Noting the declarations issued at the highest level by Governments of South Asian States reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Recalling that in the above-mentioned resolutions it called upon the States of the South Asian region and such other neighbouring non-nuclear-weapon States as might be interested to make all possible efforts to establish a nuclear-weapon-free zone in South Asia, and to refrain, in the meantime, from any action contrary to this objective,

Further recalling that, in its resolutions 3265 B (XXIX), 31/73 and 32/83, it requested the Secretary-General to convene a meeting for the purpose of the consultations mentioned therein and to render such assistance as might be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note of the report of the Secretary-General on the establishment of a nuclear-weapon-free zone in South Asia,

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia and such other neighbouring non-nuclear-weapon States as may be interested to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to this objective;

3. *Calls upon* those nuclear-weapon States which have not done so to respond positively to this proposal and to extend the necessary co-operation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to render such assistance as may be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia and to report on the subject to the General Assembly at its thirty-sixth session;

5. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia"

Conclusion

In light of the general belief that the establishment of nuclear-weapon-free zones is a feasible, practicable and effective means of promoting regional security and preventing further horizontal proliferation of nuclear weapons, the established proposals for the creation of such zones in various parts of the world continued to enjoy wide support in 1980 from the great majority of Member States. That support was evidenced in various international forums, including the Disarmament Commission, the Committee on Disarmament and the General Assembly.

During 1980, the discussion on the Treaty of Tlatelolco was narrowed down to the question of the ratification of its Additional Protocol I by France and the United States. The General Assembly in its resolution reiterated with special urgency its invitations for ratification of the Protocol by those States. On the question of denuclearization of Africa, the States of the African region once again expressed serious concern about their security in view of the report of the Secretary-General on South Africa's nuclear plan and capability which was before the General Assembly. The proposal for a nuclear-weapon-free zone in the Middle East also continued to receive widespread support and, for the first time, Israel advanced a separate initiative on the question. Although it later withdrew its proposal, Israel supported, also for the first time, the proposal put forward by Egypt on the question, which enabled it to be adopted without a vote. It should be noted that a study, under the agenda item entitled "Israeli nuclear armament: report of the Secretary-General", is in progress (see chapter XXII below). With regard to the proposal on the establishment of a nuclear-weapon-free zone in South Asia, although the Assembly as at previous sessions adopted a resolution endorsing the proposal, different views continued to exist, particularly between India and Pakistan.

Since the concept of nuclear-weapon-free zones continues to be regarded as a practical approach which can contribute to the quest for nuclear disarmament, it may be expected that discussion of current proposals will continue and additional ones may be activated.

International co-operation in the peaceful uses of nuclear energy

Introduction

IN RECENT YEARS, QUESTIONS RELATED TO THE PEACEFUL USES of nuclear energy have been the subject of intense debate within and outside the United Nations. It is clear that there is general recognition of the pressing need for an international consensus in the field. But, equally clear, there are differences as to the direction in which the international community should move to arrive at such a consensus.

Two trends of thought dominate the debate, one focusing on the link between the dissemination of nuclear technology, equipment and materials for peaceful purposes and the spread of nuclear weapons, and the other on the benefits that may be derived from the peaceful applications of nuclear technology. These trends clash in two areas. One disagreement, involving mainly the United States on one side and a number of developed countries on the other, originates in differing evaluations of the prospective dangers and expected benefits of the "plutonium economy", i.e., the use of plutonium in the nuclear fuel cycle — although it must be noted that in the last year the differences seem to have abated somewhat. The other disagreement concerns the transfer of nuclear technology, equipment and materials for peaceful purposes. The major suppliers are convinced that stringent export policies must govern such transfers to ensure that international co-operation does not become an avenue for the proliferation of nuclear-weapon capabilities.

In 1974, a number of suppliers reached an understanding on common safeguards requirements,¹ which were further developed in the framework of a Nuclear Suppliers Conference which began meeting in London (thus becoming known as the "London Club"). In September 1977, the 15 countries² participating in those meetings agreed on a set of principles and guide-

¹ See *The United Nations Disarmament Yearbook*, vol. 1: 1976 (United Nations publication, Sales No. E.77.IX.2), pp. 123-124.

² The initial membership of seven countries was increased later to 15: Belgium, Canada, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Italy, Japan, Netherlands, Poland, Sweden, Switzerland, USSR, United Kingdom and United States.

lines to govern nuclear exports. The guidelines are based on a list of equipment and materials whose transfer to a non-nuclear-weapon State triggers the application of International Atomic Energy Agency (IAEA) safeguards. In addition, the transfer of items on the "Trigger List" requires formal assurance from recipient countries that they will not employ such items for the manufacture of any nuclear explosive device and the application of effective physical protection measures to prevent unauthorized use. These requirements also apply to facilities utilizing technology directly transferred by the supplier, or derived from transferred facilities or major critical components thereof. The guidelines call for restraint in the transfer of "sensitive" facilities and technology and weapons-grade materials. The agreed control measures also include restrictions on re-export and on reprocessing and enrichment.³ Some suppliers have adopted national export policies going beyond the requirements set out in the London guidelines — the most recent and comprehensive being the United States Nuclear Non-Proliferation Act of 1978. The additional controls imposed by individual suppliers involve, singly or in varying combinations, an embargo on the transfer of "sensitive" facilities and technologies; the application of IAEA safeguards to all the peaceful nuclear activities of recipient non-nuclear-weapon States (rather than only on the exported items and the installations where they are used); and conditions in respect of enrichment levels, re transfers to third countries, reprocessing and disposition of spent fuel, the supplier's consent being required in some cases.⁴ Beyond that, nuclear suppliers have tended to lay emphasis on strengthening the proliferation resistance of the nuclear fuel cycle through technical measures and the development of institutional arrangements to limit the dissemination of "sensitive" technologies and facilities and of weapons-grade materials — plutonium 239 and uranium highly enriched in the isotope 235. In 1977 the United States launched the idea of an international evaluation of the nuclear fuel cycle designed to provide data and options regarding less proliferation-prone nuclear fuel cycles (see below).

For their part, recipient countries, mainly developing ones, consider that the principles of non-discrimination and unrestricted access to nuclear technology and the right of all countries to develop peaceful nuclear programmes in the light of their interests, needs and priorities constitute the foundations on which the new international consensus must be built. This belief is based on the significance of access to modern science and technology as a vehicle of economic and social advancement and self-reliance. From this perspective, peaceful nuclear technology should be made widely available and the fear of misuse for military purposes should not be used as justification for measures that impede or restrict full access to such technol-

³ A detailed presentation of the London guidelines may be found in *The United Nations Disarmament Yearbook*, vol. 2: 1977 (United Nations publication, Sales No. E.78.IX.4), pp. 132-134.

⁴ A more detailed discussion of the export policies of individual suppliers may be found in *ibid.*, vol. 1: 1976, pp. 124-128; *ibid.*, vol. 2: 1977, pp. 134-139; and *ibid.*, vol. 3: 1978 (United Nations publication, Sales No. E.79.IX.2 or 3), pp. 250-253.

ogy on a non-discriminatory basis. This viewpoint is reinforced by the belief that it is not the peaceful applications of nuclear energy that are endangering the survival of mankind, but, rather, existing nuclear arsenals and their continuous quantitative and qualitative development. In that light, the cessation of the nuclear arms race and nuclear disarmament and the prevention of the spread of nuclear weapons become two aspects of the same problem and the non-proliferation régime must entail restraints on vertical as well as on horizontal proliferation.

The developing countries, notably the non-aligned, largely reacting to prevailing trends on the supply side, are now attaching increasing importance to possibilities offered by mutual assistance, self-reliance and co-ordinated action in the United Nations and other international organizations, especially IAEA. Furthermore, they tend to stress the political nature of the problems involved and the consequent need to inject a political dimension into the search for a consensus. For that reason they have taken the initiative of proposing the convening of an international conference to promote international co-operation in the peaceful uses of nuclear energy for economic and social development.

International Nuclear Fuel Cycle Evaluation

The International Nuclear Fuel Cycle Evaluation (INFCE) referred to above was initiated at an organizing conference held in Washington, D.C., in October 1977,⁵ with the participation of 40 countries. INFCE was open to all interested States and, by the time of its completion in February 1980, 66 States had participated in the evaluation work in one form or another. They included industrialized and developing countries; countries with large or small nuclear energy programmes at various stages of advancement; consumers as well as suppliers of materials, technology and equipment; market and centrally planned economies; nuclear-weapon States and non-nuclear-weapon States; parties to the Euratom Treaty, the non-proliferation Treaty and the Tlatelolco Treaty, as well as States which are not parties to any of these treaties; and countries from all geographical regions.

At the Organizing Conference it was agreed that INFCE should be a technical study, not a negotiation, and Governments were in no way committed to accept its results. It was decided that the evaluation should be carried out in a spirit of objectivity, with mutual respect for each country's choices and decisions in the field, without jeopardizing their respective fuel cycle policies or international co-operation, agreements and contracts for the peaceful use of nuclear energy, provided that agreed safeguards measures were applied.

Eight working groups were established, each with responsibility for the examination of a specified aspect of the fuel cycle, as follows:

Working Group 1: Fuel and heavy water availability;

⁵ For the final communiqué of the Organizing Conference, see A/C.1/32/7.

Working Group 2: Enrichment availability;

Working Group 3: Assurances of long-term supply of technology, fuel and heavy water and services in the interest of national needs consistent with non-proliferation;

Working Group 4: Reprocessing, plutonium handling, recycle;

Working Group 5: Fast breeders;

Working Group 6: Spent-fuel management;

Working Group 7: Waste management and disposal; and

Working Group 8: Advanced fuel cycle and reactor concepts.

Each working group was organized by three or in some cases two "co-chairman" countries, which volunteered for this responsibility. The 22 co-chairmen of the working groups constituted the Technical Co-ordinating Committee, which acted as a steering group.

The working groups completed their work in 1979. Their voluminous reports and summaries thereof, together with a report of the Technical Co-ordinating Committee, entitled "Summary and overview", were submitted to the final Plenary Conference, which was held in Vienna from 25 to 27 February 1980.⁶

The Conference "received" the reports of the working groups and the "Summary and overview" and submitted them to the Governments of participating States for their consideration in developing their nuclear energy policies and in international discussions concerning nuclear energy co-operation and related controls and safeguards, recalling that participants were not committed to INFCE's results under the terms of the Washington communiqué.

The Conference stated that the findings of INFCE had strengthened the view that nuclear energy is expected to increase its role in meeting the world's energy needs and can and should be widely available to that end; that effective measures can and should be taken to meet the specific needs of developing countries in the peaceful uses of nuclear energy; and that effective measures can and should be taken to minimize the danger of the proliferation of nuclear weapons without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes.

Finally the Conference recognized that the objectives mentioned above could only be achieved through continued international co-operation and stated that the participants were determined to preserve the climate of mutual understanding and co-operation in the international nuclear energy field that was one of the major achievements of INFCE.

International approaches to the provision of nuclear fuel cycle services, materials and technology

International approaches to the provision of nuclear fuel cycle services, materials and technology have attracted attention in recent years. Underlying

⁶ The first Plenary Conference was held in Vienna in November 1978, midway in the course of the study, to review the progress of the work. See *The United Nations Disarmament Yearbook*, vol. 3: 1978, p. 254.

this interest is the idea that international or multinational arrangements would help to make nuclear energy widely available while minimizing the risk of nuclear-weapons proliferation by limiting the spread of nationally owned facilities that provide access to weapons-grade nuclear materials. Possibilities in this area were extensively discussed at a technical level in the framework of INFCE, the different working groups having examined institutional arrangements relevant to their segment of the study. Clearly, any multinational or international arrangement raises delicate questions — membership, financing, decision-making, conditions of access, dispute settlement — the answers to which, ultimately, will have to be found at the political level.

**(a) *Assurances of supply of nuclear fuel,
services and technology***

International mechanisms to ensure the reliability of supply of nuclear fuel, services and technology are seen as a means of inducing consumer nations to accept restraints on their peaceful nuclear programmes with respect to the acquisition, in particular, of reprocessing and uranium enrichment technology and facilities. At the Organizing Conference of INFCE, the United States proposed the creation of an international nuclear fuel bank to provide assurances against the interruption of bilateral supplies and indicated that it was willing to contribute its technical capability and a part of its own enriched uranium. Further, the United States Nuclear Non-Proliferation Act of 1978 contemplates the establishment of an international nuclear fuel authority and, pending that, the creation of an interim stockpile of low-enriched uranium to which the United States and other supplier nations would make contributions for the purpose of assuring the continuity of nuclear fuel supplies to nations that “adhere to strict policies designed to prevent proliferation” According to the Act, this means those non-nuclear-weapon States that accept safeguards in respect of all their peaceful nuclear activities, do not acquire or manufacture any nuclear explosive device, do not establish any new enrichment or reprocessing facilities, and place existing facilities under effective international auspices and inspection.

As noted earlier, one of the INFCE working groups was entrusted with the task of examining the question of assurances of long-term supply. In its report, that working group stated that it was widely agreed that the principal and preferred mechanism for assured supply was the competitive market. Nevertheless, it was recognized that there was need for alternative mechanisms to provide protection against interruptions of supply. The possibilities considered included a uranium emergency safety network based on a mixed consumer-producer pool concept, and an international nuclear fuel bank. It was recognized that a number of matters concerning the establishment and operation of such arrangements required further consideration, in particular the conditions for membership and access that should be imposed from the point of view of non-proliferation.

It was generally accepted that more uniform and predictable application of national export and import controls (e.g., the exercise of rights or prior consent if relevant) by each supplier and consumer country, in accordance with more concrete criteria, would go a long way towards mitigating uncertainties and thus strengthening assurances of supply. It was further recognized that disagreements between supplier and consumer countries about the necessity for, or the substance of, changes to non-proliferation conditions of supply could give particular concern about long-term assurance of supply, if they were associated with the interruption of export or import permits related to existing contracts. It was therefore considered desirable that Governments develop mechanisms agreed to by the parties, either bilaterally or within a broader international framework, for the management of changes in non-proliferation policy, designed to reduce to a minimum the risk that such changes, when they give rise to disagreement between supplier and consumer countries, might lead to interference with supplies. A number of possible mechanisms that could be used for that purpose were suggested. It was considered that assurances of supply and markets could be improved if the adoption of one of those mechanisms for amending non-proliferation undertakings were to be complemented by some form of guarantee regarding continuity of supply during the renegotiation process. Several combinations of possible measures for renegotiating non-proliferation conditions and guaranteeing deliveries under existing contracts were identified. They involved different possible means of reconciling two conflicting needs: to adapt to changing circumstances and to sustain confidence in long-term contracts. At the same time, it was also agreed that, to meet the concerns of some consumer countries about differences in some of the non-proliferation conditions of bilateral agreements, common approaches would need to be sought against the background of the need to make nuclear power available to all nations that wished to use it for peaceful purposes and the need to achieve that objective in a way that minimizes the danger of proliferation while respecting the sovereignty of nations. Those common approaches, which could be expressed initially through practices of States and bilateral agreements, might eventually take the form of joint declarations, codes of conduct or multilaterally or internationally agreed instruments. Such an evolutionary process — building on existing instruments, institutions, standards and practice — might be both practicable and conducive to measured progress towards a more certain régime, in which national export and import policies related to non-proliferation might be implemented in a manner acceptable to both supplier and consumer countries.

Against that background, at the twenty-third General Conference of the IAEA, held in New Delhi in September 1979, the Director General suggested that the Agency should establish a committee on assurances of supply. Following informal consultations, the Board of Governors decided, on 20 June 1980, to establish a committee open to all Member States to consider and advise it on (a) ways and means by which supplies of nuclear materials, equipment and technology and fuel cycle services could be assured on a more predictable and long-term basis in accordance with mutually acceptable considerations of non-proliferation and (b) the Agency's role and

responsibilities in relation thereto.⁷ The Committee on Assurances of Supply (CAS, as it has become known) held an organizational meeting at the end of September. It was scheduled to meet again in March 1981, to begin the consideration of substantive questions.

(b) *International plutonium storage*

The potential for misuse of plutonium recovered from spent fuel is the chief factor underlying interest in the creation of an international régime for plutonium storage. Article XII.A.5 of the IAEA statute forms a possible basis for such a scheme. That article gives the Agency the right to require the deposit with it of any plutonium over what is needed for peaceful uses in specified reactors or research projects so as to prevent stockpiling. The article includes the proviso that this plutonium shall be returned promptly for such uses on request.

Since 1976 IAEA has been studying ways and means of implementing article XII.A.5. A report was circulated to member States in July 1978. Subsequently, an Expert Group on International Plutonium Storage composed of experts from 24 member States and the Commission of the European Communities has been meeting under Agency auspices to devise proposals for the implementation of an international plutonium storage system.

(c) *International spent fuel management*

Non-proliferation concerns also contribute to interest in the idea of international or multinational repositories for spent reactor fuel. At the Organizing Conference of INFCE, the United States offered to assume responsibility for the storage and ultimate disposal of spent nuclear fuel from foreign as well as domestic reactors. As far as foreign spent fuel was concerned, the United States stated its willingness to accept limited quantities when that would contribute to fulfilling non-proliferation objectives.

In 1976, IAEA began a study of the question of international spent fuel management. On the basis of progress made to date, it is expected that the study will be completed by the end of 1981.

(d) *Regional nuclear fuel cycle centres*

Attention has also focused on the possibility of creating regional nuclear fuel cycle centres as another alternative to minimize potential proliferation risks in national stockpiling of separated plutonium. The concept of regional nuclear fuel cycle centres envisages a multinational approach to the planning,

⁷ IAEA documents GOV/1997 and GOV/OR.553.

establishment and operation of facilities necessary to service what is often referred to as the "back end" of the nuclear fuel cycle covering transport, storage, processing and recycling activities starting from the time the spent fuel leaves the reactor until the recycled fuel is returned to the reactor.

Regional nuclear fuel cycle centres were the subject of an IAEA study published in 1977.⁸ The Commission of the European Communities has also made a study of the concept, taking account of the particular situation of the countries of Western Europe. The subject has been further examined in INFCE as a possible institutional arrangement to strengthen the proliferation resistance of the nuclear fuel cycle.

Co-operation among developing countries

As noted earlier, in recent years the developing countries, particularly the non-aligned, have focused their attention on the possibilities offered by co-operation and mutual assistance among themselves in the sphere of peaceful uses of nuclear energy. The Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held in Belgrade in July 1978, considered that the non-aligned countries should draw up and adopt programmes for future joint action within the United Nations and other international bodies, to co-ordinate their action in them and to promote mutual co-operation. To that end the Group of Non-Aligned Co-ordinating Countries was formed. The Group held a preparatory meeting in Belgrade in December 1978, and identified a number of areas in the field of peaceful uses of nuclear energy offering possibilities for fruitful co-operation among non-aligned and other developing countries which should be further explored. In addition, the Group made a number of recommendations to guide the action of non-aligned countries in the United Nations and other international forums, such as IAEA, the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and INFCE. One of the conclusions reached was that since problems in the field of peaceful uses of nuclear energy were of a political nature, they could not be solved by technical means alone and, therefore, the Group proposed that all non-aligned countries should support the convening of an international conference on the peaceful uses of nuclear energy for economic and social development under the auspices of the United Nations system.

The Sixth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana in September 1979, noted with satisfaction the work done by the Group of Non-Aligned Co-ordinating Countries and stressed the importance of implementing the conclusions of the Group, singling out those concerning the adoption by the non-aligned countries of a co-ordinated approach to IAEA to strengthen the role of the Group of 77 in the Agency and the need to convene an international conference on the use of

⁸ *Regional Nuclear Fuel Cycle Centres* (Vienna, International Atomic Energy Agency, 1977), STI/PUB/445.

nuclear energy for economic and social development in accordance with General Assembly resolution 32/50. The Conference also decided that the Group should make concrete proposals on the framework and content of co-operation among developing countries in the field of peaceful uses of nuclear energy.⁹

The Group of Non-Aligned Co-ordinating Countries held its first regular meeting in Buenos Aires from 30 June to 4 July 1980, with the participation of the following co-ordinating countries: Algeria, Argentina, Cuba, Egypt, Gabon, Indonesia, Iraq, Libyan Arab Jamahiriya, Nigeria, Pakistan and Yugoslavia. Three non-aligned countries, the Democratic People's Republic of Korea, India and Peru, also attended. Finally, Brazil, the Philippines and Uruguay attended as observers of the movement, and Romania attended the meeting as a guest.

Continuing the work that had begun at Belgrade in 1978, the Group identified specific areas of co-operation in the fields of research and development, mineral exploration and exploitation, radioisotopes and radiation sources, radiological protection and nuclear safety, nuclear power and fuel cycle activities. It also explored possible ways to carry out such co-operation among the non-aligned countries, ranging from bilateral and/or multilateral co-operation to multilaterally sponsored projects, including the eventual organization of multilaterally sponsored centres — for example, for technology. Different aspects regarding the position of the non-aligned countries in international organizations and conferences were also considered at the meeting. Specifically, it dealt with questions related to the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and proposed demanding strict implementation of those clauses of the Treaty which provide for guarantees of the development of nuclear energy for peaceful purposes and for the cessation of the nuclear arms race.

Different issues concerning IAEA were addressed, and it was concluded that an adequate balance between the promotional and regulatory activities of the Agency should be achieved; that an adequate balance of regional representation should be ensured, in both its governing bodies and the staff of its secretariat; and that no distortion in the interpretation of its statute could be accepted, particularly when dealing with the application of control requirements.

The Group also exchanged views regarding the proposals to be made by the non-aligned countries regarding the date and scope of the international Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, scheduled for 1983.

In addition, the Group devoted attention to problems arising in bilateral relations, and the damaging effects of the conditions imposed by the "London Club" and other supplier countries on international exchange and co-operation in the field of peaceful uses of nuclear energy, particularly those arising from unilateral as well as retroactive decisions, the imposition of the "right of prior consent", or undue restrictions on technology transfers.

⁹ See A/34/542, annex, chap. V, sect. II.R.

The Group of Non-Aligned Co-ordinating Countries is expected to continue its work in 1981. Its conclusions will be submitted to the meeting of foreign ministers of non-aligned countries scheduled to take place in New Delhi early in February 1981.

It should also be noted that Argentina and Brazil signed a wide-ranging co-operation agreement in May 1980. Subsequently, they concluded a number of agreements covering specific areas of co-operation in the development and application of the peaceful uses of nuclear energy.

Consideration by the General Conference of the IAEA, 1980

The various issues examined above were also discussed at the twenty-fourth session of the General Conference of IAEA, which was held in Vienna from 22 to 26 September 1980.

As in previous years, emphasis on the potential dangers posed by the peaceful uses of nuclear energy marked the comments of Eastern European and Western countries which variously pointed to the need for measures to guard against possible misuse of nuclear energy for military purposes, that is, technical improvement of IAEA safeguards, universal adherence to the non-proliferation Treaty or, failing that, application of IAEA safeguards to all the peaceful activities of non-nuclear-weapon States, strict nuclear export policies and multinational arrangements for the "sensitive" stages of the nuclear fuel cycle.

Developing countries, on the other hand, approached the matter from the standpoint of the importance of peaceful nuclear technology for scientific, technological and economic advancement and self-reliance. From that perspective, they again laid stress on the need to promote international co-operation in the peaceful uses of nuclear energy, criticized the restrictions imposed by supplier countries on the transfer of nuclear technology, equipment and materials as an obstacle to development and an ineffective approach to the prevention of the spread of nuclear weapons, and reiterated the view that too much emphasis was being placed on the regulatory activities of IAEA to the detriment of its functions in the area of technical assistance.

Particular attention was paid to the newly established Committee on Assurances of Supply. Its creation was generally welcomed — albeit from different perspectives — as a step forward in the search for solutions acceptable to both suppliers and recipients of nuclear materials, equipment and technology. Belgium, expressing its satisfaction at the establishment of the Committee, commented that the most difficult aspect of the problem of guaranteed nuclear supplies was the application of unanimously accepted safeguards in line with the provisions of the non-proliferation Treaty. Belgium intended to take an active part in the work of the Committee and would continue its efforts to reconcile the two goals of non-proliferation and the development of civilian nuclear research and industry on the basis of non-discrimination between the nuclear-weapon and non-nuclear-weapon

States.¹⁰ Canada considered that possibly the most important single result of the work of INFCE had been its assertion of the general principle that assurances of supply and assurances of non-proliferation were complementary and held that the relationship between supply and demand could only function efficiently in the non-proliferation framework which governed nuclear commerce.¹¹ Romania, for its part, stressed that the work of the Committee on Assurances of Supply offered opportunities for promoting genuine and effective co-operation as well as unhindered access to the achievements of nuclear science and technology, and also for reinforcing the Agency's role in the solution of the major economic, technical and scientific problems of the present day.¹²

Mexico believed that what was needed was a true forum to negotiate agreements involving the parties concerned. In its view, adoption of joint declarations and codes of conduct were not likely to lead to more effective and less discriminatory co-operation, for the impediments to the transfer of nuclear technology as well as proliferation of nuclear weapons were political matters. It considered that the establishment of the Committee on Assurances of Supply ought to lead to a new stage in the Agency's life where countries could obtain pledges of supplies on a reliable and long-term basis, and thus pave the way for negotiations. Otherwise, Mexico feared that the Committee would only help in maintaining the *status quo* and not be a challenge to the political will of the parties in the prevailing atmosphere of distrust and tension.¹³

The Philippines believed that the Committee on Assurances of Supply should help establish stability in the conduct of international nuclear co-operation and trade by re-confirming the sanctity of contracts and agreements. In its opinion, the Committee should deal with future arrangements between suppliers and consumers and, in that connexion, consider and formulate guidelines on the following: (a) conditions for access to supply; (b) procedures for introducing agreed conditions; (c) procedures for modifying conditions; (d) back-up measures in the event of market failure or supply interruptions; and (e) possible measures to improve the commercial aspects of the fuel market. The Committee would also have to deal with non-commercial conditions for access to fuel and services, such as: (a) safeguards required; (b) duration of supply commitments and safeguards; (c) conditions for reprocessing, enrichment or other alterations of the physical or chemical form of supplied material; and (d) the role of the Agency in all those matters. That list of subjects was by no means exhaustive but if the Committee on Assurances of Supply was able to deal with them successfully, nuclear power might be assured more stable conditions in the future, at least with respect to assurances of supply and non-proliferation. The Philippines maintained that it was extremely important for the medium term for

¹⁰ IAEA document GC(XXIV)/OR.221, para. 33.

¹¹ IAEA document GC(XXIV)/OR.223, para. 67.

¹² *Ibid.*, para. 82.

¹³ *Ibid.*, paras. 31-32.

the nuclear power industry to be able to make the necessary commercial arrangements within agreed political conditions. In its view the prospects for the success of the Committee would be significantly improved if, at the outset, participating countries could affirm that when one party or the other to a bilateral agreement wished to seek the renegotiation of non-proliferation conditions, means should be devised to achieve such renegotiation equitably, without resort to the unilateral interruption of supply or import, or to the threat of such interruption, and with each party avoiding to the extent possible the unilateral imposition of additional costs on the other or of new conditions retroactively applied.¹⁴

Institutional arrangements for organizing certain fuel cycle operations on a multilateral basis — e.g., plutonium storage and spent fuel management — were also a matter of interest. Some countries, among them Finland, Japan, the Netherlands and the United States, viewed such projects with favour for the contribution they could make to the objective of non-proliferation of nuclear weapons. For instance, the United States, pointing out that it would continue to participate actively in the groups of experts working on international plutonium and spent fuel storage, commented that, if adequately designed, an international plutonium storage system could provide a useful contribution towards non-proliferation in the future. The United States stressed that such a scheme needed to incorporate rigorous criteria for the storage and release of plutonium. It further commented that improved international co-operation in spent fuel management should also help overcome shortages in storage capacity and restore confidence in the nuclear fuel cycle.¹⁵

Referring to IAEA's activities regarding international plutonium storage, Argentina regarded as opportune the Agency's concern to define its responsibilities under article XII.A.5 of its statute, since INFCE had demonstrated that plutonium fuel cycles would definitely be needed for nuclear power in the future. Argentina believed that any efforts made by the Agency, in the context of its international spent fuel management activities, to help solve the problem of spent fuel storage for those countries which did not have plans for appropriate facilities deserved support and were in keeping with its statute.¹⁶

Pakistan observed that it had followed carefully the work of the Agency relating to international plutonium storage. It fully supported the safeguarding of plutonium in accordance with the statute of the Agency but did not subscribe to the proposition that fuel reprocessing and plutonium re-cycling plants and breeder reactors, which would play a dominant role in the next decade, should remain the monopoly of a few industrialized States. In its opinion, the information and material should be accessible without any dis-

¹⁴ IAEA document GC(XXIV)/OR.221, paras. 101-102.

¹⁵ IAEA document GC(XXIV)/OR.219, para. 94.

¹⁶ IAEA document GC(XXIV)/OR.221, para. 26.

crimination or hindrance to the developing countries for the benefit of their peaceful programmes.¹⁷

The financing of technical assistance continued to figure prominently in the debate. Pursuant to a resolution adopted by the General Conference at its twenty-third session requesting the Board of Governors to study all possible effective means of financing technical assistance, the Board had recommended the setting of indicative planning figures for future years. This recommendation was generally welcomed at the General Conference for the element of predictability it could introduce in the financing of technical assistance. It should be noted, however, that developing countries tended to view this as an interim measure. In their opinion, the permanent solution lay in the financing of technical assistance from the regular budget. The General Conference endorsed the recommendation of the Board of Governors and, at the same time, requested the Board to continue studying the matter and to report to it at its next session.

Consideration by the General Assembly, 1980

The deliberations on questions related to the peaceful uses of nuclear energy at the thirty-fifth session of the General Assembly, both in plenary meetings and in the First Committee,¹⁸ reflected anew the divergent perspectives from which those questions are being approached.

Some countries, particularly Eastern European and Western, continued to address such questions in the context of the problem of preventing the spread of nuclear weapons. From that perspective, they stressed the need for the application of full-scope safeguards to the peaceful nuclear activities of non-nuclear-weapon States and dwelt on the responsibilities of nuclear suppliers to ensure that the transfer of nuclear materials, equipment and technology did not contribute to the risk of nuclear weapons proliferation. On the other hand, developing countries generally continued to lay stress on the significance of peaceful nuclear technology, equipment and materials for social and economic development. In that context, they continued to insist that international co-operation should be promoted with a view to permitting all countries to share equally in the benefits of the peaceful uses of nuclear energy and to criticize the restrictions applied by nuclear suppliers under the guise of preventing the spread of nuclear weapons. These two approaches were discernible in the discussions on the question of convening a United Nations conference to promote international co-operation in the peaceful uses of nuclear energy, which is considered below.

The establishment of the Committee on Assurances of Supply received widespread support, the comments on the subject reflecting the generally felt

¹⁷ *Ibid.*, para. 81.

¹⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd, 52nd, 53rd, and 84th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 28th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

need to continue efforts to arrive at an international consensus in the field of peaceful uses of nuclear energy. Different concerns, however, underlay the interest of different countries in the Committee. Thus, the Soviet Union pointed out that in taking its decision to participate in the Committee, it had proceeded on the understanding that the Committee would fully take into account existing agreements regarding nuclear supplies. In its view, only on that basis was it possible to speak of the establishment of genuine conditions for drawing up a reliable system of assured supplies of nuclear fuel without fearing that such a system might be used as a channel for the proliferation of nuclear weapons and other nuclear explosive devices. In the same vein, Australia said that the initial task of the Committee on Assurances of Supply was to address specific and practical ways to help expand the already considerable measures of international agreement on the non-proliferation conditions of nuclear supply. It maintained that the elaboration of a common approach in that complex area was vital and would only be possible if the Committee on Assurances of Supply remained within practical bounds and concentrated on particular measures. For its part, Yugoslavia considered that, in view of the widespread conviction that it was indispensable to secure additional sources of energy in order to achieve normal economic growth, the decision of the IAEA Board of Governors to establish the Committee on Assurances of Supply represented an encouraging step. It observed that the securing of nuclear material, equipment and technology was of great importance to both developed and developing countries because what was actually involved was massive investment in the development of national nuclear programmes and important export earnings that hardly any country could relinquish. Yugoslavia recalled that even before the initiation of INFCE it had advocated, together with other non-aligned and developing countries, the establishment of such an organ. Consequently, it fully supported the Board's decision, in the hope that all members of the Agency would actively participate in the work of the Committee on Assurances of Supply and contribute to the successful accomplishment of its task.

As in the previous three years, the General Assembly at its thirty-fifth session had before it two draft resolutions under the item "Report of the International Atomic Energy Agency"

The first, which was sponsored by Canada, Egypt and Poland, was the resolution adopted annually to take note of the Agency's report. It was adopted by consensus at the 53rd plenary meeting, on 6 November, as resolution 35/17. The resolution reads as follows:

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1979,

Taking note of the statement of the Director General of the International Atomic Energy Agency of 6 November 1980, which provides additional information on developments in the Agency's activities during 1980,

Bearing in mind the urgent need to develop all sources of energy, with a view to helping both developing and industrialized countries to mitigate the effects of the energy crisis, and conscious of the fact that nuclear energy remains the main readily available alternative to fossil fuel for the generation of electric power in the coming decades,

Recognizing the importance of enhancing the role of the International Atomic Energy Agency in the promotion of the application of nuclear energy for peaceful purposes,

Considering that the International Atomic Energy Agency will be called upon to play an increasingly important role in making the benefits of nuclear power available to all nations, in particular the developing countries,

Conscious of the continuing need to protect mankind from the perils resulting from the misuse of nuclear energy and noting with appreciation in this connexion the work of the International Atomic Energy Agency in the implementation of the relevant provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives,

Appreciating the assistance given by the International Atomic Energy Agency to the International Nuclear Fuel Cycle Evaluation completed in February 1980,

Noting the excellent safety record of nuclear power generation, but aware of the need to pay continuing attention to the questions of nuclear safety and waste management,

Bearing in mind the special needs of developing countries for technical assistance by the International Atomic Energy Agency in order to benefit effectively from the application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and the need to assure a satisfactory and effective source of financing to implement adequate and effective technical assistance programmes,

Conscious of the importance of developing ways and means in which supplies of nuclear material, equipment and technology and fuel cycle services could be assured on a more predictable and long-term basis, in accordance with mutually acceptable considerations of non-proliferation, and of the importance of the role and responsibilities of the International Atomic Energy Agency in this regard,

1. *Takes note* of the report of the International Atomic Energy Agency;

2. *Notes with satisfaction* that:

(a) The International Atomic Energy Agency is continuously making efforts to strengthen its activities in the field of technical assistance to the developing countries;

(b) Assistance provided by the International Atomic Energy Agency is playing a significant role in the introduction of nuclear power as well as in the application of nuclear science and technology, particularly in the fields of agriculture, medicine and industry in the developing countries;

(c) All possible effective means to assure the financing of technical assistance are being studied;

3. *Commends* the International Atomic Energy Agency for its continuing efforts to ensure the safe and secure use of nuclear energy for peaceful purposes throughout the world, notes with satisfaction the steady improvement of the Agency's safeguards system and welcomes the conclusion that in 1979 nuclear material under Agency safeguards remained in peaceful nuclear activities or was otherwise adequately accounted for;

4. *Notes with appreciation* the steps taken by the International Atomic Energy Agency to expand and strengthen its programmes in nuclear safety and enhance its ability to deal with emergencies as well as the useful discussions at the International Conference on Current Nuclear Power Plant Safety Issues, held at Stockholm from 20 to 24 October 1980;

5. *Urges* all States to support the endeavours of the International Atomic Energy Agency, pursuant to its statute, in furthering the peaceful uses of nuclear power, improving the effectiveness of safeguards and promoting nuclear safety;

6. *Notes with satisfaction* that:

(a) There is continuing progress in the studies by the International Atomic Energy Agency aimed at establishing a system of international storage of plutonium and the international management of spent fuel;

(b) The Committee on Assurances of Supply, open to all States members of the International Atomic Energy Agency, established by the Board of Governors of the Agency in June 1980, held its first session in September and will reconvene at the beginning of March 1981;

7. *Urges* all States that have not already done so to ratify the Convention on the Physical Protection of Nuclear Material, which was opened for signature on 3 March 1980;

8. *Notes* that the recommendation contained in paragraph 5 of General Assembly resolution 33/3 of 2 November 1978 was duly considered at the twenty-third and twenty-fourth regular sessions of the General Conference of the International Atomic Energy Agency and expresses the hope that the matter will be brought to an early conclusion;

9. *Requests* the Secretary-General to transmit to the Director General of the International Atomic Energy Agency the records of the thirty-fifth session of the General Assembly relating to the Agency's activities.

The other draft resolution concerned the question of the peaceful uses of nuclear energy for economic and social development and was submitted by a group of developing countries — Algeria, Argentina, Ecuador, Egypt, Indonesia, Mexico, Nigeria, Pakistan, Peru and Yugoslavia — for the most part the same ones that had sponsored draft resolutions on the subject at previous sessions which were adopted as resolutions 32/50, 33/4 and 34/63. In connexion with the question, the Assembly had before it a report of the Secretary-General¹⁹ prepared pursuant to resolution 34/63. By that resolution the Assembly decided to convene the international Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, under the auspices of the United Nations system with IAEA fulfilling its appropriate role, in principle by 1983, in accordance with the objectives of General Assembly resolution 32/50, and had requested the Secretary-General to urge all States to communicate to him their views on the agenda, date and duration of the Conference and on other matters relevant to its preparation, and to report thereon to the General Assembly at its thirty-fifth session.

In supporting the convening of the Conference, developing countries generally emphasized the benefits to be derived from the peaceful uses of nuclear energy and the need to strengthen international co-operation in the field. Peru observed that there had been an increase in unilateral safeguards imposed by the great Powers which had joined together in nuclear cartels, such as the "London Club", to the detriment of the non-discriminatory and universal safeguards of IAEA, which had led to the establishment of restrictions that went beyond the meaning of non-proliferation and represented in practice a serious obstacle to the transfer of technology. In its view, the convening of a United Nations conference to encourage international co-operation in the peaceful uses of nuclear energy was not a very popular idea among those States which did not wish to see such co-operation come to fruition.

Romania considered that guaranteeing States access to nuclear technology, substantially strengthening technical assistance to developing countries to help them to carry out their own national programmes, and placing international co-operation in the nuclear field on a more equitable and fairer footing were all extremely important problems in relations among States and, at the same time, constituted the main guidelines for the international Conference on the peaceful uses of nuclear energy. Romania had from the very outset supported the idea of organizing such a conference, which in its opin-

¹⁹ A/35/487 and Add.1.

ion should be a major factor in the process of establishing a new international economic order. The purpose of the Conference was to arouse the political will of States and to adopt appropriate measures to ensure that the peaceful application of nuclear energy became a main feature of the economic and social development of peoples, in order gradually to reduce and finally to eliminate economic gaps and underdevelopment. Romania held that the measures to be adopted by the Conference should be based on the principle of international co-operation in the peaceful uses of the atom, as set out in General Assembly resolution 32/50 which had been adopted by consensus. At the same time, in its view, more effective arrangements would have to be made to assist the developing countries in their efforts to carry out their own peaceful nuclear programmes. It was convinced that the success of the Conference would depend in large part on the understanding and concern shown by the countries with a powerful technical and scientific potential for the interests and needs of the developing countries and emphasized that that essential aspect must be borne constantly in mind from the preparatory stages of the Conference.

For their part, the developed countries tended to stress the nuclear weapons proliferation risks attendant on the peaceful uses of nuclear energy. For instance, in endorsing the plan to convene the Conference, the German Democratic Republic referred to its reply contained in the report of the Secretary-General²⁰ in which it had stated that the main concern of such a conference should be to strengthen the principles which had developed in international co-operation in this field and to give fresh impetus to activities directed at the peaceful use of nuclear energy. An essential prerequisite, in its opinion, was the further strengthening of the régime of non-proliferation of nuclear weapons and of its core, the Treaty on the Non-Proliferation of Nuclear Weapons. It believed that the necessary basis of confidence for an expansion of international co-operation in the peaceful uses of nuclear energy could only exist if such co-operation did not make possible the production of nuclear weapons in non-nuclear-weapon States.

In its reply, France pointed out that it had accepted the principle of an international Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy. It believed that the success of that Conference would depend on the progress made in the meantime in considering how best to reduce the dangers of the proliferation of nuclear weapons, while ensuring the development of the peaceful uses of nuclear energy, for the benefit especially of the countries most deficient in other sources of energy. Noting that consultations on a number of important technical and political questions were continuing, or getting under way, in various forums, in particular IAEA, France expressed the belief that, as progress was made in reconciling positions on the above-mentioned issues, the right agenda for the Conference would take shape and the date and modalities of the Conference would be specified. It felt that it was still premature to take a position on

²⁰ *Ibid.*

those various issues.²¹ Finland saw the Conference in the light of two inter-linked objectives that should be pursued concurrently: first, the promotion of international co-operation in the transfer of nuclear materials, equipment and technology; and secondly, the strengthening of the non-proliferation régime. It considered that the agenda of the Conference should be designed to reflect adequately both of those objectives.

Developed countries also tended to place emphasis on the need for IAEA to play a leading role in the preparations for the Conference as well as in the Conference itself and on the connexion between the work on the Committee on Assurances of Supply and the matters to be discussed at the Conference.

When introducing the draft resolution on 6 November at the 52nd plenary meeting, Yugoslavia pointed out that the sponsors expected that it would be adopted by consensus as had been the case with previous resolutions on the subject and that they were ready to consult with other groups in order to reach agreement on various questions relating to the Conference. Following such consultations, a revised draft resolution was submitted with some additional sponsors (including, for the first time, developed countries): Austria, Belgium, Italy, Japan, Morocco, Romania and Turkey. Among the most important revisions were the inclusion of one paragraph in the preamble and another in the operative part regarding the work of the Committee on Assurances of Supply (see below) and certain changes and additions designed to strengthen the role of IAEA in the preparation and holding of the Conference.

The revised draft resolution was adopted at the 84th meeting, on 5 December, without a vote as resolution 35/112. Some countries, however, felt it necessary to clarify their positions.

The Netherlands pointed out that the preparation of the Conference was being discussed although there was still great uncertainty as to what precise questions it was going to address. Recalling that all three previous resolutions on the subject had been adopted by consensus and noting that, as was well known, consensus could not always be interpreted as proof of the absence of different views, it said that, in the present case, differences of opinion did underly the consensus reached, which should be recognized and taken into account in preparing the Conference. In the Netherlands' view, it was obvious that the developments in INFCE and during the Second Review Conference of the parties to the non-proliferation Treaty were highly relevant to the Conference and, therefore, great importance should be attached to those developments in preparing for the forthcoming Conference. In both forums, a great number of interesting observations and recommendations had been made with regard to improving international co-operation in the peaceful application of nuclear energy and to improving the present international non-proliferation system. The Netherlands wished that those observations and recommendations, which at present were under further investiga-

²¹ A/35/487/Add.1.

tion in the Committee on Assurances of Supply, could lead to tangible results in the coming years. In that connexion, it attached particular importance to the early establishment of a system for the international storage of plutonium in accordance with article XII.A.5 of the IAEA statute. A credible plutonium storage system should, in its opinion, stimulate substantial relaxation of unilateral export conditions with respect to the use of plutonium and would thus form a basic element of a new consensus in the field of international relations with respect to the use of nuclear energy for peaceful purposes. Referring to the differences of view that existed with respect to the exact scope and timing of the planned Conference — views also reflecting different interests — the Netherlands commented that there was one overriding interest, namely, the necessity of avoiding nuclear chaos. To that end a constructive dialogue was called for on how the danger of the further spread of nuclear explosives could and should be contained without jeopardizing access to needed energy resources. In its view, the endeavours it had mentioned were part and parcel of the dialogue and it hoped that the Conference envisaged in the resolution would be conceived in that spirit.

Finland considered that, as revised, the text of the resolution marked, on many points, a significant improvement in comparison with the original version. In particular, Finland was pleased that the resolution now spelt out the role of IAEA and recognized the importance of the work of the Committee on Assurances of Supply. It believed that, being the main international body responsible for both the promotional and regulatory aspects of the peaceful uses of nuclear energy, IAEA should be closely involved in the Conference and in its preparations. Referring to the inherent link between the promotion of international co-operation in the transfer of nuclear materials, equipment and technology for economic and social development and the strengthening of the non-proliferation régime, Finland held that the elimination of the dangers of proliferation would serve to remove obstacles to enhanced international co-operation in the field of peaceful uses of the atom. It was in that light that it interpreted the references in the resolution to resolution 32/50, adopted in 1977. As Finland had pointed out at that time, it considered resolution 32/50 to be a companion piece to resolution 32/87 F, dealing with non-proliferation. Finland regretted that the resolution that was adopted did not contain any explicit language on the non-proliferation of nuclear weapons. However, it understood that implicitly, by way of reference to resolution 32/50 and the Final Document of the special session devoted to disarmament, non-proliferation considerations would be part and parcel of the deliberations related to the Conference.

Canada stated that, as a reliable supplier of nuclear material and exporter of a proven and unique reactor technology, it was vitally interested in promoting the peaceful uses of nuclear energy. At the same time, it had an equally vital interest in promoting the evolution of an effective international non-proliferation régime that would ensure that nuclear energy was used only for peaceful purposes. Canada welcomed INFCE and the Committee on Assurances of Supply, both of which recognized the essential complementarity between assurances of supply and assurances of non-proliferation. It

had joined the consensus on the resolution in the same spirit of co-operation as had been shown in the production of its final text.

Resolution 35/112 reads as follows:

The General Assembly,

Having considered the report of the International Atomic Energy Agency to the General Assembly for the year 1979,

Reaffirming the principles and provisions of its resolution 32/50 of 8 December 1977 on the peaceful use of nuclear energy for economic and social development,

Recalling the relevant paragraphs of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament,

Recalling also its decision, as contained in its resolution 34/63 of 29 November 1979, to convene an international conference for the promotion of international co-operation in the peaceful uses of nuclear energy, in principle by 1983,

Recalling the role of the International Atomic Energy Agency set out in General Assembly resolution 34/63,

Welcoming the establishment, by the Board of Governors of the International Atomic Energy Agency, of the Committee on Assurances of Supply,

Expressing the conviction that progress in the work of the Committee on Assurances of Supply will greatly contribute to the success of the aforementioned conference,

Recognizing the need for the timely initiation of preparations for the conference,

1. *Decides* to convene in 1983 the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy;

2. *Decides* in this regard to take account of the results of the work of the Committee on Assurances of Supply;

3. *Further decides* to establish a Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, composed of seventy Member States and, on an equal footing, other Member States which may express their interest in participating in the work of the Committee, and requests the President of the General Assembly to appoint the members of the Committee, in accordance with the principle of equitable geographical representation, not later than 1 July 1981;

4. *Requests* the Preparatory Committee to hold, at Vienna, an organizational session not exceeding one week in length during the second half of 1981, primarily for the purpose of preparing its programme of work, and to submit its report thereon to the General Assembly at its thirty-sixth session;

5. *Invites* the International Atomic Energy Agency to fulfill its appropriate role within the scope of its responsibilities at all stages of preparation of the Conference, and during the Conference itself, by contributing to the discussion of relevant issues, by providing technical data and documentation as needed, particularly in relation to the progress of the work of the Committee on Assurances of Supply, and by participating in the secretariat of the Conference;

6. *Invites* all States which have not yet done so to communicate to the Secretary-General, not later than 30 June 1981, their views on the opening date, duration, venue and agenda of the Conference and on other matters relevant to its preparation and organization;

7. *Requests* the Secretary-General to submit to the Preparatory Committee and to the Director General of the International Atomic Energy Agency all the communications received from Member States and, in consultation with the Director General, to assist the Committee by providing it with all necessary facilities for its work;

8. *Decides* to include in the provisional agenda of its thirty-sixth session, under the item, "Report of the International Atomic Energy Agency", a subitem entitled "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy"

Conclusion

In 1980, new avenues were opened to pursue the search for solutions to the many problems that have arisen in the field of peaceful uses of nuclear energy in recent years.

Early in the year the International Nuclear Fuel Cycle Evaluation was completed. The two-year exercise brought together a wide range of countries with diverse interests and thus initiated a dialogue, at the technical level, that produced a mass of information on and comprehensive analyses of alternative nuclear fuel cycles, which have been transmitted to Governments for their consideration. The impact of INFCE on Governments' choices and decisions with regard to their respective nuclear energy policies and on international discussions concerning nuclear energy co-operation and related controls and safeguards will become apparent only over a period of time. In any event, INFCE has given impetus to new initiatives aimed at continuing the dialogue.

In June, the IAEA Board of Governors decided to establish the Committee on Assurances of Supply, which began its work later in the year. The Committee's establishment was generally welcomed as a positive and constructive contribution to efforts to reach a harmonization of views on ways of restoring confidence at the international level in the security of supplies of nuclear materials, equipment, services and technology for peaceful purposes and, simultaneously, strengthening assurances against the proliferation of nuclear weapons.

Beyond that, the General Assembly took steps to initiate preparations for the convening of a United Nations Conference to promote international safeguards in the peaceful uses of nuclear energy. Important questions relating to this Conference are still under discussion. Nevertheless, the fact that it was possible to reach a consensus and that, for the first time, a number of developed countries were among the sponsors of the resolution on the subject may indicate a growing recognition that the dialogue can be fruitful only if all concerned pursue the quest for solutions to outstanding problems in a spirit of mutual understanding and co-operation.

IAEA safeguards and related activities

Introduction

THIS CHAPTER HAS BEEN PROVIDED by the International Atomic Energy Agency (IAEA). It deals primarily with safeguards and other activities of the Agency during 1980 and describes the situation existing as of the end of the year. IAEA safeguards against the diversion of nuclear materials and other equipment or information for military and other prohibited activities, however, have been evolving almost since the establishment of the Agency in 1956. Accordingly, the chapter also describes briefly the authority and methodology involved in the Agency's functions.

Authority for IAEA safeguards, objectives and criteria, practical application

Authority for IAEA safeguards

Article III.5 of the IAEA statute authorizes the Agency:

To establish and administer safeguards designed to ensure that special fissionable and other materials, services, equipment, facilities and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose; and to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or at the request of a State, to any of that State's activities in the field of atomic energy.

States agree to accept safeguards through:

- (a) "Project agreements" for the supply of specific materials, equipment and facilities made available by or through the IAEA;
- (b) "Safeguards transfer agreements", in which States transfer to the IAEA their safeguards responsibilities set forth in their co-operation agreement;
- (c) "Unilateral submissions" by a State to IAEA safeguards of certain facilities, nuclear material or all the State's nuclear activities; or
- (d) Agreements pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons (non-proliferation Treaty), or the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).

The IAEA safeguards system is laid down in two IAEA documents, INFCIRC/66/Rev.2 and INFCIRC/153. The first document forms the basis for project agreements, transfer agreements and unilateral submissions agreements under which equipment, facilities, nuclear and/or other material and information are subject to safeguards. The second document forms the basis for all agreements concluded pursuant to the non-proliferation Treaty or the Treaty of Tlatelolco, under which all nuclear material in all peaceful nuclear activities of a State is subject to safeguards.

Objectives and criteria

The basic undertaking by the State in the INFCIRC/153 safeguards agreements is to:

... accept safeguards, in accordance with the terms of the Agreement, on all source or special fissionable material in all peaceful nuclear activities within the territory of the State, under its jurisdiction or carried out under its control anywhere, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear-explosive devices.

The objectives of safeguards are further defined in those agreements to be:

... timely detection of diversion of significant quantities of nuclear material from peaceful nuclear activities to the manufacture of nuclear weapons or other nuclear-explosive devices or for purpose unknown, and deterrence of such diversion by the risk of early detection.

The notions "timely detection" and "significant quantities" have been quantified in the course of the implementation of safeguards agreements. Moreover, the essential effectiveness parameters "significant quantity" and "detection time" have been discussed by the Standing Advisory Group on Safeguards Implementation (known as SAGSI), which has confirmed, on a preliminary basis, values used by the secretariat of IAEA for quantities of nuclear material of safeguards significance.

In addition to these general guidelines for timeliness and significant quantities, IAEA must strive for a safeguards system which has a certain probability of meeting its goals. The degree of probability with which these goals are to be met must itself be defined. Neither INFCIRC/66/Rev.2 nor INFCIRC/153 specifically mentions the concept of degree of certitude of detection, but IAEA has interpreted those documents as implicitly embodying that concept. The *a priori* probability of detection which is sought is usually 90 per cent or higher and is most often 95 per cent.

Practical application

The existence of a domestic accountancy and control system is a prerequisite to the application of efficient international safeguards but cannot replace the latter. The Agency takes due account of the technical effectiveness of the State's system in performing its verification. Agreements of the INFCIRC/

153 type require that "the State shall establish and maintain a system of accounting for control of all nuclear material subject to safeguards"

Agency verification is accomplished by two basic means: (a) material accountancy and (b) containment and surveillance. IAEA inspection activities include examining pertinent records; making independent measurements on safeguarded nuclear material, using IAEA equipment, as well as the State's or the operator's equipment and verifying its proper functioning, calibration and procedures; obtaining samples and ensuring their proper collection, treatment, handling and shipping; using and servicing IAEA surveillance equipment; and affixing, inspecting and removing IAEA seals.

In practice, the above procedures are continually refined in the field to achieve the IAEA goal of safeguards which are credible, effective and unobtrusive.

Recent developments

The potential for the further spread of nuclear-explosive capacity is, of course, strongest where there are unsafeguarded nuclear facilities capable of producing or processing significant quantities of plutonium or highly enriched uranium. Thus, two goals should be the application of IAEA safeguards to all nuclear material in all facilities in all non-nuclear-weapon States, and the encouragement of universal ratification of the non-proliferation Treaty and full application of the Treaty of Tlatelolco.

Safeguards coverage under the non-proliferation Treaty

As of 31 December 1980, non-proliferation Treaty safeguards agreements had entered into force for 69 of the 110 non-nuclear-weapon States parties to the Treaty at that time. The non-nuclear-weapon States having safeguards agreements in force under the Treaty are shown in annex I to this chapter. For 41 non-nuclear-weapon States parties to the Treaty, the relevant safeguards agreements had not yet entered into force; however, 38 of those States had no significant nuclear activities. Thus there were three non-nuclear-weapon States, including Turkey and Venezuela, with significant nuclear activities which had not yet completed the procedures required for bringing their agreements with the Agency into force. However, all nuclear activities of which the Agency was aware in the States concerned were covered by safeguards under previous agreements.

In the nuclear-weapon States, safeguards agreements have been negotiated pursuant to offers made by the United Kingdom and the United States for the Agency to apply safeguards to all nuclear installations except those related to national security. Both agreements have entered into force.

Although not a party to the non-proliferation Treaty, a similar agreement has been negotiated with France, pursuant to which selected facilities of the nuclear fuel cycle would be submitted to safeguards.

Agreements providing for safeguards other than those in connexion with the non-proliferation Treaty

By the end of 1980 the Agency was applying safeguards in 10 non-nuclear-weapon States which were not parties to the non-proliferation Treaty but which had substantial nuclear activities, namely, Argentina, Brazil, Chile, Colombia, the Democratic People's Republic of Korea, India, Israel, Pakistan, South Africa and Spain. In five of the 10 countries (Argentina, Brazil, Chile, Colombia and Democratic People's Republic of Korea), all substantial nuclear activities of which the Agency was aware were covered by a mosaic of individual safeguards agreements. For a complete list of the status of the agreements concerned as of 31 December 1980, see annex II to this chapter.

Safeguards agreements concluded under the Treaty of Tlatelolco

It should be recalled that article 13 of the Treaty of Tlatelolco requires States parties to that Treaty to enter into full-scope safeguards agreements with the Agency. The terms of the safeguards agreements under the Treaty of Tlatelolco are practically identical to those of non-proliferation Treaty safeguards agreements, with some variations to take account of the different terms of the two Treaties. States parties to the Treaty of Tlatelolco are under an obligation to submit all their nuclear activities to IAEA safeguards. The material contained in INFCIRC/153, which was developed for the situation of non-nuclear-weapon States parties to the non-proliferation Treaty, was deemed more suitable for use in that context than INFCIRC/66/Rev.2 and the safeguards agreements were concluded on that basis. Three States, Colombia, Mexico and Panama, have negotiated safeguards agreements with the Agency pursuant to the Treaty of Tlatelolco. Mexico's agreement had entered into force but was suspended upon the subsequent conclusion of an agreement in connexion with both the non-proliferation Treaty and the Treaty of Tlatelolco. The agreements with Colombia, signed 27 July 1979, and with Panama, signed 15 February 1977, had not yet entered into force at the end of 1980.

Related activities

International plutonium storage

The concept of international plutonium storage was incorporated into the statute of the Agency in 1957, under article XII.A.5. Its aim is the international physical control of plutonium at the most sensitive fuel cycle stage of all — the storage and handling of plutonium in separated form after reprocessing and before use. International plutonium storage would reinforce and complement safeguards on reactors, reprocessing plants and fuel fabrication.

The placing of separated plutonium in internationally controlled stores would alleviate the fears of those who claim that safeguards alone cannot offer sufficient reassurance that plutonium stored in significant quantities, for long periods and in readily weapons-usable form, is not subject to clandestine diversion.

Plutonium has been separated for many years in the civilian fuel cycle and significant stocks of it already exist. Despite progress being made towards fast reactor programmes, for at least the next 20 or 30 years the supply of plutonium is not likely to be matched by immediate demand and it will be stockpiled, under either national or international auspices. Information supplied by States (excluding those with centrally planned economies) indicate that by 1980 a further 126 metric tons of plutonium will have been separated, and by the year 2000 this figure will have increased to over 400 metric tons. How much of this material will be in stock rather than in use at those dates is speculative, but predictions suggest at least 25 per cent at both dates.

In December 1975 an expert group was established on international plutonium storage, consisting of experts from 25 States members of the Agency. It was decided at the beginning that for any scheme to be generally acceptable it should be non-discriminatory and provide a realistic balance between non-proliferation objectives and non-interference with national energy programmes.

From that basis, within the Expert Group there has been a slow approach towards agreement on principles and procedures for the deposit and release of plutonium as well as on the practical aspects of a scheme. With regard to the latter, it would seem possible to locate internationally controlled stores at large reprocessing plants in States participating in such a system and probably at major fuel fabrication plants. Release of plutonium would be conditioned upon the approval of a central controlling body which would take decisions in the light of the agreed principles and procedures.

Spent-fuel management

The subject of international co-operation in spent-fuel management has also gained importance during recent years. Spent-fuel storage will be needed, regardless of how a country chooses to structure the back end of its nuclear fuel cycle. For the foreseeable future a shortage of both reprocessing capacity and spent-fuel disposal capability will dictate that large quantities of spent fuel be placed in storage. In the near term the problem could be handled by expansion of capacity at existing facilities, and by further national storage facilities. But for the longer term (it is estimated that the amount of unprocessed spent fuel in storage will be of the order of 200,000 tons by the year 2000), multinational co-operation in spent-fuel management might offer advantages over purely national solutions, particularly in the case of countries that may have problems in the economic and technical management of spent fuel.

IAEA has established an expert group to examine the technical/economic aspects as well as the institutional issues involved in the management of spent fuel. Based on the progress made to date this project will continue through 1981 and it is expected that a final report can be completed by early 1982.

Physical protection of nuclear material

For some time there has been growing recognition of the need for an appropriate multilateral international convention on physical protection. While physical protection of nuclear material is not part of IAEA safeguards, some physical protection and safeguards measures may overlap — for example, containment and surveillance. In 1977, the Agency published recommendations prepared by experts from member States on the physical protection of nuclear material. Since that time, the Convention on the Physical Protection of Nuclear Material, which, among other things, establishes levels of physical protection to apply to nuclear material in international transport, has been concluded. Parties to the Convention will co-operate in preventive measures and information exchange with regard to such acts as theft, sabotage and extortion involving nuclear material. The Convention on the Physical Protection of Nuclear Material was opened for signature on 3 March 1980, and was thereafter signed by 26 countries and one intergovernmental organization. As of 31 December 1980, the Convention had been ratified by one State.

Other activities and developments in 1980

Role of IAEA in the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The principal role of IAEA in connexion with the operation of the non-proliferation Treaty is in relation to the implementation of articles III, IV and V. In response to the request made by the Preparatory Committee for the Conference for background papers on the Agency's activities related to the Treaty, IAEA submitted analytical and technical reports on developments in relation to the three articles.

The main task of Committee II at the Second Review Conference was to review the three articles of the Treaty pertaining to the peaceful uses of nuclear energy (see also chapter VII above). According to article III of the Treaty, its parties agree to accept IAEA safeguards on nuclear activities "with a view to preventing diversion of nuclear energy from peaceful purposes to nuclear weapons". Under article IV, parties undertake to facilitate "the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy" and under article V, each party agrees to "take appropriate measures to ensure

that . potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty ”

After a general discussion of the agenda items, the Committee proceeded to a detailed consideration of proposals and papers before it. The Committee noted that the various views expressed and proposals made were fully reflected in the summary records of Committee II and in the documents submitted in and considered by the Committee. They thus formed an integral part of the report of the Committee and were forwarded to the Conference for its consideration. Consensus was reached within Committee II on the following points:

Article III

(a) The conclusion and implementation of INFCIRC/153 safeguards agreements with the Agency fully met the commitments of the non-nuclear-weapon States under article III of the Treaty;

(b) All non-nuclear-weapon States not parties to the Treaty should submit their entire fuel cycles to IAEA safeguards, and parties to the Treaty should participate actively in efforts to insist on full-scope safeguards as a common requirement for the international exchange of nuclear materials and equipment;

(c) The Agency's safeguards continue to respect the sovereign rights of States and there were no indications that they have hampered the economic, scientific or technological development of the parties or international cooperation in peaceful nuclear activities. On the contrary, safeguards contribute to the maintenance of confidence between States;

(d) Existing safeguards approaches deal adequately with current types of facilities but continued improvements in their effectiveness and efficiency are important;

(e) States should take safeguards requirements into account in planning, designing and developing nuclear facilities;

(f) States should exercise their right of accepting or rejecting IAEA inspectors in such a way as to facilitate the implementation of safeguards;

(g) States should join the Convention on the Physical Protection of Nuclear Material;¹

(h) Efforts for the early establishment of an internationally agreed effective scheme for international plutonium storage should be supported, and need not jeopardize the peaceful uses of nuclear energy. If well designed, international plutonium storage could make a substantial contribution to non-proliferation as well as to the improvement of the assurance of nuclear supply and the development of common approaches for international nuclear trade.

¹ See page 225 above.

Article IV

It was proposed that the Conference should reaffirm the inalienable right, embodied in article IV of the Treaty, of all parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with the first two articles of the Treaty. The Conference would also recognize the growing need of the developing States and call for substantially increased assistance through bilateral and multilateral channels.

Other points on which there was consensus were:

(a) Each country's choices and nuclear energy decisions should be respected without jeopardizing their fuel cycle policies or contracts provided that agreed safeguards measures are applied;

(b) The parties should meet annually at IAEA Headquarters to discuss the implementation of article IV of the Treaty;

(c) The establishment of the Committee on Assurances of Supply² was welcomed and should be used to develop as wide a consensus as possible. Parties should give their full support to the Committee on Assurances of Supply, which, together with other relevant forums, should be used for developing institutional arrangements ranging from multilateral ventures to regional fuel cycle centres, emergency back-up systems such as safety networks, and an international nuclear fuel bank;

(d) International agreements should be fulfilled in accordance with international law, and national legislation should take into account the obligations placed on States by the Treaty and by their nuclear agreements;

(e) Renegotiation of agreements, if deemed necessary, should be achieved equitably and without unilateral interruption of supply or import;

(f) Developing countries are more vulnerable to changing conditions in the nuclear supply field;

(g) Consideration should be given to establishing a special fund to be administered by IAEA or to other means for giving technical assistance to developing States parties to the Treaty and they should receive preferential treatment in the transfer of and access to nuclear technology;

(h) IAEA should extend its studies of international fuel cycle facilities to cover the whole nuclear fuel cycle.

Article V

It was noted that projects involving possible peaceful applications of nuclear explosions were still at an early stage of development and no projected application had reached the stage at which it might be subjected to the economic assessment judged appropriate by the *Ad Hoc* Advisory Group. Potential benefits from peaceful applications of nuclear explosions have not been demonstrated.

² See page 228 below.

Committee on Assurances of Supply

On 20 June 1980, the Board of Governors of the International Atomic Energy Agency established, by resolution GOV/1997, a Committee to examine ways in which the supply of nuclear technology, materials and services among States could be assured and improved. The Committee on Assurances of Supply (known as CAS) met for the first time in Vienna on 29 September 1980. In the Committee, which is open to all member States, 48 States were represented and two intergovernmental organizations attended as observers. The Committee elected Mr. Osredkar (Yugoslavia) as Chairman and Messrs. Campbell (Australia), Luczkiewicz (Poland) and Olivieri (Argentina) as Vice-Chairman.

During its first session, it being understood that every effort would be made to take decisions by consensus, the Committee decided that:

- There would be four officers — a chairman and three vice-chairmen;
- For the first year, the chairman would be drawn from: the Group of 77, the countries participating from the regions of "North America and Western Europe, as well as Australia, Japan and New Zealand", and the "socialist countries";
- The chairmanship would rotate annually in such a way that during each three-year period the chairman would be drawn from the three above-mentioned categories, in the same order as in the first three-year period;
- Two of the four officers would always be drawn from the Group of 77. The other two would always be drawn from the remaining categories.

United Nations Conference for the Promotion of International Co-operation on Peaceful Uses of Nuclear Energy

On 8 December 1977, the General Assembly of the United Nations, without a vote, adopted resolution 32/50 by which it established principles and provisions on the peaceful use of nuclear energy for economic and social development. By the resolution the Assembly also invited all States to consider convening, at an appropriate stage, an international conference or conferences, under the auspices of the United Nations, aimed at promoting international co-operation in the peaceful uses of nuclear energy. The Group of Non-Aligned Co-ordinating Countries on the Peaceful Uses of Nuclear Energy, which held its first preparatory meeting in Belgrade in 1978, made reference to the proposed conference in its Final Document; it "proposed that all Non-Aligned Countries support convocation of the Conference under the auspices of the United Nations system and inform the United Nations Secretary-General of their support . . ."

In 1980, at its thirty-fifth session, the General Assembly adopted, on 5 December, resolution 35/112 by which it established a Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy. By the same resolution, it invited "the International Atomic Energy Agency to fulfil its appropriate role within the scope of its responsibilities at all stages of preparation of the

Conference, and during the Conference itself, by contributing to the discussion of relevant issues, by providing technical data and documentation as needed, particularly in relation to all progress of the work of the Committee on Assurances of Supply, and by participating in the secretariat of the Conference" The Assembly also requested "the Preparatory Committee to hold, at Vienna, an organizational session not exceeding one week during the second half of 1981"

Outlook

Today, more than 86 per cent of the nuclear facilities in all the non-nuclear-weapon States are under non-proliferation Treaty safeguards, and more than 11 per cent are under non-Treaty safeguards. Moreover, the safeguarded facilities include almost all the more complex and sophisticated facilities in the countries concerned. Universalization of the non-proliferation Treaty régime to include those countries that have not yet accepted the Treaty would, therefore, add relatively little to the technical safeguards responsibilities of the Agency. In fact, in most cases it would merely represent a transition from non-Treaty to Treaty safeguards. The few unsafeguarded plants, although potentially of great proliferation significance, would entail only a very minor additional effort to be safeguarded.

The future growth and development of the safeguards operation, therefore, depends, first, on expanding its resources so as to enable it fully to achieve the targets of effective safeguards on existing plants and, secondly, on the future development of nuclear energy in countries parties to the non-proliferation Treaty.

The non-proliferation Treaty remains the cornerstone of all non-proliferation efforts. Another important point is that all States should have access to and be free to acquire technology, equipment and materials for peaceful uses of nuclear energy — or, in other words, there must be adequate assurances of supply of nuclear materials for those nations that have agreed to submit all their nuclear activities to full international control.

[Annexes overleaf]

ANNEX I

Non-nuclear-weapon States parties to the non-proliferation Treaty having safeguards agreements in force under the Treaty

The following 69 non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons have concluded safeguards agreements — now in force — pursuant to the Treaty.^a

Afghanistan	Hungary	Netherlands
Australia	Iceland	New Zealand
Austria	Indonesia	Nicaragua
Belgium	Iran	Norway
Bulgaria	Iraq	Paraguay
Canada	Ireland	Peru
Costa Rica	Italy	Philippines
Cyprus	Jamaica	Poland
Czechoslovakia	Japan	Portugal
Denmark	Jordan	Republic of Korea
Dominican Republic	Lebanon	Romania
Ecuador	Lesotho	Samoa
El Salvador	Libyan Arab Jamahiriya	Senegal
Ethiopia	Liechtenstein	Singapore
Fiji	Luxembourg	Sudan
Finland	Madagascar	Suriname
Gambia	Malaysia	Swaziland
German Democratic Republic	Maldives	Sweden
Germany, Federal Republic of	Mauritius	Switzerland
Ghana	Mexico	Thailand
Greece	Mongolia	Uruguay
Holy See	Morocco	Yugoslavia
Honduras	Nepal	Zaire

^a In 35 cases, the application of safeguards has been held in abeyance because the State concerned does not yet have any significant nuclear activities. Full application will begin as soon as the State concerned acquires nuclear material or plant requiring the application of safeguards.

ANNEX II

**Agreements providing for safeguards, other than those in
connexion with the non-proliferation Treaty, approved by the Board
as of 31 December 1980**

*(while the Agency is a party to each of the following agreements the list only mentions
the State(s) party to them)*

<i>Party(ies)^a</i>	<i>Subject</i>	<i>Entry into force</i>	<i>IAEA document No. INFCIRC</i>
<i>(a) Project agreements</i>			
Argentina	Siemens SUR-100 RAEP Reactor	13 March 1970 2 December 1964	143 62
Chile	Herald Reactor	19 December 1969	137
Finland ^b	FiR-1 Reactor FINN sub-critical assembly	30 December 1960 30 July 1963	24 53
Greece ^b	GRR-1 Reactor	1 March 1972	163
Indonesia ^b	Additional core load for TRIGA Reactor	19 December 1969	136
Iran ^b	UTRR Reactor	10 May 1967	97
Japan ^b	JRR-3	24 March 1959	3
Malaysia/US	TRIGA Mark II Reactor	22 September 1980	287
Mexico ^b	TRIGA-III Reactor Siemens SUR-100 Laguna Verde Nuclear Power Plant	18 December 1963 21 December 1971 12 February 1974	52 162 203
Pakistan	PRR Reactor Booster rods for KANUPP	5 March 1962 17 June 1968	34 116
Peru ^c	Research reactor and fuel therefor	9 May 1978	266
Philippines ^b	PRR-1 Reactor	28 September 1966	88
Romania ^b	TRIGA Reactor	30 March 1973	206
Spain	Coral 1 Reactor	23 June 1967	99
Turkey	Sub-critical assembly	17 May 1974	212
Uruguay ^b	URR Reactor	24 September 1965	67
Venezuela	RV-1 Reactor	7 November 1975	238
Yugoslavia ^b	TRIGA-II KRSKO Nuclear Power Plant	4 October 1961 14 June 1974	32 213
Zaire ^b	TRICO Reactor	27 June 1962	37
<i>(b) Unilateral submissions</i>			
Argentina	Atucha Power Reactor Facility Nuclear material Embalse Power Reactor Facility Equipment Nuclear material, material, equipment and facilities	3 October 1972 23 October 1973 6 December 1974 22 July 1977 22 July 1977	168 202 224 250 251
Chile	Nuclear material	31 December 1974	256
China, Republic of	Taiwan Research Reactor Facility	13 October 1969	133

[Continued overleaf]

<i>Party(ies)^a</i>	<i>Subject</i>	<i>Entry into force</i>	<i>IAEA document No. INFCIRC</i>
Cuba	Nuclear research reactor and fuel thereto	25 September 1980	
	Nuclear Power Plant and nuclear material	5 May 1980	281
Democratic People's Republic of Korea	Research reactor and nuclear material for this reactor	20 July 1977	252
India	Nuclear material, material and facilities	17 November 1977	260
Pakistan	Nuclear material	2 March 1977	248
Spain	Nuclear material	19 November 1974	218
	Nuclear material	18 June 1975	221
Switzerland ^b	Nuclear material		
United Kingdom	Nuclear material	14 December 1972	175
<i>(c) Tlatelolco Treaty</i>			
Colombia	All nuclear material		
Mexico ^b	All nuclear material, equipment and facilities	6 September 1968	118
Panama	All nuclear material		
<i>(d) Agreements concluded with nuclear-weapon States on the basis of voluntary offers</i>			
France	Nuclear material in facilities submitted to safeguards		
United Kingdom	Nuclear material in facilities designated by the Agency	14 August 1978	263
United States	Nuclear material in facilities designated by the Agency	9 December 1980	
<i>(e) Other agreements</i>			
Argentina/United States of America		25 July 1969	130
Australia ^b /United States of America		26 September 1966	91
Austria ^b /United States of America		24 January 1970	152
Brazil/Germany, Federal Republic of ^b		26 February 1976	237
Brazil/United States of America		31 October 1968	110
China, Republic of/United States of America		6 December 1971	158
Colombia/United States of America		9 December 1979	144
India/Canada ^b		30 September 1971	211
India/United States of America		27 January 1971	154
Indonesia/United States of America		6 December 1967	109
Iran ^b /United States of America		20 August 1969	127
Israel/United States of America		4 April 1975	249
Japan ^b /Canada ^b		20 June 1966	85
Japan ^b /France		22 September 1972	171

<i>Parties^a</i>	<i>Entry into force</i>	<i>IAEA document No. INF/CIRC</i>
Japan/United States of America	10 July 1968	119
Japan/United Kingdom	15 October 1968	125
Japan/Australia ^b	28 July 1972	170
Korea, Republic of/United States of America	5 January 1968	111
Korea, Republic of/France	22 September 1975	233
Pakistan/Canada	17 October 1969	135
Pakistan/France	18 March 1976	239
Philippines/United States of America	19 July 1968	120
Portugal/United States of America ^b	19 July 1969	131
South Africa/United States of America	28 June 1974	98
South Africa/France	5 January 1977	244
Spain/United States of America	28 June 1974	92
Spain/Canada ^b	10 February 1977	247
Sweden/United States of America	1 March 1972	165
Switzerland/United States of America ^b	28 February 1972	161
Turkey/United States of America	5 June 1969	123
Venezuela/United States of America	27 March 1968	122

^a An entry in this column does not imply the expression of any opinion whatsoever on the part of the secretariat of IAEA concerning the legal status of any country or territory or of its authorities or concerning the delimitation of its frontiers.

^b Application of Agency safeguards under this agreement has been suspended in the State indicated as the State has concluded an agreement in connexion with the non-proliferation Treaty.

^c The requirement for the application of safeguards under this agreement was satisfied by the application of safeguards pursuant to the agreement concluded by the State in connexion with the non-proliferation Treaty.

PART THREE

Prohibition or restriction of use of other weapons

Chemical weapons

Introduction

“ALL WEAPONS OF WAR ARE DESTRUCTIVE TO HUMAN LIFE, but chemical and bacteriological (biological) weapons stand in a class of their own as armaments which exercise their effects solely on living matter. The fact that certain chemical and bacteriological (biological) agents are potentially unconfined in their effects, both in space and time, and that their large-scale use could conceivably have deleterious and irreversible effects on the balance of nature, adds to the sense of insecurity and tension which the existence of this class of weapons engenders”, a United Nations expert group observed in a 1969 report on those weapons.¹

Chemical weapons are, generally speaking, chemical substances, whether gaseous, liquid or solid, which may be employed in warfare because of their toxic effects on man, animals and plants. They were widely used in the First World War when, according to official reports, gas casualties numbered about 1,300,000, of which 100,000 were fatal. This use of toxic gases generated so powerful a sense of outrage that countries were encouraged to adopt measures prohibiting both chemical and bacteriological (biological) weapons. The result was the Geneva Protocol of 17 June 1925,² which prohibits the use in war of asphyxiating, poisonous or other gases and of all analogous liquids, materials or devices, as well as bacteriological methods of warfare. The Protocol has established a general rule of international law, and in practice has generally been adhered to by States.

Interest in chemical weapons has increased considerably in recent years due to scientific developments that have made it possible to manufacture and deliver them with far more devastating effects than previously available. Chemical and biological warfare was discussed in the 1950s and early 1960s as one aspect of various comprehensive disarmament proposals. In 1968 the Eighteen-Nation Committee on Disarmament recommended that a study be undertaken on the effects of the possible use of chemical and bacteriological means of warfare. At its twenty-third session the same year, the General As-

¹ *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.I.24).

² League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

sembly adopted resolution 2454 A (XXIII) by which it requested the Secretary-General to prepare, with the assistance of qualified consultant experts, a concise report on the subject. The following year, the report, quoted above, entitled *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use*, was submitted by the Secretary-General to the Assembly and discussed by ENDC (later CCD) during its session the same year.

Among the issues that long impeded progress on the question was whether chemical and biological weapons should be considered jointly. In 1971, agreement on separating the two issues was reached in the CCD and, as a result of negotiations in that body, on 16 December 1971, the General Assembly adopted resolution 2826 (XXVI) by which it commended the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, which was annexed to the resolution. The Convention was opened for signature on 10 April 1972 and entered into force on 26 March 1975 (see chapter XIV below).

Since 1971, the question of chemical weapons has been discussed as a separate issue. The discussions have involved a number of highly complex matters. Briefly, the principal ones have been the scope of a prohibition—i.e. whether it should be comprehensive or initially of a partial nature and whether or not all activities and agents would be subject to prohibition—and the question of verification.

From 1972 to 1979, a number of proposals and working papers were considered by the CCD, including a draft convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction,³ by the Eastern European members of the CCD in 1972; a working paper calling for a comprehensive ban on chemical weapons,⁴ by 10 non-aligned States members of the CCD in 1973; a draft convention by Japan⁵ in 1974, and a working paper⁶ in 1976; and a draft convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction, by the United Kingdom⁷ in 1976. Also, since 1971, the General Assembly has each year adopted a resolution⁸ by which it has expressed the need for negotiations to continue as a matter of high priority with a view to reaching agreement at an early date on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction. And at its tenth special ses-

³ *Official Records of the Disarmament Commission, Supplement for 1972*, document CCD/361.

⁴ *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 31 (A/9141)*, document CCD/400.

⁵ *Ibid.*, *Twenty-ninth Session, Supplement No. 27 (A/9627)*, annex II, document CCD/420.

⁶ *Ibid.*, *Thirty-first Session, Supplement No. 27 (A/31/27)*, annex III, document CCD/515.

⁷ *Ibid.*, document CCD/512.

⁸ Resolutions 2827 A (XXVI) of 16 December 1971; 2933 (XXVII) of 29 November 1972; 3077 (XXVIII) of 6 December 1973; 3256 (XXIX) of 9 December 1974; 3465 (XXX) of 11 December 1975; 31/65 of 10 December 1976; 32/77 of 12 December 1977; 33/59 of 14 December 1978; 34/72 of 11 December 1979; and 35/144 B of 12 December 1980.

sion in 1978, the Assembly, by its Final Document,⁹ considered the conclusion of such a convention as one of the most urgent tasks of multilateral negotiations.

On 3 July 1974,¹⁰ the Soviet Union and the United States announced to the CCD that they had agreed in principle to consider a joint initiative with respect to the conclusion, as a first step, of an international convention dealing with the most dangerous lethal means of chemical warfare. Since then, bilateral negotiations on the question have been held between the two Powers in an effort to reach agreement on a text of such a convention for submission to the CCD.

An important development during the 1979 session of the Committee on Disarmament was the submission of a substantial joint report on 31 July by the Soviet Union and the United States on the progress achieved in their bilateral negotiations.¹¹ In the 26-paragraph report, they stated, among other things, that parties to the proposed convention should undertake never to develop, produce, stockpile, otherwise acquire or possess, or retain supertoxic lethal chemicals, other lethal or highly toxic chemicals or their precursors (with certain exceptions, e.g. chemicals intended for non-hostile purposes) or chemical munitions or other means of chemical warfare. They added that negotiations were continuing on the question of scope. Also, the two sides had agreed that parties should not transfer to anyone, whether directly or indirectly, the means of chemical warfare, and not in any way assist any State, group of States, or organization to carry out activities which parties themselves would not engage in. They had also agreed that chemical warfare stockpiles should be destroyed or diverted for permitted purposes within 10 years after a State became a party. The USSR and the United States believed that obligations to be assumed under the future convention should be subject to adequate verification on the basis of a combination of national and international means. They had also reached agreement that the convention should prohibit and prevent any activity contrary to its provisions anywhere under the jurisdiction or control of its parties. Finally, they agreed that it should include a withdrawal provision similar to those found in other arms control and disarmament agreements. The two Powers had been unable to reach complete agreement in certain areas, for example, international verification and conditions for entry into force of the convention.

Consideration by the Disarmament Commission, 1980

Eleven delegations referred to the question of chemical weapons in the general exchange of views during in the 1980 session of the Disarmament Com-

⁹ *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 21 and 75.

¹⁰ *Ibid.*, *Twenty-ninth Session, Supplement No. 27 (A/9627)*, annex II, document CCD/431.

¹¹ *Ibid.*, *Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr.1)*, appendix III (CD/53 and Corr.1), vol. II, document CD/48.

mission.¹² The representatives of Austria, Bulgaria, China, Czechoslovakia, the German Democratic Republic, Mongolia and Senegal specifically advocated an early prohibition of such weapons. Austria, for example, expressed concern that little progress was being made towards that goal, while Mongolia stated that the time had come to fully eliminate from the arsenals of States such weapons of mass destruction since they were designed exclusively to destroy human and other forms of life.

A number of the statements concerned allegations of the use of chemical weapons in such areas as Afghanistan and Indo-China. In the opinion of the representative of the United States, the Commission was the proper forum in which to express concern over "the repeated reports of the use of lethal and incapacitating chemical weapons in Laos, Kampuchea and Afghanistan" While emphasizing that the United States was not making "any accusations or charges", its representative stated that the emerging pattern of evidence warranted an impartial international investigation.

In response to that view, the representative of the Soviet Union stated that the United States had resorted to completely improbable inventions "about the possible use of poisonous substances" in the three countries mentioned. In the recent past, he added, chemical weapons had in fact been used on the Asian continent against persons and the environment, namely, by the United States armed forces on the territory of Viet Nam and other countries of Indo-China. The representative of Viet Nam also rejected "the slanderous allegations" The Lao People's Democratic Republic held that the United States was trying to shirk its responsibility for having used chemical weapons against the Lao people and territory.

In its report to the General Assembly, the Commission identified, among the measures worthy of priority negotiations in the context of the Elements of the Declaration of the 1980s as the Second Disarmament Decade, the item: "A treaty on the prohibition of the development, production and stockpiling of all chemical weapons and their destruction"¹³

Consideration by the Committee on Disarmament, 1980

In pursuance of General Assembly resolution 34/72, the Committee on Disarmament continued its efforts in 1980 towards elaborating an agreement on the prohibition of chemical weapons.¹⁴ The resolution had urged the Committee to undertake, at the beginning of its 1980 session, negotiations on an agreement as a matter of high priority, taking into account all existing proposals and future initiatives.

In plenary meetings, many delegations, including those of Algeria, Bulgaria, Canada, China, Czechoslovakia, Egypt, Iran, Italy, Japan, Mon-

¹² See A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum and *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*.

¹³ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 19, sect. C, para. 12 (b).

¹⁴ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, paras. 50-56.

golia, the Netherlands, Pakistan, Poland and Sweden, stressed the urgency of reaching agreement on total prohibition of these weapons. The representative of China considered the issue an important one, adding that "the super-Powers" possessed enormous arsenals of those weapons, a situation that constituted a grave threat to the human race. He contended that the practice of having an agreement reached first by a few big Powers and then submitted to the Committee was out of date and must no longer be followed. The representative of Sweden said that the ability of the Committee to deal with the question in a constructive way would be a test case for the Committee as to whether it was possible for it to play a role in the multilateral disarmament process.

The United States delegation reaffirmed its commitment to the objective of achieving a multilateral treaty prohibiting chemical weapons and, on 7 February, it informed the Committee that the bilateral negotiations between itself and the USSR would resume the following week.

France stated that the question of chemical disarmament was, at least potentially, of direct interest to a large number of States. Chemical weapons were within the reach of many, and their formidable effectiveness might therefore tempt countries which did not possess such weapons to acquire them. That should prompt not only the prohibition of the use of such weapons but their total banishment from all arsenals.

On the question of scope, Pakistan believed that the prohibition should be as comprehensive as possible, that is, it favoured a total ban on all activities, substances, munitions and facilities which involved the possibility of the use of chemical substances for military purposes or in armed conflicts. It considered that the most important criterion for determining the substances and activities to be prohibited was the general-purpose criterion¹⁵ which could be supplemented by other criteria such as toxicity, quantity and effect, applied to particular substances. It was also indispensable, in Pakistan's view, that, in exchange for the obligations under a convention which would be assumed by developing countries, those countries should be provided with assurances against the use or threat of the use of chemical weapons by States having a chemical warfare capability until their stockpiles and facilities were completely destroyed or converted to peaceful uses.

Belgium stated that any approach to the question of the prohibition of chemical weapons must logically begin with a generally accepted definition of a chemical agent, since without such an agent a chemical weapon was inconceivable. However, a chemical weapon could not be adequately defined by reference to the agent alone since it was essential to take into account both chemical weapons produced in complete form and those whose operation was based on new technological principles, such as binary weapons.¹⁶

¹⁵ Chemical agents may be classified as single-purpose agents which have no large-scale uses except for chemical warfare, or as general- or dual-purpose agents which have uses for peaceful purposes, although they could also be used for chemical warfare.

¹⁶ Binary weapons contain two chemical agents which, although by themselves are not highly toxic, generate an extremely toxic substance when combined during delivery or upon impact.

The definition must be most general so as to cover all chemical weapons since a restrictive definition might, by a *contrario* implication, legitimize chemical weapons which fell outside such a definition.

Australia did not believe that the Committee would be able to reach a decision on chemical weapons in 1980, nor that anyone, including the two negotiating Powers, was yet sufficiently aware of all that was involved for all the countries of the world. It had to be established what should be covered in a treaty—what were the essential requirements, and what were the limitations. Australia added that wider considerations included those relating to civil industry. One of the reasons why chemical weapons presented so many difficulties was that the civil and the military sides were so inextricably intermingled.

A number of delegations referred to the problems related to verification. China favoured international supervision and inspection to ensure the effective implementation of the provisions of a treaty. Pakistan welcomed the agreement between the Soviet Union and the United States that a combination of national and international means of verification would be needed and that special measures of verification might also be necessary, among other things for particular substances and production facilities. The representative of the Federal Republic of Germany said that effective verification should combine national control measures with regular on-site inspections carried out within an international controlling scheme. Nigeria also envisaged a system that would combine both national and international means of verification. Spain, a non-member participating in the discussions, felt that the effectiveness of national means of verification should not be overestimated and the main burden of verification should be by international means; it particularly stressed its support of on-site inspections.

According to the Netherlands, foolproof verification was neither feasible nor necessary, provided certain other conditions were met. The main objective should be that the whole complex of verification provisions together should provide an adequate measure of certainty that there was compliance with the treaty. Verification should function with a view to deter, that is, to render any breach or circumvention of the treaty too cumbersome and too costly to be acceptable.

Early in the session, a number of delegations advocated that the Committee establish a working group on chemical weapons. Nigeria, for instance, maintained that such a move was long overdue since so much ground had already been covered, both in the Committee and in the bilateral negotiations. Kenya stated that those opposed to the formation of a working group had not given convincing reasons. The very idea of such weapons “hatched, as it must have been, from hell itself” was repugnant, and to find excuses placed in the way of negotiating a convention in a working group, disquieting. Sweden observed that, in spite of the compelling resolution adopted by the General Assembly at its thirty-third session and the continuous efforts of a number of countries, it had proved impossible in 1979 to reach consensus in the Committee on the establishment of such a working group. The majority in the Committee and the vast majority of States Members of the United

Nations, however, increasingly felt that negotiations must no longer be delayed by fruitless waiting for a bilateral initiative. As in almost any disarmament and arms control issue, time was a crucial factor: the longer the delay, the more difficult the issues tended to become.

The Federal Republic of Germany welcomed the decision of the Soviet Union and the United States to continue their bilateral negotiations, and expressed the hope that a working group of the Committee would take stock of the proposals submitted so far and determine the areas to be covered by the proposed convention. The group's terms of reference should ensure that its results would support the negotiations between those two Powers. Among others, Hungary also hoped that resumption of the bilateral talks would facilitate the activities of the Committee and vice versa. According to Hungary, the best organizational framework would be a working group aimed at the negotiation of a treaty within the Committee once the bilateral talks had been completed.

Poland stated that the working group's mandate should be to elaborate a definitive outline of the treaty and, on the basis of the outline, to carry out a detailed analysis, with the assistance of experts, of the specific questions on which basic agreement had been reached bilaterally and there was general consensus in the Committee. The analysis would embrace such questions as whether the ban should cover single-purpose agents only, or also single-purpose precursors; should cover lethal agents only, or also include incapacitants; and should call for dismantling, mothballing or diverting to peaceful uses existing chemical weapons production facilities and how that might be effected. Poland also felt that, at the initial stage, the group should consider the question of classification criteria for chemical weapons agents: should the single-purpose criterion combined with a toxicity criterion be used, or would some other basis of classification be more practicable? On the question of the classification of lethal agents and their precursors, the group could examine whether an attempt should be made to classify dual purpose agents and precursors according to a scale of prohibition and how such dual-purpose agents as phosgene, hydrogen cyanide and herbicides should be classified. It should also examine binary weapons and determine an approach to their precursors and reactants. It might also consider drawing up, as an annex to a future convention, a comprehensive list of banned lethal agents, and their precursors, including those involved in binary weapons. Poland held that it was only after the group had completed the first stage of its work that it could profitably address, later in 1980 or in 1981, problems related to the ultimate objective—the negotiation of an effective international convention on the prohibition of chemical weapons. Only at that stage, when the substance and scope of envisaged prohibitions had been clarified, could such questions as verification and entry into force of the proposed convention to be dealt with.

The Netherlands suggested in a working paper¹⁷ that the *ad hoc* working

¹⁷ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27), appendix II (CD/139), vol. II, document CD/84.*

group should draw up an official questionnaire on chemical weapons for adoption and appropriate action by the Committee. The Committee would bring that questionnaire to the attention of member Governments, requesting those that so wished to submit their views to the secretariat of the Committee before a certain date. During the summer session the working group should examine the answers received and draw up a report composed of the following four sections: (a) the official chemical weapons questionnaire of the Committee; (b) a systematic compilation of the answers received; (c) an analysis of or a commentary on those answers; and (d) an objective, factual, narrative account of the discussions that had taken place in the working group.

The Soviet Union stated that it did not object to the establishment, within the framework of the Committee, of a special working group. At the current stage, however, it felt that the working group's mandate should be restricted. It would be unrealistic to set ambitious goals right from the start without due thought as to where to begin. The Soviet Union agreed with Poland that the most efficient way of proceeding would be first to work out the basic elements or contents of the future convention.

Other delegations that made statements favouring the establishment of a working group included Australia, Burma, Canada, Egypt, Indonesia, Italy, Mexico, Pakistan and Sri Lanka.

On 17 March 1980, the Committee decided to establish an *ad hoc* working group, for the duration of its 1980 session, to examine and define issues to be dealt with in the negotiations on a chemical weapons convention, taking into account all existing proposals and future initiatives. The decision was generally regarded as an important step. The Committee elected Mr. Yoshio Okawa of Japan as Chairman.

The *Ad Hoc* Working Group on Chemical Weapons decided to conduct its work under three general headings, "Scope", "Verification", and "Other matters", and undertook a substantive examination of the subject in that framework. According to the report of the Group to the Committee,¹⁸ there appeared to be a general convergence of views among delegations on the following:

A. Comprehensive scope of a prohibition

1. Issues relating to activities that could be prohibited under a convention: (a) development, (b) production, (c) stockpiling, (d) acquisition, (e) retention and (f) transfer and assistance to other States

2. Issues relating to specific items, subject to agreed definitions, that could be prohibited under a convention: (a) chemical warfare agents, (b) chemical munitions, (c) precursors, (d)

¹⁸ *Ibid.*, Supplement No. 27 (A/35/27), para. 56. (The report of the *Ad Hoc* Working Group is composed of 15 integral paragraphs and an annex, which are substantively summarized in the present chapter; it also contains, *inter alia*, a list identifying the subjects covered by various working papers submitted to the Group.) The original report, as submitted to the Committee, is contained in *ibid.*, Supplement No. 27 (A/35/27), appendix II (CD/139), vol. II, document CD/131/Rev.1.

chemical weapons, equipment or systems and (e) means of/facilities for the production of the above

3. Issues relating to the criteria that could be used as the basis in determining the scope of the prohibition: (a) general-purpose criterion, (b) toxicity criteria and (c) additional criteria

4. Issues relating to actions that States parties to a convention could be required to take in implementation of the prohibition: (a) declaration and destruction, within specific periods, of existing stocks of chemical weapons and (b) declaration and destruction or dismantling, within specific periods, of means of/facilities for production

5. Issues concerning the exceptions that could be allowed under a convention: (a) for civilian purposes, such as medical, scientific and research, industrial, agricultural, and riot control and (b) for certain non-hostile military purposes and for military purposes not related to the use of chemical weapons

B. Verification

The importance of adequate verification was recognized. It was held that verification measures should be commensurate with the scope of the prohibition and other aspects of a convention.

1. An issue relating to national verification measures that could be provided for under a convention: internal legislation

2. Issues relating to international verification measures that could be provided for under a convention: (a) consultation and co-operation, (b) establishment of a consultative body, (c) on-site inspections under certain conditions and procedures, and (d) handling of complaints

C. Other issues

1. Confidence-building measures
2. International co-operation

According to the report of the Group, there appeared to be no convergence of views, however, on certain issues connected with the negotiation of a convention. For instance, the view was expressed that a convention should cover "chemical warfare capability" and, by that concept, should include every activity, facility and material intended to utilize the toxic properties of chemical substances for hostile purposes in an armed conflict. In that view, exceptions should be allowed for peaceful purposes, including some measures of a military nature and measures for protection against chemical warfare. Others in the Group expressed serious doubts about the value of that concept.

Although it was agreed that the convention should not detract from the 1925 Geneva Protocol, some members of the Group held that the issue of use was already adequately covered by that Protocol while others felt that a ban on the use of chemical weapons would be an essential element of a comprehensive convention. There were also differing views regarding the relative importance of the various criteria that could be used as the basis for determining the scope of the prohibition.

Regarding verification, opinions differed as to what would be a realistic system which responded adequately to the requirements of a convention, since a totally effective verification system, while desirable, appeared to be technically unattainable. Some members held that an effective convention called for very stringent measures, while others felt that less stringent mea-

asures could suffice and still meet the requirements of a reasonable verification system. Some held that non-production of chemicals for prohibited purposes could be verified even in highly industrialized countries utilizing reasonable means and without prejudice to the interests of the chemical industry. Others were of the view that inspection of entire chemical industries would not be practicable. While delegations were of the view that a verification system could be based on an appropriate combination of international and national measures, there were differences of opinion as to the relative effectiveness of the two types of control. One view was that a verification system should rely primarily on international measures. Another was that national measures, with certain international procedures, would provide adequate assurance of compliance. There appeared to be no convergence of views in the Group on whether national organs for verification should be envisaged in a convention and, if so, on the role and importance of such organs.

As to other issues, the view was expressed that international means of verification should include procedures for confidence-building measures, but the issue was not examined in detail. It was also suggested that a convention should include provisions regarding co-operation in the development of protective measures and in the area of technical assistance in the peaceful uses of toxic chemicals as well as on the transfer, especially to developing countries, of resources released by the prohibition of chemical weapons, but none of those questions was examined in depth.

In concluding its report to the Committee, the Group stated that its discussions had confirmed the general recognition of the urgent need to negotiate and elaborate a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction. The Group recommended that, at the beginning of its 1981 session, the Committee set up a further working group to continue and advance the work undertaken in 1980 in the discharge of the Committee's responsibility for the negotiation and elaboration of a multilateral chemical weapons convention.

In introducing the report in the Committee, the Chairman of the Group stated that in the light of its discussions, which had included important matters of substance, he believed that the time was ripe for the Committee to play a more active role in international efforts to achieve a convention on chemical weapons.

At its final plenary meeting, on 9 August, the Committee adopted the report of the *Ad Hoc* Working Group.

Subsequent to the establishment of the Working Group, the Committee continued to have useful discussions on issues relating to the prohibition of chemical weapons. At the suggestion of Australia and some other delegations, the Committee also held four informal meetings, from 24 to 26 June, with experts on chemical weapons, which provided further insight into the issues involved.

During the 1980 session of the Committee, some delegations also referred to controversial allegations of the use of chemical weapons in various

parts of the world. Pakistan and the United States both believed that an impartial investigation was necessary in the light of reports of the use of chemical weapons in Afghanistan and in south-east Asia in order to establish the facts and to determine whether the provisions of the 1925 Geneva Protocol had indeed been violated. Australia, Canada and the Netherlands stated that the fact that there were allegations of the use of chemical weapons in certain parts of the world underlined the need for adequate verification measures in any future treaty on the subject. The United Kingdom regarded it as unfortunate that the Geneva Protocol contained no mechanism providing adequately for its implementation or for the verification of any reports of use of chemical weapons. In its view, the very least that the international community should do was to arrange for an impartial investigation of such reports.

The representative of the USSR stated that his country had never used chemical weapons anywhere, and that the small Soviet military contingent in Afghanistan was not using them and had not done so. The various fabrications that had emerged in the West were not supported by any facts or evidence, since none existed anywhere. Mongolia was of the view that the Committee was not the place for statements containing unfounded assertions.

On 8 July, the representative of the United States introduced, on behalf of the two delegations, the document entitled "USSR-United States Joint Report on Progress in the Bilateral Negotiations on the Prohibition of Chemical Weapons"¹⁹ The representatives of both delegations expressed the hope that the report would contribute to fruitful discussions in the *Ad Hoc Working Group*, and provide it with useful material with regard to both the organization of its work and its efforts to define the basic elements to be included in the future convention. It was stated in the report that since the submission of the last such report on 31 July 1979,²⁰ two more rounds of the bilateral negotiations had been held, in the course of which efforts had continued towards the earliest development of a joint initiative on the prohibition of chemical weapons and its presentation for consideration by the Committee on Disarmament. Given the interrelationship between the various issues, the two sides would be able to report definitive agreement in any particular area only after they had completed their negotiations, the report stated. Reflecting the current status of the negotiations, the report, in its 22 substantive paragraphs, stated, *inter alia*, that the two sides were proceeding from the premise that the scope of the prohibition in a future convention would be determined on the basis of the general-purpose criterion. They believed that the parties to a convention should assume the obligation never to develop, produce, otherwise acquire, stockpile or retain super-toxic lethal, other lethal or other harmful chemicals, or precursors of such chemicals, unless they were intended for non-hostile purposes or for military purposes not involving the use of chemical weapons, provided their types and quantities were consistent with such purposes. The two sides also believed that the parties to

¹⁹ *Ibid.*, vol. II, document CD/112.

²⁰ See foot-note 11.

a convention should undertake never to develop, produce, otherwise acquire, stockpile or retain munitions or devices specifically designed to cause death or other harm through the toxic properties of chemicals released as a result of the employment of such munitions or devices, or equipment specifically designed for use directly in connexion with the employment thereof. It was stated in the report that no agreement had been reached so far in some specific aspects of those proposed undertakings, including the extent to which irritants, toxins and precursors should be covered.

The two sides believed that the use, in addition to the general-purpose criterion, of the toxicity criteria which serve as a basis for identifying lethal and harmful chemicals would facilitate verification. In addition, the two sides considered that the parties to the Convention should assume the obligation not to transfer to anyone, directly or indirectly, any chemical weapons.

Among other things, the two sides had agreed that States should make declarations—within 30 days after they became parties to the convention—regarding both their stocks of chemical weapons and their means of production of such weapons. Plans for the destruction or, where appropriate, diversion for permitted purposes of declared stocks of chemical weapons should also be made known; such plans should specify the volume and timing of destruction. Plans for the destruction or dismantling of relevant means of production should be declared not later than one year prior to the beginning of the destruction or dismantling. The two sides reported that they were continuing negotiations regarding the time-limit for declaring plans for the destruction or diversion of chemical weapons stocks and the specific content of declarations pertaining to stocks of chemical weapons and means of production. Agreement had been reached that the destruction or diversion of declared stocks should be completed not later than 10 years after a State became a party to the convention. Both sides remained of the opinion that the parties to a convention should shut down and eventually destroy or dismantle the declared means of production. No agreement had yet been reached, however, on the question of the time for beginning the destruction or diversion of stocks or on some other issues in the foregoing areas. The United States and the Soviet Union continued to believe it advisable that the future convention contain provisions for periodical exchange by parties of statements and notifications on the destruction of stocks of chemical weapons or their diversion for permitted purposes, the progress of the destruction or dismantling of means of production, and of the completion of those processes.

Both sides believed that the fulfilment of obligations assumed under the future convention must be subject to adequate verification, and were in agreement that verification measures should be based on a combination of national and international measures. There were, however, important issues relating to international verification measures which remained unresolved. The United States and the Soviet Union continued to believe that any party to a convention should have the right, on a bilateral basis, to request from another which was suspected of acting in violation of its obligations, relevant information on the actual state of affairs and to request on-site investigation, providing appropriate reasons for the need of such an investigation.

The two sides believed that it was necessary to develop procedures for on-site investigation, including provisions regarding the rights and functions of the inspection personnel, and the rights and functions of the host side. Specific issues in that area were the subject of continuing negotiations. National measures of verification would include the use of national technical means of verification in a manner consistent with generally accepted principles of international law.

Moreover, the USSR and the United States were in agreement that a future convention on chemical weapons should include a withdrawal provision similar to those contained in other arms control and disarmament agreements. It was, however, stated in the joint report that the question of the conditions for entry into force of a convention remained unagreed. Finally, certain technical questions, which the two sides believed should be dealt with in annexes to a convention, were still under discussion.

Near the end of the session, in their remarks in plenary meetings, a number of members of the Committee, including Belgium, Cuba, the Federal Republic of Germany, Poland, Sri Lanka on behalf of the group of 21, and the United States, referred positively to the activities of the *Ad Hoc* Working Group on Chemical Weapons, with Belgium particularly noting that the Group's mandate had proved fully compatible with the continuing bilateral negotiations.

In connexion with the item on chemical weapons, the Committee had before it, in addition to several documents that had been submitted in previous years, a number of new documents and working papers submitted in 1980.²¹

Consideration by the General Assembly, 1980

At its thirty-fifth session, the General Assembly had before it the report of the Committee on Disarmament²² when it considered the question of chemical weapons. References to chemical weapons were made in the plenary general debate but, as in previous years, more substantive discussion on the subject took place in the First Committee.²³

In plenary debate, Afghanistan, Bulgaria, Burma, the Byelorussian SSR,

²¹ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, para. 51. The papers themselves may be found in *ibid.*, *Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. I, documents CD/59 (Australia), CD/68 (Poland), CD/82 (Viet Nam), CD/84 (Netherlands (see page 243 above)), CD/85 (Democratic Kampuchea), CD/89 (Afghanistan) and CD/94 (Belgium); and *ibid.*, vol. II, documents CD/102 (China), CD/103 (Finland), CD/105 and CD/106 (France), CD/110 and CD/111 (Yugoslavia), CD/112 (USSR and United States (see page 247 above)), CD/113 (Canada), CD/114 (Netherlands), CD/117 (Canada), CD/121 (Poland), CD/122 (Morocco), CD/123 (Mongolia), CD/124 (Indonesia) and CD/132 (Pakistan).

²² *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*.

²³ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 52nd meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

Canada, Finland and Hungary were among the delegations expressing disappointment at the lack of meaningful progress towards the total prohibition of chemical weapons, and Japan, Poland, the Soviet Union and the United Republic of Cameroon appealed for the early conclusion of a treaty prohibiting such weapons. The representative of Luxembourg, speaking on behalf of the nine members of the European Economic Community, believed that good progress had been made in the Committee on Disarmament in 1980 towards such a prohibition, a view that was expressed separately by the representative of Italy.

Also in plenary meetings, Mongolia noted that the problem of banning chemical weapons was becoming more urgent in view of reports that certain Western countries intended to improve and increase production of such weapons. The Soviet Union stated that one country was openly discussing plans for building new plants to produce chemical weapons at a time when the representatives of that very country were participating in negotiations on the question of banning them. Togo pointed out that a recent commission of inquiry established by the Organization of African Unity had stated that South Africa was using chemical weapons in its undeclared war in Namibia. Burma was disturbed by recent reports of the use of chemical agents in certain areas of conflict. Whether or not those reports were substantiated, they made negotiations on an effective, total and universal ban on chemical weapons all the more important and urgent. The United States stated that the international community could not ignore the persistent reports that chemical weapons had been used in Afghanistan, Laos and Kampuchea. Its representative was of the view that an impartial investigation into those reports could most appropriately be launched under the auspices of the United Nations. The representative of the Lao People's Democratic Republic challenged such allegations and stated that, on the other hand, there was overwhelming proof of the use of such weapons by the United States.

In the course of the debate in the First Committee, a large number of delegations—Australia, Bahrain, Bulgaria, Chile, Cuba, Denmark, the German Democratic Republic, the Federal Republic of Germany, Guyana, Italy, Japan, Kenya, Malaysia, Mongolia, Norway, Poland, Romania, Sierra Leone, Singapore, Turkey, the Ukrainian SSR, Venezuela, Viet Nam and Yugoslavia, among others—attached great importance to the early conclusion of an international agreement completely banning chemical weapons.

The United States representative said that his country was continuing bilateral negotiations with the Soviet Union and had given its full support to the work of the Committee on Disarmament on the question. Hungary welcomed the reaffirmation of the commitment of the Soviet Union and the United States to pursue negotiations towards the prohibition of chemical weapons. Mongolia stated that a further initiative by the participants in the bilateral talks would enable the Committee to make progress in bringing about as soon as possible a universally acceptable agreement, and Bulgaria claimed that the success of the negotiations depended on the political will of the Western States.

Austria, China and Japan were among those delegations that expressed

dissatisfaction with the slow rate of progress of the bilateral negotiations. It was China's view that because of "super-Power delaying tactics and obstruction" the working group set up by the Committee on Disarmament still had a very long way to go before a convention on chemical weapons could be concluded. It hoped that the Committee would be able to proceed to the drawing up of a convention on the complete prohibition of such weapons at an early date.

Venezuela recognized the usefulness and advantages of bilateral negotiations but believed them to be a complementary process to the multilateral negotiations that should be conducted within the Committee on Disarmament. Norway hoped that the *Ad Hoc* Working Group set up by the Committee on Disarmament would render some positive results in the near future. Its delegation noted that in April 1980 Norway had announced that it would not allow the stationing or storage of chemical weapons on its territory; that would parallel its policy with regard to the stationing and storage of nuclear weapons. Yugoslavia regarded it as necessary that the States involved in the bilateral negotiations give proof of a higher degree of political will to find generally acceptable solutions. The Philippines called for a moratorium, pending an agreement, on the production or deployment of chemical weapons and the destruction of existing stocks. Italy stated that it would be extremely dangerous to the credibility of the Committee on Disarmament and the disarmament process itself if the second special session of the General Assembly devoted to disarmament had to be told that a treaty on chemical weapons had not yet been concluded.

The Byelorussian SSR noted that the House of Representatives of the United States Congress had adopted a military construction appropriations bill which provided, *inter alia*, for the modernization of the country's chemical weapons arsenal—particularly the production of new, binary-type weapons. In the light of that development, decisive steps to conclude work on a convention must be taken, its representative stated. Bulgaria and the German Democratic Republic also stated that attempts to strengthen existing chemical warfare capabilities, especially through the introduction of new types of chemical weapons, did not help the ongoing negotiations.

The Philippines also drew attention to the revived interest in binary chemical weapons, in which two constituent chemicals remain harmless until combined in the act of delivery, stating that it would be most disappointing if production and deployment of such nerve-gas weapons militated against completion of a treaty. The Austrian representative said that any strengthening of the chemical-weapon capabilities of the super-Powers would not only diminish the chances for the eventual conclusion of the treaty but might also lead to an erosion of the existing restraints with regard to their use. It was India's view that the grey area between chemical and biological, or what might be called "the bio-chemical area", should also be carefully studied. The new field known as bio-technology had spawned new substances that were impossible to classify in either the biological or chemical category. Any future convention on chemical weapons would have to take that factor into account.

A number of delegations welcomed the progress made in the Committee on Disarmament in 1980, particularly its decision to set up the *Ad Hoc* Working Group on Chemical Weapons. Poland, for example, stated that a solid foundation had now been laid in the Committee on which to continue and advance in 1981 the efforts aimed at the elaboration of an appropriate convention. The Federal Republic of Germany welcomed the progress made both in the USSR-United States negotiations and in the *Ad Hoc* Working Group, but emphasized that verification arrangements were indispensable to any future convention. Belgium regretted that the elements of disagreement, particularly with regard to verification of a convention, could not have been more extensively resolved in the Committee on Disarmament. At the same time, it observed that the creation by the Committee of the *Ad Hoc* Working Group, with a clearly defined mandate, had proved perfectly compatible with the efforts undertaken in the bilateral negotiations.

The Netherlands delegation, while attaching great importance to adequate verification, was convinced at the same time that exaggerated and unnecessarily cumbersome provisions, on which agreement was practically impossible, should not be allowed to stand in the way of finalizing a treaty, especially if there were compensating elements in other sectors of the international arrangement which, in their totality, could be accepted as sufficient. In other words, its representative added, we should not become prisoners of perfection. Canada expressed the conviction that verification was at the heart of any effective arms control proposal. Australia agreed, and added that agreement on effective verification machinery would take time to achieve. Poland stated that verification procedures in the proposed convention must be effective, adequate and commensurate with the scope of prohibition.

Some delegations, including those of Austria, Australia, Italy, Malaysia, the Netherlands, Sierra Leone, Somalia, the United Kingdom and Uruguay, expressed anxiety over reports of the possible use of chemical weapons in specific regional conflicts. Italy stated that the prohibition of the use of such weapons under the Geneva Protocol of 1925 had been thrown into doubt by the reports. Japan said that reports suggesting the possibility of poisonous gas or certain other chemical weapons might have been used in Afghanistan, Kampuchea and Laos, if proved to be accurate, would be extremely regrettable challenges to the efforts towards the prohibition of chemical weapons. The Netherlands and the United Kingdom stated that they would support any realistic, impartial and balanced undertaking to investigate those reports, with the Netherlands observing that such an investigation would put into action a verification of use procedure.

The representative of Afghanistan said that the question of chemical weapons was of particular importance to it, since, during 1980, it had been the victim of their use "by bandit units". His Government had expressed its readiness to conduct, together with competent representatives of the world community, an investigation of all facts related to the use of such chemical weapons.

Under the item entitled "Chemical and bacteriological (biological) weapons: report of the Committee on Disarmament", three draft resolutions

were submitted and adopted by the General Assembly in 1980, one of which dealt with bacteriological (biological) weapons (see chapter XIV).

A draft resolution on chemical weapons, submitted on 18 November, was sponsored in the First Committee by 38 countries,²⁴ representing all political and geographical groupings. In introducing the draft on 21 November, the representative of Poland said on behalf of the sponsors that the complete and effective elimination of chemical weapons was one of the most crucial and pressing disarmament issues which faced the international community. There were probably few other disarmament issues which, in the process of discussion and negotiation, had been explored more thoroughly or had been the subject of more documents and proposals than the issue of chemical weapons. He added that the sponsors understood and had full sympathy for the sense of disappointment and the impatience of many delegations over what they considered to be an unsatisfactory rate of progress in the field. However, the surest and shortest route towards the goal that all cherished led not so much through setting specific time-frames but rather through dedicated and constructive co-operation by all States.

On 25 November the First Committee approved the draft resolution without a vote, and on 12 December the General Assembly adopted it, again without a vote, as resolution 35/144 B. It reads as follows:

The General Assembly,

Reaffirming its resolutions 2454 A (XXIII) of 20 December 1968, 2603 B (XXIV) of 16 December 1969, 2662 (XXV) of 7 December 1970, 2827 A (XXVI) of 16 December 1971, 2933 (XXVII) of 29 November 1972, 3077 (XXVIII) of 6 December 1973, 3256 (XXIX) of 9 December 1974, 3465 (XXX) of 11 December 1975, 31/65 of 10 December 1976, 32/77 of 12 December 1977, S-10/2 of 30 June 1978, 33/59 A of 14 December 1978 and 34/72 of 11 December 1979, relating to the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and of their destruction.

Reaffirming also the necessity of strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and of the adherence by all States to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

Having considered the report of the Committee on Disarmament, which embodies, *inter alia*, the report of its *Ad Hoc* Working Group on Chemical Weapons,

Taking note of the joint report on progress in the bilateral negotiations on the prohibition of chemical weapons, submitted by the Union of Soviet Socialist Republics and the United States of America to the Committee on Disarmament on 7 July 1980, which regrettably have not yet resulted in the elaboration of a joint initiative.

Considering it necessary that all efforts be exerted for the earliest successful conclusion of the negotiations on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction.

²⁴ Afghanistan, Argentina, Australia, Belgium, Bulgaria, Byelorussian SSR, Canada, Chile, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Ethiopia, Finland, German Democratic Republic, Germany, Federal Republic of, Greece, Honduras, Hungary, India, Ireland, Italy, Ivory Coast, Japan, Lao People's Democratic Republic, Liberia, Mongolia, Netherlands, Niger, Poland, Spain, Sweden, Turkey, Ukrainian SSR, Uruguay, Viet Nam and Yemen.

1. *Notes with satisfaction* the work of the Committee on Disarmament during its session held in 1980 regarding the prohibition of chemical weapons, in particular the work of its *Ad Hoc Working Group* on that question;

2. *Expresses its regret* that an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction has not yet been elaborated;

3. *Urges* the Committee on Disarmament to continue, as from the beginning of its session to be held in 1981, negotiations on such a multilateral convention as a matter of high priority, taking into account all existing proposals and future initiatives;

4. *Requests* the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-sixth session.

By the other draft resolution on chemical weapons, initially submitted on 18 November and subsequently revised,²⁵ the General Assembly would carry out an impartial investigation into reports of alleged use of chemical weapons. It was sponsored by eight countries: Canada, France, Germany, Federal Republic of, the Netherlands, New Zealand, Norway, Spain and Turkey. New Zealand, in introducing the draft on 25 November, noted that the 1925 Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare was not supported by any formal system of control, and made no provision for investigation of allegations of use. Since there had been reports of the alleged use of chemical weapons the sponsors of the draft believed that the international community had an obligation to try to ascertain the facts.

On the same date, 25 November, Afghanistan, Bulgaria, Czechoslovakia, the Lao People's Democratic Republic, Mongolia, Poland and Viet Nam submitted a series of amendments to both the preambular and operative parts of the eight-Power draft resolution.²⁶ In its statement, Viet Nam asserted that the proposed draft was negative in character and that, while the United States did not appear among the sponsors, it was an open secret that that delegation was the initiator of the proposal. Viet Nam deplored that the draft said nothing about the use of toxic chemical products by the United States against Viet Nam and other countries in Indo-China. Instead, the authors of the draft were asking the United Nations to carry out an inquiry on the basis of tendentious information, which would create an extremely dangerous precedent on interference in the internal affairs of other States.

On 26 November, New Zealand submitted, on behalf of the same eight sponsors, a new revised draft resolution which incorporated various parts of the amendments submitted by Afghanistan and others.²⁷ On 28 November, Afghanistan, Bulgaria, Czechoslovakia, Hungary, the Lao People's Democratic Republic, Mongolia, Poland and Viet Nam introduced further amendments to the newly revised draft, both to the preambular and operative parts.

These new amendments, explained by Viet Nam on 28 November, read as follows (compare with resolution 35/144 C below):

²⁵ See A/35/687, para. 9.

²⁶ *Ibid.*, para. 10.

²⁷ *Ibid.*, para. 11.

- (a) In the preambular part:
- (i) Add to the fourth paragraph:
both immediate and long-term, to humans and to the environment of the victim countries.
 - (ii) Replace the seventh paragraph with the following:
Noting also the statements of various international organizations, in particular of the International Committee on the Red Cross concerning these reports,
 - (iii) Insert after the ninth paragraph:
Gravely concerned over the continued research and development programmes in the field of chemical weapons, especially the development of binary and multi-component weapons whose field deployment could compromise the ongoing effort to prohibit the development, production and stockpiling of chemical weapons and trigger a chemical arms race,
 - (iv) Insert the following new eleventh paragraph:
Urging all States to refrain from the development, production and deployment of new types of chemical munitions, in particular, binary and multicomponent munitions,
 - (v) In the present eleventh paragraph delete text after the words "to these reports" and replace it with the following: "and in particular, to determine the harmful effects of the use of chemical weapons to human beings and environment of the victim countries,"
- (b) In the operative part:
- (i) In paragraph 1, after the words "Bacteriological Methods of Warfare" delete the existing text and replace it with the following: "to observe strictly all provisions of the Protocol without any exceptions or exemptions"
 - (ii) In paragraph 4, after the words "to carry out" insert "with the consent of the countries concerned". At the end of the same paragraph add the following: "to human beings and the environment"
 - (iii) Reword the present paragraph 5 to read as follows:
"Requests the Secretary-General to carry out such investigation on the basis of proposals advanced by States victims of the use of chemical weapons"
 - (iv) In paragraph 7, after the word "reports", add the following:
"in particular, calls upon the States responsible for such use of chemical weapons to contribute to the healing of the damage caused to human beings and the environment"

In commenting on the eight-Power draft, Bulgaria said that it constituted an attempt to impose an *ad hoc* verification mechanism on the Geneva Protocol by means of a resolution of the General Assembly and in fact represented an attempt at a *de facto* revision of that Protocol. It believed that to be a dangerous precedent. In an explanation before the vote, Sri Lanka stated that it intended to abstain, in that the draft resolution assumed a highly charged political complexion which detracted from whatever laudable objectives the sponsors might have had. In a similar context, Syria and Yugoslavia also believed that the draft was one-sided.

On 28 November, the amendments cited above which referred to the preambular part of the draft resolution were approved by the First Committee by a recorded vote of 34 to 25, with 58 abstentions. At the same meeting the amendments which referred to the operative part of the draft were rejected by the Committee by a recorded vote of 35 to 30, with 52 abstentions.

The draft resolution, as finally amended, was approved by the First Committee on 1 December by a recorded vote of 62 to 17, with 32 abstentions. The General Assembly adopted the draft resolution on 12 December

as resolution 35/144 C by a recorded vote of 78 to 17 (including the Eastern European States), with 36 abstentions. The resolution reads as follows:

The General Assembly,

Recalling the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, which was signed at Geneva on 17 June 1925 and entered into force on 8 February 1928,

Noting that the States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction have reaffirmed their adherence to the principles and objectives of that Protocol and called upon all States to comply strictly with them,

Noting that the Protocol does not provide for the establishment of any machinery for investigating reports about activities prohibited under the Protocol,

Believing that the continued authority of the Protocol and relevant rules of customary international law require that full and proper attention be given to all reports regarding the alleged use of chemical weapons and to their harmful effects, both immediate and long-term, to humans and to the environment of the victim countries,

Noting reports alleging that chemical weapons have been used in recent wars and certain military operations in various regions of the world,

Noting recent reports from certain States concerning the use of chemical weapons on their territories,

Noting also the statements of various international organizations, in particular of the International Committee of the Red Cross, concerning these reports,

Expressing profound regret that certain States directly interested in the clarification of reports pertaining to the actual or alleged use of chemical weapons and which have submitted appropriate proposals or suggestions in that matter had not been given the opportunity to present their views in the Committee on Disarmament during its session held in 1980,

Concerned over the fact that a convention on the complete and effective prohibition of chemical weapons and on the destruction of their stockpiles which would fully preclude the danger of their use has not yet been concluded,

Gravely concerned about the continued research and development programmes in the field of chemical weapons, especially the development of binary and multicomponent weapons whose field deployment could compromise the ongoing effort to prohibit the development, production and stockpiling of chemical weapons and trigger a chemical arms race,

Urging all States to refrain from the development, production and deployment of new types of chemical munitions, in particular binary and multicomponent munitions,

Believing it necessary for all States, in particular militarily significant States, to refrain from any action which could impede multilateral negotiations on banning chemical weapons,

Convinced of the need to ascertain the facts pertaining to these reports and, in particular, to determine the harmful effects of the use of chemical weapons to human beings and the environment of the victim countries,

1. *Calls upon* all States parties to the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare to reaffirm their determination strictly to observe all their obligations under the Protocol;

2. *Calls upon* all States which have not yet done so to accede to the Protocol;

3. *Appeals* to all States to comply with the principles and objectives of the Protocol;

4. *Decides* to carry out an impartial investigation to ascertain the facts pertaining to the reports regarding the alleged use of chemical weapons and to assess the extent of the damage caused by the use of such weapons;

5. *Requests* the Secretary-General to carry out such investigation, *inter alia*, taking into account proposals advanced by the States on whose territories the use of chemical weapons has been reported, with the assistance of qualified medical and technical experts who shall:

(a) Seek relevant information from all concerned Governments, international organizations and other sources necessary;

(b) Collect and examine evidence, including on-site with the consent of the countries concerned, to the extent relevant to the purposes of the investigation;

6. *Invites* the Governments of States where chemical weapons were used to provide the Secretary-General with all relevant information they may have in their possession;

7. *Calls upon* all States to co-operate in this investigation and to provide any relevant information they may have in their possession regarding such reports;

8. *Requests* the Secretary-General to submit a report on this matter to the General Assembly at its thirty-sixth session.

Conclusion

During 1980, the urgency and importance of negotiating and elaborating a multilateral treaty prohibiting chemical weapons was once again emphasized in various international forums by countries from all regions of the world. A significant development was the decision of the Committee on Disarmament, on 17 March, to establish for the duration of its 1980 session, the *Ad Hoc* Working Group on Chemical Weapons, with a mandate to define, through substantive examination, issues to be dealt with in the negotiations on such a convention. As in the previous year, the Soviet Union and the United States again presented a joint report to the Committee on Disarmament on the progress in their bilateral negotiations on chemical weapons. A new element was added to the discussions in 1980 when controversial allegations were made concerning the use of chemical weapons in certain regions of the world. The General Assembly, in one of its two resolutions on the subject, requested the Secretary-General to carry out an impartial investigation, with the assistance of qualified medical and technical experts, to ascertain the facts pertaining to those reports.

Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

Introduction

THE FIRST REVIEW CONFERENCE OF THE PARTIES TO THE CONVENTION on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction¹ was held at Geneva from 3 March to 21 March 1980, pursuant to article XII of the Convention which provides for such a Conference five years after the Convention's entry into force with a view to assuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, are being realized. In the wording of the article, the review was to take into account any new scientific and technological developments relevant to the Convention.

Ever since the adoption by the United Nations General Assembly of its very first resolution — resolution 1 (I) of 24 January 1946 — by which it established a Commission to deal with, among other things, the elimination of “major weapons adaptable to mass destruction”, Member States have repeatedly expressed concern about the threat posed by chemical and biological weapons. Such weapons were specifically categorized as weapons of mass destruction by the Commission for Conventional Armaments in 1948 when it advised the Security Council that “weapons of mass destruction should be defined to include . . . lethal chemical and biological weapons”² Over the years, particularly in the 1960s, as the toxicity of such weapons and the potential for their widespread use increased, efforts were made to ban them through international agreements in a way that would supplement and strengthen the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, which was adopted and signed at Geneva on 17 June 1925.³

¹ Resolution 2826 (XXVI); for text, see *Status of Multilateral Arms Regulation and Disarmament Agreements* (United Nations publication, Sales No. E.78.IX.2).

² See *The United Nations and Disarmament: 1945-1970* (United Nations publication, Sales No. 70.IX.1), chap. 1.

³ League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

In the Eighteen-Nation Committee on Disarmament (ENDC), the question of chemical and biological weapons was first considered in the context of that body's efforts to reach agreement on measures leading towards the goal of general and complete disarmament. Both the draft treaty on general and complete disarmament, proposed by the USSR, and the outline of basic provisions of such a treaty, submitted by the United States to ENDC in 1962,⁴ envisaged the elimination of chemical and biological weapons.

The General Assembly, at its twenty-first session in 1966, on the basis of an initiative of Hungary, adopted resolution 2162 (XXI), by which, *inter alia*, it called for strict observance by all States of the principles and objectives of the Geneva Protocol of 1925, condemned all actions contrary to those objectives, and invited all States to adhere to the Protocol.

In 1969, in accordance with Assembly resolution 2454 A (XXIII), the Secretary-General transmitted to the General Assembly the report entitled *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use*.⁵ In the report, the Secretary-General called upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons. After the circulation of the report, ENDC — later the CCD — gave increased attention to the question of chemical and bacteriological (biological) weapons. A number of proposals were submitted to the negotiating body and, although most initiatives at the time dealt with chemical and bacteriological (biological) weapons together, among them was a draft convention for the prohibition of biological methods of warfare, proposed in 1969 by the United Kingdom.⁶

In 1970, in its work on the question of the elimination of chemical and biological weapons, the CCD had before it, in addition to the proposal of the United Kingdom, a draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons, which had been submitted to the Assembly by the Soviet Union and other Eastern European States.⁷ Those States held that chemical and biological weapons should be dealt with together in that a separate approach to biological weapons would delay the solution of the question of chemical weapons. The United Kingdom, the United States and several other countries favoured a separate treatment of biological weapons and chemical weapons. The United States declared that,

⁴ *Official Records of the Disarmament Commission, Supplement for January 1961 to December 1962*, documents DC/203, annex 1, sect. C (ENDC/2); DC/205, annex 1, sect. D (ENDC/2/Add.1); and DC/203, annex 1, sect. F (ENDC/30) and DC/205, annex 1, sects. E and F (ENDC/30/Add.1 and 2). See also *The United Nations and Disarmament: 1945-1970*, chap. 4.

⁵ United Nations publication, Sales No. E.69.I.24.

⁶ See *Official Records of the Disarmament Commission, Supplement for 1969*, document ENDC/255; for details on this and other documents under consideration at the time, see *The United Nations and Disarmament: 1945-1970*, chap. 16.

⁷ *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, agenda item 104, document A/7655.

while it was committed to effective control of both types of weapons, it believed that a single instrument covering both was not feasible, but that a ban on biological weapons alone could be achieved at an early date.

The two views as to which approach should be pursued were reflected in the debate on the matter until, in 1971, agreement was reached on the separation of the two issues when the Eastern European States consented to the conclusion, as a first step, of a convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction, and submitted a draft text of such a convention to the CCD.⁸ Following further discussion in the CCD, Czechoslovakia, Hungary, Mongolia, Poland, Romania and the Soviet Union on the one hand, and the United States on the other, submitted identical revised drafts of the text of a convention⁹ later in the same CCD session; that text was annexed to the CCD's report to the General Assembly.¹⁰

At the twenty-sixth session of the General Assembly a majority of States expressed support of the draft convention on biological weapons, many of them noting that it provided for the first measure of genuine disarmament, that is, the destruction of existing weapons. On 16 December 1971, by resolution 2826 (XXVI), the General Assembly commended the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, which was annexed to the resolution, and requested the depositary Governments to open the Convention for signature and ratification at the earliest possible date.

The Convention was opened for signature on 10 April 1972 and entered into force on 26 March 1975 when, pursuant to its article XIV, 22 Governments including the depositaries — the USSR, the United Kingdom and the United States — had deposited instruments of ratification.

Developments since the conclusion of the Convention

Early in its 1975 session, the CCD welcomed the entry into force of the Convention. In that connexion, the United States informed the Committee that its entire stockpile of such weapons had been destroyed; and on 10 April of that year it ratified the Geneva Protocol of 1925. The United Kingdom stated in the CCD that it had no stocks of such weapons. A number of States urged those States which had not yet adhered to the Convention to do so.

In 1978, the General Assembly at its tenth special session again stated, in its Final Document, that all States which had not yet done so should con-

⁸ *Official Records of the Disarmament Commission, Supplement for 1971*, document CCD/325/Rev.1.

⁹ *Ibid.*, documents CCD/337 and CCD/338.

¹⁰ *Ibid.*, document DC/234.

sider adhering to the Convention.¹¹ Subsequently, at its thirty-third session, the General Assembly, by resolution 33/59 B, noted the provisions of article XII concerning the review of the operation of the Convention and, in that connexion, that a preparatory committee of the parties to the Convention was to be arranged. The Assembly also requested the Secretary-General of the United Nations to render the necessary support for both the Review Conference and its preparation. Following consultations, it was agreed that the Preparatory Committee, open to States parties to the Convention, would meet at Geneva on 9 July 1979.

The Preparatory Committee held eight meetings from 9 to 18 July 1979, with 40 States parties to the Convention participating. In its report,¹² approved at the end of the session, the Preparatory Committee stated that the Review Conference should be held from 3 to 21 March 1980. It also requested that the States parties to the Convention should be notified and their views sought. The Secretariat was asked to prepare a background paper to serve as a basic working document for the Review Conference, and the depositary Governments were asked to prepare a paper on new scientific and technological developments relevant to the Convention.

With the adoption of resolution 34/72 on chemical weapons at its thirty-fourth session, the General Assembly reaffirmed the necessity of strict observance by all States of the principles and objectives of the 1925 Geneva Protocol and of the adherence by all States to the bacteriological (biological) weapons Convention. By the end of 1979, 85 States were parties to the Convention.

Review Conference of the parties to the Convention, 1980

Participation and organizational matters

The Review Conference was convened on 3 March 1980 at the Palais des Nations in Geneva with participation of 53 States parties to the Convention.¹³ In addition, in accordance with the rules of procedure which the Conference adopted at its first plenary meeting, Chile, Democratic Yemen, Egypt, the Federal Republic of Germany, Iraq, Morocco, the Netherlands and Sri Lanka — which had signed but not ratified the Convention —

¹¹ *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 73.

¹² BWC/CONF.1/3; for general details on preparations for the 1980 Review Conference, see *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), chap. XV.

¹³ Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian SSR, Canada, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Finland, German Democratic Republic, Ghana, Greece, Hungary, India, Iran, Ireland, Italy, Jamaica, Kenya, Kuwait, Luxembourg, Mexico, Mongolia, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Romania, San Marino, Saudi Arabia, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukrainian SSR, USSR, United Kingdom, United States, Venezuela, Yugoslavia and Zaire.

participated in the work of the Conference without taking part in the decisions. Three non-governmental organizations, the Pugwash Conference on Science and World Affairs, the World Association of World Federalists and the World Young Women's Christian Association were also represented at the Conference. The Secretary-General of the United Nations was represented by the Assistant Secretary-General, the Centre for Disarmament.

At its first plenary meeting, the Conference also adopted its agenda, as recommended by the Preparatory Committee. The Conference elected, by acclamation, Mr. Oscar Vaernø of Norway as its President, and elected 16 Vice-Presidents, including representatives of the three depositary Governments and encompassing all political and geographical groups. Subsequently, the Conference established two committees to carry out its substantive work, the Committee of the Whole to consider in detail the substantive issues relevant to the Convention, and the Drafting Committee to prepare the text of a final document for submission to the Conference, taking into account both the general debate in plenary meetings and the proceedings of the Committee of the Whole.

In a message read by his representative at the opening meeting of the Conference, the Secretary-General of the United Nations stated that the existing international tension was reason to seize every opportunity to invigorate the disarmament process. He went on to emphasize that the biological weapons Convention represented the first recent disarmament effort by which one of the dangerous avenues of the arms race had been closed, and added that another positive aspect of the Convention was that it provided, in article IX, that States parties should continue negotiations in good faith with a view to reaching agreement on the banning of chemical weapons.

The general debate in plenary meetings

The general debate at the conference, held during the 3rd to 8th plenary meetings, was marked by expressions of general satisfaction with the operation of the Convention since its entry into force in 1975.

The background paper prepared by the Secretariat¹⁴ provided the Conference with a rather detailed review of the negotiations leading to the Convention, compliance with the obligations undertaken in connexion with it, and the status of efforts to reach agreement on a chemical weapons ban, in accordance with the provisions of article IX of the Convention, both within the CCD and Committee on Disarmament and bilaterally.

The background paper prepared by the three depositary Governments,¹⁵ on scientific and technological developments relevant to the convention, was generally well received. Its conclusion, to the effect that new developments in biological science had not substantially altered capabilities or incentives for the development or production of biological or toxin weapons, was ac-

¹⁴ BWC/CONF.I/4.

¹⁵ BWC/CONF.I/5.

cepted by other participants in the Conference. That conclusion was derived from the view of the authors that such developments were adequately covered by the relevant provisions of the Convention.

In the course of the debate, however, many representatives expressed concern about certain aspects of implementation of the Convention, in particular, the paucity of progress in resolving the question of the prohibition of chemical weapons under article IX. Other questions which were raised, particularly among non-aligned and neutral countries, were those of the adequacy of the complaints procedure, control and verification under articles V, VI, and, to a lesser degree, VII of the Convention, and of international co-operation in the peaceful uses of biological sciences in such areas as medicine, agriculture and industry.

Among those addressing the first question — chemical weapons — two of the depositary Governments commented on their bilateral efforts and progress in that regard, while the United Kingdom stressed its active participation in the work of the Committee on Disarmament on the question and the fact that it had submitted a draft convention on the matter in 1976. A number of other States, including Argentina, Egypt, Finland, Mexico, Romania, Spain, Sweden, Venezuela and Yugoslavia, expressed disillusionment that there had been so little progress towards banning chemical weapons. Still others, including Australia, Belgium, Canada, the German Democratic Republic, Iran, Mongolia, New Zealand and Poland, while favouring the rapid conclusion of a convention on chemical weapons, regarded the ongoing work on the matter in somewhat more positive terms. Canada, for instance, noted that it was difficult to assess whether parties were fulfilling their obligation to pursue negotiations “in good faith” since vital security interests of leading Powers were involved, and any treaty banning chemical weapons must include stringent verification provisions taking into account the quantity and lethality of the weapons concerned. The German Democratic Republic stated that the progress so far achieved in the bilateral USSR-United States negotiations provided a solid basis for further progress; it held that the prohibition of such weapons was more urgent than ever before and should be advocated by the Conference.

With regard to articles V and VI of the Convention, most Eastern European States stressed that there had been no problems or complaints reported and therefore no need to implement the provision in the Convention for consultations or any other elements of the procedure for dealing with complaints. Certain other countries, however, including Argentina, Brazil, Egypt, Ghana, Iran, Nigeria, Norway, Pakistan, Spain, Sweden, Switzerland and Venezuela, felt that at least some aspects of the relevant articles were unsatisfactory.

In Czechoslovakia's view, for instance, it was important that there had been no indication that any of the provisions of the Convention had been violated, and moreover the obligations and regulations pertaining to control were balanced and effective, and adequately covered all necessary areas. Sweden, on the other hand, emphasized its long-standing interest in control and verification procedures and commented on what it regarded as short-

comings in the complaints procedures, stating that it intended to bring up the issue at a later stage of the Conference. Nigeria called for the Conference to close certain loopholes to remove ambiguities even though there had been no recourse to the measures contained in article V

Regarding co-operation in the exchange of materials and technological information for peaceful purposes, Romania was among those which emphasized the importance of biological sciences in various fields. It held that the Conference should request States in a position to do so to promote international co-operation in the peaceful use of scientific biological discoveries. It felt that faithful observance of articles V and X could provide a framework for consultation which would also be useful in monitoring the implementation of the Convention. Pakistan supported the Romanian position regarding the importance of an increased flow of information about technological developments, stating that the setting up and use of institutional means in that connexion could affect the implementation of the Convention.

Additional considerations were raised in the course of the debate, including, for example, the form of national constitutional processes desirable under article IV regarding measures taken in implementation of the Convention, but none were brought up as frequently or reflected varying positions to the same extent as those referred to above.

Work of the Committee of the Whole

The Committee of the Whole conducted the review of the Convention through a series of nine meetings. In the review of the various articles, positions taken by States generally underlined the views expressed in the general debate, and the more controversial articles of the Convention were those that had received the most attention in plenary meetings.

The consideration of articles I to IV did not give rise to any controversial comment. The Committee recognized the importance of relevant scientific and technological developments, including those in the area of genetic engineering, but generally felt that they did not jeopardize the coverage of the Convention. Venezuela, however, felt that article IV might be expanded to prevent improper uses of the various materials specified in article I. The United Kingdom regarded as confidence-building measures any "unqualified" assurances of States to the effect that they had never possessed biological or toxin weapons. In connexion with article IV, it referred to its own Parliament's Biological Weapons Act and comparable domestic legislation in other countries, and suggested that the Conference invite parties voluntarily to furnish the texts of such legislation so that they could be made available for consultation. A number of States agreed with the United Kingdom's suggestion.

In connexion with articles V and VI, Sweden, noting the concern expressed about the adequacy of the complaints procedure, especially in the light of the right of veto in the Security Council, proposed that it be clearly established that a complaint with that body would be a procedural matter,

and hence not subject to the veto. It further held that the procedure should be flexible and objective, combining national and international procedures and utilizing a consultative committee to undertake effective investigations; those principles could be incorporated into the Convention by amendments. A large number of States supported the Swedish proposal, either wholly or in part, or at least found it worthy of further consideration. Among those States were Argentina, Austria, Brazil, Canada, Egypt, Ghana, Iran, Pakistan, Spain, Switzerland and Zaire — for the most part States that had expressed concern about the question of control and verification in the plenary debate.

The United Kingdom, on the other hand, also with considerable support, while agreeing that consideration should be given to strengthening articles V and VI, felt that it might first be questioned whether such action was necessary. Since the existing provisions had not been invoked, they could not be said to have been proved deficient. Moreover, the amendment procedure set out in article XI was very elaborate, requiring, among other things, individual acceptance of any amendments until a majority of States parties had accepted them before their entry into force. Thus, to amend the Convention would create confusion — since only some States would accept the amendments — and probably weaken rather than strengthen the Convention. Accordingly, the United Kingdom favoured alleviating the misgivings of concerned States parties by reaching certain understandings. For instance the Conference could clarify the meaning, in article V, of “through appropriate international procedures within the framework of the United Nations”, a phrase which could be interpreted as calling for the automatic establishment of a consultative committee in the event of a complaint.

The USSR, while understanding the need to ensure full implementation of the Convention, stressed that there was no need to worry about non-existent problems. The Conference was meeting, under article XII, to review the operation of the Convention, and it was operating admirably; reviewing its operation, in the Soviet view, did not mean reviewing the text. Moreover, excessive importance should not be given to the role of the Security Council because of the notion of “consultation and co-operation” in solving problems indicated that parties themselves would choose the means, and that such consultation and co-operation may also be undertaken through appropriate international procedures. Accordingly, the USSR agreed with the United Kingdom that to amend the text would not serve a useful purpose. Most Eastern European States expressed views on the matter essentially similar to those of the USSR, although Romania felt that Sweden’s suggestions could strengthen the operation of the Convention.

The United States, for its part, also saw no need to amend the Convention, and suggested that the final declaration of the Conference should be regarded as the most appropriate vehicle through which to deal with the concerns of all parties regarding implementation of the Convention.

In view of the existence of differing positions regarding articles V and VI, that area contained what proved to be the most controversial issues the Committee had to face in formulating its report.

Article IX was another on which the Committee held considerable discussion, although virtually all members agreed that a chemical weapons convention should be concluded as soon as possible. Mexico, Nigeria, Pakistan, Romania, Spain and Yugoslavia were among the most critical that article IX had not been implemented. Mexico felt that the Conference should include in its final document an urgent appeal to all members of the Committee on Disarmament, especially the three depositary Governments, to take advantage of an *ad hoc* working group to negotiate a treaty prohibiting chemical weapons. Nigeria felt that there had been no lack of effort on the part of the Committee on Disarmament, but rather a lack of political will on the part of certain States; Pakistan similarly held that the political will of the major Powers was needed. Romania stressed that the acceptance of the limited solution when the Convention on biological weapons was drawn up, as far as several States were concerned, had depended on further developments regarding a similar agreement on chemical weapons. Spain saw no grounds for optimism with regard to implementation of article IX, although it regarded the prohibition of chemical weapons as an urgent necessity. Yugoslavia regretted that article IX had not been implemented and contended that there had been a continuing tendency to avoid multilateral negotiations on chemical weapons.

Among those taking a less pessimistic position, Ghana felt that on the basis of existing documents on the question, including the joint USSR-United States report on their bilateral negotiations, the Committee on Disarmament could initiate negotiations without further delay. Canada shared the desire for an early international agreement on chemical weapons, but regarded adequate verification as so important that it would be worth somewhat longer bilateral negotiations to meet that requirement.

In considering its draft report to the Conference, the Committee's main task was to describe its review of the Convention article by article in agreed terminology. Consequently, the major portion of its effort was devoted to reconciling different views with regard to its review of articles V to VII and IX, although great care was taken throughout to arrive at language which all parties could approve, or at least accept. As a result of many proposals, suggestions and compromises, the goal of achieving such language was reached in the course of the final three meetings of the Committee.

The report of the Committee of the Whole consists of 30 paragraphs, the first six and last four dealing with procedural matters, including the question of future review of the Convention.

With regard to articles I to IV, the Committee concluded that they had been effectively implemented. Furthermore, it considered that article I was sufficiently comprehensive to have covered all scientific and technological developments relevant to the Convention since its entry into force. While a number of participants welcomed the assurances that had been given in connexion with article II, others felt that some such assurances had been qualified, and still others favoured some verification of destruction of stocks or of their diversion to peaceful uses.

Regarding articles V to VII, the Committee reported the following:

14. With regard to these articles, it was widely noted that no State Party had found cause to resort to the complaints procedure. The opinion was shared by several States Parties that, nevertheless, it would improve the effectiveness of the Convention if the complaints procedure were strengthened in accordance with principles of flexibility, objectivity and non-discrimination.

15. One participant, supported by a number of others, proposed that an amendment be considered to prevent what, in their view, amounted to unequal treatment of States Parties under the present complaints procedure. It was proposed that the complaints procedure should be based on a combination of national and international measures, including technical investigations, and provide an intermediate ground for preliminary work to assemble factual data, thereby avoiding unnecessary political confrontation. According to the proposal, a consultative committee should be established and on-site inspection should be considered as one means of verifying compliance with the Convention; only after such possibilities had been exhausted should complaints be lodged with the United Nations Security Council. It was, thus, proposed that the following provisions might be contained in an amendment: a permanent consultative committee should be set up consisting of representatives from States Parties; when so requested, the consultative committee should arrange fact-findings, including preparations and execution of on-site visits; the consultative committee should report its factual findings and experts' views to States Parties; States Parties should undertake to co-operate with the consultative committee.

16. On the other hand, a number of participants urged that the existing procedure of lodging complaints and verifying compliance with the provisions of the Convention be maintained. They emphasized that the provisions of the Convention were being complied with in good faith and that during the five years the Convention had been in effect, no need had arisen for resorting to the procedure for lodging complaints with regard to violations of the Convention. They felt that the provisions of Article V of the Convention contained extensive possibilities of carrying out necessary measures aimed at solving any problems which might arise in relation to the objective or in the application of the provisions of the Convention. Stressing the importance of the Convention as the first measure of genuine disarmament, those participants saw a danger of undermining it by introducing any amendments to it. It was also stated that verification of compliance with disarmament measures should be commensurate with the subject matter, and that this was confirmed by the current practice in other agreements on limiting the arms race and on disarmament. Those participants stated their firm resolve to object to the proposed amendment to the Convention on the grounds that it would weaken it.

17. In connexion with Articles V, VI and VII, one participant, while sharing the concern that the Convention should be capable of adequate verification, nevertheless could not support a move to amend the Convention. It was, however, prepared to examine ways of meeting that concern in a manner which fell short of amendment. One way might be to clarify the meaning of the clause in Article V that co-operation may also be undertaken "through appropriate international procedures within the framework of the United Nations". The automatic establishment of a consultative committee of experts in the event of a complaint might be one possible interpretation of the reference to those "appropriate international procedures". Such a clarification would then be reflected in the final document of this Review Conference. A number of other participants expressed interest in and support for this suggestion.

As to article VIII, concerning the Geneva Protocol of 1925, the Committee agreed that the link between the Protocol and the Convention should be reflected in the final document of the Conference.

In respect of article IX, the Committee stated:

19. As regards Article IX, containing the commitment of the States Parties to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction, the view of many participants was that this provision had not been effectively implemented. Others expressed the view that this provision was being implemented. One participant referred to certain reports alleging the use of chemical weapons in certain regions of the world. The view was widely expressed that the conclusion of an agreement on the prohibition of chemical weapons remained one of the most urgent tasks of multilateral negotiations as had

been clearly stated in the Final Document of the Tenth Special Session of the General Assembly Devoted to Disarmament. Several participants emphasized that their adherence to the biological weapons Convention had been on the explicit understanding that this Convention was but the first step towards the achievement of a comprehensive ban on both bacteriological (biological) and chemical weapons. One participant stated that despite the fact that eight years have already elapsed since the Convention was opened for signature, the "early agreement" referred to in Article IX of the Convention has not yet become a reality and that the Conference should reflect in the final document its deep regret for this and, at the same time, urge all the States members of the Committee on Disarmament, in particular those whose Governments act as Depositaries of the Convention, to take advantage of the establishment by the Committee of an *ad hoc* working group on chemical weapons for the prompt negotiation and conclusion of a convention to ensure the total elimination of chemical weapons. A number of participants felt that the Committee on Disarmament should exert all efforts to produce a draft treaty banning chemical weapons and urged that Committee to expedite the establishment of an *ad hoc* working group for that purpose. One participant considered that a convention on that subject should be concluded not later than 1982 when the second special session on disarmament is scheduled to convene. A number of participants considered that the ongoing bilateral negotiations between the USSR and the United States of America on chemical weapons should be intensified and thus contribute to multilateral negotiations in the Committee on Disarmament. Other participants took the view that such multilateral negotiations in the Committee on Disarmament need not await the conclusion of the bilateral negotiations. Some participants, while regretting the lack of agreement, considered that it would be better for the ongoing bilateral negotiations between the USSR and the United States of America to take longer, if necessary, to ensure that the level of verification is adequate, than for a draft agreement to be ready sooner, with inadequate controls. One participant urged the two sides engaged in the bilateral negotiations to submit to the Committee on Disarmament, as soon as possible, a further report on the status of their negotiations. The representatives of the States engaged in the bilateral negotiations, the USSR and the United States of America, declared that they were prepared to continue intensive negotiation on this question. A number of other participants, in reiterating their concern for the prompt implementation of Article IX, pointed out that agreement on the prohibition of chemical weapons was a necessary complement to the biological weapons Convention. One participant suggested that the final document could include a statement to the effect that the Conference recognizes the urgency and importance of achieving early agreement on effective measures for the prohibition of chemical weapons and for their destruction and that the Conference reaffirms the obligations assumed by States Parties to the Convention in accordance with Article IX to continue negotiations in good faith to that end.

The Committee reported concerning article X that many participants had urged increased exchange of scientific and technological information amongst States and it surveyed briefly the various suggestions which were made with that aim.

With its summary of its consideration of articles XI to XIV and the preamble, the Committee completed the substantive portion of its report, drawing attention to the various views expressed, none of which was controversial. Among other observations, the Committee noted that neither the provisions contained in the Convention for amendments nor those for withdrawal had been invoked, and emphasized the importance of universal adherence to the Treaty.

The concluding part of the Conference

The report of the Committee of the Whole was submitted to the Conference on 18 March, at its 11th plenary meeting. In introducing the report, the

Chairman of the Committee expressed gratification that practically all participating countries had taken part in its discussions, and thanked them for their work.

Thereafter, the President reaffirmed that the Drafting Committee, in carrying out its work on the final document, should take into account the report of the Committee as well as the general debate. The Drafting Committee also considered various working papers which were submitted, containing proposals for elements of the final declaration. At its final plenary meeting, on 21 March, the Conference adopted by consensus its Final Document¹⁶ containing the Final Declaration, reproduced as the annex to this chapter.

Following the adoption of the Final Document, various States made observations. Most notably, the United States and the USSR again referred to article V of the Convention, with the United States explaining that, as a result of information it had received, it was taking action with regard to whether a lethal biological agent might have been present in 1979 in the Soviet Union in quantities inconsistent with the provisions of the Convention. In that connexion, the United States was engaged in the initial stages of consultations with the Soviet Union in accordance with the relevant provisions of the Convention, and intended to pursue its action responsibly and in a spirit of co-operation, fully cognizant of the importance of the obligations contained in the Convention and its continuing viability. The Soviet Union stated in response that it remained ready to co-operate with the other depositary States, by means of consultations and other measures referred to in the Final Document, with the assistance of the United Nations Secretariat. The USSR stated that it had always scrupulously observed the Convention's provisions, pursuant to the decree of the Presidium of the Supreme Soviet of 11 February 1975. The 1979 incident referred to by the United States, it added, had been an epidemic caused by the consumption of infected meat, and in no way reflected on the Soviet Union's compliance with the Convention. This particular incident unfortunately had been cited in such a way and at such a time as to hinder both the work of the Conference and international disarmament efforts.

The United States stated further that the Conference had fulfilled its task by subjecting the Convention to a searching review, even though, as was to be expected, not all participants had found the results entirely satisfactory. The USSR also stated that the Conference had been successful and that it had represented an important step forward in the history of disarmament.

The United Kingdom felt that the clarification provided in the Final Declaration regarding procedures for co-operation and consultation under article V represented a useful step forward. At the same time, it maintained that, if a request were made for a consultative meeting at the expert level, all parties should co-operate in order to ascertain facts and provide expert views relating to any problem raised by the party requesting such a meeting.

¹⁶ BWC/CONF/1/10.

Sweden expressed appreciation for the support it had received regarding its proposal for revision of the verification and complaints procedures provided for in the Convention. Although its own expectations and those of countries supporting its position had not been fully met, the clarifications contained in the Final Document were a step in the right direction. Ghana regarded it as significant that the urgency of reaching an agreement on chemical weapons and the promotion of international co-operation in peaceful biological research had been stressed, and that the adequacy of some provisions of the Convention had been questioned in the interest of making it more credible and effective. Cyprus, although supporting the Final Declaration, felt that the fears expressed to the effect that the Declaration might not be strong enough and that the Convention lacked effective verification machinery, were justified; it was particularly encouraged by the section of the Declaration relating to article IX.

In his closing statement, the President said that the Review Conference had reaffirmed the importance and validity of the Convention as the first genuine disarmament measure. It had also shown that the Convention was sufficiently comprehensive to cover recent scientific and technological developments, which was especially significant in that, in other areas, scientific progress had led to newer and more dangerous weapons.

Consideration by the General Assembly, 1980

There was relatively little discussion on biological weapons or on the Convention during the thirty-fifth session of the General Assembly. In the First Committee, however, a number of speakers made brief references, particularly to the Review Conference,¹⁷ in several cases in association with their comments on chemical weapons.

Denmark, Malaysia, Norway, Sri Lanka and Venezuela particularly regarded the Review Conference as having been a positive or encouraging disarmament event, with Norway and Sri Lanka observing that the Conference had been able to reach agreement on a Final Declaration. Venezuela, although subscribing to the Final Declaration, regretted that it had not been possible to carry out a more detailed examination of the Convention in the area of compliance, and Spain stated that it had supported the initiatives aimed at strengthening the verification machinery that it contained. The Soviet Union regarded the biological weapons Convention as the one real success in attempts to limit or ban non-nuclear weapons of mass destruction, and Denmark, the German Democratic Republic and Malaysia stressed the need for an agreement on chemical weapons similar to that which had been successfully achieved on biological weapons.

At the 38th meeting of the First Committee, on 18 November, Norway introduced a draft resolution on the Review Conference. The draft was also

¹⁷ *Official Records of the General Assembly, Thirty-fifth Session, First Committee, 4th to 43rd meetings, and ibid., First Committee, Sessional Fascicle, corrigendum.*

sponsored by Bulgaria, the Byelorussian SSR, Canada, Denmark, Ecuador, Finland, Guinea, Hungary, Ireland, Mongolia, the Niger, Nigeria, Pakistan, Poland, Qatar, Spain, Sweden, the Ukrainian SSR, Venezuela, Yemen and Yugoslavia. Norway stated in its introduction that the Convention was a major item in the disarmament field because of its provisions, in article II, for the destruction of all agents, toxins, weapons, equipment and means of delivery, that is, for concrete disarmament measures. Furthermore, it was a step towards a ban on chemical weapons. Norway noted that 81 States had ratified the Convention, six had acceded to it, and 37 had signed but not ratified it, and that the Review Conference had in effect called for universal adherence. The proceedings of the successful three-week Conference had confirmed the importance of the Convention, and emphasized that it was sufficiently comprehensive to cover recent scientific developments. At the same time, Norway regarded biological and toxin weapons as only a part of the problem, and therefore associated itself with the appeals which had been made for a speedy ban on chemical weapons.

Following the introduction, Sweden drew further attention to the complaints procedures contained in the Convention. It recalled that at the Review Conference it had maintained that those procedures should be amended so that all States parties would be subject, on a basis of equality, flexibility, objectivity and non-discrimination, to the obligation to co-operate in the investigation of complaints lodged by States parties. While Sweden's efforts had not brought forth the results it hoped for, it was encouraged that in its Final Declaration the Conference had stated that the question "should be further considered at an appropriate time". Sweden considered the matter to be of great urgency, and intended to pursue consultations on the matter. It felt that strengthening the Convention would add to its authority and encourage wider adherence. The United States advised that it was continuing to pursue, under article V, the question which it had raised in its closing statement at the Review Conference, and that it planned to communicate further with parties to the Convention in that regard.

The First Committee approved the draft resolution on 25 November and the General Assembly adopted it on 12 December, as resolution 35/144 A, on both occasions without a vote.

The resolution reads as follows:

The General Assembly,

Recalling its resolution 2826 (XXVI) of 16 December 1971, in which it commended the Convention on the prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and expressed the hope for the widest possible adherence to that Convention,

Recalling that, in paragraph 73 of the Final Document of the Tenth Special Session of the General Assembly, it expressed the opinion that all States which have not yet done so should consider adhering to the Convention,

Recalling that the States parties to the Convention met at Geneva from 3 to 21 March 1980 to review the operation of the Convention,

Noting with satisfaction that, at the time of the Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, 81 States had ratified the Con-

vention, six States had acceded to the Convention and a further 37 States had signed but had yet to ratify the Convention,

1. Welcomes the Final Declaration of the Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in which the States parties to the Convention, *inter alia*:

(a) Reaffirmed their strong determination, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons, their strong support for the Convention and their continued dedication to its principles and objectives and their commitment to implement effectively its provisions;

(b) Expressed the belief that article I had proved sufficiently comprehensive to have covered recent scientific and technological developments relevant to the Convention;

(c) Considered that the flexibility of the provisions concerning consultations and cooperation on any problems which might arise in relation to the objective, or in the application of the provisions of, the Convention enabled interested States parties to use various international procedures which would make it possible to ensure effectively and adequately the implementation of the provisions of the Convention, taking into account the concern expressed by the participants in the Conference to this effect — these procedures include, *inter alia*, the right of any State party subsequently to request that a consultative meeting open to all States parties be convened at the expert level — and, having noted the concerns and differing views expressed on the adequacy of article V, believed that this question should be further considered at an appropriate time;

(d) Reaffirmed the obligation assumed by the States parties to the Convention to continue negotiations in good faith towards the recognized objectives of an early agreement on complete, effective and adequately verifiable measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction;

(e) Noted that during the first five years of the operation of the Convention the provisions of articles VI, VII, XI and XIII had not been invoked;

2. Calls upon all signatory States which have not ratified the Convention to do so without delay and upon those States which have not yet signed the Convention to consider doing so at an early date as a significant contribution to international confidence.

Conclusion

The Review Conference of the parties to the biological weapons Convention was widely regarded as having been successful. As in the case of other major convocations which operate on a basis of consensus, the expectations of a number of participants in the Conference were not fully met, but, in this case, relatively few felt it necessary to explain their positions following the adoption of the Final Document. It is significant that during the first five years of operation of the Convention, none of the procedures under articles VI (complaints to the Security Council), VII (provision of assistance to a party exposed to danger), XI (amendments), or XIII (withdrawal) were invoked.

The Conference may therefore be regarded as having given the parties to the Convention the opportunity to reaffirm, as stated in the Final Declaration, “their strong determination to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons” and “their strong support for the Convention ” Among other points in the Final Declaration, the Conference:

— Noted the importance of article II of the Convention (destruction or diversion to peaceful uses of prohibited agents);

— Clarified the meaning of article V (consultation and co-operation in solving problems) and stated its belief that that matter deserved further consideration;

— Deeply regretted that a chemical weapons agreement had not yet become a reality under article IX (commitment to negotiations in good faith on chemical weapons);

— Commented on the increasing importance of scientific and technological co-operation in connexion with article X (exchange of equipment, materials and information on the use of relevant agents for peaceful purposes), especially in light of the principle that disarmament should help promote economic and social development.

In the General Assembly following the Conference the question of biological weapons was not highly controversial, and, although there was some continuing unease about complaints and investigation procedures, the draft resolution on the subject — sponsored by States representing all political and geographical groupings — was adopted without a vote.

ANNEX

Final Declaration

The States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, having met in Geneva 3-21 March 1980 under the provisions of Article XII to review the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized:

Reaffirming their determination to act with a view to achieving effective progress towards general and complete disarmament including the prohibition and elimination of all types of weapons of mass destruction and convinced that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control,

Recognizing the continuing importance of the Convention and its objectives and the common interest of mankind in the elimination of bacteriological (biological) and toxin weapons,

Affirming their belief that universal adherence to the Convention would enhance international peace and security, would not hamper economic or technological development, and further, would facilitate the wider exchange of information for the use of bacteriological (biological) agents for peaceful purposes,

Reaffirming their adherence to the principles and objectives of the Geneva Protocol of 17 June 1925 and calling upon all States to comply strictly with them,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the said principles and objectives,

Recognizing the importance of achieving international agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction as a matter of high priority,

Noting the relevant provisions of the Final Document of the Tenth Special Session of the General Assembly devoted to disarmament,

Appealing to all States to refrain from any action which might place the Convention or any of its provisions in jeopardy,

Declare as follows:

The States Parties to the Convention reaffirm their strong determination, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons. They reaffirm their strong support for the Convention, their continued dedication to its principles and objectives and their commitment to implement effectively its provisions.

Article I

The Conference notes the importance of Article I as the Article which defines the scope of the Convention and reaffirms its support for the provisions of this Article.

The Conference believes that Article I has proved sufficiently comprehensive to have covered recent scientific and technological developments relevant to the Convention.

Article II

The Conference notes the importance of Article II and emphasizes that States which become Parties to the Convention, in implementing the provisions of this Article, shall observe all necessary safety precautions to protect populations and the environment.

The Conference welcomes the declarations of several States Parties to the effect either that they do not possess and have never possessed agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention, or that having possessed them they have destroyed them or diverted them to peaceful purposes. The Conference believes that such voluntary declarations contribute to increased confidence in the Convention and believes that States not having made such voluntary declarations should do so.

Article III

The Conference notes the importance of the provisions of Article III which proscribes the transfer of agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention to any recipient whatsoever and the furnishing of assistance, encouragement or inducement to any State, group of States or international organizations to manufacture or otherwise acquire them.

Article IV

The Conference notes the provisions of Article IV, which requires each State Party to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention, within its territory, under its jurisdiction or under its control anywhere, and calls upon all States Parties which have not yet taken any necessary measures in accordance with their constitutional processes to do so immediately.

The Conference invites States Parties which have found it necessary to enact specific legislation or take other regulatory measures relevant to this Article to make available the appropriate texts to the United Nations Centre for Disarmament, for the purposes of consultation.

Article V

The Conference notes the importance of Article V which contains the undertaking of States Parties to consult one another and to co-operate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention.

The Conference considers that the flexibility of the provisions concerning consultations and co-operation on any problems which may arise in relation to the objective, or in the application of the provisions of, the Convention, enables interested States Parties to use various international procedures which would make it possible to ensure effectively and adequately the implementation of the Convention provisions taking into account the concern expressed by the Conference participants to this effect.

These procedures include, *inter alia*, the right of any State Party subsequently to request that a consultative meeting open to all States Parties be convened at the expert level.

The Conference, noting the concerns and differing views expressed on the adequacy of Article V, believes that this question should be further considered at an appropriate time.

Article VI

The Conference also notes the importance of Article VI, which in addition to the procedures contained in Article V, provides for any State Party, which finds that any other State Party is acting in breach of its obligations under the Convention, to lodge a complaint with the United Nations Security Council, and under which each State Party undertakes to co-operate in carrying out any investigation which the Security Council may initiate.

The Conference further notes that no State Party has invoked these provisions.

Article VII

The Conference notes with satisfaction that it has not proved necessary to invoke the provisions of Article VII.

Article VIII

The Conference reaffirms that nothing contained in the Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925. The Conference calls on those States Parties to the Convention which are Parties to the Protocol to comply strictly with its provisions and those States not yet Parties to the said Protocol to ratify or accede to it at the earliest possible date.

Article IX

The Conference notes the importance of the provisions of Article IX and of the preambular paragraphs concerning the commitment of States Parties to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction. The Conference deeply regrets that such agreement has not yet become a reality despite the fact that eight years have already elapsed since the Convention was opened for signature.

The Conference urges the Committee on Disarmament to undertake negotiations on an agreement 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. To this end, the Conference welcomes the establishment, by the Committee on Disarmament, of an *ad hoc* working group on chemical weapons and urges all the members of the Committee to contribute towards the fulfilment of its mandate.

The Conference takes note of the bilateral USSR-United States report (CD/48) presented to the Committee on Disarmament on the progress of their negotiations undertaken with a view to presenting a joint initiative to that Committee and notes their stated intention to continue intensive negotiations to this end.

The Conference reaffirms the obligation assumed by States Parties to the Convention to continue negotiations in good faith towards the recognized objectives of an early agreement on complete, effective and adequately verifiable measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

Article X

The Conference notes that since the entry into force of the Convention, increasing importance has been attached by the international community to the principle that the disarmament

process should help promote economic and social development, particularly in the developing countries. Accordingly, the Conference calls upon States Parties, especially developed countries, to increase, individually, or together with other States or international organizations, their scientific and technological co-operation, particularly with developing countries, in the peaceful uses of bacteriological (biological) agents and toxins. Such co-operation should include, *inter alia*, the transfer and exchange of information, training of personnel and transfer of materials and equipment on a more systematic and long-term basis.

Furthermore, the Conference notes with satisfaction that the implementation of the Convention has not hampered the economic or technological development of States Parties.

The Conference requests the United Nations Secretariat to include in the background materials prepared for the second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, information on the implementation of Article X by States Parties.

Article XI

The Conference notes the importance of the provisions of Article XI and that during the first five years of the operation of the Convention these provisions have not been invoked.

Article XII

The Conference welcomes the spirit of co-operation in which this Review Conference was conducted, and believes that such conferences constitute an effective method of reviewing the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, in particular with respect to any new scientific and technological developments relevant to the Convention.

The Conference decides that a second Review Conference shall be held in Geneva at the request of a majority of States Parties not earlier than 1985 and, in any case, not later than 1990.

Any information provided by States Parties on scientific and technological developments relevant to the Convention, and on its implementation, shall be made available periodically to States Parties, in particular through the United Nations Centre for Disarmament.

Article XIII

The Conference notes the provisions of Article XIII and expresses its satisfaction that no State Party to the Convention has exercised its right to withdraw from the Convention.

Article XIV

The Conference notes with satisfaction that 81 States have ratified the Convention, 6 States have acceded to the Convention and a further 37 States have signed but have yet to ratify the Convention. The Conference calls upon all signatory States which have not ratified the Convention to do so without delay and upon those States which have not signed the Convention to join the States Parties thereto in their efforts to eliminate the risk of biological warfare.

Article XV

The Conference notes the provisions of Article XV.

New weapons of mass destruction

Introduction

THE POSSIBILITY THAT NEW WEAPONS OF MASS DESTRUCTION might emerge was foreseen as early as 1948 in the first resolution of the Commission for Conventional Armaments. According to that resolution, "weapons of mass destruction should be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future with characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above"¹

In 1969, the General Assembly adopted two resolutions related to possible new weapons, 2602 C and D (XXIV), by which it invited the Conference of the Committee on Disarmament to consider certain implications of radiological weapons and military applications of laser technology. At that time the CCD did not find those areas to be of immediate concern.²

On the basis of an initiative of the Soviet Union,³ the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons was included as an item on the agenda of the General Assembly in 1975. The Soviet proposal included a draft international agreement on the subject. As a result of its consideration of the item, the General Assembly, by resolution 3479 (XXX), requested the CCD to proceed to work on such an agreement.

Since 1976, the USSR and other Eastern European States have advocated a general prohibition of the development of new types and systems of mass destruction since it is more difficult to eliminate weapons once they are deployed than to ban their development and manufacture while they are still at the stage of research or experiment. By that approach, new types of weapons of mass destruction would include any types of weapons based on

¹ For details, see *The United Nations and Disarmament: 1945-1970* (United Nations publication, Sales No. 70.IX.1), chap. 2.

² See *The United Nations Disarmament Yearbook*, vol. 1: 1976 (United Nations publication, Sales No. E.77.IX.2), pp. 201-202; see also chapter XVI below.

³ *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda items 31, 34-38, 120, 122 and 126, document A/10243.

qualitatively new principles of action, according to the method of use, the target to be attacked, or the nature of their impact. Most Western States, on the other hand, have held that new scientific developments with a weapons potential should be dealt with as they arise and that some potential "new" weapons of mass destruction in fact fall within categories of weapons that already exist and should be dealt with in that context. The Western States have sought greater clarification in respect of the definition of the weapons to be covered under a general prohibition.

At the 1977 session of the CCD the USSR submitted a revised draft agreement⁴ which included a provision whereby, parallel to a general agreement on the prohibition of the development of new types and systems of weapons of mass destruction, special agreements could be concluded on the prohibition of particular types of weapons, and a list, which could subsequently be supplemented, of types and systems of weapons to be prohibited would be annexed to the agreement.

At the tenth special session of the General Assembly in 1978, more than 60 States and 17 non-governmental organizations expressed views on the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,⁵ reflecting the importance with which the subject was regarded. Again, the USSR, other Eastern European States, and a number of non-aligned countries stressed the urgency of the conclusion of a general treaty. The Assembly, in its Final Document, included a paragraph⁶ by which it called for the pursuit of efforts aimed at preventing the emergence of new types and systems of weapons of mass destruction and their prohibition, at the same time allowing for specific agreements on such weapons as may be identified.

The subject was also given substantial consideration at the 1978 session of the CCD and the 1979 session of the Committee on Disarmament, with members adhering generally to their established positions. In 1978, the USSR submitted a proposal⁷ for the setting up, under the auspices of the CCD, of an *ad hoc* group of qualified governmental experts to consider the questions of the possible areas of development and of new types and systems of mass destruction. The same year, the Eastern European members of the CCD submitted a paper⁸ containing a draft convention on the specific prohibition of the nuclear neutron weapon as a particularly inhumane weapon of mass destruction, and Hungary submitted a separate working paper on infra-

⁴ *Ibid.*, *Thirty-second Session, Supplement No. 27 (A/32/27)*, vol. II, document CCD/511/Rev.1; see also *The United Nations Disarmament Yearbook*, vol. 2: 1977 (United Nations publication, Sales No. E.78.IX.4), appendix X.

⁵ For details, see *The United Nations Disarmament Yearbook*, vol. 3: 1978 (United Nations publication, Sales No. E.79.IX.2 or 3), chap. XVII, pp. 330-333.

⁶ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 77.

⁷ *Ibid.*, *Thirty-third Session, Supplement No. 27 (A/33/27)*, vol. II, document CCD/564.

⁸ *Ibid.*, document CCD/559; for details, see *The United Nations Disarmament Yearbook*, vol. 3: 1978, chap. X.

sound weapons.⁹ In 1979, in the Committee on Disarmament, the USSR submitted a working paper¹⁰ in which it stated its views regarding certain possible new weapons of mass destruction and summarized the negotiations on the question. During both 1978 and 1979 the Western States maintained their conviction that the most effective approach to the question of new weapons of mass destruction would be through, first, keeping the question under review and, secondly, the negotiation of individual agreements on potential new types of weapons if any based on new scientific principles were identified. Among other countries, the United States viewed the neutron, or enhanced radiation, weapon as a nuclear weapon and held that, as such, it had to be dealt with in the context of negotiations on nuclear disarmament.

In the General Assembly, at its thirty-third session in 1978, the two approaches were reflected in separate General Assembly resolutions, 33/66 A and 33/66 B. The following year, the General Assembly at its thirty-fourth session¹¹ adopted resolution 34/79 on the basis of an Eastern European proposal. By that resolution, the Assembly again requested the Committee on Disarmament to continue negotiations on a draft comprehensive agreement and, where necessary, on specific agreements on the types of weapons in question. Western States which addressed the topic in 1979, while continuing to agree that the question should be kept under review and that any new weapons of mass destruction identified should be prohibited, refrained from submitting a draft resolution because in their view the point at issue was simply the choice of approaches which would best achieve that objective.

Consideration by the Disarmament Commission, 1980

In the Disarmament Commission in 1980 the question of prohibition of new weapons of mass destruction was raised by some delegations, particularly those of Eastern European States, during the Commission's general exchange of views.¹²

Bulgaria, Czechoslovakia, the German Democratic Republic, Mongolia and Viet Nam called for the conclusion of a general agreement prohibiting the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons. The German Democratic Republic stressed the particular importance of the prohibition of the manufacture and use of the nuclear neutron weapon and Mongolia urged the conclusion of an international convention on the basis of the draft which had been submitted to the CCD,¹³ which would prohibit the production and deployment of

⁹ *Official Records of the General Assembly, Thirty-third Session, Supplement No. 27 (A/33/27)*, vol. II, document CCD/575.

¹⁰ *Ibid.*, *Thirty-fourth Session, Supplement No. 27 (A/34/27 and Corr.1)*, appendix III (CD/53 and Corr.1), vol. II, document CD/35.

¹¹ For details, see *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), chap. XIV, pp. 252-254.

¹² A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

¹³ See foot-note 8.

such weapons. In the context of new weapons of mass destruction, Bulgaria, Czechoslovakia and Mongolia called for the conclusion of a specific agreement on the banning of radiological weapons, with Bulgaria expressing encouragement about the progress achieved so far in that connexion (see chapter XVI below). Bulgaria continued to believe, however, that a comprehensive approach was needed to resolve effectively the whole question of prohibiting the development and production of new types and systems of weapons of mass destruction.

In its recommendation to the General Assembly, the Disarmament Commission included, among the priority measures to be pursued during the Second Disarmament Decade,¹⁴ the prevention of the emergence of new types of weapons of mass destruction and new systems of such weapons.

Consideration by the Committee on Disarmament, 1980

The Committee on Disarmament, in accordance with its programme of work, considered the agenda item entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons" during various periods between 19 February and 4 April and from 7 to 16 July.¹⁵

A number of Eastern European States once again stressed their conviction as to the necessity of the comprehensive approach to the problem. Czechoslovakia expressed the view that the Committee should move to matter-of-fact negotiations, the goal of which should be to work out a general treaty. Bulgaria made the point that the Committee should continue, with the help of experts, its efforts to find a mutually acceptable way of solving the problem. The German Democratic Republic, pointing out that new developments in science and technology carried with them increasing possibilities for development of new weapons, recalled that experience already gained in disarmament negotiations had shown that it is less difficult to prohibit the possible development of new weapons than to ban those already in the arsenals of the States or actually being developed. The "EN-MOD Convention"¹⁶—prepared by the Committee in 1976—which is of a preventive nature was mentioned as concrete proof of that.

The USSR explained that its approach to the solution of the problem implied: (a) the comprehensive prohibition of the development and manufacture of new types and systems of weapons of mass destruction, with a list of specific examples of the types banned; (b) the possibility of adding to the list; and (c) the possibility of concluding individual agreements on any spe-

¹⁴ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 19, sect. C, para. 14.

¹⁵ *Ibid.*, *Thirty-fifth Session, Supplement No. 27 (A/35/27)*, paras. 57-62.

¹⁶ Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (resolution 31/72, annex): for details, see *The United Nations Disarmament Yearbook*, vol. I: 1976, chap. XIII.

cific types of weapons of mass destruction. In its view, a comprehensive agreement would make it possible, in principle, to prevent the emergence of any new type of weapon of mass destruction. To help solve a complex problem, however, it was taking into account the position adopted by a number of States by including the possibility of separate agreements, although it felt such an approach left open a wide field for experimentation. Recalling a similar suggestion it had made in 1978, the USSR proposed the establishment, within the framework of the Committee on Disarmament, of an *ad hoc* group of experts which could embark upon both the preparation of a draft comprehensive agreement and consideration of the question of concluding special agreements on individual types of weapons of mass destruction. The Soviet Union considered that such a group could, on a continuing basis, monitor the situation with regard to the development of new types of weapons of mass destruction and submit appropriate recommendations for their prohibition to the Committee on Disarmament.

The Soviet proposal was supported by several States. Mongolia called attention to a new element in the proposal, in that the responsibilities of the group of experts would include not only work on the preparation of a draft comprehensive agreement but also consideration of the question of the conclusion of separate agreements. In the estimate of Hungary, to set up the group and make it sufficiently flexible to accommodate various views and approaches would be the most important step towards more concrete and effective discussions on the issue. Romania, while reaffirming its positive attitude towards the conclusion of a global instrument, judged that the Soviet proposal would place the Committee's activities on the question on a constructive and promising course.

The United Kingdom, on the other hand, emphasized that a treaty dealing with hypothetical weapons could not fulfil the requirements of verification. Moreover, the role envisaged for the expert group—to prepare specific agreements on individual types of weapons of mass destruction which might be identified—would only become possible and appropriate once such weapons had been identified. For those reasons, the United Kingdom thought that the proposal to establish an expert group was still premature.

Australia and the Netherlands held that at each session the Committee on Disarmament should have informal discussions with the assistance of qualified experts, to review any new scientific and technical development potentially relevant to new weapons of mass destruction which could have arms control implications.

Taking a position of compromise, Egypt felt that a legally binding instrument by countries not to develop or produce any new types or systems of weapons of mass destruction would not run counter to, and might even pave the way for, the conclusion of specific agreements on each type and system of weapons that may be defined. In its view, the desire to conclude agreements with appropriate methods of control and detection should not serve as an excuse for failing to reach a comprehensive agreement on the prohibition of new types and systems of weapons of mass destruction. Accordingly, Egypt had listened with interest to the Soviet proposal concerning the setting

up and jurisdiction of a working group of governmental experts on weapons of mass destruction.

Pakistan, for its part, was in favour of a general convention which would comprise a straightforward agreement in principle to ban the development and production of any new types of weapons and systems of mass destruction, accompanied by an agreed list of the new systems or possibilities thereof to be banned, as well as an agreement to review the list periodically. In its view, a general prohibition of that nature would constitute international law. In the absence of technical barriers, such an agreement would at least create international, legal and political barriers to the development and deployment of new weapons and systems of mass destruction. Consequently, Pakistan suggested the establishment of a group of scientific experts who could elucidate the present situation regarding the possibilities of development of new weapons of mass destruction and the problems relating to their prohibition. Alternatively, the Committee could call for an in-depth technical study by governmental experts on the same subject. Pakistan's proposal was, in principle, regarded as constructive also by Mexico, which understood that such a group would work independently, as the Group of seismic experts had been doing (see chapter VIII above), and would submit reports to the Committee when appropriate.

Still another idea was offered by Venezuela, namely, that a working group be established in 1981 to make a concrete study of the agreements in favour both of a general agreement and of specific agreements. Such a working group, in the view of Venezuela, would endeavour to devise a common approach combining the two alternatives.

Despite efforts to find a compromise solution and several suggestions regarding the setting up of a working group on the question, no consensus was achieved during the 1980 session of the Committee; a working group was established, however, in connexion with the radiological weapons aspect of the agenda item (see chapter XVI below).

Consideration by the General Assembly, 1980

In the debate at the thirty-fifth session of the General Assembly on the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, States maintained the same general approaches and positions as they had in the previous sessions of the Assembly and other bodies, especially in the Committee on Disarmament in 1980.

During plenary meetings and especially in the First Committee debate,¹⁷ the Eastern European States and some non-aligned countries continued to

¹⁷ See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fourth Session, First Committee*, 4th to 38th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

advocate the conclusion of a comprehensive treaty on the prohibition of new types and systems of weapons of mass destruction. At the same time, they tried to take into account the views of the countries which have called for separate agreements on specific types of such weapons. Accordingly, they recommended that the Committee on Disarmament continue negotiations with a view to preparing a draft comprehensive agreement and, where appropriate, agreements on particular types of such weapons. The Western States reiterated their viewpoint that the conclusion of an all-encompassing treaty on the prohibition of all new types and systems of weapons of mass destruction would not lead to a realistic or verifiable solution of the problem. They advocated the conclusion of specific agreements prohibiting particular types of new weapons of mass destruction which might be identified.

In the First Committee, the representative of Poland recalled the socialist States' position on a comprehensive ban and stated that, at the same time, certain identified types of weapons, such as neutron weapons, should be banned under individual agreements on a contractual basis. In its view, the question of new types and systems of weapons of mass destruction should be carefully monitored by the international community. To that end Poland supported the establishment of a special *ad hoc* expert group under the auspices of the Committee on Disarmament. The Soviet Union confirmed that, in advocating a comprehensive ban on new types and systems of weapons of mass destruction, it was prepared at the same time to reach agreement on prohibiting individual new types of such weapons and, in that connexion, it also referred to the neutron weapons. The German Democratic Republic held that it was urgently necessary to begin negotiations because nobody could disregard the possibility that in five or 10 years new types of weapons of mass destruction would be included in or entering into arsenals, and thus another chance to safeguard peace and stability and to achieve disarmament would have been wasted. Therefore, the German Democratic Republic backed the proposal to establish within the Committee on Disarmament a working group of governmental experts to examine questions related to the prohibition of new types of weapons of mass destruction. In that context it reminded the First Committee that in recent years Western countries too had advocated using governmental experts in the treatment of such questions. Czechoslovakia shared the view that it was necessary to intensify the work of the Geneva Committee on the question, and felt that in order to prepare a draft of a corresponding international agreement, as well as to consider the possibilities of concluding individual specific agreements, it would be very useful to establish an authoritative group of experts which would follow and evaluate developments in the field. The Ukrainian SSR made the point that not all countries possessed the necessary scientific and technical potential to assess objectively whether new types of weapons of mass destruction were being developed. Through a competent international body under the Committee on Disarmament, however, States would receive reliable information. Statements supporting a parallel approach towards the prohibition of new types and systems of weapons of mass destruction through a comprehensive treaty and specific agreements were also made by the Byelorussian SSR, Bulgaria, Cuba, Hungary and Mongolia.

Portugal, for its part, supported the initiatives aimed at prohibiting new weapons of mass destruction. It believed, however, that relevant measures could contribute effectively towards the control of armaments only if they included weapons or weapons systems that were perfectly identifiable and clearly defined. Accordingly, it could not support any resolution aiming at the prohibition of a generic class of weapons of mass destruction. Ireland believed that what was needed was a series of individual agreements dealing with specific weapons systems, rather than a single convention affecting many diverse branches of science and technology. A general agreement would, in the view of Ireland, necessarily be vague and diffuse in its terms, and could not adequately distinguish between peaceful research and weapons development. It believed, therefore, that the international community should try to identify potentially dangerous developments in science and technology so that the necessary controls could be introduced at an early date and, in that context, that the Committee on Disarmament should have an important role. The United Kingdom shared that view and also pointed out that it did not believe that any purpose would be served by the Committee on Disarmament expending a great deal of time and effort in attempting to draft a generalized treaty. Such a treaty, in its opinion, could only be vague in its area of application, unverifiable, and without sanctions. The United Kingdom held it far better that the Committee on Disarmament should be charged with the task of negotiating individual treaties, if it should see on the horizon the prospect of a new scientific development being turned to the purpose of mass destruction.

On 13 November 21 Eastern European and non-aligned States submitted a draft resolution which was subsequently sponsored by five additional countries.¹⁸ The draft resolution was introduced by the representative of the Byelorussian SSR at the 32nd meeting, on 17 November. By the draft the General Assembly would, *inter alia*, request the Committee on Disarmament, in the light of its existing priorities, to continue negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and to draft possible agreements on particular types of such weapons.

In introducing the draft resolution, the representative of the Byelorussian SSR, on behalf of the sponsors, stressed that they had taken into account the positions of Western countries in that the formulation of the draft resolution provided for the preparation of both a comprehensive agreement and possible individual agreements. Such a solution, which was flexible and combined all possible approaches, would help to prevent a qualitatively new twist in the spiral of the arms race and, in the final analysis, would ensure

¹⁸ Algeria, Angola, Benin, Bulgaria, Burundi, Byelorussian SSR, Colombia, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Guinea, Hungary, Lao People's Democratic Republic, Madagascar, Mongolia, Mozambique, Poland, Romania, Syrian Arab Republic, Ukrainian SSR, USSR, Viet Nam, Yemen and Yugoslavia.

the use of scientific and technical advances solely for peaceful purposes for the good of the economic and social progress of mankind.

Before the vote, Portugal declared that it would abstain because it found two difficulties with the draft resolution, namely, that it made no reference to verification and that it recommended the preparation of a draft comprehensive agreement. In the view of Portugal, the objectives of disarmament would be better served by specific measures relating to well-defined and clearly identified weapons or types of weapons. That position was also supported by Japan and the nine States members of the European Economic Community. In explaining the position of the Nine, the Netherlands stressed that there was no disagreement concerning the need to prohibit any and all new weapons of mass destruction identified as such; the point at issue was the choice of means. The Nine believed that such weapons and their technologies, to be effectively prohibited, must be the subject of separate and verifiable controls, and that a comprehensive agreement could not distinguish between peaceful research and that which could have military applications, except through unrealistically detailed international supervision of disparate civil research activities in many States. It was because the Nine fully supported effective and lasting prohibitions on new weapons of mass destruction that they would abstain.

India and Finland, in explaining their support of the draft resolution, held that all approaches to the problem of preventing the emergence of new weapons of mass destruction should be explored.

On 21 November, the First Committee adopted the draft resolution by a recorded vote of 107 to none, with 27 abstentions, and on 12 December, the General Assembly adopted it as resolution 35/149 by a vote of 117 to none, with 26 abstentions, mainly Western States. China did not participate in the vote. The resolution reads as follows:

The General Assembly,

Recalling its resolutions 3479 (XXX) of 11 December 1975, 31/74 of 10 December 1976, 32/84 A of 12 December 1977, 33/66 B of 14 December 1978 and 34/79 of 11 December 1979 concerning the prohibition of new types of weapons of mass destruction,

Bearing in mind the provisions of paragraph 39 of the Final Document of the Tenth Special Session of the General Assembly, according to which qualitative and quantitative disarmament measures are both important for halting the arms race and efforts to that end must include negotiations on the limitation and cessation of the qualitative improvement of armaments, especially weapons of mass destruction, and the development of new weapons of warfare,

Recalling the decision contained in paragraph 77 of the Final Document to the effect that, in order to help prevent a qualitative arms race and so that scientific and technological achievements might ultimately be used solely for peaceful purposes, effective measures should be taken to prevent the emergence of new types of weapons of mass destruction based on new scientific principles and achievements, and that efforts aiming at the prohibition of such new types and new systems of weapons of mass destruction should be appropriately pursued,

Expressing once again its firm belief, in the light of the decisions adopted at the tenth special session, in the importance of concluding an agreement or agreements to prevent the use of scientific and technological progress for the development of new types of weapons of mass destruction and new systems of such weapons,

Noting that, in the course of its session held in 1980, the Committee on Disarmament considered the item entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons",

Taking into consideration the part of the report of the Committee on Disarmament relating to this question,

1. *Requests once again* the Committee on Disarmament, in the light of its existing priorities, to continue negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and to draft possible agreements on particular types of such weapons;

2. *Requests* the Committee on Disarmament to submit a report on the results achieved to the General Assembly for consideration at its thirty-sixth session;

3. *Once again urges* all States to refrain from any action which could adversely affect the talks aimed at working out an agreement or agreements to prevent the emergence of new types of weapons of mass destruction and new systems of such weapons;

4. *Requests* the Secretary-General to transmit to the Committee on Disarmament all documents relating to the consideration of this item by the General Assembly at its thirty-fifth session;

5. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Committee on Disarmament"

Conclusion

During the consideration of the question of the prohibition of the development and manufacture of new weapons of mass destruction and new systems of such weapons in 1980, particularly in the Committee on Disarmament and at the thirty-fifth session of the General Assembly, the necessity for action with a view to banning such weapons received wide recognition.

However, the two established approaches on the subject still remained. The Eastern European and a number of non-aligned States continued to call for conclusion of a general comprehensive agreement prohibiting the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, at the same time accepting the possibility of a parallel approach in the form of specific agreements on particular types and systems of weapons of mass destruction. The Western States continued to oppose a general agreement and to support the idea of keeping the question under review and dealing with the conclusion of separate conventions on specific new types of weapons of mass destruction when such weapons were clearly identified.

In the Committee on Disarmament, despite considerable discussion on the establishment of a working group on the question and the active interest of some members in the group of 21 in the Committee in reaching a compromise solution to facilitate the setting up of such a working group, no consensus was reached on the matter in 1980.

In the General Assembly, Western States, while recognizing the need to preclude the development of new weapons of mass destruction, held that a general agreement would inevitably be vague and unverifiable, and ineffective in distinguishing between peaceful and military research. As in 1979, the States holding that view abstained in the voting on the draft resolution on the question and did not submit an alternative proposal.

The further consideration of the subject is likely to continue to reflect the same two approaches, at least in the near term.

Radiological weapons

Introduction

RADIOLOGICAL WEAPONS ARE DEFINED as those which would make use of the dispersal of radioactive substances in the target area to cause injury to persons independently of nuclear explosions. Although the possibilities of radiological warfare have been recognized since as early as 1948,¹ as far as is known no weapons of this type have yet been constructed. There has therefore been a certain interest in banning such weapons before they are developed.

The question of controlling the use of radiological weapons was first considered by the General Assembly in 1969 when it adopted resolution 2602 C (XXIV) concerning radiological warfare,² by which it invited the CCD to consider methods of control against radiological methods of warfare conducted independently of nuclear explosions and the need for effective control of nuclear weapons that maximize radioactive effects. However, in 1970, the Committee reported,³ on the basis of a paper prepared by the Netherlands,⁴ that the possibilities of radiological warfare did not seem to be of much practical significance and further consideration of the issue did not appear to be useful.

At the initiative of the United States, limited discussion of the subject took place at the thirty-first session of the General Assembly in 1976, but no draft resolution was submitted.

In 1977, bilateral negotiations were opened between the USSR and the United States and a working group established. The question was also considered in the CCD that year and the USSR informed the CCD that the two sides had agreed to continue their work.

In the CCD in 1978 both parties to the bilateral talks indicated that pro-

¹ See *The United Nations and Disarmament, 1945-1970* (United Nations publication, Sales No. 70.IX.1), chap. 2.

² *Ibid.*, chap. 4, and *The United Nations Disarmament Yearbook*, vol. 1: 1976 (United Nations publication, Sales No. E.77.IX.2), chap. XVI.

³ See *Official Records of the Disarmament Commission, Supplement for 1970*, document DC/233, para. 26.

⁴ *Ibid.*, annex C, document CCD/291.

gress had been made towards a prohibition of radiological weapons and that they were conscious of the value of agreements which headed off possible development of hitherto untried weapons of mass destruction. The two Powers also referred to their progress on the question at the tenth special session of the General Assembly in 1978, and the Assembly included a paragraph in its Final Document⁵ stating that a convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons.

Bilateral talks continued and on 9 July 1979 the Soviet Union and the United States submitted an agreed joint proposal to the Committee on Disarmament.⁶ Several members of the Committee observed that time would be needed for their Governments to examine it, and so it was decided to continue consideration of the agreed joint proposal as soon as possible at the Committee's next annual session.

At the thirty-fourth session of the General Assembly, the proposal was welcomed by many speakers. On 2 November 1979, the USSR and the United States submitted a draft resolution entitled "Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons". The draft resolution, with a small revision, was adopted by the General Assembly without a vote on 11 December 1979, as resolution 34/87 A. By its terms the General Assembly, *inter alia*, requested the Committee on Disarmament to proceed as soon as possible to achieve agreement, through negotiation, on the text of such a convention and to report to the General Assembly on the results achieved for consideration by the Assembly at its thirty-fifth session.

Consideration by the Disarmament Commission, 1980

As in the previous year, there was only passing reference to the subject of radiological weapons in the discussion of the Disarmament Commission. Bulgaria found the progress achieved so far in the prohibition of radiological weapons to be encouraging. The Ukrainian SSR called for the adoption of measures to ban such weapons, and Czechoslovakia and Mongolia considered it to be essential to conclude a general agreement prohibiting the development and manufacture of new types of weapons including radiological weapons.

On 6 June, the Commission adopted by consensus a text entitled "Elements of the Declaration of the 1980s as the Second Disarmament Decade" in which it recommended that all efforts be exerted towards reaching agreement on, *inter alia*, a text of "a treaty on the prohibition of the development, production and use of radiological weapons"⁷

⁵ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4), sect. III, para. 76.

⁶ *Ibid.*, *Thirty-fourth Session, Supplement No. 27* (A/34/27 and Corr.1), appendix III (CD/53 and Corr.1), vol. II, documents CD/31 and CD/32.

⁷ *Ibid.*, *Thirty-fifth Session, Supplement No. 42* (A/35/42), para. 19, sect. C, para. 12 (c).

Consideration by the Committee on Disarmament, 1980

The item on the agenda entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons" was considered by the Committee at various times during the periods 19 February to 4 April and 7 to 16 July.

In their remarks at the beginning of the session several speakers noted that the item had attracted considerable attention in 1979, especially in view of the agreed joint USSR-United States proposal, and that negotiations should be initiated on the text of a convention. Italy felt that the draft deserved careful consideration and was a good example of the right negotiating approach. Poland considered that there should be no difficulty in giving the proposal detailed examination with a view to finalization of a text and submission to the General Assembly. Canada observed that the Committee on Disarmament would have little to claim for its efforts if it did not negotiate what was negotiable and preferred instead to debate the non-negotiable.

The Soviet Union noted that the successful completion in 1979 of the USSR-United States negotiations on the prohibition of radiological weapons had met with a positive response from the international community and there was every possibility of an appropriate agreement being quickly prepared and signed on that basis. The United States stated that a convention on radiological weapons merited the best efforts of the Committee on Disarmament, which was in a position to prevent the development of one category of weapons of mass destruction that would be very difficult to control, could become available on a world-wide scale and could create terrifying dangers. The successful conclusion of such a treaty would be a modest but useful contribution to a safer world.

Australia, Belgium, Czechoslovakia, France, Hungary, Italy and the Netherlands, among others, considered that a working group should be set up to begin negotiations. That proposal received wide support, although several members cautioned that the matter was of less importance than other matters before the Committee. Sweden, and subsequently Egypt, hoped for instance that negotiations would not be at the expense of agreement on priority items on the Committee's agenda.

At its 69th meeting on 17 March 1980, the Committee decided to establish for the duration of the 1980 session an *Ad Hoc* Working Group of the Committee with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. It further decided that the *Ad Hoc* Working Group would report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session. The *Ad Hoc* Working Group, under the chairmanship of the representative of Hungary, held 16 meetings between 24 April and 1 August. Delegates of all States members of the Committee participated and experts from Czechoslovakia, Egypt, France, Indonesia, Romania, Sweden, the USSR, the United States and Yugoslavia provided additional information. As a guide to the order of discussion the *Ad Hoc* Working Group adopted a proposal by the Chairman, namely:

- Definition of radiological weapons;
- Scope of the prohibition;
- Activities and obligations;
- Peaceful uses, relationship to other treaties;
- Compliance and verification;
- The remaining “main elements” (other provisions, amendments, duration and withdrawal, review conference, adherence, entry into force, depositary);
- Preamble.

In carrying out its work the *Ad Hoc* Working Group had before it over 30 documents, working papers and conference papers and held extensive discussions which revealed that, while all delegations were ready to negotiate a treaty, different concepts existed with regard to the approach, priority, role and scope of such a treaty, the definition of radiological weapons and the procedures of verifying compliance, as well as some other areas.

As the detailed discussions within the *Ad Hoc* Working Group progressed, the subject was referred to on several occasions in plenary meetings of the Committee, in which many members expressed the substance of the detailed points being made in the *Ad Hoc* Working Group.

Sweden felt that the dangers posed by possible use of radiological weapons were limited compared to the immensely graver danger from radioactive substances produced by nuclear weapons, particularly those of “dirty” design or excessive yield. Regarding the definition of radiological weapons, Sweden called attention to the use of the term “nuclear explosive device” stressing that, as this term would doubtless be used in a future nuclear test-ban treaty, its use should be consistent. Sweden also observed that the definition did not seem to include the so-called particle-beam weapons and its point was supported by Egypt and Mexico as requiring further consideration. Responding to this point, the Netherlands believed that particle-beam weapons should be dealt with in a separate context, first, because the matters would lead to time-consuming differences of opinion and, secondly, because a radiological weapons convention should not be construed as anything other than an implementation of the ban on the radioactive material weapons referred to in the definition of weapons of mass destruction contained both in the resolution of the Commission for Conventional Armaments of 12 August 1948 and in General Assembly resolution 32/84 B of 12 December 1977.

Commenting on article III of the draft convention, Sweden noted that the deliberate dissemination of radioactive material not produced by a nuclear explosive device would be prohibited if the intention was to cause radiation damage or injury. As deliberate war damage to installations might cause release of dangerous radioactive substances, Sweden considered that a problem existed which should be taken into account in the context of the scope of the convention. Pakistan felt that the scope of the prohibition of radiological weapons should be as broad as possible, and India was of a similar view.

India expressed major reservations in the Committee. Remarking on the impracticality of using radiation produced by radioactive decay for warfare

purposes, India considered the treaty under negotiation to be of limited arms control value. India called for a more precise definition of radiological weapons, and for the phrase "other than a nuclear explosive device" to be deleted as the proposed wording might be interpreted as licensing the use of nuclear explosive weapons. Venezuela proposed that the convention should not refer to radiological weapons, but should concentrate on the prohibition of the use of radioactive materials for military purposes and of radiological methods of warfare. Such a change would remove the implication of legitimizing the use of nuclear weapons and would also bring into the field of the treaty such weapons as the neutron bomb.

Egypt, the Netherlands and Sweden considered that the first review conference should take place not later than five years after entry into force of the treaty, rather than 10 years as proposed. Egypt and Sweden, among others, also expressed concern at the proposed complaints procedure whereby authority to consider complaints would be vested in the Security Council.

The Soviet Union, commenting on the views that had been expressed, noted that whilst there were some proposals related to the prohibition and conduct of radiological warfare which should not give rise to particular difficulty, there were others which altered the basic idea and content of the joint initiative: such proposals, concerning extending the scope of the treaty to aspects unrelated to the prohibition of radiological warfare, were neither realistic nor constructive. In effect, in the Soviet view, the *Ad Hoc* Working Group had been unable even to start detailed work due to the emergence of two fundamentally different approaches to the issue.

India restated its belief that the urgent priority should be given to nuclear weapons and the nuclear arms race. The widest danger of slow death from radiation would be from radioactive fall-out caused by a nuclear war, hence India's objection to the exclusion from the scope of the treaty of radiation from nuclear explosive devices.

All these views were reflected in the report of the *Ad Hoc* Working Group which was presented by the Chairman at the 98th meeting of the Committee on 7 August. Referring to the divergent views that had been expressed, the Chairman stated that more time was needed by delegations to study the various concepts and proposals. The *Ad Hoc* Working Group therefore recommended that at the beginning of its 1981 session the Committee should establish another working group to continue negotiations. The report of the *Ad Hoc* Working Group⁸ was adopted by the Committee at its 100th meeting on 9 August.

Several delegations expressed disappointment that the *Ad Hoc* Working Group had been unable to agree on a text of a draft convention and urged the resumption of the work in 1981. On behalf of the socialist States, Poland remarked on their constructive approach and regretted the failure to work out

⁸ *Ibid.*, Thirty-fifth Session, Supplement No. 27 (A/35/27), para. 61; the original report, as submitted to the Committee, is contained in *ibid.*, Supplement No. 27 (A/35/27), appendix II (CD/139), vol. II, document CD/133.

an agreed text. Sri Lanka, speaking for the group of 21, observed that discussions had revealed certain important differences and expressed the readiness of the group to make all possible efforts to overcome them.

The United States, while welcoming suggestions on how the agreed joint proposal might be improved, was disappointed to see efforts to turn the initiative into something far different from what had been originally envisaged. India felt that in 1981 the search should continue for an appropriate definition which would not result in an exclusion clause for nuclear weapons. Commenting on other specific points, India expressed readiness to participate constructively in negotiations but would insist that its position be adequately taken into account in drafting a final text. The USSR reaffirmed its willingness to continue work in 1981, but observed that, just as it would be wrong to demand unconditional acceptance of the joint USSR-United States draft, it would be equally wrong to demand unconditional acceptance of all the proposals or amendments to that draft.

Thus, having started consideration of the matter in an atmosphere of some optimism, the Committee's deliberations ended without agreement and in a climate of uncertainty. On the other hand, the discussion of the main elements of a treaty was considered by all members to have been useful and after the expression of different positions, the prevailing opinion seemed to be that the work had reached a point at which negotiations on specific texts would be possible. Against this background, the Committee on Disarmament decided to establish, for its 1981 session, a further *ad hoc* working group to continue negotiations on the elaboration of a treaty prohibiting radiological weapons.

Consideration by the General Assembly, 1980

Other than a small number of passing references in plenary meetings, consideration of the question of radiological weapons was pursued in the debate in the First Committee at the thirty-fifth session of the General Assembly where statements were made by 24 members.⁹

The Netherlands, speaking on behalf of the nine members of the European Economic Community, regretted that the *Ad Hoc* Working Group had not been able to make more progress and hoped that work on a radiological weapons treaty could be pursued in the Committee on Disarmament without allowing extraneous or inopportune considerations to delay its finalization.

Venezuela, observing that the *Ad Hoc* Working Group had worked rather intensively, emphasized that it had made firm proposals with the aim of ensuring that the results of negotiations should establish clearly and definitively that radioactive elements would not be used for hostile purposes.

India believed that the characteristics of the category of weapons in

⁹ *Ibid.*, *Thirty-fifth Session, Plenary Meetings*, 4th to 31st and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 5th to 39th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

question should be clearly defined in an objective and positive manner. The definition of radiological weapons contained in the agreed joint proposal put forward by the USSR and the United States should be redrawn to avoid the necessity of an exclusion clause with respect to nuclear weapons which, in effect, indirectly legitimized their use. Ghana was of the view that the convention envisaged should include the prohibition of all types of weapons involving radiation. Indonesia noted that the Committee on Disarmament had recognized the need to avoid any loopholes in the treaty: such a requirement was intended not as a hindrance to the conclusion of the treaty but rather to promote clearly defined objectives. Pakistan felt that the substantive exchange of views in the *Ad Hoc* Working Group had helped to identify certain conceptual differences and problems.

Several delegations urged the Committee on Disarmament to finish its work on the matter in 1981. The USSR did not see any reason why the work could not be completed in the very near future. Bulgaria considered that the obligatory prerequisites for the final conclusion of a treaty were at hand and the Committee on Disarmament should avail itself of the opportunity without delay. Kenya looked forward to a more concerted effort, Finland hoped that negotiations could be completed in 1981, and similar views were expressed by the Byelorussian SSR, France, the German Democratic Republic, Mongolia and Somalia.

The representative of Hungary, who had been Chairman of the *Ad Hoc* Working Group, regretted the Committee on Disarmament's failure to elaborate a treaty text despite the expectation of many delegations. Even so, he said, the consideration of the main elements had been useful, and Hungary believed that the First Committee should encourage the completion of further negotiations by the adoption of an appropriate resolution.

On 19 November Hungary introduced a draft resolution entitled "Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons." In introducing the draft resolution, the representative of Hungary noted that whilst the results of the *Ad Hoc* Working Group might be considered very meagre, every member of that Group had felt that the discussion of the main elements of a treaty had been useful. Many proposals and amendments had been put forward and it seemed that the *Ad Hoc* Working Group had reached the stage at which negotiations on a firm text could be possible.

On 21 November India orally proposed an amendment to operative paragraph I to the effect that the Committee on Disarmament should "continue negotiations with a view to elaborating a treaty", rather than "complete without delay the elaboration of a treaty" as originally drafted. Having discussed this proposed amendment with several delegations, India believed that the draft resolution so amended would be adopted by consensus. Hungary, although expressing a preference for the original text, accepted the proposed amendment.

At its 39th meeting on 21 November, the First Committee adopted the draft resolution, as amended, without a vote.

The representative of Venezuela stated that, although joining the con-

sensus, his country had certain reservations. In Venezuela's view, the convention should not refer to "radiological weapons" since no such specific type of weapon existed, but rather to the prohibition of the use of radioactive material for military purposes, and the prohibition of radiological means of warfare or of means of radiological warfare. Venezuela would continue to participate in the *Ad Hoc* Working Group in the hope that the differing views might be reconciled and the best possible results thus be achieved.

The General Assembly adopted the draft resolution on 12 December 1980 as resolution 35/156 G, without a vote. The resolution reads as follows:

The General Assembly,

Recalling the resolution of the Commission for Conventional Armaments of 12 August 1948, which defined weapons of mass destruction to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or the other weapons mentioned above,

Recalling its resolution 2602 C (XXIV) of 16 December 1969,

Recalling paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly, in which it is stated that a convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons,

Reaffirming its resolution 34/87 A of 11 December 1979 on the conclusion of such a convention,

Convinced that such a convention would serve to spare mankind the potential dangers of the use of radiological weapons and thereby contribute to strengthening peace and averting the threat of war,

Expressing its satisfaction that negotiations on the conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons have begun in the Committee on Disarmament,

Taking note of that part of the report of the Committee on Disarmament which deals with those negotiations, including the report of the *Ad Hoc* Working Group,

Noting with satisfaction the wide recognition of the need to reach agreement on the text of a treaty prohibiting radiological weapons,

1. *Calls upon* the Committee on Disarmament to continue negotiations with a view to elaborating a treaty prohibiting the development, production, stockpiling and use of radiological weapons and to report on the results to the General Assembly at its thirty-sixth session;

2. *Notes*, in this connexion, the recommendation of the *Ad Hoc* Working Group, in the report adopted by the Committee on Disarmament, to set up at the beginning of its session to be held in 1981 a further *ad hoc* working group, under an appropriate mandate to be determined at that time, to continue negotiations on the elaboration of a treaty prohibiting radiological weapons;

3. *Requests* the Secretary-General to transmit to the Committee on Disarmament all documents relating to the discussion by the General Assembly at its thirty-fifth session of the prohibition of the development, production, stockpiling and use of radiological weapons;

4. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Prohibition of the development, production, stockpiling and use of radiological weapons"

Conclusion

After the initial optimism that the Committee on Disarmament might be able to achieve success in elaborating a treaty text on the basis of the agreed joint

proposal put forward in 1979 by the Soviet Union and the United States, there was a certain amount of disappointment when difficulties were encountered. Several nations expressed major dissatisfaction with the scope and other aspects of the agreed joint proposal and some introduced new elements with the intention of making a treaty prohibiting radiological weapons serve a broader purpose than the two Powers had envisaged. These suggestions revealed fundamental divergencies of view which might not easily be resolved. However, there was recognition that detailed discussion within the Committee on Disarmament had been useful in revealing some differences in concept and it is hoped that further consideration will lead to a satisfactory outcome before the second special session of the General Assembly devoted to disarmament.

United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Introduction

THE QUESTION OF PROHIBITIONS OR RESTRICTIONS of the use of certain conventional weapons that may be deemed to be excessively injurious or to have indiscriminate effects has, over the years, been considered by the international community under the aegis of the United Nations, the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, and the International Committee of the Red Cross (ICRC).¹

In 1977, on the basis of a recommendation of the Diplomatic Conference, the General Assembly decided to convene a United Nations conference in 1979, with a view to reaching agreements on prohibitions or restrictions of the use of such conventional weapons. To that end, the Assembly decided to convene a preparatory conference of all States and parties which had been invited to attend the Diplomatic Conference, for the proposed United Nations Conference.

The Preparatory Conference met twice in Geneva, from 28 August to 15 September 1978 and from 19 March to 12 April 1979.² With regard to organizational matters, it approved the provisional agenda and rules of procedure for the United Nations Conference, although the provisional rules of procedure did not include rules concerning decision-making since the Preparatory Conference had been unable to reach agreement on that question. Regarding substantive matters, the Conference had before it a number of proposals on land-mines and other devices, incendiary weapons, small-

¹ For a brief review of early initiatives and considerations, see *The United Nations Disarmament Yearbook*, vol. 3: 1978 (United Nations publication, Sales No. E.79.IX.2 or 3), chap. XIX; for a more detailed account, see *The United Nations and Disarmament: 1970-1975* (United Nations publication, Sales No. E.76.IX.1), chap. X.

² For details, see *The United Nations Disarmament Yearbook*, vol. 3: 1978, chap. XIX, and vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), chap. XVIII.

calibre weapon systems, non-detectable fragments, fuel-air explosives, anti-personnel fragmentation weapons and flechettes, as well as an outline of a general treaty to which optional protocols or clauses embodying agreed prohibitions or restrictions of the use of specific weapons would be attached. In the course of its two sessions, the Conference reached unanimous agreement on a draft proposal on non-detectable fragments, that is, fragments which in the human body escape detection by X-ray. A proposal on the regulation of the use of land-mines and other devices resulted in general agreement on the scope of application but some areas of disagreement remained on specific provisions such as those regulating the use of remotely delivered mines. Regarding incendiary weapons, despite an extensive exchange of views covering the various proposals and suggestions put forward, the question of the scope of application remained open. With regard to small-calibre weapon systems, an informal exchange of views revealed numerous differences in positions on technical matters but it was agreed that further discussions would be useful. Because of insufficient time, matters concerning fuel-air explosives, anti-personnel fragmentation weapons and flechettes were discussed only in the course of the general debate in plenary meetings. The Preparatory Conference, however, agreed that those subjects should be studied further nationally, so that consideration on them could begin at the main Conference. The Preparatory Conference also initiated discussion on the proposal for a general treaty. There was a general feeling that an umbrella treaty would be necessary, although it was noted that the structure and contents of such a treaty would depend on the number and scope of the prohibitions or restrictions that might be agreed upon for specific categories of weapons. The Preparatory Conference recommended that this question be taken up as early as possible by a subsidiary organ of the main Conference.

The United Nations Conference was convened at Geneva from 10 to 28 September 1979.³ It was attended by 82 States and a number of observers. The Conference had before it the report of the Preparatory Conference which contained appropriate recommendations concerning both organizational and substantive matters. The Conference adopted its provisional agenda and rules of procedure as recommended by the Preparatory Conference. Regarding the organization of its work, the United Nations Conference decided to assign to its Committee of the Whole the consideration of all substantive proposals on various categories of weapons, which were contained in the Preparatory Conference's report. The Committee, in turn, established two working groups: the Working Group on Land-mines and Booby-traps which considered draft articles for a protocol on the regulation of the use of land-mines and other devices as proposed by the Preparatory Conference, and the Working Group on Incendiary Weapons, which considered the report of the Preparatory Conference's Drafting Group on Incendiary Weapons, as well as the proposals submitted on the subject. In addition, the Conference at a plenary meeting established a Conference Working Group on a General Treaty, which was given the task of preparing the text of a convention to which op-

³ *Ibid.*, vol. 4: 1979, chap. XVIII.

tional protocols or clauses would be attached embodying prohibitions and restrictions of the use of specific weapons upon which agreement might be reached.

After intensive deliberations and negotiations, considerable progress was made in most areas under consideration. Nevertheless, a number of important issues in each category of weapons as well as with regard to a convention remained unsettled. In addition, the Conference did not have sufficient time to consider the remaining types of weapons on its agenda, such as fuel-air explosives and anti-personnel fragmentation weapons. With regard to small-calibre weapon systems, the Conference adopted a resolution which, *inter alia*, invited Governments to carry out further research on the wounding effects of small-calibre weapon systems and appealed to them to exercise the utmost care in the development of such systems, so as to avoid an unnecessary escalation of the injurious effects of such systems.

It was generally felt that, given additional time, the Conference could have worked out agreements on the unresolved questions. Consequently, the Conference decided to recommend to the General Assembly that it convene for another session of up to four weeks, starting on 15 September 1980 in Geneva, with the understanding that the issues on which agreement had already been achieved should not be reopened and that there should not be another general debate.

The General Assembly, by its resolution 34/82 of 11 December 1979, took note of the report of the Conference and endorsed its recommendation to hold another session with a view to completing its work.

The United Nations Conference, 1980 session

A. Organization of the Conference

The Conference resumed its work on 15 September and was attended by 76 States and a number of observers.⁴ The officers elected at the 1979 session,

⁴ The following States participated: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian SSR, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jórdan, Kenya, Libyan Arab Jamahiriya, Luxembourg, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Somalia, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukrainian SSR, USSR, United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire and Zambia.

Among observers there were two national liberation movements: the Palestine Liberation Organization (PLO) and the Pan African Congress of Azania (South Africa). Representatives of the International Committee of the Red Cross (ICRC), the Sovereign Military Order of Malta, the League of Red Cross Societies and of a number of other non-governmental organizations also attended.

with two exceptions, continued to serve in the same capacities at the 1980 session.⁵

Pursuant to the prior understanding regarding continuation of substantive work, the Conference, at the opening meeting, requested its Working Group on a General Treaty and the Committee of the Whole to resume negotiations immediately with a view to reaching agreement on the remaining outstanding issues.

B. Work of the Conference

CONFERENCE WORKING GROUP ON A GENERAL TREATY

The Working Group, chaired by Mexico, had before it an outline of a draft convention,⁶ which had emerged from its deliberations during the first session, as well as a number of informal papers regarding the question of amendments and additional rules.⁷ Many preambular paragraphs of the outline and several articles on which agreement had not been reached were placed in or contained brackets indicating tentative or alternative formulations. The most important outstanding issues in the preamble concerned references to the right to fight for national liberation, the special responsibility of certain categories of military Powers to become parties, and the role of the Committee on Disarmament with regard to adoption of further measures and broadening of the scope of agreements that might be reached at the Conference. With regard to the articles, differences persisted in connexion with provisions on the scope of application, review and amendments, and entry into force.

With regard to the preambular paragraph which referred to "the right of colonial and dependent peoples to fight for their national liberation", several delegations, notably the Federal Republic of Germany and the United States, argued that it was inappropriate to mention the right to fight a war (*jus ad bellum*). They would have no objections, however, to a reference to the right of self-determination which would not explicitly mention "the right to fight". Ghana and Nigeria, on the other hand, felt that some expression of the right to fight for self-determination was desirable.

⁵ Ambassador Oluyemi Adeniji of Nigeria as the President of the Conference; representatives of Argentina (replacing Jamaica, which did not participate in the second session), Colombia, Egypt, India, Indonesia, Mexico, Sweden, the USSR, the United States, Yugoslavia and Zaire as Vice-Presidents; representatives of Bulgaria and Pakistan as Chairmen of the Committee of the Whole and the Drafting Committee, respectively; and the representative of the Netherlands as Rapporteur of the Conference. The Credentials Committee continued to be chaired by Morocco and to be composed of the representatives of Ecuador, Poland, Syrian Arab Republic and the United States. The Drafting Committee continued to be chaired by Pakistan and, with one exception, was composed of the same members: Argentina (filling the vacancy left by Peru), Brazil, France, German Democratic Republic, Hungary, Kenya, Philippines, Spain and Sudan.

⁶ A/CONF. 95/8, annex II, appendix A.

⁷ *Ibid.*, appendices B and C.

Similar differences in approach also emerged in connexion with another preambular paragraph which was designed to express the conviction of States parties that the convention and attached protocols could not be construed as legitimizing or authorizing any act of aggression or any other use of force inconsistent with the Charter of the United Nations. A number of African countries felt that, in addition to acts of aggression and use of force, this principle should also cover colonial domination and racial oppression. Western countries, however, were of the opinion that it was self-evident that humanitarian rules regulating the conduct of warfare could not have any bearing on legitimizing the use of force inconsistent with the Charter. In addition, they argued that the terms "colonial domination" and "racial oppression" did not always amount to use of force as understood in the Charter. For those reasons they proposed that both preambular paragraphs be deleted.

After prolonged negotiations and informal exchanges, agreement was reached among all concerned to delete the two draft preambular paragraphs, a solution which was facilitated because the proponents of those paragraphs found the articles on the scope of application to be formulated to their satisfaction.

The other contentious issue was whether or not special emphasis should be given to participation in the convention of certain categories of military Powers. In that connexion, two main viewpoints were voiced: that of China, which stated "The two States with the largest conventional arsenals have a special responsibility in the prohibitions or restrictions of use of specific conventional weapons"⁸ and that of the Ukrainian SSR and Hungary, which pointed out that "above all, major military Powers should participate in the Convention"⁹ Although many States supported one or the other proposal, the solution agreed upon struck a compromise between the two views by pointing to all States, but at the same time singling out the militarily significant States as having what could be considered a moral obligation to become parties to the convention.

There was a prolonged debate of yet another preambular paragraph, proposed by the German Democratic Republic¹⁰ and strongly supported by other socialist countries and France, designed to recognize the role which the Committee on Disarmament, as the only multilateral negotiating organ, could play in effecting further measures aimed at broadening the scope of the prohibitions to be contained in the convention. There was no opposition in principle to the proposal, but many States preferred to withhold their support until the question of the follow-up mechanism was resolved. In their opinion, the Committee on Disarmament was within its rights to take up any question it deemed appropriate, including the question of specific conventional weapons, but it should not be employed as an integral part of the follow-up procedure set up by the convention. Moreover, a number of non-

⁸ See A/CONF.95/WG/L.8.

⁹ See A/CONF.95/WG/L.4 and Add.1.

¹⁰ See A/CONF.95/WG/L.5.

aligned countries, particularly Yugoslavia, felt that the role of the General Assembly and its subsidiary bodies, under whose auspices the Conference was being held, should be recognized in regard to the future consideration of specific weapons. The entire problem was successfully resolved in the context of the question of the follow-up.

The question of the scope of the convention was also the subject of lengthy negotiations. Throughout the Conference two viewpoints were maintained. One group of States, mainly Western,¹¹ considered that the convention should apply to armed conflicts between States, that is, to the situations covered by article 2 of the relevant Geneva Convention.¹² The other group, which included all non-aligned and socialist States, held that the convention should also apply to wars of national liberation, that is, to the situations regulated under article 1, paragraph 4, of Additional Protocol I to the Geneva Conventions. They argued that the scope of application which they proposed coincided with the scope specified in that Protocol.¹³ Thus, a more restricted scope of application in the present convention would not only fail to uphold the recent updating of the law of the Geneva Conventions, it would also be contrary to present-day political realities. That view was eventually accepted by consensus, although certain conditions were elaborated for the application of the convention and annexed protocols to wars of national liberation. Those conditions are contained in article 7 dealing with treaty relations upon entry into force of the convention.

With regard to review and amendments, there was no single negotiating text. The Conference Working Group had before it five different drafts that had been put forward in the course of informal consultations at the previous session, of which one was co-sponsored and submitted as a formal proposal by a group of States at the end of that session.¹⁴ The question of a follow-up gained added importance when it became obvious that only a few agreements of a rather limited scope were likely to be concluded at the Conference. It was argued by an overwhelming number of States that efforts to prohibit or restrict the use of these weapons should therefore continue, either by way of amendments to rules which might be agreed upon at the Conference or by the adoption of new rules for other categories of weapons on which agreement might not be reached or which might not be considered at the current Conference. Throughout the Conference those two aspects of the follow-up—amendments and new rules—were considered in close conjunc-

¹¹ See A/CONF.95/WG/L.1.

¹² See the Geneva Conventions of 12 August 1949 on the protection of victims of war: see United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

¹³ See the report of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1977, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I).

¹⁴ A/CONF.95/8, annex II, appendix B (part 1 submitted by Austria, Canada, Denmark, Finland, Ireland, Mexico, Netherlands, Norway, Sweden and Switzerland; part 2 submitted by France; part 3 submitted by Bulgaria, German Democratic Republic and Poland; part 4 submitted by USSR; part 5 submitted by United Kingdom), and appendix C (the formal proposal) (submitted by Australia, Canada, Denmark, Germany, Federal Republic of, Ireland, Netherlands, Norway, Spain, Sudan, Sweden, United Kingdom and United States).

tion in an attempt to devise a procedure which would encompass both. To some extent that complicated negotiations, since the question of amendments was the easier to resolve.

With regard to amendments, for instance, general agreement had already been reached on several points. First, only States parties should be able to initiate proposals and, with regard to an annexed protocol, only States parties bound by that protocol. Secondly, any proposal for an amendment should be communicated to the depositary, who should notify all States parties and seek their views on whether a conference should be convened to consider the proposal. Thirdly, amendments should be adopted and should enter into force in the same manner as the convention, provided that amendments to the convention might be adopted only by the States parties and that amendments to a specific protocol might be adopted only by States parties which were bound by that protocol.

A few issues, however, remained unresolved. In the first place, there was no agreement as to the time when amendments could be proposed. Two informal papers (parts 1 and 4 referred to in foot-note 14) suggested the formula "at any time after the the entry into force" Such a formula was also implicit in another informal paper (part 3) and in the formal proposal (appendix C). A third informal paper (part 2) suggested the following: "After this Convention has been in force for ___ years, any State Party may at any time propose amendments". Also, there was no agreement concerning the convening of a conference on the question. Different views were expressed as to the number of positive replies required from the States parties, varying from one third (part 1) to two thirds (part 4). Nor was there agreement regarding States which should be invited to such a conference. The following proposals were made: "all States" (parts 1 and 4), "all States parties" (part 2) and "all the signatories" (part 3).

As to new rules, the differences in approach were much greater. There was a general agreement only in principle on the need to provide for a mechanism for the consideration of new rules. Concerning practical aspects of such a procedure, various proposals were put forward: (a) convening periodic conferences to consider new rules; (b) entrusting the Committee on Disarmament with the task of negotiating new rules; (c) convening periodic conferences which would review existing rules, consider amendments and elaborate new rules; and (d) entrusting the Committee on Disarmament with a role in the negotiation of new rules, although the possibility would exist for convening a conference to negotiate such rules—such a conference, if convened, would take into account the work of the Committee but its convening would not depend on prior agreement in the Committee.

For the most part, the debate on new rules centered on the role of the Committee on Disarmament. Proponents of the proposal to entrust the Committee with that task argued that it might be desirable to consider proposals for new rules, which the Committee on Disarmament could easily do, even before the entry into force of the convention. In addition, they emphasized that the consensus rule—the method of work of the Committee on Disarmament—would provide guarantees, when negotiating new rules, that

the security interests of States involved in the negotiations would be properly taken into account. In that context, they suggested that the Committee on Disarmament could function as an open-ended or universal negotiating forum which, pursuant to its rules of procedure, could admit all States that wished to participate in the deliberations.

Proponents of the proposal for a separate conference, which included a number of non-aligned, neutral and Western States, argued that involvement of the Committee on Disarmament in the negotiation of such matters would unduly lengthen its already overburdened agenda, thus giving little cause to believe that any work on specific conventional weapons would be carried out in the Committee in the foreseeable future. In addition, States not members of the Committee would not be assured of negotiations on equal terms since non-members, under rule 33 of the Committee's rules of procedure, may only "participate in discussions" of their own proposals or working documents and, under rule 34, "express views in the Committee" when their particular concerns were under discussion. Finally, these States argued that the formal and unqualified rule of "factual consensus" that the Committee on Disarmament worked with, although not spelt out in its rules of procedure, would not be desirable in matters of humanitarian law.

The unresolved issues pertaining to the question of new rules were the subject of intense informal consultations which were pursued by the Chairman of the Working Group and eventually resulted in a compromise solution. Thus, agreement was reached, on the one hand, to establish an independent follow-up system encompassing the procedures for the consideration of amendments, new rules and review of the scope and operation of the convention and its annexed protocols, and, on the other, to recognize that other organs, including the Committee on Disarmament, could play an independent role in furthering the objective of prohibiting or restricting the use of certain conventional weapons.

The problem of the follow-up was considered in close conjunction with the question of entry into force of the convention, since the latter was, under all proposals, to be of decisive importance for the initiation of the follow-up procedure. Apart from follow-up, the whole question of the entry into force was considered from the practical point of view. A number of States, particularly Mexico, strongly held that, given the humanitarian nature of the convention and its protocols, the number of instruments for their entry into force should be as low as possible, for instance between two and five, so that it could be effected at an early date. Some other States, such as the United States, felt that a much larger number of deposits, say 40, would be preferable since that would ensure a wider implementation and, consequently, a greater credibility of the instruments concerned. Still other States, notably Mongolia, maintained that, whatever the number of instruments required for entry into force, those of the permanent members of the Security Council should be required. The proponents of that viewpoint, however, did not insist on it in the final stages of the negotiations, which greatly facilitated reconciliation of the other two positions once the principles of the follow-up procedure had been agreed upon.

Apart from unresolved issues, the Working Group also considered additional new provisions. Thus, it adopted a new draft article prepared by Morocco on dissemination of the convention and its annexed protocols.¹⁵ On the basis of the proposal submitted by the Netherlands,¹⁶ the Working Group also elaborated a new draft article on treaty relations upon entry into force of the convention which replaced a draft article on provisional application of the rules contained in the protocols that the Netherlands had proposed earlier. In this connexion, it suggested that the new proposal be dealt with in a resolution to be adopted by the Conference.¹⁷

Having resolved all outstanding issues, the Conference Working Group on a General Treaty submitted its report¹⁸ to the Conference which approved it at its 11th plenary meeting, on 10 October. The report contained the complete text of a draft convention.

COMMITTEE OF THE WHOLE

The Committee of the Whole, at its first meeting of the 1980 session, instructed its Working Group on Land-mines and Booby-traps and its Working Group on Incendiary Weapons to proceed with negotiations and, in due time, report back to it on the progress achieved.

The Working Group on Land-mines and Booby-traps, chaired by the Rapporteur, had before it a draft protocol in which almost all substantive provisions had already been agreed upon.¹⁹ They included: scope of application; definitions; general restrictions; protection of United Nations personnel on peace-keeping, observation, fact-finding or similar functions; and international co-operation in the removal of land-mines and booby-traps. Only two issues remained unresolved: the question of making available to an occupying adverse party the details of the location of such weapons, and that of the restriction of the use of remotely delivered mines.

The question of disclosure of information on the location of minefields, mines and booby-traps to an adversary came up in connexion with the formulation of a general rule on the recording and publication of the location of such weapons. There was early agreement that the parties to a conflict should record all pre-planned minefields and areas in which large-scale and pre-planned use of booby-traps had been made, as well as endeavour to ensure the recording of the location of all other weapons in those categories which they had laid or placed in position. The disagreements, however, arose in connexion with the provisions of the rule on the disclosure of the records. According to the original Western proposal, the disclosure would take place "after the cessation of active hostilities" and would apply not only to situations where no territorial changes had been effected, but also to

¹⁵ A/CONF.95/WG/L.14/Rev.1.

¹⁶ A/CONF.95/WG/L.11.

¹⁷ A/CONF.95/WG/L.12.

¹⁸ A/CONF.95/9 and Add.1.

¹⁹ A/CONF.95/8, annex I, appendix A.

the situations where parts of the territory of a State party had been placed under the occupation or control of an adversary State party. More specifically, under the proposal, the occupying force would not be required to disclose the location of the weapons laid or placed by it on the territory of an adversary which it had subjected to its control or occupation, while the occupied State party would be under the obligation to disclose the information regarding its own territory over which it no longer exercised effective control. The thinking behind the proposal was that it would facilitate the protection by the occupied party of its own population, since the occupying force would in any case remain bound by the general rules on the protection of the civilian population with regard to the effects of its own weapons.

A number of States strongly opposed the foregoing proposal for two basic reasons. First, the rule in their opinion entailed a mandatory requirement for those situations in which the only defensive means counterbalancing foreign occupation of one's own territory would consist of the minefields, mines and booby-traps remaining in the territory occupied by the adverse party. Secondly, compliance with the rule by the occupied party might be interpreted as its acceptance of the *de facto* occupation and of a permanent cessation of hostilities. That would have unacceptable consequences, particularly for those States whose constitutions did not recognize the cessation of active hostilities as long as foreign occupation of their territory existed. In defending the proposal, its proponents pointed to the inherent dangers for one's own civilians in territory occupied by the adversary party. They also argued that it was illogical to continue mine warfare after the effective cessation of hostilities and that humanitarian concerns strongly dictated disclosure of the location of mines at that time.

After prolonged negotiations and informal consultations led by the Chairman of the Working Group, a compromise solution was finally reached. In effect, the rules provided that the disclosure of information would be mandatory only in cases where the forces of neither party were in the territory of the adverse party, or once complete withdrawal of the forces of the parties from the territory of the adverse party had taken place. In the latter case, however, the disclosure of information could be arranged even before the withdrawal of the forces by mutual agreement between the parties concerned, in other words, on a voluntary basis.

In respect of the use of remotely delivered mines, that is mines delivered by artillery, rockets, mortar or similar means, discussion centered on whether their use should be restricted or should be prohibited altogether. The proponents of restrictions—most Western States—argued that in view of the definitive military advantages of the weapons in question, their use should be strictly regulated rather than completely prohibited. They felt that various technical means, such as effective neutralizing mechanisms, could substantially eliminate the danger of their indiscriminate use by which civilian populations would be affected. Those which advocated complete prohibition of remotely delivered mines—most of the non-aligned and neutral countries and, in particular, Yugoslavia—held, on the one hand, that the weapons in question would give advantage only to militarily advanced States

and, on the other, that the proposed restrictions for their use were not stringent enough. They pointed out, for instance, that the two proposed conditions for the use of remotely delivered mines were optional rather than mandatory. In other words, if they were to accept the proposed restrictions, they would prefer to use, in the enumeration of the conditions, the conjunction "and" instead of "or" as advocated by the Western States, so that the use of remotely delivered mines would be prohibited unless (a) their location could be accurately recorded, and (b) each such mine were fitted with an effective neutralizing mechanism. The protracted negotiations, however, did not produce any new solution. Instead, the proponents of complete prohibition agreed to accept the original proposal. Their decision was very much facilitated by the resolution of a number of other outstanding issues in the draft convention and protocols, on many of which their viewpoints were accepted by the Conference.

In the course of its deliberations, the Working Group, on the basis of the proposal submitted by Morocco,²⁰ also adopted technical guidelines on the means and methods of recording the location of minefields, mines and booby-traps.

The report of the Working Group was adopted unanimously at its final meeting, on 2 October, on the understanding that certain interpretations regarding articles on recording and publication of the location of minefields, mines and booby-traps, on remotely delivered mines, and on international co-operation in the removal of minefields, mines and booby-traps, should constitute an integral part of the records of the Conference. The Committee of the Whole adopted the report of the Working Group²¹ at its 14th meeting, on 3 October. The report contained the complete text of a draft protocol.

The Working Group on Incendiary Weapons, chaired by the German Democratic Republic, had before it a draft protocol which had emerged from its deliberations during the 1979 session of the Conference. The key provisions of the draft were, however, placed in brackets since agreement on them could not be reached.²² The Group also had before it two separate draft protocols dating from the 1979 session, one submitted by Austria, Egypt, Ghana, Jamaica, Mexico, Romania, Sweden, Switzerland, Venezuela, Yugoslavia and Zaire²³ and the other one by Australia and the Netherlands,²⁴ as well as several proposals regarding the protection of combatants submitted, respectively, by the Soviet Union, Indonesia, Nigeria and Jordan.²⁵

The draft protocol consisted of two sections, one covering the definitions and the other setting the rules. The section on the definitions, except for two important issues, had been agreed upon. It defined the terms such as "incendiary weapons", "concentration of civilians", "military objective",

²⁰ *Ibid.*, appendix B, attachment 2, part A.

²¹ A/CONF.95/CW/7.

²² A/CONF.95/8, annex I, appendix C, attachment 1.

²³ *Ibid.*, appendix D, part A.

²⁴ *Ibid.*, part B.

²⁵ *Ibid.*, appendix C, attachment 2, parts A, B, C and D.

“civilian objects” and “feasible precautions”. The two outstanding issues concerned exceptions to the definition of incendiary weapons and the definition of “flame weapons”

In the section on the rules, disagreement existed, first, on whether the protocol should provide for the protection of both civilians and combatants or of civilians only and, secondly, on what should be the scope of the protection of civilians. Concerning the first question, the non-aligned, neutral and Eastern European States held that some protection should be given to combatants, while a number of Western States refused to negotiate on the question since, in their opinion, it was outside the terms of reference of the Conference. They argued that the matter had already been dealt with in the context of the general rules on the protection of combatants contained in the rules of international law applicable in armed conflicts. Concerning the second question—the scope of the protection of civilians—the draft already contained a rule, reaffirming existing international law applicable in armed conflicts, to the effect that the civilian population as such could not be made the object of attack by incendiary weapons. Agreement had also been reached in principle that there should be increased protection of civilians against attacks directed against military objectives located within a concentration of civilians. Disagreement existed, however, as to the extent of the protection. The proposals that had been put forward in respect of the rule governing attacks on military objectives located within a concentration of civilians ranged from those prohibiting the use of “all incendiary weapons” and “air-delivered incendiary weapons” to those limited to “air-delivered flame weapons”

In the course of the deliberations of the Working Group, agreement was reaffirmed on the definition of “incendiary weapons”, although the question of exceptions to the definition continued to be intensely debated. In principle, there was no disagreement that munitions which may have incidental incendiary effects as well as munitions which rely for their principal effect upon fragmentation, penetration or blast and had secondarily an incendiary effect should be excluded from the definition. Several States, however, notably the United States, felt that the latter exception as defined in the draft was technically ambiguous and therefore proposed orally that the weapons to be exempted should be defined as “munitions which produce fragmentation, penetration or blast effects, and which also produce incendiary effects”. A number of other States, while admitting that the text as originally proposed could be improved, felt strongly that the new formulation would adversely affect the objective of strengthening the protection of civilian populations since, in their opinion, it in fact broadened the scope of the exceptions. One State, Mexico, reiterated its preference for the elimination of the subparagraph on the grounds that it referred to munitions that were in fact incendiary weapons and thus were included in the definition of those weapons. After intensive informal consultations with the participation of a considerable number of States, a consensus text was elaborated which both eliminated ambiguities and dispelled the doubt that had been raised during the deliberations by including in the text a number of specific examples of munitions

with combined effects as not being covered by the definition of incendiary weapons.

There was very little discussion on the definition of "flame weapons" because the need for such a definition depended on the rules. For that reason the three options which had been under consideration at the first session of the Conference remained in brackets. Two of them defined flame weapons with reference to napalm only. The third was a revised version of the proposal submitted by Argentina and was much broader since it covered new flame-producing agents such as hydrocarbons and organometallic substances, and mentioned napalm only as an example of flame weapons. In the course of the work of the Working Group, two new proposals were submitted, one by Morocco²⁶ and the other by the Soviet Union.²⁷ The definitions, similar in content, were broader than the one defining "flame weapons" with reference to napalm, but less elaborate in respect of what should be included under the term "flame-producing" agent or chemical. The entire question of "flame weapons" was eventually resolved when a compromise was reached on the rules, which avoided the requirement for a definition, so that it was dropped from the draft.

As to the rules, in both formal and informal discussions, it became apparent, because of the complex nature of the question, which included matters of national security, that agreement on the protection of combatants would not for the time being be reached. Proponents of the proposal made it clear, however, that their readiness to defer the entire issue would very much depend on the rules concerning the protection of civilians and civilian objects and on the solution of the question of a follow-up mechanism. Consequently, the Working Group concentrated much of its efforts on resolving the main outstanding issue regarding civilians and civilian objects—the scope of their protection. The differences in approach persisted until the end of the Conference.

The United States, supported by several Western States, maintained that the rule concerning attacks on military objectives located within a concentration of civilians should provide for the prohibition of the use of air-delivered flame weapons. In its opinion, such a prohibition would satisfy the main concern of the public about the indiscriminate use of incendiary weapons, since other incendiary weapons could be used effectively in the same circumstances without indiscriminate effects. That view was opposed by non-aligned and neutral States which felt that, in order to provide greater protection to the civilian population, the rule should ban the use of all incendiary weapons against military objectives located within a concentration of civilians, or at least ban the use of air-delivered incendiary weapons. Eastern European States, for their part, were of the opinion that it was more realistic currently to aim at the prohibition of air-delivered weapons, either flame or incendiary.

The breakthrough occurred only towards the end of the Conference

²⁶ A/CONF.95/CW/WG.2/L.2.

²⁷ A/CONF.95/CW/6, annex, attachment 1.

when the United States announced that it would be ready to agree on the prohibition of the use of all air-delivered incendiary weapons. That became the consensus solution which made unnecessary the definition of "flame weapons", so that that problem was resolved too. At the same time, the proponents of the proposals for the protection of combatants decided not to press that issue any longer. Their decision was greatly facilitated by the progress made in the negotiations on the follow-up mechanism conducted in the Conference Working Group on a General Treaty. Under the circumstances, Mexico also decided not to insist on its own proposal for complete prohibition of the use of incendiary weapons against civilians, civilian objects and combatants.

On the basis of a proposal of the Soviet Union²⁸ made in the course of the work of the Working Group, the rules on the protection of civilians and civilian objects were supplemented by an additional rule on the protection of forests or other kinds of plant cover.

The Working Group unanimously adopted its report²⁹ at its final meeting, on 7 October, on the understanding that an interpretative statement regarding the provision in the draft protocol on the exceptions from the definition of incendiary weapons should constitute an integral part of the records of the Conference. The Committee of the Whole adopted the report of the Working Group at its 15th meeting, on 8 October. The report contained the complete text of a draft protocol on incendiary weapons.

Besides directing the work of its two Working Groups—on land-mines and booby-traps and on incendiary weapons—the Committee of the Whole gave some consideration to questions concerning small-calibre weapon systems. On the basis of a working paper, introduced by Sweden,³⁰ informal consultations took place among interested delegations on that matter, the results of which were submitted to the Committee of the Whole. They indicated not only where differences continued, but also where a common understanding on technical issues had been reached. A summary of the technical consultations in the informal working group on small-calibre weapon systems³¹ was presented by Sweden. The summary points out that the purpose of the consultations was to provide for technical discussion and exchange of views on the question of small-calibre weapon systems but without seeking to reach agreement on a specific text. Referring to substantive issues, the summary states: "The philosophy on which the previous working group was based was the concept of relating wounding to energy transfer. This idea seemed potentially promising to some delegations, whereas others expressed reservations or confined their comments to the discussion of technical issues. These discussions sought to add to or clarify information available since the last group met."

Concerning the questions of fuel-air explosives, anti-personnel

²⁸ A/CONF.95/CW/WG.2/L.3.

²⁹ A/CONF.95/CW/6 and Add.1 and Corr.1.

³⁰ A/CONF.95/CW/5.

³¹ A/CONF.95/CW/8.

fragmentation weapons and flechettes, the Committee did not have time for their consideration and consequently no agreement could be reached in those areas. Many States felt, however, that those questions could be taken up in due time in the context of the follow-up mechanism provided for in the convention.

The Committee of the Whole concluded its work on 9 October by unanimously adopting its report to the Conference.³²

PLENARY MEETINGS

During its 1980 session the Conference held only four plenary meetings.³³ At its 11th meeting, on 10 October, it approved the reports of the Conference Working Group on a General Treaty and of the Committee of the Whole, and at its 12th meeting, on 10 October, the report of the Drafting Committee, subject to an amendment of the title of the convention.

The Conference also had before it a number of draft resolutions on various issues under consideration which, due to lack of time, it did not discuss.³⁴

The draft resolutions were:

- (a) On regional agreements, submitted by Belgium, Ireland and the Netherlands;
- (b) On the protection of civilian population and freedom fighters during wars against colonial domination and against racist régimes, submitted by Cuba, Hungary, Poland, the Ukrainian SSR and Viet Nam;
- (c) On the role of a world disarmament conference in the future negotiations on prohibitions or restrictions of use of certain conventional weapons, submitted by Bulgaria, the German Democratic Republic, Mongolia, the Ukrainian SSR and the USSR;
- (d) On the protection of combatants against incendiary weapons, submitted by Denmark, Finland, Norway and Sweden;
- (e) On future work, submitted by Egypt, Ireland, Mexico, Sweden, Switzerland and Yugoslavia; and
- (f) On application by non-parties, submitted by the Netherlands.

In addition, the Conference had before it a proposal on a draft article on a consultative committee of experts, submitted by Belgium, Canada, France, the Federal Republic of Germany, Ireland, Italy, Japan and the Netherlands. According to the proposal the States parties to the convention would undertake to consult one another and to co-operate with the aim of conciliation in solving any problems which might arise in relation to the objectives of, or in the application of, the provisions of the convention and its annexed protocols. To that end after the entry into force of the convention, a consultative committee of experts should be established. It was further proposed that the committee should be competent to enquire into the facts of the situation

³² A/CONF.95/11.

³³ A/CONF.95/SR.9-12.

³⁴ See A/CONF.95/15 and Corr.2, para. 25; the six draft resolutions and the proposal referred to were submitted initially as documents A/CONF.95/L.1 through A/CONF.95/L.7, respectively.

which is the subject of the request, report its findings of fact and recommendations, and facilitate through its good offices compliance with the protocols.

At its 11th plenary meeting, the Conference took note of all draft resolutions and the proposal.

C. Final Act of the Conference

At its 12th and last plenary meeting, on 10 October, the Conference unanimously adopted its final report to the General Assembly,³⁵ to which was annexed the Final Act of the Conference together with the texts of the following instruments and resolution as its appendices:

A. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;

B. Protocol on Non-Detectable Fragments (Protocol I);

C. Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II);

D. Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III);

E. Resolution on small-calibre weapon systems.

The Conference also annexed to its report a complete listing of the documents of the Conference, including those of its Committees and Working Groups.

D. Description of the Convention

The text of the Convention and its Protocols are reproduced in appendix VII of the present volume.

THE CONVENTION

The Convention consists of a preamble and 11 articles. The opening preambular paragraph recalls that "every State has the duty, in conformity with the Charter of the United Nations, to refrain in its international relations from the threat or use of force", thus reaffirming a fundamental legal principle governing international relations of States. A similar text was included in the preamble to the Additional Protocol I to the 1949 Geneva Conventions on the protection of victims of war, adopted in 1977 at the Diplomatic Conference.

The next four paragraphs restate some fundamental principles of inter-

³⁵ A/CONF.95/15 and Corr.2.

national humanitarian law applicable in armed conflicts recognized by the contracting parties. The first of them recalls the general principle of the protection of the civilian population against the effects of hostilities; the second states that the parties to the Convention base themselves on the principle of international law that the right to choose methods or means of warfare is not unlimited and on that which prohibits the employment of weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering; the third recalls that it is prohibited to employ methods or means which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment; and the last confirms that in cases not covered by the Convention and its annexed Protocols or by other international agreements, civilians and combatants shall remain under the protection and authority of the principles of international law derived from established custom, the principles of humanity and the dictates of public conscience.

The next four paragraphs refer to: international détente, the ending of the arms race and the building of confidence; progress towards general and complete disarmament; putting an end to the production, stockpiling and proliferation of such weapons; and the need to continue the codification and progressive development of the rules of international law applicable in armed conflicts.

The following paragraph emphasizes the desirability that all States become parties, especially the militarily significant States. As already noted, that formulation represents a compromise between two viewpoints, addressing all States and yet singling out the militarily significant ones.

The penultimate paragraph states that the United Nations General Assembly and the United Nations Disarmament Commission may decide to examine the question of a possible broadening of the scope of the Convention and its Protocols, and the final one, that the Committee on Disarmament may decide to consider the question of adopting further measures to prohibit or restrict the use of certain conventional weapons. These paragraphs, which reflect the compromise agreement reached regarding follow-up, would enable both the General Assembly and its Disarmament Commission, on the one hand, and the Committee on Disarmament, on the other, to play a role if they so wished.

Article 1 of the Convention determines the scope of its application and thus is one of its most important provisions. It provides that the Convention and its annexed Protocols shall apply in the situations referred to in article 2 common to the 1949 Geneva Conventions (armed conflicts between States), and any situation described in paragraph 4 of article 1 of the 1977 Additional Protocol I to those Conventions (wars of national liberation). In the latter case, however, application is conditional to acceptance, by the authorities waging a war of national liberation against a State party, of the 1949 Geneva Conventions and their Additional Protocol I. That condition is spelt out in article 7, paragraph 4, of this Convention which deals with treaty relations upon entry into force; the two articles, 1 and 7, were considered and ultimately agreed upon in close conjunction with each other.

Article 2 deals with relations with other international agreements and provides that nothing shall be interpreted as detracting from other obligations imposed upon parties by international humanitarian law applicable in armed conflicts. That provision, which reinforces the existing humanitarian law, was not controversial.

Articles 3, 4 and 5, which deal with signature, ratification, acceptance, approval or accession and entry into force, are standard provisions in international agreements. Only one of them—entry into force—was the subject of prolonged negotiations. It should be noted that the Convention shall be open for signature at United Nations Headquarters in New York for a period of 12 months starting from 10 April 1981 (article 3). The Convention is subject to ratification, acceptance, approval or accession. Any State wishing to become a party to the Convention must, at the same time, express its consent to be bound by at least two annexed Protocols of its choice, which shall then become an integral part of the Convention (article 4). The Convention shall enter into force six months after the date of deposit of the twentieth instrument of ratification, approval or accession (article 5). The number 20 represents a compromise reached after agreement on the provisions of the Convention dealing with review and amendments, since those provisions could be initiated only after its entry into force.

Article 6 on dissemination of the Convention and its annexed Protocols was introduced in the final stages of the preparation of the Convention and was generally supported. It corresponds to article 83 of Additional Protocol I to the Geneva Conventions. It commits States parties, in time of peace as in time of armed conflict, to disseminate the Convention and its Protocols and, in particular, to include the study thereof in their programmes of military instruction.

Article 7, as mentioned, sets out rules governing treaty relations upon entry into force of the Convention. It contains a general rule that, in case of an armed conflict, parties bound by the Convention and its annexed Protocols remain bound by them in their mutual relations, even if one of the other parties to a conflict is not bound by an annexed Protocol (para. 1). In cases of armed conflict between a party and a non-party, the former would be bound only if the latter accepts and applies the Convention or the relevant Protocol, and so notifies the Depositary (para. 2). That rule is based on the standard legal principle of reciprocity. In the negotiations, a number of non-aligned and neutral countries expressed preference for another principle of international law according to which parties remain bound by the rules even though their adversary is not bound and does not observe the rules, in which case the parties may undertake appropriate reprisals. Those countries felt that, in view of the strictly humanitarian nature of the Convention and its Protocols, that principle was more desirable. Their view, however, was not supported by the major military Powers, and the principle of reciprocity was finally agreed upon. The principle of reciprocity is envisaged for armed conflicts (wars of national liberation) involving a State party, on the one hand, and authorities other than States, on the other (para. 4).

In cases where a State party is also a party to Additional Protocol I of

the Geneva Conventions, it undertakes to apply this Convention and annexed Protocols in an armed conflict (war of national liberation) provided that the other authority involved in the conflict has undertaken to apply the Geneva Conventions and their Additional Protocol I and undertakes to apply this Convention and the relevant annexed Protocols in relation to that conflict. In cases where a State party is not a party to Additional Protocol I of the Geneva Conventions, it undertakes to apply this Convention and its relevant annexed Protocols provided that the other authority involved in the armed conflict accepts and applies the obligations of the Geneva Conventions and of this Convention and the relevant annexed Protocols in relation to that conflict. The underlying aspect of this rule is that it extends the principle of reciprocity beyond the acceptance of this Convention and its annexed Protocols and includes the acceptance of the Geneva Conventions. In other words, an authority other than a State may avail itself of the protections envisaged in the Convention and annexed Protocols only if it undertakes also to be bound at least by the Geneva Conventions. The linkage described above was introduced on the insistence of Western countries which felt that such a rule would strengthen the cause of international humanitarian law.

Article 8 on review and amendments was one of the most debated issues at the Conference—and one of the last to be resolved—because the sponsors of various proposals for comprehensive prohibitions or restrictions of the use of specific weapons felt that, if their efforts could not be brought to a conclusion at the Conference, appropriate guarantees must then have to be obtained for the continuation of the work in the future. The compromise agreed upon envisages the same procedures for review and amendment of the Convention and its annexed Protocol and for the elaboration of additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. Thus, at any time after the entry into force of the Convention and on the proposal of any party, a conference would be convened to consider either amendments to the Convention and the Protocols or new protocols, provided that a majority of parties, which shall not be less than 18, so agrees (paras. 1 and 2). If, however, after a period of 10 years following the entry into force of the Convention no conference has been convened to consider amendments or new protocols, any party may request the convening of a conference to review the scope and operation of the Convention and its Protocols and to consider any proposal for amendments as well as possible proposals for additional protocols. All amendments and additional protocols shall be adopted and shall enter into force in the same manner as this Convention and its Protocols (para. 3). At the same time, as pointed out earlier, the Convention, in its preamble, envisages the possibility that the General Assembly and its Disarmament Commission may decide to examine the question of a possible broadening of its scope, and that the Committee on Disarmament may decide to consider the question of adopting further measures to prohibit or restrict the use of certain conventional weapons.

The remaining three articles of the Convention, on denunciation (article 9), the Depositary (article 10) and authentic texts (article 11), are standard

provisions of international agreements. Any party may denounce the Convention or any of the Protocols, the denunciation to become effective one year after receipt by the Depositary of the notification. With regard to the Depositary, that function is entrusted to the Secretary-General of the United Nations. The Convention and its annexed Protocols are equally authentic in all the official languages of the United Nations, that is, in Arabic, Chinese, English, French, Russian and Spanish.

PROTOCOLS TO THE CONVENTION

The Protocols annexed to the Convention are as follows: Protocol on Non-Detectable Fragments (Protocol I), Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II), and Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III).

Protocol I (Non-detectable fragments)

Protocol I prohibits the use of any weapons whose primary effect is to injure by fragments which in the human body escape detection by X-rays.

The weapons in question are those which are, completely or mainly, composed of substances such as wood, glass or plastic, substances which consist of light atoms which do not differ appreciably from atoms of the human body with respect to the absorption of X-rays. For that reason fragments from such types of weapons cannot be extracted from the human body except with great difficulty and delay. The delay, however, considerably enhances the risk of infection and suffering which is considered to go beyond the normal military necessity of immobilizing the adversary.

It should be noted that the prohibition covers only weapons whose primary effect is to injure by non-detectable fragments, that is, it does not apply to components in some weapons which, on an incidental basis, may enter the human body and be undetectable by X-rays but only to weapons designed to injure by non-detectable fragments. For instance, it is not uncommon to use plastic casings for mines in order to avoid detection by mine-detectors. Under the terms of the Protocol the use of such casings is not prohibited as long as their primary effect is to injure by the blast effect of the weapon rather than by the fragments of such casings.

Protocol II (Mines, booby-traps and other devices)

Protocol II consists of nine articles and a technical annex containing guidelines on the recording of the location of minefields, mines and booby-traps.

The first two articles of the Protocol deal respectively with the material scope of application and definitions. The material scope of application (ar-

ticle 1) excludes the applicability of the Protocol to anti-ship mines at sea or in inland waterways so as not to interfere with existing rules of international law relating to the use of these devices. It applies, however, to the use of all mines in what is generally considered to fall within the limits of land warfare, including interdictions of beaches, waterway crossings or river-crossings. In definitions (article 2), in paragraph 1, which defines a "mine", the term "aircraft" should be interpreted as including, in addition to fixed-wing aircraft, helicopters, drones, remotely piloted vehicles, balloons and similar flying vehicles.

Article 3 sets general restrictions on the use of weapons referred to in article 1. The article was basically drawn from article 51 (Protection of the civilian population) of Additional Protocol I to the Geneva Conventions. Without departing from the legal concepts expressed in that article, article 3 applies the language of article 51 to the use of mines, booby-traps and other devices. Its provisions, in fact, distinguish between two different situations: one, regarding the civilian population in general and the other, regarding civilians in specific situations. In the first instance, it prohibits in all circumstances, either in offence, defence or by way of reprisal, the use of such weapons against the civilian population as such or against individual civilians (para. 2). In the second situation, it prohibits the indiscriminate use of the weapons (a) which is not on, or directed at, a military objective; (b) which employs a method or means of delivery which cannot be directed at a specific military objective; or (c) which may be effected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated (para. 3). In this way, the provision does not rule out the possibility of the loss of civilian life as a result of attack on a military objective, provided that the loss is incidental and proportionate to the military advantage. In addition, civilians taking a direct part in active hostilities would not be protected by the provisions of the article. This rule was drawn from paragraph 3 of article 51 of Additional Protocol I of the Geneva Conventions.

Article 4 provides for restrictions on the use of mines other than remotely delivered mines, booby-traps and other devices in populated areas. Thus, it is prohibited to use weapons to which the article applies in any city, town, village or other area containing a similar concentration of civilians in which combat between ground forces is not taking place or does not appear to be imminent unless either (a) they are placed on or in the close vicinity of a military objective belonging to or under the control of an adverse party or (b) measures are taken to protect civilians from their effects, for example, the posting of warning signs, the posting of sentries, the issuance of warnings or the provision of fences.

Article 5 regulates the restrictions on the use of remotely delivered mines. As noted earlier, paragraph 1 of the article prohibits the use of those weapons unless they are used within an area which is or contains a military objective or which contains military objectives, and (a) their location can be

accurately recorded or (b) an effective neutralizing mechanism is used on each such mine—self-actuating or remotely controlled—designed to render harmless or destroy a mine when it is anticipated that the mine will no longer serve or when it no longer serves the military purpose for which it was placed in position. As an additional measure of protection to civilians, paragraph 2 of the article, which is based on article 57, paragraph 2 (c) (Precautions in attack) of Additional Protocol I to the Geneva Conventions, provides that effective advance warning shall be given of any delivery of remotely delivered mines which affect the civilian population. It is, however, somewhat weakened by the qualification added at the end which reads “unless circumstances do not permit”

The proponents of the complete prohibition of this type of weapon, in accepting a more limited approach, insisted, as a safeguard measure, on a specific interpretation of the provision. Consequently, the Conference included in its proceedings the following interpretation: “For the understanding and application of article 5, it should be noted that the restrictions in article 3 apply fully to the use of remotely delivered mines to which article 5 specifically applies.”³⁶

Article 6 deals with the prohibition of the use of certain booby-traps. Two categories of booby-traps are covered by this rule: those which are specifically treacherous or perfidious (para. 1) and those which are designed to cause superfluous injury or unnecessary suffering (para. 2). The first category is further subdivided on the basis of what determines their treacherous or perfidious nature. Thus, one group consists of the so-called “prefabricated” booby-traps which could be mass-produced. They are defined as “any booby-trap in form of an apparently harmless portable object which is specifically designed and constructed to contain explosive material and to detonate when it is disturbed or approached” The other group consists of booby-traps attached to or associated with particular objects, such as internationally recognized protective emblems, signs or signals, sick, wounded or dead persons, food or drink, etc., and it is their use in that connexion that makes them specifically treacherous or perfidious. The use of both groups of booby-traps, as well as of those in the second category (causing superfluous injury or unnecessary suffering), is fully prohibited. The second-category prohibition reflects paragraph 2 of article 35 (Methods and means of warfare—basic rules) of Additional Protocol I to the Geneva Conventions.

Article 7, on the recording and publication of the location of minefields, mines and booby-traps, as noted earlier, was the subject of lengthy negotiations. As far as the recording is concerned, two basic rules are laid down: the parties to a conflict shall record the location of all pre-planned minefields and all areas in which they have made large-scale and pre-planned use of booby-traps (para. 1); and the parties shall endeavour to ensure the recording of the location of all other minefields, mines and booby-traps (para. 2). The rule in the latter case is made less stringent in that in some instances, due to prevailing military circumstances, the laying or plac-

³⁶ *Ibid.*, para. 29.

ing of such weapons may be done in considerable haste, hence the phrase "shall endeavour to ensure" As to the publication of the records, their disclosure is mandatory after the cessation of active hostilities and also, in cases of temporary occupation, after complete withdrawal of the occupying force from the territory of the adverse party (para. 3 (a) (i) and (ii)). The parties to a conflict shall also, when a United Nations force or mission performs functions in any area, make available to it such information as is required under article 8 concerning the protection of United Nations forces and missions (para. 3 (b)). The last paragraph of the article states that the parties shall, whenever possible, by mutual agreement, provide for the release of information concerning the location of minefields, mines and booby-traps (para. 3 (c)). Compliance with the last two subparagraphs, 3 (b) and 3 (c), is not made dependent, as is the preceding subparagraph, 3 (a) (i) and (ii), on the cessation of active hostilities or the withdrawal of the occupying forces. The intention is to provide, on the one hand, the necessary protection to a United Nations force or mission and, on the other, to enable the parties to a conflict voluntarily to enter into an agreement on the disclosure of the records, as soon as they consider it desirable.

In connexion with article 7, paragraph 3 (a) (i), which provides that the parties to a conflict shall "take all necessary and appropriate measures . . . to protect civilians from the effects of minefields, mines and booby-traps", a number of Western States stressed that the obligation was not formulated strongly enough. In their opinion the wording was a step backward from earlier proposals concerning the question of humanitarian protection. Their consent to article 7 was therefore conditional to acceptance by the Conference of a certain interpretation of that article, which would be included in its report. Consequently, the report included the following understanding:

It is the understanding of the Conference that article 7 (3) (a) (i) must be read in combination with articles 7 (3) (c) and 9. They are of universal application, irrespective of the whereabouts of opposing forces. The parties must take whatever measures are open to them to protect civilians wherever they are. They may use the records for this purpose by, for example, marking minefields or otherwise warning the civilian population of the dangers of mines and booby-traps. The parties may, if they wish, assist in this process by providing, either unilaterally, by mutual agreement, or through the Secretary-General of the United Nations, information about the location of minefields, mines and booby-traps.³⁷

Article 8 is concerned with the protection of United Nations forces and missions from the effects of minefields, mines and booby-traps. In effect, in the case of a mission other than merely a fact-finding one, each party to the conflict shall upon request do everything, as far as it is able, to protect the mission by removing or deactivating all mines and booby-traps in the area, making available information about such devices to the head of the force or mission and taking other necessary measures (para. 1). In cases of a fact-finding mission, removal of mines and booby-traps is not required, but the mission must be either protected from or fully informed about the location of such devices in the area (para. 2).

³⁷ *Ibid.*

In order to further strengthen the protection of United Nations forces and missions, article 9 of this Convention, on denunciation, specifically provides that, although a denunciation becomes effective one year after notification thereof, obligations under any Protocol containing provisions concerning situations in which peace-keeping observation or similar functions are performed by United Nations forces or missions in the area concerned will remain in force until the termination of those functions (para. 2).

The last article of the Protocol, article 9, concerns international co-operation in the removal of minefields, mines and booby-traps. It provides that, after the cessation of active hostilities, parties shall endeavour to reach agreement on the provision of information and technical assistance necessary to remove or otherwise render ineffective such devices placed in position during the conflict. Also in connexion with the article, as already mentioned, several States, because of the reference to "the cessation of active hostilities", insisted on, and the Conference agreed to include in its records, the understanding that article 9 "can in no way be interpreted as in any way affecting the scope of article 7"³⁸ The understanding was designed to reconfirm that States parties could indeed enter into such an agreement even before the cessation of active hostilities or the withdrawal of the occupying forces, as provided for in article 7.

Finally, there is the Technical Annex to the Protocol, which contains guidelines on recording. The guidelines provide, for instance, that, in cases of pre-planned and large-scale use of mines and booby-traps, maps, diagrams or other records should be made in such a way as to indicate the extent of the area, as well as that the area should be specified by relation to the co-ordinates of a single reference point.

Protocol III (Incendiary weapons)

Protocol III consists of only two articles, one dealing with definitions (article 1), and the other with the rules on the protection of civilians and civilian objects (article 2).

Article 1, paragraph 1, defines an "incendiary weapon" as "any weapon or munition which is primarily designed to set fire to objects or to cause burn injury to persons through the action of flame, heat, or a combination thereof, produced by a chemical reaction of a substance delivered on the target" The provision goes on to specify that certain types of munitions, although they may produce some incendiary effects, should not be considered as incendiary weapons and therefore are outside the scope of the definition. The munitions excluded are, on the one hand, those which may have incidental incendiary effects, such as illuminants, tracers, smoke or signalling systems (para. 1, (b) (i)) and, on the other, those designed to combine penetration, blast or fragmentation effects with an additional incendiary effect, such as armour-piercing projectiles, fragmentation shells, explosive bombs,

³⁸ *Ibid.*

etc., which are not specifically designed to cause burn injury to persons (para. 1 (b) (ii)). In that connexion, on the suggestion of a number of States, the Conference decided to include in its records the following understanding:

... the exceptions to the definition of incendiary weapons mentioned in Article 1 (b) are to be interpreted in good faith and not to alter the intent or to prejudice the application of the rules concerning the prohibition or restriction of use of incendiary weapons contained in the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons, especially the protection of civilians and civilian objects.³⁹

Article 1, paragraph 2, defines "concentration of civilians" as any concentration of civilians permanent or temporary, in inhabited parts of cities, or towns or villages, or in camps or columns of refugees or evacuees, or groups of nomads. The definition is intended to convey a word picture to the military commander regarding the protected character of the civilian population, rather than to present a precise mathematical or geographical formulation of what is a "concentration of civilians" In other words, the definition directs the commander's attention to the concern he must have for the presence or absence of the civilian population, which is fluid in wartime, rather than to the character or size of the city, town or village as such. It is to be understood that "civilians" means those persons who are not taking a direct part in the hostilities.

The remaining three paragraphs (3, 4 and 5) define "military objective", "civilian objects" and "feasible precautions", drawing on appropriate provisions of the 1949 Geneva Conventions and Additional Protocol I.

Under the terms of article 2, paragraph 1, it is prohibited in all circumstances to make the civilian population *per se* the object of attack by incendiary weapons. That rule, in fact, reaffirms the provision of article 51 of Additional Protocol I to the Geneva Conventions. By paragraph 2 it is prohibited, also in all circumstances, to make any military objective located within a concentration of civilians the object of attack by air-delivered incendiary weapons—a provision which represents the major achievement of the Conference since it goes beyond the protection provided to civilians in any other international instrument. The protection provided is further strengthened in paragraph 3, which provides that it is prohibited to make any military objective located within a concentration of civilians the object of attack by means of incendiary weapons other than air-delivered incendiary weapons, except when such object is clearly separated from the concentration of civilians and all feasible precautions are taken. The rule contained in paragraph 3 reaffirms in somewhat stronger terms the corresponding provision of Additional Protocol I to the Geneva Conventions. Another new rule is contained in paragraph 4, which prohibits attacks by incendiary weapons on forests or other kinds of plant cover except when such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives.

³⁹ *Ibid.*, para. 30.

RESOLUTION ON SMALL-CALIBRE WEAPON SYSTEMS

The resolution on small-calibre weapon systems in its preamble expresses the awareness of the Conference of the continuous development of such systems and, in that connexion, its wish to prevent an unnecessary "increase of the injurious effects of such weapon systems" Convinced that it is desirable to establish accurately the wounding effect of current and new generations of small-calibre weapon systems, the Conference, in the operative part of the resolution, *inter alia*, takes note of the intensive research carried out in the area of wound ballistics which has led to an increased understanding of the wounding effects of small-calibre weapon systems and of the parameters involved. The Conference further believes that such research should be continued with a view to developing standardized assessment methodology relative to ballistic parameters and medical effects of such systems, and invites Governments to carry out further research in that connexion. The Conference, in the final paragraph of the resolution, appeals to all Governments to exercise the utmost care in the development of small-calibre weapon systems, so as to avoid an unnecessary escalation of the injurious effects of such systems.

D. Closure of the Conference

After the Conference adopted its report to the General Assembly, together with the annexed Final Act described above, a number of States made concluding statements. A great majority of them—Argentina, Australia, Austria, Canada, China, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, New Zealand, Nigeria, Poland, Romania, Switzerland, United Kingdom, USSR, United States and Yugoslavia—expressed general satisfaction with the outcome of the Conference. In that connexion, Mexico and the United States pointed out that the rules adopted represented progress in the development of the law applicable in armed conflicts. A number of States, however, including several which had expressed satisfaction over-all, felt that the results achieved were rather modest (Austria, China, Egypt, Finland, Nigeria, Romania and Sweden) and in various respects short of expectations (Netherlands, Romania and Switzerland). In the opinion of Sweden it had become increasingly clear that, as far as the use of certain categories of weapons was concerned, the disturbing criterion of military necessity had outweighed humanitarian arguments. A great many States, notably Italy, Mexico, New Zealand, Nigeria, Switzerland and Yugoslavia, expressed a particular satisfaction with the provision of the Convention on the follow-up mechanism, which created conditions for the continuation of efforts for prohibitions or restrictions of use of certain conventional weapons. Several States, including Australia, Finland, the Federal Republic of Germany and the Netherlands, hoped that the Convention would be ratified soon so that it could enter into force at an early date.

Apart from expressing general views on the achievements of the Con-

ference, a number of States also referred to specific results as embodied in the Convention and its annexed Protocols. For instance, both the United Kingdom and the United States commented on the scope of its application, and believed that the solution adopted with regard to wars of national liberation was an acceptable compromise. In addition, the United Kingdom pointed out that it considered that only a declaration made by a body which was genuinely an authority representing a people engaged against a State party in an armed conflict of the type referred to in article 1, paragraph 4, of Additional Protocol I to the Geneva Conventions, could have the effects stated in article 7, paragraph 4, of the Convention. Moreover, in its opinion, the body in question should be recognized by the appropriate regional organization. On the other hand, several States, notably France, the Federal Republic of Germany, Italy, Japan, the Netherlands and Sweden, expressed their disappointment that the proposal on a consultative committee of experts had not found its way into the Convention, and indicated their interest in pursuing that matter further.

With regard to the annexed Protocols, the comments made reflected various views. While there was a general recognition of progress in regulating the types of weapons in question, many States pointed to specific shortcomings of the Protocols. Mexico, for instance, noted that the text of the Protocol on non-detectable fragments (Protocol I) differed substantially from that which Mexico and Switzerland, prompted by concern at the unnecessary damage caused by certain weapons and projectiles, had proposed in 1976. In Mexico's opinion, it was unlikely that a single weapon of the type defined in the Protocol existed anywhere in the world. It hoped, therefore, that, by means of the proposed review machinery, it would be possible to improve the provisions of the Protocol so that they could be applied to existing weapons.

Concerning the Protocol on mines, booby-traps and other devices (Protocol II), some States, including Canada, the Federal Republic of Germany, the Netherlands and Sweden, expressed disappointment that the Protocol did not contain an obligatory provision on the disclosure under all circumstances of the location of such weapons after the cessation of hostilities. In spite of that shortcoming it was their hope that States would not hide behind the provision but would provide the fullest possible information to avoid unnecessary civilian or military casualties.

Similar comments were expressed with regard to the Protocol on incendiary weapons (Protocol III). A great many States, notably Austria, Egypt, Finland, Mexico, Nigeria, Romania, Sweden, Switzerland and Yugoslavia, strongly regretted that it had not been possible to include in the Protocol the rules on the protection of combatants. At the same time, they expressed their hope that the question of broadening the scope of the Protocol would be taken up in the context of the follow-up mechanism provided for in the Convention. Canada, Ireland, the Netherlands and New Zealand were of the opinion that the follow-up mechanism provisions were sufficient to enable States parties to return to the question in the future.

Finally, with regard to the question of small-calibre projectiles, Sweden

felt that, although the complexity of the problem had prevented a final agreement from being reached, the exchanges of views that had taken place had provided a better understanding of the issues involved, and it hoped that that would have some influence on Governments and arms manufacturers in the development of new types of automatic weapons.

Consideration by the General Assembly, 1980

In accordance with resolution 34/82 of 11 December 1979, the item entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: report of the Conference" was included in the Assembly's agenda at its thirty-fifth session and the Assembly had before it the final report of the Conference to the General Assembly.⁴⁰

During the course of the debates, particularly in the First Committee, many Member States made references to the outcome of the United Nations Conference.⁴¹ An overwhelming number of them, from all regional and political groups, considered that the Conference had been successful in fulfilling its mandate. In the opinion of many, notably Denmark, the German Democratic Republic, Indonesia, Nigeria, Poland, Sierra Leone, Sri Lanka and the Sudan, the political will of the participants in the Conference had been a decisive factor in the reconciliation of the differences in approach which had existed on a number of important issues which the Conference had had to deal with. That had been an encouraging aspect of the Conference.

A number of Member States, however, including Algeria, Australia, Belgium, Denmark, Finland, France, India, Ireland, the Netherlands (on behalf of the European Economic Community), Sweden, the United Republic of Tanzania, Venezuela and Yugoslavia, pointed out that the Protocols adopted were rather limited in scope and that on some categories of weapons it had not been possible to reach any agreement at all. In that connexion, some of them referred to the importance of the follow-up mechanism envisaged in the Convention. Some States expressed disappointment that it had not been possible to agree on the setting up, under the Convention, of a consultative committee of experts which, in the event of doubts about the observance of the agreements, would be able to initiate consultations and investigate facts. The Federal Republic of Germany, Ireland and the United States said that they intended to pursue that question further.

On 12 November, Finland, France, the Federal Republic of Germany, India, Ireland, Italy, Jamaica, Mexico, the Netherlands, Nigeria, Pakistan, Romania, Spain, Sweden, the United Republic of Tanzania and Yugoslavia

⁴⁰ A/CONF.95/15 and Corr.2.

⁴¹ See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 37th and 42nd meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

submitted a draft resolution, which was subsequently also sponsored by Belgium, Greece and Suriname. In introducing the draft resolution on 13 November, the representative of Nigeria noted that the issues pending at the beginning of the resumed Conference had been many and complex. In addition to outstanding questions on the proposed protocol on mines and booby-traps and the widely divergent views on incendiary weapons, the Conference virtually had had to negotiate the whole range of proposals on a general treaty and particularly the very important articles on scope and on review and amendments. Since it had become evident during the Conference that an accommodation was necessary between those who wished to prohibit a wide range of weapons and those who believed that only a few weapons had been sufficiently examined to enable a decision to be taken on their prohibition or restriction of use, the foundation of such compromise clearly had to be found in reaching agreement, however modest, immediately, but including provisions which would ensure the continuation of further work in what was a rather wide field. Referring to the specific accomplishments of the Conference, Nigeria pointed out that they were modest, particularly in the scope of the Protocols, especially the one on incendiary weapons, but significant in the light of the international situation in which the Conference was held and of the spirit of accommodation and the political will demonstrated notwithstanding that international situation. In appealing to Member States not to do anything that would detract from the consensus reached at the United Nations Conference, Nigeria stressed that the draft resolution confined itself to the immediate need to bring to the attention of the General Assembly the Convention and its Protocols so that, on the commendation of those instruments to Member States, they might achieve the widest possible adherence.

On 18 November, the same group of sponsors (except India) together with Bulgaria, the German Democratic Republic and the United Kingdom, submitted a revised draft resolution whereby, in operative paragraph 5 (see below), the phrase which originally read "and/or to review the scope and operation of the Convention and the Protocols annexed thereto" was expanded to read:

or to review the scope and operation of the Convention and the Protocols annexed thereto and to consider any proposal for amendments to this Convention or to the existing Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols

The revised draft was subsequently also sponsored by Barbados, Egypt, Sierra Leone, the USSR, Viet Nam and Zaire. The revised draft was adopted by the First Committee on 20 November without a vote.

At its 94th meeting, on 12 December, the General Assembly adopted the draft resolution, also without a vote, as resolution 35/153. It reads as follows:

The General Assembly,

Recalling its resolutions 32/152 of 19 December 1977, 33/70 of 14 December 1978 and 34/82 of 11 December 1979,

Reiterating its conviction that the suffering of civilian populations and of combatants could be significantly reduced if general agreement could be attained on the prohibition or restriction

for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Reaffirming its belief that positive results as regards the non-use or restriction of use for humanitarian reasons of specific conventional weapons would serve, in addition, as encouragement in the broader field of disarmament,

Recalling that, by its resolutions 32/152 and 33/70, it decided to convene in 1979 the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and established the mandate of the Conference,

Further recalling that, by its resolution 34/82, it endorsed the recommendation of the Conference to hold another session in September/October 1980, with a view to completing negotiations in conformity with resolutions 32/152 and 33/70,

1. *Takes note with appreciation* of the Final Report of the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held at Geneva from 10 to 28 September 1979 and from 15 September to 10 October 1980;

2. *Welcomes* the successful conclusion of the Conference, which resulted in the adoption, on 10 October 1980, of the following instruments:

(a) Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;

(b) Protocol on Non-Detectable Fragments (Protocol I);

(c) Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II);

(d) Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III);

3. *Takes note* of article 3 of the Convention, which stipulates that the Convention shall be open for signature on 10 April 1981;

4. *Commends* the Convention and the three annexed Protocols to all States, with a view to achieving the widest possible adherence to these instruments;

5. *Notes* that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols, to consider additional Protocols relating to other categories of conventional weapons not covered by the existing Protocols, or to review the scope and operation of the Convention and the Protocols annexed thereto and to consider any proposal for amendments to the Convention or to the existing Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing Protocols;

6. *Requests* the Secretary-General, as the Depositary of the Convention and its annexed Protocols, to inform the General Assembly from time to time of the state of adherence to the Convention and its three annexed Protocols;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects"

Conclusion

There is no doubt that the successful outcome of the long and difficult negotiations which took place during the 1980 session of the United Nations Conference was made possible largely because the participants were willing to make important concessions on a number of critical issues under consideration, thus enabling the Conference to arrive at a compromise text available

to all. Although the scope of the agreements is rather modest and falls short of original hopes and expectations of many participants, the results achieved may be regarded as optimum in the prevailing international situation.

The rules embodied in the Convention and the three Protocols restate in large measure rules contained in Additional Protocol I to the 1949 Geneva Conventions. Some add significantly to the protection of civilians accorded by existing law and still others introduce novel elements in the rules applicable in armed conflicts. The review mechanism provided in the Convention allows future consideration and negotiations of questions on which agreement could not be reached at the 1980 Conference.

PART FOUR

Other approaches to disarmament and arms limitation

Limitation of the buildup and transfer of conventional armaments on a world-wide and regional basis

Introduction

DURING THE 35 YEARS SINCE IT WAS CREATED, the United Nations — and indeed the international community as a whole — has not had to face even a single case of nuclear warfare. That same period has, however, witnessed over a hundred cases of conventional warfare, resulting in millions of casualties and great destruction. Thus, on the basis of their frequency of use and the degree of death and destruction they have caused, conventional armaments increasingly command international attention. Moreover, conventional arms and armed forces consume about 80 per cent of the estimated 500 billion dollars currently spent annually on the military, and represent the bulk of the world-wide escalation of militarization. Furthermore, the conventional arms race involves more countries than the nuclear arms race, thus spreading negative socio-economic and politico-security effects to all regions.

One of the most salient features of the conventional arms race is the expansion in the international transfer of weapons since the early 1970s. In fact, the decade of the 1970s saw more arms transfers to more countries than the two preceding decades combined, with the Stockholm International Peace Research Institute (SIPRI) estimating the value of major arms transfers during 1970 to 1976 alone as equalling that of the two decades between 1950 and 1970.¹ At the same time, the role of developing countries in the arms race has grown, both as weapons importers and exporters. It has been estimated that between 1965 and the close of the 1970s, the developing countries together increased their share of global conventional arms imports from 50 per cent to 75 per cent;² furthermore, more of them undertook domestic weapons production and some became suppliers. Persistent political crises and tensions among States contributed significantly to the aggravation

¹ SIPRI, ed., *World Armaments and Disarmament, SIPRI Yearbook 1978* (London, Taylor and Francis, 1978), p. 223 and *passim*.

² *Ibid.*; for discussion of domestic arms production, see SIPRI, *The Arms Trade with the Third World* (Stockholm, Almqvist and Wiksell, 1971).

of the conventional arms race during the 1970s, and few encouraging trends were noticeable in 1980, the first year of the Second Disarmament Decade.

Although the international community, both within and outside the United Nations framework, has not so far succeeded in achieving a concrete and binding international agreement to regulate the conventional arms race, several efforts in that direction, especially in recent years, have been initiated, both unilaterally and bilaterally, as well as at wider levels.³

Within the United Nations, despite the failure so far of a number of attempts — the first initiated by Malta in 1965, the second by Denmark in 1968 and the third by Japan in 1976 — to have the General Assembly adopt a resolution on the specific question of arms transfers, an increasing number of States have expressed growing concern over this aspect of the conventional arms race. The main difficulty lies in a difference in emphasis between supplier and recipient States on the issue. In general, major arms producers regard the transfer of arms, in particular their importation, as the prime cause of the conventional arms race, while developing recipient countries treat the question of transfers together with that of production, arguing that the conventional arms race is promoted by the producers/suppliers for their economic and political benefit. The recipient countries have, therefore, advanced the view that the super-Powers and other heavily armed States should show restraint and initiate reductions in their arsenals before meaningful negotiations can begin on the transfer issue. Accordingly, the United Nations is faced with the problem of how to realize the limitation of conventional armaments fairly and effectively, without any State perceiving its vital interests as being jeopardized.

On the question of approach to the transfer aspect of the problem, there is general recognition that important responsibility rests with the major military Powers, with the importing countries tending to regard that responsibility as "primary" whereas the exporters look upon it only as "special" ⁴ Importing countries feel that since the major Powers, in particular the super-Powers, are responsible for most conventional weapons production and transfers they should also take the lead in solving the problem. The United States and the Soviet Union, which together account for about three quarters of total world arms sales, began, in 1977, bilateral talks aimed at limiting arms transfers, but no such talks took place in 1979 or 1980. Also in 1977, the United States Government announced its conventional arms transfer policy⁵ which it said was aimed at curtailing arms transfers, *inter alia*, by imposing unilateral restraints on United States arms supplies under certain specified conditions, promoting co-operation between supplier and recipient nations and encouraging regional co-operation among the latter. In 1978, at the special session of the General Assembly devoted to disarmament

³ For details, see *The United Nations Disarmament Yearbook*, vol. 1: 1976, chaps. XVIII and XIX, vol. 2: 1977, chaps. XVI and XVIII, vol. 3: 1978, chaps. XX and XXII, and vol. 4: 1979, chap. XIX (United Nations publications, Sales Nos. E.77.IX.2, E.78.IX.4, E.79.IX.2 or 3, and E.80.IX.6 or 7, respectively).

⁴ *Ibid.*, vol. 3: 1978, chap. XXII, pp. 406-407.

⁵ *Weekly Compilation of Presidential Documents*, vol. 13, No. 21 (23 May 1977), p. 756.

ment, some supplier nations, in particular the United Kingdom and the United States, pointed to the ineffectiveness of a unilateral or one-sided approach and urged instead multilateral action by all suppliers and recipients in limiting arms transfers. The Assembly included relevant paragraphs in the Final Document⁶ of the session.

Some States, however, including India, Iraq and the Libyan Arab Jamahiriya, have expressed serious reservations concerning efforts to restrain arms transfers, especially to developing countries. At the thirty-fourth session of the General Assembly, in 1979, India emphasized that many non-aligned States still faced serious threats to their independence. In its view, conventional disarmament must be considered within the framework of general and complete disarmament taking into account the central arms race between the nuclear-weapon States and their allies. It contends that restrictions on transfers would operate mainly against non-aligned countries. Iraq has held that developing countries have to import weapons for their defence. The Libyan Arab Jamahiriya generally shares such views and has observed that various problems compel developing countries to spend badly needed resources on armaments.

On the question of the regulation of conventional arms, in recent years the regional approach has gained increasing attention. Although not generally viewed as offering a final solution in itself, this approach is regarded as an aspect of the step-by-step process towards the ultimate goal of general and complete disarmament. It appears that in some cases the complex questions of arms limitation and disarmament might more easily be handled within a narrower or regional framework than by attempting to apply broad concepts to widely differing situations and environments. In 1970, the United States submitted a working paper⁷ in the Conference of the Committee on Disarmament, in which it advanced the idea that the regional approach could be especially useful in prohibiting the transfer of particular weapons which could be destabilizing to a particular region, such as those that because of their sophistication could upset a regional military balance, and in 1976 it advised the CCD⁸ that it had undertaken certain unilateral measures of self-restraint in the arms transfer field, such as restricting the transfer of missiles and high performance aircraft to most regions. On the basis of a Belgian initiative put forward in 1978 and pursuant to resolution 33/91 E, the Secretary-General, with the assistance of a group of governmental experts, carried out a study of all the aspects of regional disarmament, which was completed in 1980.⁹ A large number of States, mainly Western and some non-aligned or neutral, including Austria, Belgium, Colombia, Denmark, Ecuador, France, Ghana, Ireland, Japan, Malaysia, Por-

⁶ *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 83-85.

⁷ *Official Records of the Disarmament Commission, Supplement for 1970, annex C, sect. 36, document CCD/307.*

⁸ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 27 (A/31/27)*, vol. I, paras. 209-213.

⁹ A/35/416.

tugal, Sweden, the United Kingdom, the United States and Venezuela, have supported the regional approach, regarding it as a promising step towards a global scheme to limit both the supply and the accumulation of conventional weapons.

A number of countries, among them Nigeria and Pakistan, have been less supportive of the regional approach. In Nigeria's view, the quest for disarmament should not become regionally compartmentalized, with each region deciding what measures it wished or did not wish to undertake, as that would distort universal disarmament efforts and priorities, and the United Nations would be required to assist the regions concerned in maintaining their peace and security. Pakistan, while prepared to consider force reductions in the regional context, has emphasized that States must not be deprived of their essential national defence requirements and has viewed the arms race among the major Powers as a far more threatening and urgent issue.

While there are several differing viewpoints, the increasing expressions of concern about the conventional arms buildup, both over-all and in various regions, and the fact that no State has directly opposed either the idea of the limitation of conventional arms or any of the proposed approaches to realize that goal suggest a readiness to give both the general concept and specific initiatives a chance to prove their practicability.

Consideration by the Disarmament Commission, 1980

For the second consecutive year, the Disarmament Commission, during its substantive session in May and June, considered the problem of the conventional arms race in general and the specific question of the limitation of the buildup and transfer of such weapons on a regional and world-wide basis.¹⁰

Most references to the subject were made within the context of the Commission's deliberations on two substantive items on its 1980 agenda, namely, "Preparation of the elements of a draft resolution entitled 'Declaration of the 1980s as the Second Disarmament Decade'" (item 3), and "Consideration of resolution 33/71 H, with the aim of elaborating, within the framework and in accordance with the priorities established at the tenth special session, a general approach to negotiations on nuclear and conventional disarmament" (item 4(b)). Conventional disarmament was also discussed in connexion with documents submitted by States, in particular a working paper entitled "Limitation and control of the production and transfer of conventional weapons", submitted by Spain,¹¹ a working paper entitled "Approaches to conventional disarmament within the framework of the United Nations", submitted by Denmark,¹² and a working paper entitled "A

¹⁰ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, and A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

¹¹ A/CN.10/12.

¹² A/CN.10/13.

general approach to nuclear and conventional disarmament", submitted by Cuba on behalf of the non-aligned States.¹⁵

While participants in the debate generally supported the idea of limiting the buildup and transfer of conventional armaments, major differences existed, especially between certain non-aligned and Western States, on specific aspects of the problem, in particular the question of approach.

Several Western speakers saw nuclear and conventional disarmament as interrelated and called for parallel or simultaneous examination of the two aspects of the problem, a position shared by China. Nigeria and Pakistan acknowledged only a linkage between nuclear and conventional disarmament, in particular in the European context, with Pakistan noting that the General Assembly had established nuclear disarmament as the most immediate priority. India rejected the concept of linkage between nuclear and conventional disarmament, arguing that it was neither in keeping with established priorities nor was it practical to contend that a measure of nuclear disarmament should be balanced by a corresponding measure of conventional disarmament. Furthermore, except perhaps for the European region, such a linkage would risk eroding the emphasis on nuclear disarmament.

Several, largely Western, supplier countries also tended to emphasize the transfer aspect of the conventional arms race problem and to regard the regional approach as presenting the best opportunity for progress in that aspect, while non-aligned recipient States held that the question of transfers should be considered together with that of production. Nigeria, for instance, emphasized the production problem and viewed the transfer aspect as a "secondary" issue.

Furthermore, the non-aligned States held that the major responsibility for conventional disarmament lay with the States with the largest military arsenals and members of their respective alliances. In that context, a number of non-aligned countries as well as some others observed that the Final Document of the special session had defined the guidelines regarding conventional disarmament. Nigeria referred to paragraph 85, in which the General Assembly had stated: "Consultations should be carried out among major arms supplier and recipient countries on the limitation of all types of international transfers of conventional weapons, based, in particular, on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level"

In a similar connexion, India called upon the major Powers to set an example in the field of conventional disarmament, especially in Europe, and pointed out that several non-aligned and third world countries had called for a conference of major supplier and recipient countries to consider the question with a view to reaching "an equitable solution". Egypt felt that the reduction of conventional armaments, even at the regional level, required a climate of trust among States, progress towards general and complete disarmament, and respect for the principles of the Charter of the United Na-

¹⁵ A/CN.10/20.

tions. Only in such a climate could effective consultations begin between producing and importing States.

China maintained its position that the two super-Powers bore the major responsibility for conventional as well as nuclear disarmament.

France, the Soviet Union and the United Kingdom took a different position on the issue of responsibility for conventional disarmament. All three rejected any approach that would, as stated by the Soviet Union, "mean that negotiations with a view to disarmament should be conducted between the two military alliances". The Soviet position was that the reduction of armaments and armed forces, to be effective, should be undertaken and implemented by individual States. France observed that some members of the military alliances were not "great military Powers" and thus did not bear major responsibility for conventional disarmament. It also felt that security considerations were the same whether a country was a member of a military alliance or not, and observed that there were "great concentrations of conventional arms" in other regions as well as Europe and therefore no basis for referring specifically to "alliance systems", in particular the two major ones. The United Kingdom regarded the non-aligned approach as "very narrow". It regarded conventional disarmament as of world-wide importance and therefore did not consider it wise to restrict the approach to future negotiations or even discussions on the subject.

The Byelorussian SSR stated that, like other socialist countries, it favoured "talks on a wide spectrum of issues related to the multifaceted and complex problem of disarmament". Canada and Yugoslavia expressed regret at the apparent suspension of the bilateral talks between the USSR and the United States aimed at limiting the international traffic in conventional arms. Italy referred to its proposal in the Committee on Disarmament¹⁴ envisaging the establishment of regional commissions in which suppliers and recipients would participate equally in efforts to limit conventional arms transfers.

Efforts at the promotion of peace and security and conventional arms restraint in specific regions, among them Europe, the Indian Ocean and Latin America, continued in 1980 to attract the support of a wide spectrum of countries, both developed and developing, Eastern European and Western.

As in the past, developments in Europe and Latin America, represented, respectively, by the Conference on Security and Co-operation in Europe¹⁵ as well as the Vienna Talks on Mutual Reduction of Forces and Armaments and Associated Measures in Central Europe, and the continuing efforts to reduce conventional armaments in Latin America within the framework of the 1974 Declaration of Ayacucho,¹⁶ were considered most fre-

¹⁴ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), vol. I, document CD/56.

¹⁵ Held at Helsinki and Geneva between 3 July 1972 and 1 August 1975; a new series, to review the implementation of the Final Act of the previous Conference, commenced at Madrid on 11 November 1980.

¹⁶ A/10044, annex.

quently. Czechoslovakia and Senegal, among others, urged a reduction of conventional armaments in the Indian Ocean region (see chapter XIX below).

In stressing the importance of arms restraint in Europe, several delegations noted that that region was the most heavily armed in the world. European countries in particular urged action aimed at increased confidence, cooperation and security, especially within the context of the Conference on Security and Co-operation in Europe, and concrete measures of conventional and nuclear arms limitation and disarmament. The United Kingdom expressed the view that binding, verifiable and militarily significant confidence-building measures covering all of Europe could help create conditions conducive to the limitation and reduction of arms. It believed that parity was important and military imbalances were the cause of current feelings of insecurity and tension. A number of Eastern European States emphasized the efforts of Warsaw Treaty members to promote military détente in Europe and mentioned, as an example, the unilateral withdrawal by the USSR of armaments and armed forces from the German Democratic Republic. They regarded certain military actions taken by the NATO countries as undermining the principle of politico-military détente and equality in Europe.

On the specific question of the Vienna Talks, most speakers, including the representatives of Canada, Czechoslovakia, Hungary, Japan, Pakistan, Poland, the United Kingdom and the USSR, emphasized their importance and the need for progress towards their objectives. The United Kingdom considered that "efforts to reach a lower level of military confrontation in Europe" should be concentrated on the Vienna negotiations. Poland pointed out that it, along with other Warsaw Treaty members, had spared no effort in seeking an agreement in the Vienna Talks, and to that end had presented proposals designed to limit and to reduce "practically every weapons system and type of armed forces in Europe on the basis of the undiminished security of both sides". Canada held that acceptance of an agreed data base was crucial to the building of confidence and the establishment of a basis for agreement in the negotiations. Pakistan suggested that, should a serious impasse arise, a single European forum for promotion of both nuclear and conventional disarmament might lead the way to a breakthrough. Once the arms race in Europe had been halted and reversed, Pakistan held, conventional disarmament efforts in other parts of the world would be more productive. Poland, supported by a number of countries, including Czechoslovakia, the German Democratic Republic, Hungary and Yugoslavia, proposed a conference on military détente and disarmament in Europe, and Czechoslovakia proposed also that participants in the Conference on Security and Co-operation in Europe should agree not to be the first to use either nuclear or conventional weapons against each other. The German Democratic Republic and Poland held that refraining from an increase in conventional armaments and armed forces, in particular on the part of the permanent members of the Security Council and their allies, would constitute an important contribution towards the cessation of the arms race.

Canada, Japan, Peru and Sweden referred to the Latin American expe-

rience as an encouraging example of the regional approach to conventional disarmament, with Peru regarding the Declaration of Ayacucho as a second major Latin American contribution — in addition to the Treaty of Tlatelolco — to multilateral disarmament, and a demonstration of that region's determination to strengthen security and enhance development.

The diverse views noted above on specific aspects of conventional disarmament illustrate the complexity of the problem as a whole. In that context, many speakers in the Disarmament Commission favoured increased consideration of conventional disarmament-related issues within the framework of the United Nations and welcomed the working papers, mentioned above, submitted by Denmark and Spain.

Denmark's paper, entitled "Approaches to conventional disarmament within the framework of the United Nations", was based on the premise that there was a need for the reassessment of the conventional arms race and proposed that a comprehensive study of all aspects of the conventional arms race and conventional disarmament be undertaken under United Nations auspices with the assistance of qualified experts, to assist the Disarmament Commission in its further consideration of the problem.

The paper submitted by Spain, entitled "Limitation and control of the production and transfer of conventional weapons", *inter alia*, outlined the principles that Spain believed should determine the norms for halting the conventional arms race. The principles included: the need to take into account the security of nations; the regional approach to conventional disarmament; "irregular" arms transfers and their causes; and measures to be taken into account in whatever studies might be undertaken on the subject.

Several countries, mainly Western — Canada, the Federal Republic of Germany, Italy, Japan, Spain and Sweden — specifically supported the proposal for a United Nations study. A number of other States, largely non-aligned, including Cuba, Kuwait and India, as well as the USSR, opposed the proposal for a study, and Brazil and Pakistan expressed reservations on the issue.

India and Kuwait saw the ultimate objective of the proposed study as the imposition of an embargo against conventional arms transfers to certain parts of the world. India held that the proposed study could adversely affect non-aligned developing countries, in particular those "struggling to preserve their newly won independence from external as well as internal threats to their security," and stressed the view that for any such proposal to be acceptable it would first have to address that concern. Kuwait believed that any embargo would benefit only States belonging to military alliances and "aggressors and Powers that occupy the territories of others". A study, Kuwait felt, would therefore be counter-productive unless it took into account the specific conditions existing in each region and purposes for which the arms were acquired. Furthermore, Kuwait held, conventional weapons should not be considered in isolation from nuclear weapons. The Soviet Union, while stating that it favoured the reduction of conventional weapons, opposed the concept of a study on the matter because in its view such

studies served "no useful purpose" in efforts to solve the type of important problem under consideration.

Pakistan, while generally supporting the idea, believed that any such study must take into account the complexities of the global situation as well as various regional situations. Brazil considered that the study would be justifiable only in the event of substantial progress in nuclear disarmament.

Denmark, in a statement in support of its proposal, emphasized that conventional as well as nuclear disarmament was important and that there should be a reassessment of the general problem of the conventional arms race which was, for most nations, the most immediate threat to their security. Denmark agreed that in any such reassessment there was a need to retain a comprehensive perspective, taking into account the relationship of conventional weapons to security and the importance of the regional dimension.

In general, the Commission's deliberations on conventional disarmament were more extensive and substantive than at the 1979 meetings, as reflected in certain of the recommendations — adopted by consensus — contained in its report¹⁷ to the General Assembly.

Among the elements of the Declaration of the 1980s as the Second Disarmament Decade, under the heading "Goals and principles", the Commission recommended:

8. The disarmament process and the activities during the Decade should be in accordance with the fundamental principles enshrined in the Final Document of the Tenth Special Session of the General Assembly and should be carried out in such a balanced and equitable manner as to ensure the right of each State to security through the adoption of appropriate measures, taking into account the importance of nuclear disarmament and conventional disarmament, the special responsibility of the States with the largest military arsenals, the specific requirements of regional situations and the necessity for adequate measures of verification. At each stage the objective should be undiminished security at the lowest possible level of armaments and military forces.

Under the heading "Activities", among the priority measures dealt with outside the Committee on Disarmament and reflecting the importance attached to the European region, the Commission included:

13. . . .

(d) Achievement of an agreement on mutual reduction of armed forces and armaments and associated measures in central Europe;

(e) Negotiations on effective confidence-building measures and disarmament measures in Europe among the States participating in the Conference on Security and Co-operation in Europe, taking into account initiatives and proposals to this effect;

(f) Achievement of a more stable situation in Europe at a lower level of military potential on the basis of approximate equality and parity by agreement on appropriate mutual reduction and limitation of armaments and armed forces in accordance with paragraph 82 of the Final Document, which would contribute to the strengthening of security in Europe and constitute a significant step towards enhancing international peace and security.

Among other priority measures to be pursued during the Second Disarmament Decade, the Commission recommended:

¹⁷ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, sect. IV, paras. 19 and 20.

14. . . .

(i) Measures, multilateral, regional and bilateral, on the limitation and reduction of conventional weapons and armed forces, in accordance with the relevant provisions of the Final Document;

(j) Reduction of military expenditures;

(k) Confidence-building measures, taking into account the particular conditions and requirements of different regions, with a view to strengthening the security of States.

Finally, under "Disarmament and international security", it stated:

17. . . . Significant progress in nuclear disarmament would be facilitated both by parallel political or international legal measures to strengthen the security of States and by progress in the limitation and reduction of armed forces and conventional armaments of the nuclear-weapon States and other States in the regions concerned.

Conventional disarmament issues were also contained in the recommendations of the Commission which were derived from its deliberations on a general approach to negotiations on nuclear and conventional disarmament. In that context:

9. The Commission noted that, while nuclear disarmament had the highest priority, the General Assembly had declared in the Final Document that "together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament". The Commission also noted that in the conventional field, as in the nuclear field, the major responsibility rested on those States with the largest military arsenals and that progress in conventional disarmament by those States would constitute a significant step in strengthening peace and security in the world.

10. While reiterating the relevant provisions in the Final Document for the need to resolutely pursue agreements or other measures on a bilateral, regional and multilateral basis with the aim of strengthening peace and security at lower levels of military potential by the limitation and reduction of armed forces and conventional weapons, the Commission also stressed that, in keeping with the provisions of the Final Document, the adoption of conventional disarmament measures should take place in an equitable and balanced manner taking into account the right of each State to protect its security and to defend its independence and territorial integrity, as well as the inalienable right to self-determination and independence of peoples under colonial or foreign domination.

11. The Commission considered a proposal for a study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces. In the light of its discussions the Commission noted the wide support in favour of recommending to the General Assembly at its thirty-fifth session that it approve, in principle, the proposal for the study on disarmament relating to conventional weapons and armed forces to be undertaken after the general approach of the study, its structure and scope had been fully discussed and agreed upon. At the same time, the Commission noted that strong objections or reservations were made from various quarters to such a study on several grounds.

The recommendations mentioned above reflect the main thrust and substance of the Commission's deliberations on the subject in 1980.

Consideration by the Committee on Disarmament, 1980

During 1980, the Committee on Disarmament — the main multilateral disarmament negotiating body — did not have on its agenda any items regard-

ing the conventional arms race and disarmament as such.¹⁸ The question was considered mainly in the Committee's general debate in plenary meetings and its discussions on a comprehensive programme of disarmament¹⁹ (see chapter III above).

Most speakers, in particular the representatives of non-aligned countries, while including conventional arms limitation and disarmament among the elements to be included in the comprehensive programme, stressed that priority should be accorded to nuclear disarmament in accordance with the relevant provisions of the Final Document of the tenth special session. Other delegations, in particular those of China, France, Italy and Sweden, continued to emphasize the negative socio-economic and political consequences of the conventional arms race and the need to halt it.

China reiterated its position that the appropriate way of approaching conventional disarmament was to treat it equally with nuclear disarmament, and to carry out the two simultaneously. China also repeated its view that the Soviet Union and the United States should be the first to reduce their armaments, nuclear as well as conventional. Mongolia specifically rejected China's latter point as deeply contradicting the principle of parity and equal security of all parties during the process of disarmament.

France, Italy and Sweden supported the regional approach as a promising means of dealing with the problem of the conventional arms race. France, which specifically observed that issues related to conventional armaments did not appear on the agenda, stated that it "would consider it desirable for the Committee, at the appropriate time, to examine the principles, conditions and methods applicable to regional disarmament endeavours" France called attention to recent initiatives taken in connexion with the reduction of conventional weapons in Europe and, in that regard, called its own proposal for the convening of a conference on disarmament in Europe, to consider mainly confidence-building measures and conventional arms reductions applicable to that continent.

A number of other European States, Eastern as well as Western, also referred to the situation in Europe and stressed the special importance and need for balanced measures of arms restraint and disarmament in that region, many of them noting that it continued to harbour the largest concentration of armaments and armed forces in the world. In that connexion, the Soviet Union, among others, stressed the need for further consolidation and enhancement of détente in all its aspects, a process aimed at lowering the level of military confrontation and halting the arms race as well as building confidence and trust among States in Europe. Belgium maintained that there should be no doubt about the willingness of Western countries to reach agreements regarding the control of weapons in Europe in the light of their various efforts, extending over some 20 years, towards that end.

A number of delegations, among them those of Australia, Belgium,

¹⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, paras. 6-9.

¹⁹ *Ibid.*, paras. 63-68.

Bulgaria, Egypt, Pakistan and Romania, considered that the solution of political crises and the relaxation of tensions in general, as well as the building of confidence among States, were prerequisites for genuine disarmament, in both the nuclear and conventional spheres. Several speakers regarded the various political and military crises around the world as fuelling regional arms races and threatening to upset regional military balances.

While most of the Committee's treatment of the conventional arms race and disarmament was of a general nature, Italy early in the session submitted a working paper²⁰ specifically on the control and limitation of conventional arms transfers. In that paper, Italy proposed the establishment, within the United Nations, of an *ad hoc* body to deal with the question of the conventional arms race along regional lines. Such an *ad hoc* body, Italy explained, would be organized in a series of regional committees composed of all the major suppliers and importers of conventional weapons in a given region. The *ad hoc* body, in a general conference, would be responsible for establishing principles and guidelines for the control and limitation of transfers, while the various regional committees would be charged with drawing up specific measures for keeping the level of armaments in each region at the lowest possible level, having due regard for the requirements of security, stability and regional balance.

Belgium, in welcoming the working paper submitted by Italy, re-emphasized its long-standing interest in the question of the conventional arms race, and stated its support for any procedural decision that would enable the Committee on Disarmament to hold an in-depth discussion on the various aspects of the problem.

Although no concrete negotiations were initiated in the Committee in 1980 on the subject of conventional disarmament, the increasing references to the subject in the debate, and in particular the submission of a paper dealing with one of the main approaches to the issue, may forecast more in-depth examination of the problem by the Committee in the future.

Consideration by the General Assembly, 1980

At the thirty-fifth session of the General Assembly in 1980, especially in the context of follow-up of the May-June session of the Disarmament Commission which had made recommendations to the Assembly on the issue,²¹ the debate on conventional disarmament, in both plenary and First Committee meetings,²² was extensive, substantive and action-oriented. As in previous multilateral deliberation on the subject, however, participants were able to agree only on the need for conventional arms limitation and disarmament,

²⁰ *Ibid.*, appendix II (CD/139), vol. I, document CD/56.

²¹ See pages 337-338 above.

²² See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd, 79th and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 49th meetings, and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

but not on how to achieve that end. In expressing support for conventional arms restraint, States continued to comment that nuclear arms presented the greatest danger to the survival of mankind, but generally agreed that conventional weapons and forces posed the most immediate threat to the peace and security of most countries and consumed the major portion of world military expenditures. Pakistan, for instance, agreed that global disarmament efforts should place proper emphasis on conventional disarmament and not devote their attention exclusively to the nuclear aspect. And on behalf of the nine members of the European Economic Community the Netherlands stated that conventional disarmament was essential to the disarmament process and that "only through progress in both the nuclear and conventional fields" could the goal of the world community be attained. A number of States, in calling for conventional disarmament, recalled that the Final Document of the Tenth Special Session of the General Assembly²³ called for balanced reductions of conventional armaments and armed forces.

Nepal envisaged such a link, holding that the conventional arms buildup provided an incentive for the escalation of the nuclear arms race. On a related point, some States, including Hungary and India, expressed grave concern over developments in the conventional field which tended to diminish the difference between nuclear and conventional warfare. India felt that such developments as well as the evolution of new nuclear doctrines, which deliberately attempted to project nuclear weapons as substitutes for or only a more destructive kind of conventional weapons, had resulted in a blurring of the distinction between nuclear and conventional armaments. Hungary shared the concern that the increasingly destructive power of conventional armaments was approaching that of nuclear armaments, thus narrowing the gap between them. A number of other countries, including Afghanistan, Chile, Iran, Ireland and the Soviet Union, decried the advancing technology of conventional weapons and specifically urged limitation of conventional weapons with great destructive capability. Iran called for the limitation of transfers of such weapons to developing countries, while the Soviet Union suggested stopping their production.

Many States referred specifically to the harmful socio-economic consequences of the conventional arms race, especially in developing countries, often claiming that it was a major impediment towards the realization of the new international economic order. Among them, Fiji expressed regret that economic aid was too often given out of strategic and military concerns rather than for genuine humanitarian and development purposes. The Federal Republic of Germany urged the international community not to remain idle when weapons were pouring into developing countries which needed not guns but resources for socio-economic growth, and when development assistance was "lagging or even stagnating" behind rising expenditures on armaments. In that connexion, the Federal Republic proposed the establishment of two United Nations registers, one showing how much the

²³ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 54 and 83-85.

industrialized countries were spending *per capita* on armaments and on development assistance, and the other covering world-wide exports and imports of armaments.

Several speakers contended that the developing countries were primary targets and victims of the conventional arms race and arms transfers. Suriname thought it was ironic that the arms-producing States which had supplied the weapons used in third world conflicts should, at the same time, be expressing concern over those crises. A number of other countries, including Angola, Ireland, Nepal, Nigeria, Pakistan, the Philippines, Senegal and Tunisia, deplored the role of great Powers in the world-wide expansion of conventional armaments, especially in the third world, a development which they regarded as destabilizing to the countries and regions concerned. In that connexion, Nigeria and Senegal held that selective and discriminatory transfers of arms and of arms-producing capabilities to certain third world countries and not to others within the same region tended to create potentially dangerous military imbalances, and Papua New Guinea and Tunisia stated that such transfers were used to create a "special bond between seller and buyer", a bond which, in Tunisia's view, benefited the sellers more than the buyers. Furthermore, according to Senegal and Tunisia, some third world countries acquired weapons quantitatively and qualitatively beyond their legitimate national defence needs and used them against neighbouring States.

Apart from the transfer aspect, increasing third world involvement in the indigenous production and export of conventional weapons attracted expressions of concern. Fiji and Papua New Guinea worried about what they saw as the adverse effects on socio-economic development of the diversion, by developing countries, of scarce resources to the armaments industry. In Papua New Guinea's view, the economic advantages of such an industry to third world producers were, at best, questionable. Nigeria held that indigenous weapons production by some developing countries within a region could create regional security imbalances by placing the producer States at a military advantage over the non-producers.

Beyond the general expression of concern over the negative consequences of the global buildup and transfer of conventional weapons, many speakers in the First Committee addressed specific aspects of the problem in some detail, including the questions of responsibility for the problem and possible approaches to its resolution.

On the question of responsibility for the conventional arms race, India did not subscribe to allegations of a conventional arms race in which all or a majority of countries were engaged; rather, it was the "five or six most heavily armed States" which were responsible. A number of other non-aligned countries, including Angola, Nepal, Pakistan, the Philippines and Suriname, also decried the role of the great Powers in the sale and transfer of conventional weapons, while China laid the primary responsibility for the arms race in both the nuclear and conventional fields on the two super-Powers.

The Byelorussian SSR held that the promoters of the arms trade and the constant expansion of armed forces and conventional armaments were the

“military-industrial complex” and “imperialists and hegemonists” The Soviet Union expressed the view that not all great Powers bore equal responsibility for the arms race. It believed that assertions of “so-called equal responsibility” not only distorted the actual state of affairs but served “as a convenient cover for the continuation of militaristic policies”

In addition to the apparent divergence of views as to who was responsible for the conventional arms race, differing positions were taken as to approaches to the solution of the problem, including which aspect of the arms race, nuclear or conventional, deserved greater emphasis in disarmament efforts.

China, Malaysia and the United Kingdom, among others, expressed the view that conventional disarmament should be pursued simultaneously with nuclear disarmament, and several, largely Western, States, including Canada, the Federal Republic of Germany, Ireland, Portugal and the United Kingdom, saw the consideration of conventional disarmament as a route towards pursuing balanced disarmament to encompass both the nuclear and conventional spheres. A number of other States, among them Nepal, Pakistan, Suriname and Venezuela, while recognizing nuclear disarmament as the priority concern, agreed that it should not preclude the consideration of conventional disarmament. Several Eastern European States, including the Byelorussian SSR, Hungary, Poland and the USSR, maintained that progress on conventional disarmament would facilitate prospects for nuclear disarmament.

Several other States, however, among them Brazil, Egypt, India and Sierra Leone, continued to stress the priority of nuclear disarmament, with Brazil and India expressing concern that emphasis on conventional disarmament might divert attention from the widely accepted order of disarmament priorities. Because of the great destructive power of nuclear weapons, India rejected the suggestion that nuclear disarmament should be linked to conventional disarmament. It also rejected the contention that progress in nuclear disarmament would be facilitated by corresponding progress in conventional disarmament, declaring instead that “the reverse may be closer to the truth” While not against conventional disarmament, India held that it must be pursued on its own merits and not as an excuse to delay or deflect attention from nuclear disarmament.

Despite the divergence of views noted above, there was general agreement that disarmament in both fields was important. The crucial question, therefore, was no longer whether there should be conventional disarmament, but rather how it should be pursued and carried out.

Many non-aligned States, including Egypt, India, Nigeria, Pakistan, Senegal and Sierra Leone, stressed that conventional disarmament must not interfere with the right of States to security or the right of peoples under foreign or racist domination to use the means available to them to realize their freedom and self-determination.

In that context, Nigeria stated that, in a world where national sovereignty and territorial integrity were still subject to violations, the minimum means of national defence and security could not be denied. India believed

that "a modicum of conventional capability" was essential, especially for newly independent countries, in order for them to safeguard their hard-won independence. Egypt stressed that conventional weapons safeguarded the security of non-nuclear States and therefore any attempt to reduce their use or supply would not succeed so long as the international bodies concerned, particularly the Security Council, were unable to protect world peace and security. Thus, in Egypt's view, the achievement of conventional disarmament was organically linked to the viability of the system of collective security laid down in the Charter of the United Nations.

Several comments and suggestions were made on the specific question of the approach to conventional arms limitation. The developing countries which held that the great Powers were primarily responsible for the arms race urged those Powers and other arms-exporting countries to pursue effective disarmament action either within the Committee on Disarmament or through other types of multilateral or bilateral negotiations. Suriname urged that both the Disarmament Commission and Committee on Disarmament take up the question of conventional disarmament along with their examination of nuclear and other issues. Fiji saw the need for a collective approach while Sierra Leone, more specifically, urged co-operation between exporters and importers to realize restraint in arms transfers.

The Soviet Union submitted a proposal to the General Assembly at its thirty-fifth session, entitled "Urgent measures for reducing the danger of war"²⁴ by which the Assembly, *inter alia*, would call upon all States, in particular the permanent members of the Security Council and their military allies, to conclude an agreement not to increase their armed forces and conventional weapons, with effect from 1 January 1981, as a first step towards their reduction (see chapter I above, page 25). While several delegations supported the Soviet proposal, others had certain reservations or objections. Senegal, for instance, felt that, although the Soviet proposal merited attention, it did not sufficiently take into account the need for certain peoples and States to recover their right to self-defence against aggression, and Democratic Kampuchea regarded the proposal as aimed at maintaining Soviet "supremacy" in conventional weapons. The Soviet Union and other Eastern European States also reaffirmed the proposal of the Warsaw Treaty members for reciprocal reductions or prohibitions of conventional weapons, especially those with great destructive capabilities. The Soviet Union referred in addition to the bilateral talks between itself and the United States, begun in 1977, aimed at reaching agreement on the limitation of conventional arms sales and transfers. It stated that there was, in 1978, the possibility of making substantive progress in those talks, but that they had been suspended by the United States while, at the same time, the scale of United States arms exports was rising.

China held that conventional disarmament must be carried out in accordance with the spirit of the provision of paragraph 81 of the Final Document, recalling in particular that that paragraph said "States with the largest

²⁴ A/35/241.

military arsenals have a special responsibility in pursuing the process of conventional armaments reductions.”

The peaceful settlement of disputes was widely regarded as a means of limiting the conventional arms race, with specific references being made to ongoing crises in southern Africa, South-East Asia and the Middle East, among others. Lebanon reaffirmed its proposal, put forward at the tenth special session in 1978, to the effect that small countries facing instability and tension resulting from external rivalries between regional or major Powers should be given a special status of internationally guaranteed neutrality under the aegis of the United Nations, backed by United Nations peace-keeping forces. Barbados, after expressing regret over ongoing armed conflicts in the third world and calling for their peaceful resolution, urged third world countries to recognize that divisions within them served the interests only of developed countries selling weapons to the third world.

The regional approach continued to attract additional attention and interest, involving the general concept of regional conventional arms limitation as well as references to related developments in specific regions. Considerable reference was made to the report of the Secretary-General, prepared with the assistance of a group of governmental experts, entitled “Study on all the aspects of regional disarmament”²⁵ A number of delegations, again particularly Western, welcomed the report and Belgium, at whose initiative the General Assembly had commissioned the study, introduced a draft resolution by which the General Assembly would commend it (see chapter XXII below). Israel regretted, however, that the study had given rather limited coverage to regional regulation of conventional armaments, perhaps because of lack of progress in that field. Italy regarded the study as constituting an ideal basis on which to develop concrete initiatives under United Nations auspices regarding regional disarmament. Italy also referred to the proposal it had submitted to the Committee on Disarmament (see above) envisaging the use of both regional and global approaches to limit international arms transfers.

In linking military developments in the conventional field to a regional approach to disarmament, the study, *inter alia*, states:

198. Cessation of the conventional arms race is a domain in which the inclusion of a regional aspect in the approach to disarmament is particularly important. Due to the ubiquity of conventional weapons and armed forces and their technical and functional diversity, and due to the central role of conventional forces in the security perception of the countries in a region, the question of conventional disarmament is highly complex, and the possible approaches highly dependent on regional conditions. In many cases simple reduction of force levels or armaments may need to be supplemented by other measures of conventional disarmament to satisfy the requirements of undiminished security of the parties. In some cases the presence or the role of nuclear weapons needs to be taken into account, or confidence-building measures and other measures to promote security, as well as the particular effective national or international verification measures that may be required. Conventional disarmament is a field in which the number of possible measures and the scope for regional initiatives is virtually unlimited.

199. Agreements on the limitation and reduction of conventional weapons and armed forces fall into several distinct, if related, categories.

²⁵ A/35/416.

200. One category of measures consists of the renunciation of certain types of weapons by the States in a region in which these weapons do not exist. Such agreements not to acquire certain types of weapons may typically concern new and technically advanced types of weapons or weapons which are particularly destructive or indiscriminate in their effects. They may be designed to avert future regional arms competition or to prevent the introduction of weapons which could render future disarmament agreements particularly difficult. Agreements of this type may, however, also concern weapons which are not fundamentally new or different from existing ones but whose performance exceeds certain agreed limits, for example, limits on mission capability, on range, load and speed of aircraft, on weight and armament of fighting vessels, or on range and launch and target characteristics of missiles. This kind of regional agreements implies renunciation of acquisition and production by regional States and, as appropriate, engagements by extra-regional States not to introduce or deploy such weapons in the region, and not to use them against countries of the region. In some cases such agreements may have to be linked with agreements imposing certain other restrictions on the armaments and armed forces in the region.

While the regional approach was supported by countries of all geographical, political and socio-economic backgrounds, it was mainly developed Western States, among them Belgium, France, the Federal Republic of Germany and Italy, which emphasized its value in the pursuit of disarmament, particularly in the conventional field. The non-aligned countries supporting the approach continued to stress the importance of taking into account current efforts at regional arms restraint, the special characteristics and existing security situations of the regions concerned, and the need to ensure regional military balances. They emphasized also that regional measures should not be looked upon as ends in themselves but rather as supplements to other approaches, including global and bilateral disarmament efforts.

Ecuador and Venezuela informed the First Committee that in September 1980 the Heads of State of the Andean group, namely, Colombia, Ecuador, Peru and Venezuela, and the Presidents of Costa Rica and Panama and a representative of the Government of Spain, had signed the Riobamba Charter of Conduct²⁶ which, *inter alia*, envisaged the strengthening of regional disarmament efforts by promoting "a process of subregional and regional disarmament which, inspired by the tenets of the Declaration of Ayacucho, would constitute an effective contribution to general and complete disarmament and permit the release of resources for economic and social development"

Some non-aligned countries had serious reservations about the regional approach. India pointed out that, because of its size and principled refusal to align itself with any military bloc, it needed a basic ability with which to defend its territorial integrity and thus could not accept regional concepts in the absence of an atmosphere of mutual trust and confidence among countries. Ethiopia decried what it termed "ominous" and "imperialist" military activities in the regions of the Middle East, the Red Sea, the Persian Gulf and the Indian Ocean which it asserted were aimed at encircling, destabilizing and committing aggression against certain countries of those regions.

The importance of confidence-building among States, together with such other elements as peace, security, co-operation and détente, was em-

²⁶ Signed at Riobamba, Ecuador, on 11 September 1980.

phasized at the thirty-fifth session of the General Assembly by a wide range of countries as being particularly relevant to conventional arms restraint. In that context, European countries, Eastern as well as Western, regarded their region as that where confidence-building had made its beginning with the Conference on Security and Co-operation in Europe, and expressed the hope that the Madrid Conference which opened in November 1980 would contribute to the easing of East/West tensions and the strengthening of détente and security in Europe and lead to a European disarmament conference.

France, Poland and Yugoslavia referred to the separate proposals for the convening of a European disarmament conference that they had put forward in connexion with the Madrid Conference. The French plan, first offered in 1978, proposed a conference which would concentrate in a first phase on confidence-building measures and in a second phase on the limitation and reduction of certain types of conventional weapons, with verification. Under the Polish proposal, first put forward in May 1979 and supported by other Warsaw Treaty States, such a European conference, including the participation of Canada and the United States, would concentrate on considering questions of military détente and disarmament in Europe and would envisage, among other things, the freezing of the membership of military blocs and the search for a commitment against the first use of nuclear weapons. Under Yugoslavia's plan a European disarmament conference, which it was convinced should take into account all components and the whole territory, including the Mediterranean, in disarmament negotiations, would reportedly involve a two-stage process: the consideration, first, of transitional measures, *inter alia*, to limit military activity and promote military disengagement and, secondly, of disarmament measures covering both conventional and nuclear weapons.

The French proposal was supported by several Western, particularly NATO, countries. Greece expressed the view that such a European conference on disarmament would be a constructive follow-up to the Madrid Conference. Egypt, noting the link between European security and that of the Mediterranean and Middle East, considered that the conference proposed by France would contribute to the reduction of tensions and establishment of confidence.

The Byelorussian SSR, Czechoslovakia, Mongolia and the USSR, among others, emphasized their preference for the Polish proposal. The USSR expressed the view that such a conference could, first, expand confidence-building measures and, on that basis, deal with harmonized measures to limit military activity and reduce armed forces and armaments.

Also in the European context, the Vienna Talks continued to receive attention in the Assembly. While both sides regretted that the talks had not yet resulted in a concrete agreement, they expressed conflicting views on the reason for the lack of progress.

Several Eastern European States, among them Bulgaria, Czechoslovakia, Mongolia and the Soviet Union, held that their side in the Vienna Talks had maintained a constructive approach and made constructive proposals, and that it was up to the Western participants to show political will and re-

spond positively without trying to acquire one-sided military advantages. Mongolia and the Soviet Union explained that the July 1980 proposals of the Warsaw Treaty participants in the Vienna Talks had envisaged a reduction, in a first stage, of the troops and armaments of the United States and the USSR in Central Europe and, in a second stage, the establishment of a clear link between the military potential of the two super-Powers and the further reduction of their troops and armaments. In a final stage there would be a reduction to equal collective levels of strength of the armed forces and armaments of the NATO and Warsaw Treaty countries in Central Europe. The representative of the Soviet Union explained that under the proposed arrangement, the Soviet Union would, at the first stage, withdraw 20,000 troops from Central Europe in addition to the 20,000 it had already — by 1 August 1980 — unilaterally withdrawn from the territory of the German Democratic Republic, while the United States would be required to reduce its troops in Central Europe by only 13,000. Czechoslovakia and Mongolia stressed the importance of the Soviet Union's unilateral withdrawal of 20,000 troops and 1,000 tanks and other military equipment from the German Democratic Republic, both looking upon that action as fostering the military détente and mutual trust needed to reduce military confrontation in Europe and decrying the lack of a positive NATO response.

The Federal Republic of Germany, on the other hand, held that the Warsaw Treaty States had acquired superiority in conventional weapons in Central Europe, and recalled that, in December 1979, the NATO participants in the Vienna Talks had put forward a comprehensive package of proposals designed to achieve military equilibrium in that area at the lowest possible level of armaments. It held that the question was now one of beginning negotiations with the Warsaw Treaty parties towards that end.

References were also made to military developments in regions other than Europe, including Africa, South Asia, the Indian Ocean, Latin America, the Mediterranean and the Middle East, largely within the context of regional political tensions.

In respect of Africa, a large number of countries, mainly non-aligned, reaffirmed their support for a comprehensive arms embargo, through the Security Council, against South Africa, and urged all States to support such action. Several African States, among them Benin, Ghana, Madagascar, Mozambique and Togo, stressed the view that the effectiveness of the Security Council's 1977 arms embargo against South Africa²⁷ was being frustrated by Western or NATO military collaboration with the South African régime. Senegal maintained that no solution to the problem of the conventional arms race could be permitted which disregarded the need to resolve conflicts such as those in southern Africa, especially since the *apartheid* South African régime had attained a military capability with which to buttress its racist policies as well as to commit aggression against neighbouring countries.

Regarding South Asia, Pakistan stressed its belief that peace and secu-

²⁷ Security Council resolution 418 (1977) of 4 November 1977.

rity would be enhanced by the establishment of a military equilibrium in the region, reaffirmed its readiness to negotiate with India towards reaching an agreement on a "mutually acceptable and balanced ratio of forces between the two countries", and added that it was prepared to pursue such negotiations with other countries in the region. Pakistan re-emphasized its view that no State should seek maximum security for itself while denying even a minimum measure of security to others. India maintained its right to self-defence and said it could not accept concepts such as that of a "balanced ratio of forces" at the regional level in the absence of mutual trust and confidence among the countries of the South Asian region.

Many speakers expressed anxiety over military developments in the Middle East, especially in view of the unresolved political problems of the area. Particular concern was expressed about the unbridled arms race in the region, and the transfer of technologically advanced and destructive weaponry to countries in the area. Israel, pointing to what it called the "unprecedented military buildup" of the "Arab rejectionist States", called upon the United Nations to take note of that military buildup and to urge the States concerned to reduce their armaments. Israel stated that it was prepared to participate in any joint effort to limit armaments in the Middle East. A number of Arab States, among them Iraq, Jordan and Lebanon, on the other hand, attributed the dangerous arms buildup in their region to Israeli military developments which they contended were supported by some outside Powers, in particular the United States. In Jordan's view, those developments had created a security imbalance in the Middle East which placed Israel at a military advantage over its neighbours. Iraq asserted that Israel was expanding its conventional armaments capabilities — beyond acquisition from outside sources — by increased domestic production, while Lebanon charged that Israel was using "sophisticated" weapons acquired from the United States to attack Lebanese territory in violation of agreements with the United States prohibiting the use of those weapons for such purposes.

The 1974 Declaration of Ayacucho²⁸ continued to represent the most concrete example of Latin American countries' efforts to limit conventional weapons in their region. Canada, Ecuador, Israel, Panama, Peru, Suriname and Venezuela re-emphasized the importance of the Declaration. Ecuador and Suriname pointed particularly to the relevance of the Declaration's provisions for the peaceful settlement of disputes and restraints on the acquisition of offensive weapons. Panama regretted that, despite regional arms limitation efforts, "certain" Latin American countries continued to acquire both defensive and offensive sophisticated weapons beyond requirements for their national defence, thus consuming resources which should be devoted to development.

In recent years, many States, in particular those in the regions concerned, have increasingly urged the establishment of demilitarized or peace zones. Among the proposed zones are the Indian Ocean (see chapter XIX below), the Mediterranean and South-East Asia. At the thirty-fifth session of

²⁸ A/10044, annex.

the Assembly, Egypt and the Soviet Union, for example, stressed the need to reduce military tensions in the Mediterranean. The Soviet Union recalled also that the Warsaw Treaty States had proposed consideration, within the United Nations, of the question of "limiting and reducing the levels of military presence and military activities in various regions — whether in the Atlantic, Indian or Pacific Oceans, the Mediterranean Sea or the Persian Gulf — taking into account the interests of peace and of securing reliable and unimpeded use of these highly important international sea routes"

Another approach to the possible resolution of the conventional arms race problem was represented by Denmark's proposal, first put forward in the Disarmament Commission (see above), for a comprehensive United Nations study of the problem. Denmark sponsored a draft resolution on the question, which was subsequently revised and sponsored also by the Philippines. In introducing the initial draft, Denmark noted that some reservations had been expressed concerning its proposal. On that account it stressed that the proposal was in no way intended to interfere with either nuclear disarmament efforts or with the rights of States to protect their own security or to self-defence. Denmark referred, however, to the resources and funds spent in the conventional field and the existence already of several studies on nuclear weapons; accordingly it regarded a study on the conventional arms race as a dimension which was lacking in the United Nations efforts to achieve its final disarmament goals. In its revised form, the draft resolution, as a result of consultations, contained an additional preambular paragraph by which the Assembly would reaffirm the priorities set out in the Final Document of its 1978 special session devoted to disarmament, and its operative paragraph 4 was recast to have the Assembly request submission of a progress report at the second special session devoted to disarmament and delay the submission of the final report until its thirty-eighth session (see below). With regard to the first amendment, Denmark observed that the Final Document had not precluded dealing with all priority items concurrently and, as to the second, it had been convinced that for practical reasons the completion of a comprehensive study in time for the second special session of the Assembly in 1982 would hardly be possible.

A large number of States, among them Finland, Ireland, Italy, Nigeria, Norway, Pakistan, Panama, Peru, the Philippines, Portugal, Senegal, Sierra Leone, Spain, Trinidad and Tobago, the United States and Venezuela, expressed support for the Danish proposal. The Philippines, for instance, saw the proposed study as possibly leading to actual limitations of conventional armaments, and Spain stated that the study should take into account "irregular transfers" of armaments by illegal and private arms dealers.

Several States explained their positions in connexion with the voting in the First Committee. Nigeria and Pakistan, in supporting the draft, stressed that the study should deal comprehensively with all aspects of the conventional arms race, including the transfer as well as the indigenous production aspects of the problem.

Other countries, including Brazil, India and the Soviet Union, objected to the Danish proposal. Brazil and India would have preferred that the draft

resolution reflect, in addition to noting that there was "wide support", that there had also been "strong objections or reservations" concerning the proposed study, as noted in the report of the Disarmament Commission.²⁹ India would have preferred to have had the Commission decide, at its 1981 meetings, whether the proposed study was really necessary. According to India, the proposal attempted "to prejudge the issue in favour of conducting a study" and Brazil held that it sought to bypass the Commission. Both countries expressed concern that the Danish proposal would distract attention from the priority issue of nuclear disarmament. Brazil and the Soviet Union also expressed concern over the financial implications of the proposed study and felt that the value of the studies requested of the United Nations in the disarmament field did not justify their cost. The Soviet Union held that the essential task was to begin concrete negotiations towards curbing the conventional arms race and realizing conventional disarmament, not the undertaking of "an absolutely fruitless study"

Egypt, which had certain reservations about the proposal, emphasized that nuclear disarmament should command the Assembly's highest attention and conventional disarmament should be seen within the context of general and complete disarmament and the preservation of the undiminished security of all States. Egypt did not oppose such a study as long as its scope was not enlarged to include issues that could adversely affect the capabilities and security of third world States. Ghana had reservations concerning the financial implications of the proposed study and wondered whether the United Nations should undertake such a project at a time when there were many more important and pressing socio-economic problems, particularly in developing countries. Yugoslavia, on the other hand, was surprised that the financial implications of such a study had even been prepared, because it interpreted operative paragraph 1 as requesting only approval in principle, which did not mean that a final decision was being taken on carrying out the study.

The First Committee approved the draft resolution on 28 November by a recorded vote of 79 to 14, with 24 abstentions. The General Assembly adopted it on 12 December by a recorded vote of 101 to 14 (USSR, other Eastern European States and some non-aligned States), with 27 abstentions (non-aligned States), as resolution 35/156 A. It reads as follows:

The General Assembly,

Deeply concerned about the continuing arms race, including the conventional arms race, and the alarming increase in expenditures on armaments,

Recognizing the right of all States to protect their security,

Reaffirming the relevant paragraphs of the Final Document of the Tenth Special Session of the General Assembly, the first special session of the Assembly devoted to disarmament, regarding priorities in the disarmament negotiations,

Recalling the recommendations in paragraphs 81 and 85 of the Final Document,

Noting that at the session of the Disarmament Commission held from 12 May to 6 June 1980, there was wide support in favour of recommending to the General Assembly at its thirty-fifth session that it should approve, in principle, a proposal for a study on all aspects of the con-

²⁹ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 20, item 11.

ventional arms race and on disarmament relating to conventional weapons and armed forces, to be undertaken after the general approach to the study, its structure and scope had been fully discussed and agreed upon,

1. *Approves* in principle the carrying out of a study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces, to be undertaken by the Secretary-General with the assistance of a group of qualified experts appointed by him on a balanced geographical basis;

2. *Agrees* that the Disarmament Commission, at its forthcoming substantive session, should work out the general approach to the study, its structure and scope;

3. *Requests* the Disarmament Commission to convey to the Secretary-General the conclusions of its deliberations, which should constitute the guidelines for the study;

4. *Further requests* the Secretary-General to submit a progress report on the study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces to the General Assembly at its second special session devoted to disarmament, and a final report at its thirty-eighth session.

Also relating to conventional disarmament were resolutions 35/153, dealing with prohibitions or restrictions of use of certain conventional weapons (see chapter XVII above), and 35/206 B entitled "Military and nuclear collaboration with South Africa", adopted under the General Assembly's agenda item entitled "Policies of *apartheid* of the Government of South Africa"

By the latter resolution, the General Assembly, *inter alia*, expressed grave concern that the racist South African régime had continued to obtain military equipment as well as technology and know-how with which to develop its armament industry; condemned all States which were violating the arms embargo³⁰ and continuing to collaborate with South Africa in the military and nuclear fields, in particular certain Western States and Israel; and again requested the Security Council to take mandatory measures to strengthen the arms embargo and secure the immediate cessation of any form of military and nuclear collaboration with the racist régime, in particular to ensure, among other things, that all States: (a) prevent South Africa from acquiring arms, ammunition and related materials; (b) revoke all licences granted previously to South Africa for the manufacture of arms and related materials of all types; (c) prohibit corporations under their jurisdiction from any involvement in the manufacture or development in South Africa or elsewhere of arms and related materials; (d) prohibit the transfer of technology relating to military and nuclear industries; (e) prohibit the import of any arms and related materials from South Africa; and (f) terminate the exchange of military, air, naval and scientific attachés and of visits by military and police personnel, experts in weapons technology and employees of arms factories with South Africa, as well as the training of South African military and police personnel.

Conclusion

In 1980, the conventional arms race, like that in other fields, continued virtually unabated, and the world did not succeed in substantial terms in limit-

³⁰ See foot-note 27.

ing, on either a world-wide or regional basis, the buildup and transfer of conventional armaments.

Although nuclear weapons understandably continue to command the top priority in international disarmament efforts, in recent years several important factors have contributed increasingly to raising consciousness, internationally, of the problem of conventional weapons. Among these factors are the world-wide prevalence of conventional weapons, the high frequency of their use, the high percentage of military expenditures that they consume vis-à-vis nuclear weapons, and their rapidly advancing technological sophistication which increases their destructive capabilities, tending, in some cases, to blur the distinction between them and nuclear weapons. Against that background, consideration of the problem of conventional armaments by the United Nations grew significantly during 1980, especially in the Disarmament Commission and at the thirty-fifth session of the General Assembly where the discussions, for the first time in its history, led to the adoption of a resolution — 35/156 A — specifically on the subject of conventional disarmament.

Although the resolution, by which the Assembly approved in principle the carrying out of a comprehensive United Nations study on all aspects of the conventional arms race and conventional disarmament, is essentially a procedural one, it nevertheless represents a concrete first step towards the consideration of specific measures of conventional disarmament. The resolution, furthermore, affirms the international community's recognition of the difficulties posed by an unrestrained arms race in the conventional field and the need to arrest that aspect of the arms race without detracting from the priority consideration of nuclear disarmament.

It can be expected that there will be further examination, both within and outside the United Nations framework, of the problems of the conventional arms race and conventional disarmament. It is to be hoped that continuing intensive discussion of the question, taking into account relevant studies prepared by the Secretary-General at the request of the General Assembly, including those on regional disarmament, which were submitted to the Assembly at its thirty-fifth session, and on confidence-building measures, which are scheduled for submission at the thirty-sixth session, will help to further clarify issues and lead to practical ways of dealing with the problem.

Declaration of the Indian Ocean as a Zone of Peace

Introduction

FOLLOWING SOME INITIAL PEACE INITIATIVES outside of the United Nations pertaining to the region, the question of establishing a zone of peace in the Indian Ocean was included in the agenda of the General Assembly for the first time in 1971, under an item entitled "Declaration of the Indian Ocean as a zone of peace", at the request of Sri Lanka, later joined by the United Republic of Tanzania. The result of that request was the adoption of resolution 2832 (XXVI), by which the General Assembly solemnly declared that the Indian Ocean, within limits to be determined, together with the air space above and the ocean floor subjacent thereto, was designated for all time as a zone of peace. In the context of the Declaration, the Assembly called upon the great Powers to enter into consultations with the littoral States of the Indian Ocean with a view to halting the further expansion of their military presence in the Indian Ocean and eliminating from the area all bases, military installations and logistical supply facilities, nuclear weapons and weapons of mass destruction, and any manifestation of great-Power military presence conceived in the context of great-Power rivalry. It also called upon the littoral and hinterland States of the Indian Ocean, the permanent members of the Security Council and other major maritime users of the Indian Ocean to enter into consultations with a view to the implementation of the Declaration by taking necessary action to ensure that: (a) warships and military aircraft might not use the Indian Ocean for any threat or use of force against the sovereignty, territorial integrity and independence of any littoral or hinterland State of the Indian Ocean in contravention of the purposes and principles of the Charter of the United Nations; (b) subject to the foregoing and to the norms and principles of international law, the right to free and unimpeded use of the zone by vessels of all nations was unaffected; and (c) appropriate arrangements were made to give effect to any international agreement that might ultimately be reached for the maintenance of the Indian Ocean as a zone of peace.

In 1972, the General Assembly, by its resolution 2992 (XXVII), established a 15-member *Ad Hoc* Committee on the Indian Ocean, consisting of Australia, China, India, Indonesia, Iran, Iraq, Japan, Madagascar, Malaysia, Mauritius, Pakistan, Sri Lanka, the United Republic of Tanzania,

Yemen and Zambia, to study the implications of the Declaration with special reference to the practical measures that might be taken in furtherance of its objectives. Two years later, the *Ad Hoc* Committee was expanded by three members: Bangladesh, Kenya and Somalia.

The Secretary-General, pursuant to a 1973 request of the General Assembly, prepared a factual statement of the great Powers' military presence in the Indian Ocean with special reference to their naval deployments, which was annexed to the *Ad Hoc* Committee's report¹ to the General Assembly in 1974. That year the General Assembly called upon the great Powers to refrain from increasing their military presence in the region of the Indian Ocean and requested the littoral and hinterland States of the Indian Ocean to enter into consultations with a view to convening a conference on the Indian Ocean. In 1975, the Assembly noted that agreement in principle on such a conference had emerged among those States and, one year later, all States, in particular the great Powers and the major maritime users of the Indian Ocean, were invited to co-operate in a practical manner with the *Ad Hoc* Committee. In 1977, the Committee was further enlarged by the addition of Democratic Yemen, Ethiopia, Greece, Mozambique and Oman, and was requested by the Assembly to make preparations for a meeting of the littoral and hinterland States of the Indian Ocean to be held as a step towards the envisaged conference.

The concept of the establishment of zones of peace was endorsed in 1978 by the General Assembly at its tenth special session in the Programme of Action of its Final Document,² and the proposal for the establishment of a zone of peace in the Indian Ocean was referred to in that context. At its regular session the same year, the General Assembly, by resolution 33/68, decided to convene a meeting of the littoral and hinterland States of the Indian Ocean in 1979, with the *Ad Hoc* Committee performing as the preparatory committee for that meeting.

In addition to appearing on the agenda of the General Assembly since 1971 in the context of the implementation of the Declaration, the proposal to establish a zone of peace in the Indian Ocean has also received consideration at other international conferences, in particular the conferences of the Islamic and of the non-aligned States, which have consistently supported the concept.³

Major steps towards the realization of the Indian Ocean as a zone of peace were taken in 1979. The Meeting of the Littoral and Hinterland States of the Indian Ocean was held from 2 to 13 July. Although there were some reservations, the Final Document of the Meeting, embodied in its report to

¹ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 29 (A/9629 and Add.1).*

² *Ibid.*, Tenth Special Session, Supplement No. 4 (A/S-10/4), sect. III, para. 64.

³ For details of events from 1971 through 1979, see *The United Nations and Disarmament: 1970-1975* (United Nations publication, Sales No. 76.IX.1), chap. XI; and *The United Nations Disarmament Yearbook*, vol. 1: 1976, chap. XVII; vol. 2: 1977, chap. XVII; vol. 3: 1978, chap. XXI; and vol. 4: 1979, chap. XX (United Nations publications, Sales Nos. E.77.IX.2, E.78.IX.4, E.79.IX.2 or 3, and E.80.IX.6 or 7, respectively).

the General Assembly,⁴ was adopted without a vote and reflected the status of efforts at the time to achieve implementation of the Declaration. In addition to the recommendations concerning the convening of a full conference on the Indian Ocean and its preparation, the Final Document included a list of principles for the implementation of the Declaration, in summary: (a) limits of the Indian Ocean as a zone of peace (final agreement still to be reached); (b) elimination of the military presence and installations of the great Powers conceived in the context of great-Power rivalry; (c) denuclearization; (d) peaceful settlement of disputes and regional co-operation for the strengthening of international security; and (e) free use of the zone by the vessels of all nations in accordance with international law.

Despite the negative developments in international politics affecting the region of the Indian Ocean later in 1979, further progress was made in the General Assembly. With its adoption of resolutions 34/80 A and B, the Assembly decided to convene the Conference on the Indian Ocean in 1981 at Colombo, Sri Lanka, and in that connexion decided to enlarge the *Ad Hoc* Committee, inviting the permanent members of the Security Council and major maritime users of the Indian Ocean to serve on it and participate in the preparation of the conference. During 1980, continuing international and political problems created some doubt as to the practicality of holding the conference in 1981.

Consideration by the *Ad Hoc* Committee on the Indian Ocean, 1980

Pursuant to resolution 34/80 A, by which the General Assembly renewed the general mandate of the *Ad Hoc* Committee, and 34/80 B, by which it requested the Committee to undertake preparatory work for the Conference on the Indian Ocean to be convened in 1981 at Colombo, the *Ad Hoc* Committee reconvened and held three substantive sessions in 1980 between 4 February and 8 August, and a final meeting on 30 October, totalling 39 formal meetings as well as a number of informal meetings during the same period. At the conclusion of its work for the year, the Committee adopted its report to the General Assembly.⁵ As in other years, the report contained a draft resolution unanimously recommended by the *Ad Hoc* Committee for adoption by the Assembly.

In accordance with paragraph 2 of resolution 34/80 B, the General Assembly had invited those permanent members of the Security Council and major maritime users of the Indian Ocean listed in the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean that had not yet done so⁶ to serve on the expanded *Ad Hoc* Committee. The permanent mem-

⁴ *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 45 (A/34/45)*; the Final Document is reproduced in *The United Nations Disarmament Yearbook*, vol. 4: 1979, chap. XX, annex.

⁵ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 29 (A/35/29)*.

⁶ *Ibid.*, *Thirty-fourth Session, Supplement No. 45 (A/34/45)*, para. 12 (c).

bers of the Security Council listed in the report were France, the USSR, the United Kingdom and the United States, and the major maritime users were Canada, the Federal Republic of Germany, Italy, Liberia, the Netherlands, Norway and Sweden. France and the USSR accepted the invitation and served on the expanded *Ad Hoc* Committee as of its first session in February. At the same session, the United States informed the Committee of its intention to attend the Committee on an interim basis, pending its formal reply to the invitation, and the United Kingdom stated that it was participating as an observer pending a final decision on the matter. Subsequently, the United Kingdom and the United States accepted the invitation and served on the expanded *Ad Hoc* Committee as of its second session in June. Canada, the Federal Republic of Germany, Italy, Liberia, the Netherlands and Norway also accepted the invitation, and commenced serving on the expanded *Ad Hoc* Committee at its second session in June. At the same session, Sweden informed the Committee that it would participate in the work of the Committee in an observer capacity.

Pursuant to paragraph 1 of resolution 34/80 B, the General Assembly decided to enlarge the *Ad Hoc* Committee by the addition of new members to be appointed by the President of the General Assembly on the recommendations of the *Ad Hoc* Committee. Following intensive consultations on the question as well as written requests from the countries concerned, the Committee decided to recommend the following States for membership in the Committee:⁷ Bulgaria, Djibouti, Egypt, German Democratic Republic, Maldives, Panama, Poland, Romania, Seychelles, Singapore, Sudan and Yugoslavia. On the basis of the recommendation, the President of the General Assembly appointed those States as additional members of the Committee. In addition, Democratic Kampuchea submitted a request for membership in the Committee, and subsequently for observer capacity, pending a favourable decision on its candidacy for membership, and Viet Nam communicated its wish to participate as an observer in the Committee's session held from 21 July to 8 August 1980. The *Ad Hoc* Committee noted in its report to the General Assembly that further consultations were necessary with respect to both requests.

At its opening meeting in 1980, the Committee decided to request that its members submit their views on the item of its agenda concerning preparations for the Conference on the Indian Ocean, namely, the provisional agenda; participation; documentation; consideration of appropriate arrangements for any international agreement that might ultimately be reached for the maintenance of the Indian Ocean as a zone of peace; the report of the *Ad Hoc* Committee to the Conference; and any other issues which might be relevant. At the same meeting, the Committee requested the Secretariat to prepare a document⁸ classifying the replies received from Governments under various headings.

In its reply, Australia stated that the first task facing the *Ad Hoc* Com-

⁷ A/34/854 and Add.1.

⁸ A/AC.159/L.24.

mittee in preparing for a Conference on the Indian Ocean was to reach agreement on the mandate of such a conference. Only after agreement on that matter, could consideration be given to the various procedural, organizational and administrative issues involved. China recalled that it had consistently supported the initiatives of the regional States for establishing the Indian Ocean as a zone of peace and had taken an active part in promoting the achievement of that goal; the Soviet aggression against Afghanistan, however, had seriously disrupted the preparatory work for the Conference and in China's view, if the Soviet Union were allowed to continue its occupation of Afghanistan, the tension and turbulence in the Indian Ocean region would be further exacerbated and preparatory work for the Conference could not proceed in a serious way. The Soviet Union, in its reply, affirmed that, while it had its own interests in the Indian Ocean — namely, (a) to prevent a strategic threat to its security from the south, (b) to ensure the use of the all-season sea route without any difficulties, and (c) to support space research efforts in accordance with international law — the concept of establishing a zone of peace in no way conflicted with those interests. On the contrary, the Soviet Union stressed, the best way to secure those national interests would be through absence of an arms race and the establishment of a zone of peace in the Indian Ocean. For its part, none of its interests or goals in the region called for escalation of its military activity.

A number of replies also addressed the specific question of appropriate arrangements for an international agreement which might ultimately be reached for the maintenance of the Indian Ocean as a zone of peace. Indonesia felt that, in order to ensure the observance of the provisions containing specific and detailed principles relating to obligations to be assumed by the regional and extra-regional States, the instrument to be adopted by the Conference should be of a legally binding nature, that is, in the form of a treaty or a convention. However, if such an instrument could not command the support of the majority of participants, a general statement of principle exhorting States to observe and implement the provisions might be considered. Such a statement could be incorporated in the form of an agreement similar to the Final Act of the Conference on Security and Co-operation in Europe. The Soviet Union, while pointing out that it was premature to decide upon the definitive form of the final document, also drew attention to the approach adopted in the Final Act of the Conference on Security and Co-operation in Europe, stating that the same approach would be feasible for drafting a final document of the Indian Ocean Conference. Greece was of the opinion that the international instrument emerging from the Conference need not necessarily be an international agreement or treaty. Instead, it felt that consideration might be given to adopting, as a first step, a final document that would further the objectives of the Declaration of the Indian Ocean as a Zone of Peace more flexibly and without conflicts of interests.

At its session in June, the Committee decided that, with respect to preparations for the Conference, it should proceed, initially, to the consideration of substantive issues, particularly the provisional agenda for the Conference and appropriate arrangements for any international agreement which might ultimately be reached for the maintenance of the Indian Ocean as a

zone of peace. The Committee would address itself to the procedural aspects concerning preparations for the Conference at a later stage.

Later in the session, the Chairman presented an informal list of topics, under the heading "Preparations for the Indian Ocean Conference to implement the Declaration of the Indian Ocean as a Zone of Peace", which he had prepared, at the request of the Committee, with a view to facilitating the substantive discussion of subitems concerning the provisional agenda for the Conference and the consideration of appropriate arrangements for any international agreement that might ultimately be reached for the maintenance of the Indian Ocean as a zone of peace. The topics contained in the informal list were: geographical limits, foreign military presence, nuclear weapons, security, peaceful settlement of disputes, use of the Indian Ocean by foreign vessels and aircraft, and other matters.

The Committee then embarked on a general exchange of views on the two subitems referred to above within the framework of the informal list of topics. The Committee also had before it a background paper, prepared by the Secretariat, classifying, under the same headings as the topics in the informal list, the views of members on the two items.⁹

In both the paper prepared by the Secretariat and in the discussions which followed, a wide range of views was evident on the various substantive issues. A pervasive theme, nevertheless, was the tense political and security climate in the Indian Ocean area. Thus, on the basic question — that of holding the Indian Ocean Conference in 1981 — a number of Western countries maintained that until Soviet troops had been withdrawn from Afghanistan it would be inappropriate for the Committee to consider seriously the convening of such a conference. China also stressed that a necessary condition for the successful convening of the Conference would be the immediate and unconditional withdrawal of all Soviet forces from Afghanistan.

On the other hand, the Soviet Union, supported, among others, by Bulgaria, the German Democratic Republic and Poland, characterized references to Afghanistan as distracting manœuvres which were designed to impede preparations for the Conference. The littoral and hinterland States of the Indian Ocean, while decrying all forms of foreign military presence in the Indian Ocean region, continued to emphasize the urgency of holding the Conference as scheduled.

The *Ad Hoc* Committee, in its report to the General Assembly,¹⁰ noted that the inclusion of the new members in the Committee had enabled it to have a wider and more intensive exchange of views on issues related to the Declaration of the Indian Ocean as a Zone of Peace. That exchange of views had demonstrated the interest of all members of the Committee in a comprehensive identification and analysis of the issues related to the implementation of the Declaration. In that context, the Committee further stated that the discussions had reflected the current international situation and the sensitiv-

⁹ A/AC.159/L.26 and Add.1-9.

¹⁰ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 29 (A/35/29)*.

ity and complexity of the issues involved, as well as the extent of the differences of views on certain fundamental points. The Committee went on to report that those discussions, however, had been useful, and that they had demonstrated the willingness of all members to develop a better understanding of each other's views, thereby helping efforts to harmonize approaches on the issues concerned and thus contributing towards the preparations for the Conference.

Extraordinary Meeting of the Ministers for Foreign Affairs and Heads of Delegations of the Non-Aligned Countries to the General Assembly at its thirty-fifth session

The Ministers for Foreign Affairs and heads of delegations of the non-aligned countries to the thirty-fifth session of the General Assembly held an extraordinary meeting at United Nations Headquarters in New York, on 2 and 3 October 1980, with a view to considering their actions in connexion with the items to be debated during the session, and which were considered to be of special concern to the non-aligned countries. In a communiqué,¹¹ the Meeting stated that it had examined the agenda of the thirty-fifth session of the General Assembly and had agreed that among the questions of common concern to which the member countries of the Movement of Non-Aligned Countries should give their priority was the item entitled "Implementation of the Declaration of the Indian Ocean as a Zone of Peace"

Consideration by the General Assembly, 1980

In its consideration of the question of the Indian Ocean as a zone of peace, the General Assembly had before it, in addition to the 1980 report of the *Ad Hoc* Committee on the Indian Ocean,¹² the communiqué of the Extraordinary Meeting mentioned above and the texts of the resolutions adopted by the 67th Inter-Parliamentary Conference held at Berlin from 14 to 25 September 1980.

With regard to the Inter-Parliamentary Conference, the German Democratic Republic, in a letter addressed to the Secretary-General, transmitted the resolutions of the Conference to the United Nations and requested that they be circulated as a document of the General Assembly.¹³ Those resolutions included one, entitled "The pressing need to preserve the Gulf region and Indian Ocean from international conflict and to preserve them as zones of peace", by which the Conference urged all countries, *inter alia*, to (a) refrain from threatening or using force against the sovereignty, territorial integrity and independence of any littoral and hinterland State of the Gulf and

¹¹ A/35/542.

¹² See foot-note 10.

¹³ A/35/570.

Indian Ocean in contravention of the purposes and principles of the United Nations Charter; (b) make efforts towards eliminating from the region of the Gulf and Indian Ocean all foreign military bases, installations and logistical supply facilities, the disposition of nuclear weapons and weapons of mass destruction and any manifestation of foreign military presence in that region; and (c) recognize the region of the Gulf and Indian Ocean as a zone of peace, desist from involving this zone in any international disputes or conflicts, and respect its neutrality.

During the course of the debate in the First Committee,¹⁴ various delegations addressed in some detail the question of the establishment of a zone of peace in the Indian Ocean, generally reaffirming their conviction that implementation of the Declaration would constitute a significant measure towards strengthening international peace and security.

India, for example, expressed the hope that, with the participation of the permanent members of the Security Council in its work, the *Ad Hoc* Committee would be in a position to proceed expeditiously towards the transformation of the Indian Ocean into a zone of peace as originally envisaged in 1971 by most of the non-aligned littoral and hinterland States of the Indian Ocean. India stressed that such a development would strengthen international peace and security and, in the long run, would be in the interest of the great Powers themselves. The German Democratic Republic expressed support for efforts directed towards the creation of nuclear-weapon-free zones and zones of peace in various regions of the world, and singled out, in particular, the establishment of a zone of peace in the Indian Ocean. Australia pointed out that it had long supported the establishment of a zone of peace in the Indian Ocean, had been an active member of the *Ad Hoc* Committee and had supported all the resolutions on the question of the Indian Ocean since 1972. The Soviet Union, in explaining its position, stated that it had consistently supported the initiatives of the littoral States with regard to the establishment of a zone of peace in the Indian Ocean and reiterated its intention to co-operate with all States concerned in ensuring the attainment of that goal, *inter alia*, at the international Conference on the Indian Ocean scheduled for 1981.

A number of delegations expressed concern at what they characterized as the expansion of the military presence of the great Powers and the intensification of confrontation and rivalry among them in the region of the Indian Ocean. In that context, Pakistan regarded the intensification of military rivalry between the super-Powers and their resort to the use of force in the Indian Ocean region as a matter of deep concern. It regretted that the deteriorating political climate in the area, particularly during the previous year, had cast serious doubts on the hopes for an early realization of the zone of peace initiative which it actively supported. India emphasized that the principal thrust of the work of the *Ad Hoc* Committee through the years had been its preoccupation with the increasing threat posed by the presence in the Indian

¹⁴ *Official Records of the General Assembly, Thirty-fifth Session, First Committee, 4th to 42nd meetings, and ibid., First Committee, Sessional Fascicle, corrigendum.*

Ocean of the warships of the great Powers and their military power conceived in the context of their confrontation. For the littoral and hinterland States of the Indian Ocean which had achieved freedom from colonialism, it was unthinkable that a new kind of rule should be exercised by those same Powers from outside the new States' territorial waters. Somalia held that the Declaration of the Indian Ocean as a Zone of Peace could best be implemented by the elimination from the region of hegemonist ambitions, colonial oppression and foreign mercenaries, and regarded South Africa's military forces as another dangerous element of the Indian Ocean situation. The United Republic of Tanzania held that some nuclear-weapon States had greatly stepped up their military presence and rivalry in the Indian Ocean, using their differences elsewhere as a pretext, and were frustrating efforts towards the convening of the conference on the Indian Ocean. It also regretted that the bilateral talks between the Soviet Union and the United States on the military presence had remained suspended.

China observed that for many years obstacles had been encountered in efforts towards the realization of the goal of a zone of peace in the Indian Ocean because of the intense rivalry of the super-Powers in that important strategic region. Accordingly, to work towards the objective, the super-Powers' military expansion and other activities in the Indian Ocean region must be curbed. Those Powers should be called upon to cease their interference and to reduce and ultimately eliminate all forms of military presence in the area.

In their statements, a large number of delegations specifically addressed the question of the Conference on the Indian Ocean scheduled to be held in 1981, many of them expressing the view that unless there was an improvement in the political and security climate in the Indian Ocean region and the necessary harmonization of views on various fundamental issues, the holding of the Conference would be a futile venture. Others adopted the position that it was precisely the dangerous political and security climate in the area which emphasized the need to convene the Conference within the stipulated time frame. A further number of States felt that a full harmonization of views was not a necessary condition for the convening of the Conference since that was the ultimate goal of the Conference itself.

With regard to this area of consideration, Australia stated that the Meeting of the Littoral and Hinterland States of the Indian Ocean held in 1979 had demonstrated that the necessary degree of harmonization for the convening of a conference on the Indian Ocean was still some way off. Furthermore, it regarded the intervention by the Soviet Union in Afghanistan as having created a climate of apprehension and unease amongst the littoral and hinterland States, hindering efforts to bring about peace in the region and making it difficult to envisage how a conference could be expected to produce a declaration on a zone of peace. Those factors, in Australia's view, made it unlikely that adequate preparations for a conference could be completed in time for it to be held in 1981.

The United States explained its position in detail, recalling that over the years it had voiced its concerns on fundamental issues relating to the work

of the *Ad Hoc* Committee. It had, however, accepted the invitation to participate in its work in 1980 and it believed that the draft resolution currently recommended by the Committee should command unanimous support. At the same time, it held that certain goals and views on several relevant issues had been rendered obsolete by international events. With regard to the Conference on the Indian Ocean, it held that, because of the continuing existence of wide differences on substantive issues within the *Ad Hoc* Committee and the deteriorating security situation in the Indian Ocean area, scheduling a conference would be premature.

Among the States which favoured proceeding with the Conference in 1981, the United Republic of Tanzania expressed concern that concerted efforts were being made to frustrate the decision of the July 1979 Meeting of the Littoral and Hinterland States. By referring to unrelated situations and pretexts, some nuclear-weapon States were in its view engaging in a calculated scheme to perpetuate their presence in the area and hinder the efforts of littoral and hinterland States to implement the Declaration. Its position was that if one were to argue that efforts to find solutions to certain problems should be halted pending the elimination of unresolved issues, then the United Nations would become a meaningless organization. Democratic Yemen expressed its support for the holding of the Conference in 1981 despite the barriers placed in the way of preparations for it by certain parties. If successful, the Conference would be instrumental in helping to settle other outstanding issues on the international agenda.

The Sudan expressed the hope that some improvement would occur in the political climate of the region and that the Conference scheduled to be held in 1981 would be a complete success. It appealed to all countries concerned, particularly the two super-Powers and their allies, to spare no effort in making that event a turning point in the history of the entire region and a landmark in its progress towards real peace, stability and socio-economic development. The German Democratic Republic reaffirmed its support for convening the Conference in 1981 and Bulgaria stated that the Conference would constitute a significant step in the efforts to turn the Indian Ocean into a zone of peace.

The report of the *Ad Hoc* Committee was introduced in the First Committee by its Chairman, the representative of Sri Lanka, who noted that, having resolved the question of its membership, the Committee had been able to move on to the more substantive issues related to the preparatory work for the Conference on the Indian Ocean. He also pointed out that with the admission of new members, resulting in a more balanced representation and reflecting a diversity of views, the Committee had taken a significant stride towards a realistic approach to implementation of the Declaration of the Indian Ocean as a Zone of Peace.

By the draft resolution recommended by the Committee, the General Assembly, in pursuance of the decision contained in resolution 34/80 B and taking into consideration the ensuing exchange of views, *inter alia*, would request the *Ad Hoc* Committee: (a) to continue its efforts for the necessary harmonization of views on the issues related to the convening of the Confer-

ence, and (b) to make every effort, in consideration of the political and security climate in the Indian Ocean area, particularly recent developments, as well as the progress made in the harmonization of views referred to above, to finalize, in accordance with its normal methods of work, all preparations for the Conference including the dates for its convening.

The Chairman, in referring to the draft resolution, stressed that the compromise text had been achieved in the Committee as a result of an exemplary spirit of co-operation and accommodation that had been consistently displayed on the part of all members concerned in a matter that encompassed intricate complexities.

After the introduction of the report and draft resolution, further views were expressed, both by States which had already spoken and a number of additional States, particularly in the course of explanations of positions in connexion with the voting in the First Committee.

Madagascar discussed in its statement whether the Afghanistan question and the prevailing state of international relations justified the view that it was premature to convene the Colombo Conference. With respect to Afghanistan, Madagascar hoped for a political solution but emphasized that the quest for such a solution should be distinct from efforts relating to the zone of peace, as was the case for other questions that could affect peace and security in the Indian Ocean such as those of Palestine, the conflict between Iraq and Iran, and the situation in southern Africa. Madagascar also rejected the "veiled threats" of those who maintained that it would not necessarily be to everyone's benefit for the major Powers to withdraw from the region. In Madagascar's view, their presence was not to everyone's advantage, and events such as those in Iran and Iraq offered a valuable lesson that demonstrated the limits and the risks of such foreign military presence — limits, in the sense that the foreign forces had not been of use in the prevention or halting of the conflict, and risks in that for one and all there was great temptation to intervene.

The United Kingdom, in explaining its position before the vote in the First Committee, stressed that in its view there was much work to be done in the *Ad Hoc* Committee before it would be appropriate to convene the Conference. It maintained also that to hold a conference to consider the proposal for a zone of peace in the Indian Ocean while the occupation of Afghanistan continued could well have the opposite effect to that which was being sought. Instead of promoting agreement, it could lead to a further divisive hardening of positions, which would not contribute to peace and stability in the area. The United Kingdom at the same time held that an appropriately defined zone of peace could make a real contribution to the security interests not just of the littoral and hinterland States of the region but of the international community as a whole. Japan felt that, to ensure the success of the Conference, it was absolutely essential that adequate preparations be made prior to its convening. It believed that remaining discrepancies, even in fundamental issues related to the Conference, indicated that further time and effort were needed before an agreement on various matters could be reached. Pakistan stated that it had been looking forward to the 1981 Colombo Con-

ference for substantial progress. Events of the previous year, however, particularly the military intervention in a non-aligned hinterland State of the Indian Ocean, had cast a bleak shadow over the prospects of peace in the entire Indian Ocean region, and the attainment of positive results at the Colombo Conference would primarily depend on the improvement of the political climate in the region.

Ethiopia stressed that the primary objective of the Declaration was the elimination from the Indian Ocean of any manifestation of great-Power military presence. That objective was a natural outgrowth of the determination of the States of the region to preserve their independence as well as their conviction that the extension of the arms race, particularly in its nuclear aspect, into the Indian Ocean area ran counter to efforts to remove tension, promote peaceful co-operation and strengthen security. It emphasized that action taken in furtherance of those views would also constitute a substantial contribution to unimpeded use of the zone by vessels of all nations. Observing that the draft resolution reaffirmed the convening of the Conference in 1981, Ethiopia stressed that the continued escalation of the danger posed by the military presence of the great Powers in the Indian Ocean gave greater urgency to the need to take practical steps. It held that any attempt to impose preconditions would be tantamount to suggesting that the Indian Ocean must first be transformed into a zone of peace for the Conference to be convened, an approach which would constitute a confusion of aims and means.

India expressed gratification that the draft resolution had been adopted by consensus in the First Committee and, noting that the draft referred to the decision taken the previous year to convene a conference in 1981, assumed that the Conference would be convened and stated that it was committed to its convening.

The Soviet Union, following the adoption of the draft resolution, reaffirmed its position, holding that an obstacle to the development of co-operation between itself and the littoral States of that region had been the attempt to put the Soviet Union on an equal footing with the United States with regard to the responsibility for expanding military activity and increasing tension in the Indian Ocean. In this respect, it stressed that the wording "the military presence of the great Powers in the Indian Ocean area, conceived in the context of their confrontation" did not correctly reflect the real situation and weakened the draft resolution. The argument about some kind of equal responsibility concealed the main point, which was the open buildup of a military presence in the Indian Ocean by the United States and its creation of military bases there, particularly that on Diego Garcia. The Soviet Union stressed that it intended to co-operate actively with all interested States and to take an active part in the efforts of the *Ad Hoc* Committee on the Indian Ocean to convene an international conference during 1981 and to ensure the achievement of practical results at that conference, so that a zone of peace might be created in that region.

The United States stated that for the first time it supported the consensus adoption of the draft resolution on the question. However, it reiterated its belief that it would be premature to convene an Indian Ocean confer-

ence under existing conditions, and explained in particular that it interpreted the reference in operative paragraph 2 to "1981 at Colombo" (see below) as a description of resolution 34/80 B and not as a call, in the current draft, to convene such a conference.

The First Committee's approval of the draft resolution recommended by the *Ad Hoc* Committee took place at its 42nd meeting, on 25 November, without a vote. The General Assembly adopted it on 12 December, also without a vote, as resolution 35/150. It reads as follows:

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolutions 2992 (XXVII) of 15 December 1972, 3080 (XXVIII) of 6 December 1973, 3259 A (XXIX) of 9 December 1974, 3468 (XXX) of 11 December 1975, 31/88 of 14 December 1976, 32/86 of 12 December 1977, S-10/2 of 30 June 1978, 33/68 of 14 December 1978 and 34/80 A and B of 11 December 1979, and other recent relevant resolutions,

Bearing in mind, in particular, its decision at the thirty-fourth session in resolution 34/80 B to convene a Conference on the Indian Ocean during 1981 at Colombo,

Recalling further the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean,

Welcoming the addition of new members of the *Ad Hoc* Committee on the Indian Ocean appointed pursuant to resolution 34/80 B and noting that the participation of these members has helped the work of the Committee,

Reaffirming its conviction that concrete action for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace would be a substantial contribution to the strengthening of international peace and security,

Considering that the continued danger posed by the military presence of the great Powers in the Indian Ocean area, conceived in the context of their confrontation, gives greater urgency to the need to take practical steps towards the early achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace,

Considering also that all other foreign military presence in the area whenever it is contrary to the objectives of the Declaration of the Indian Ocean as a Zone of Peace and the purposes and principles of the Charter of the United Nations further gives greater urgency to the need to take practical steps towards the early achievement of the objectives of the Declaration,

Considering that the creation of a zone of peace in the Indian Ocean requires the participation of and co-operation among the littoral and hinterland States, the permanent members of the Security Council and major maritime users, to ensure conditions of peace and security based on the purposes and principles of the Charter as well as the general principles of international law,

Considering also that the creation of a zone of peace requires co-operation among the regional States to ensure conditions of peace and security within the area, as envisaged in the Declaration of the Indian Ocean as a Zone of Peace, and the sovereignty and territorial integrity of the littoral and hinterland States,

Deeply concerned at recent ominous developments resulting in further deterioration of peace and stability in the region and their implications for international peace and security,

1. *Takes note* of the report of the *Ad Hoc* Committee on the Indian Ocean and the exchange of views in the *Ad Hoc* Committee which, *inter alia*, indicate that:

(a) Following the expansion of its membership, there has been a varied and useful exchange of views on important issues regarding the implementation of the Declaration as a zone of peace of the Indian Ocean, as contained in General Assembly resolution 2832 (XXVI), and on other related matters;

(b) Progress has been made towards harmonizing differing approaches on these issues while a number of fundamental issues remain to be resolved;

2. *Requests* the *Ad Hoc* Committee in pursuance of the decision contained in resolution

34/80 B to convene a Conference on the Indian Ocean during 1981 at Colombo, and taking into consideration the exchange of views thereon:

(a) To continue its efforts for the necessary harmonization of views on the issues related to the convening of the Conference to achieve the objectives of the Declaration of the Indian Ocean as a Zone of Peace as contained in resolution 2832 (XXVI);

(b) To make every effort, in consideration of the political and security climate in the Indian Ocean area, particularly recent developments, as well as the progress made in the harmonization of views referred to in subparagraph (a) above, to finalize, in accordance with its normal methods of work, all preparations for the Conference including the dates for its convening;

(c) To continue the preparatory work for the convening of the Conference and to hold two preparatory sessions in 1981 totalling six weeks;

(d) To submit to the Conference a full report on its preparatory work;

3. *Requests* the Conference on the Indian Ocean to submit its report to the General Assembly;

4. *Renews* the general mandate of the *Ad Hoc* Committee as defined in the relevant resolutions;

5. *Requests* the *Ad Hoc* Committee to submit to the General Assembly at its thirty-sixth session a full report on the implementation of the present resolution;

6. *Requests* the Secretary-General to continue to render all necessary assistance to the *Ad Hoc* Committee, including the provision of summary records.

Conclusion

On the basis of the recommendations of the Meeting of the Littoral and Hinterland States of the Indian Ocean held in 1979, the General Assembly took two decisions that year which constituted a watershed in the history of the work of the *Ad Hoc* Committee on the Indian Ocean. Those decisions were, first, to convene a conference on the Indian Ocean in 1981 and, secondly, to enlarge the *Ad Hoc* Committee and invite the permanent members of the Security Council that had not yet done so to serve on the expanded Committee. Thus two major objectives, namely, the convening of a conference for the implementation of the Declaration and the co-operation of the great Powers and other major maritime users in the discharge of the Committee's functions, appeared finally to have been achieved.

Those developments, however, brought to the fore some of the divergent perceptions and policies among States concerning the question. The differences became apparent fairly early in the course of the *Ad Hoc* Committee's 1980 meetings with respect to the relative merits and demerits of holding the Indian Ocean Conference as expected in 1981. Moreover, the expanded membership of the Committee, resulting in a much larger proportion of extra-regional States than earlier, added to the difficulty of applying the established practice in the Committee of decision-making by consensus. The interplay of these new factors was evident in the draft resolution recommended by the Committee for adoption by the General Assembly in 1980, as compared to that of the previous year. The Committee could, in effect, recommend only that the General Assembly give to the *Ad Hoc* Committee itself the mandate to finalize the dates for the Conference. The text represented a compromise formula which had been carefully worked out between the proponents and opponents of holding the Conference in 1981.

The difficulties confronting the Committee during 1980 were to a large extent the outgrowth of the deteriorating international situation and, in turn, were compounded by it, in particular the political and security climate in the Indian Ocean region itself. Whatever arguments were put forward as to the cause of the deterioration, it appeared that the implementation of the Declaration of the Indian Ocean as a Zone of Peace, at least for the time being, would be hindered by the developments.

The resolution on the implementation of the Declaration of the Indian Ocean as a Zone of Peace was for the first time adopted by both the First Committee and the General Assembly by consensus. That did not, however, necessarily indicate a greater measure of support for early implementation of the Declaration. Rather, it could be construed as recognition of the prevailing difficulties, and hence a more deliberate approach, on the part of those who had consistently emphasized the urgent need for its implementation.

Reduction of military budgets

Introduction

THE UNITED NATIONS HAS LONG BEEN CONCERNED about the question of limitation of military expenditures. Through more than three decades, the efforts by the Organization to deal with the matter have been reflected in a number of resolutions¹ as well as in the conclusions and recommendations of studies dealing with the need to reduce military expenditures through disarmament and with the link between disarmament and development.²

As a result of a 1973 initiative of the Soviet Union, the General Assembly began consideration of specific approaches to the reduction of military budgets. That Soviet proposal led to the adoption of resolution 3093 A (XXVIII) on the question, by which the General Assembly called for 10 per cent reductions by the five permanent members of the Security Council, and the allocation of part of the funds thus saved to provide development assistance. Three of the permanent members, France, the United Kingdom and the United States, objected to the Soviet proposal on the basis, among other things, of the difficulties involved in measuring different military budgets, and China held that reductions in the military budgets of the five permanent members of the Council on a proportionally equal basis would be inappropriate. The same year, by resolution 3093 B (XXVIII), the Assembly asked the Secretary-General to prepare, with the assistance of qualified consultant experts, a report on the question.³ Since 1973, the General Assembly, in ac-

¹ The resolutions adopted up to 1979 were the following: 380 (V) of 17 November 1950; 914 (X) of 16 December 1955; 1516 (XV) of 15 December 1960; 1837 (XVII) of 18 December 1962; 2387 (XXIII) of 19 November 1968; 2602 E (XXIV) of 16 December 1969; 2667 (XXV) of 7 December 1970; 2685 (XXV) of 11 December 1970; 2831 (XXVI) of 16 December 1971; 3075 (XXVIII) of 6 December 1973; 3462 (XXX) and 3470 (XXX) of 11 December 1975; 31/68 of 10 December 1976; 32/75 of 12 December 1977; 33/67 of 14 December 1978; and 34/83 F of 11 December 1979.

² *Economic and Social Consequences of Disarmament* (United Nations publication, Sales No. E.62.IX.1); *Economic and Social Consequences of the Arms Race and of Military Expenditures* (United Nations publication, Sales No. E.72.IX.16); *Disarmament and Development* (United Nations publication, Sales No. E.73.IX.1); and *Economic and Social Consequences of the Arms Race and of Military Expenditures* (United Nations publication, Sales No. E.78.IX.1).

³ The report (A/9770) was subsequently published under the title *Reduction of the Military Budgets of States Permanent Members of the Security Council by Ten Per Cent and Utilization of Part of the Funds thus Saved to Provide Assistance to Developing Countries* (United Nations publication, Sales No. E.75.I.10).

cordance with the resolutions adopted on the question, has carried out surveys and studies aimed at the development of an acceptable international measurement and reporting system.

At its thirty-first session in 1976, the General Assembly considered the report, entitled *Reduction of Military Budgets: Measurement and International Reporting of Military Expenditures*,⁴ which elaborated a reporting matrix as an instrument for a standardized reporting system. Thereafter, it invited all States to comment on the proposed standardized reporting instrument and requested preparation of a further report containing an analysis of the comments received. An intergovernmental group of experts analysed comments which were provided by 14 States and submitted conclusions and recommendations,⁵ on the basis of which the Assembly requested the Secretary-General to ascertain which States would be prepared to participate in a pilot test of the reporting instrument. The Assembly also requested that a compilation of proposals and recommendations put forward pursuant to resolutions on the question be prepared for the special session of the General Assembly devoted to disarmament in 1978.

In the Final Document of the 1978 special session, the Assembly included two paragraphs⁶ in the Programme of Action in which it advocated the reduction of military budgets and, in 1979, the Disarmament Commission, on the basis of the Final Document, included in its recommendations on the elements of a comprehensive programme of disarmament, the item "Reduction of military expenditures"⁷

At its thirty-third session, the General Assembly adopted resolution 33/67, by which it requested the Secretary-General, with assistance, (a) to carry out a practical test of the proposed reporting instrument; (b) to assess the results of the practical test; and (c) to develop recommendations for further refinement and implementation of the reporting instrument, and to report to the General Assembly thereon at its thirty-fifth session in 1980. Pursuant to that resolution, the Secretary-General established the *Ad Hoc* Panel on Military Budgeting, composed of experts from seven countries, namely, Indonesia, Japan, Nigeria, Peru, Romania, Sweden and the United States, as shown in annex I to this chapter. In 1979, the Panel finalized the elaboration of the steps necessary for the initiation of its practical test for the standardized reporting on the military expenditures of Member States and agreed to a set of guidelines to assist them in filling in the proposed reporting instrument. The Secretary-General circulated a document consisting of the reporting instrument and instructions to all Member States and invited them to complete and return it by 31 March 1980. Also at its thirty-fourth session, on the basis of a Romanian initiative, the General Assembly adopted resolu-

⁴ United Nations publication, Sales No. E.77.1.6.

⁵ A/32/194 and Add.1.

⁶ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, paras. 89 and 90.

⁷ *Ibid.*, *Thirty-fourth Session, Supplement No. 42 (A/34/42)*, para. 19, sect. III, A, para. 4; the elements are reproduced in *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), appendix II.

tion 34/83 F by which, *inter alia*, it considered that a new impetus should be given to endeavours to achieve agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditures, and requested, to that end, that the Disarmament Commission undertake during 1980 to examine and identify effective ways and means of achieving such agreements.

Accordingly, in 1980, activity on the question continued in the context of both the *Ad Hoc* Panel on Military Budgeting and resolution 34/83 F.

Consideration by the Disarmament Commission, 1980

At its second substantive session, held in May and June 1980, the Disarmament Commission, pursuant to resolution 34/83 F, included the following item on its agenda:⁸

5. (a) Harmonization of views on concrete steps to be undertaken by States regarding a gradual, agreed reduction of military budgets and reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries, noting the relevant resolutions of the General Assembly;
- (b) Examination and identification of effective ways and means of achieving agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditures, including adequate measures of verification satisfactory to all parties concerned.

The Commission, following its general exchange of views, devoted four informal meetings specifically to the item and considered the results of its discussions at the final plenary meeting of the session,⁹ at which it adopted by consensus its recommendations to the General Assembly.¹⁰

In the exchange of views and throughout the discussions on the item, many delegates expressed concern that the cost of the arms race had reached the highest in history and stressed the need for the achievement of agreements that could pave the way for the freezing and reduction of military expenditures.

In the general exchange, Peru, for instance, noted that in 1979 alone those expenditures had reached the sum of \$450 billion while two thirds of the world population was not able to meet its basic needs. Austria pointed out that during the past decade, which was claimed to be the first Disarmament Decade, global military expenditure had increased by well over 70 per cent in estimated constant prices. It added that there was no sign of reversal of that trend. Yugoslavia noted that the member States of NATO and the Warsaw Treaty, which accounted for only 22 per cent of the world population, were responsible for 75 per cent of world military expenditures.

⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, para. 8.

⁹ A/CN.10/PV.25-40 and A/CN.10/PV.23-40/Corrigendum.

¹⁰ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, sect. IV, paras. 19-21.

The interrelationship between disarmament and development was emphasized by the great majority of speakers, and in that connexion the representative of Yugoslavia said that the absurdity of the situation was best illustrated by the fact that every day an equivalent of \$92 for each inhabitant of the globe was spent for military purposes, while only 57 cents was spent on education and health care programmes. Bangladesh believed that the reduction of military budgets would not only contribute to the relaxation of tension in the world, but would also generate resources which could be utilized for economic and social development and the establishment of the new international economic order. Sweden considered such reductions as a step which could release resources from military purposes to economic and social development, particularly for the benefit of the developing countries. Sweden also expressed the belief that agreements to bring about a halt in further increases in military expenditures and their gradual reduction could be achieved without affecting military balance to the detriment of the national security of any State; in fact, such agreements, in its opinion, would strengthen security, both regionally and globally.

Romania referred to the document which it had submitted to the General Assembly¹¹ at its thirty-fourth session and which had included a proposal to the effect that military expenditures should be reduced by at least 10 per cent by 1985; half the sums thus saved could be allocated to meeting the social needs of each country, and the other half for aid to developing countries. On 15 May, Romania and Sweden jointly submitted a working paper¹² which was drafted in response to General Assembly resolution 34/83 F concerning the freezing and reduction of military expenditures.

Most Western States regarded accurate measuring and reporting of military expenditures as an essential requirement for their reduction. In that context, France considered it unrealistic to think that concrete measures for the reduction of military budgets could be found without the availability of means to make an accurate assessment of their true scope.

The United Kingdom supported the utilization of the reporting instrument which was being tested, believing that it offered the only reasonable basis for pursuing measures to reduce military expenditure on an agreed and verifiable basis.

In addition to Western States, Egypt, Nigeria and Senegal expressed their support for the ongoing test of the reporting instrument on military expenditures. Senegal considered that the reporting instrument could facilitate a useful exchange of information on military budgets and create a climate of confidence which would lead to a reduction of military budgets.

On the other hand, several Eastern European States, including Bulgaria, Poland, the Ukrainian SSR and the USSR, expressed reservations on the testing of the standardized reporting system, and maintained that it offered no practical measures for the reduction of military budgets. The representative of the Soviet Union, for instance, stated that the socialist countries

¹¹ A/34/761.

¹² A/CN.10/14.

had expressed readiness to reach agreement on the basis of equal cut-backs in percentage terms or in absolute figures. It held that the question of comparability of military budgets or their control could be extended endlessly and serve as a screen to mask their continuing growth.

Zaire suggested that the Disarmament Commission give a mandate to the United Nations Centre for Disarmament to undertake a comprehensive study on the question of military budgets which the General Assembly at its thirty-fifth session could study and thereafter could entrust the negotiation of agreements on military budgets to the Committee on Disarmament.

Following the discussion of the various aspects of the question, a number of members offered proposals in connexion with the adoption of the Commission's draft report to the General Assembly, several of them concerning the formulation of the recommendations on the twofold item concerning military budgets. The resultant recommendations, as adopted by consensus, are reproduced in annex II to this chapter.

After agreement had been reached, further comments were voiced. The United States expressed its continued support for a systematic approach to limitation of military expenditures, but emphasized that this would require adequate measures of verification satisfactory to all parties concerned, as well as the availability of a suitable instrument for standardized reporting of military expenditures. The Federal Republic of Germany regarded availability of such a reporting instrument as a pre-condition for agreements on the freezing and reduction of military expenditures. The United Kingdom regarded it as unsatisfactory that the recommendations took no direct account of the development, through some six years, of the reporting instrument.

The USSR, on the other hand, stated that it was against the idea of studies on the question, and that practical reductions rather than comparative tables were what was needed.

Egypt, although expressing general satisfaction with what the Commission had accomplished on the question, at the same time stressed the need to respect the principle of balanced reductions and, in that connexion, held that agreement would have to be reached on uniform structures of military budgets and effective control and verification.

India observed that just six States of the world accounted for 80 per cent of total military expenditures, and therefore considered it appropriate that those six States should start reducing their military budgets by parallel action and through mutual example.

Consideration by the Committee on Disarmament, 1980

In the Committee on Disarmament, although there was no relevant agenda item, several States commented on the reduction of military budgets in the plenary debate.¹³ All of them took serious note of the rapid increase of military expenditures in the world.

¹³ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix III (CD/139), vols. I-V.

Italy, for instance, in its opening address, noted that \$1 million was being spent on military equipment every minute, and pointed to the speed at which annual world military expenditures had risen from \$200 billion in 1965, \$250 billion in 1970 and \$350 billion in 1977 to the threshold of \$450 billion. It stated that those expenditures were swallowing up huge amounts of resources which could otherwise be channelled to economic and social progress, particularly for the elimination of hunger, disease and illiteracy.

Romania, accepting that general disarmament was a complex and long-term process, advocated the taking of firm and effective partial measures, however small, and in that connexion attached special importance to the freezing of military expenditures and subsequent cuts as a first and immediately feasible step towards stopping the arms race. Bulgaria, Mongolia and Poland emphasized the importance of détente for productive and constructive negotiations on disarmament. In that context, Mongolia referred to the difficult international situation and what it regarded as NATO's long-term programme for increasing the military budgets of its members. Poland cited certain figures concerning average military expenditures and development aid allocations of the NATO and Warsaw Treaty alliances, to illustrate that such statistics varied according to documentation and could be misleading.

Canada observed that since the first session of the Committee on Disarmament in 1979, world military expenditures had continued to increase and more advanced weapons had continued to be designed and produced. It believed that disarmament negotiations should be pursued wherever there was a mutual interest in lower levels of armaments at equal levels of security and that success in negotiations depended upon a degree of trust and confidence.

Sweden considered it particularly ominous that military expenditure was increasing steeply, reaching some \$500 billion in 1980, and drew special attention to the fact in many countries military expenditures were increasing faster than national income. It also added that, even in time of economic recession, the arms industry appeared to increase its profit without being affected by budgetary constraints.

Report of the *Ad Hoc* Panel on Military Budgeting, 1980

Pursuant to General Assembly resolution 33/67, the *Ad Hoc* Panel on Military Budgeting held three sessions in 1980, from 21 to 25 January, 23 June to 3 July and 25 to 29 August. In its work, the Panel analysed and assessed replies from 14 Member States participating in the practical test of the proposed standard instrument for international reporting of military expenditures and prepared its report,¹⁴ which was submitted by the Secretary-General to the General Assembly at its thirty-fifth session.

The 1980 report of the *Ad Hoc* Panel consisted of four chapters: "I. In-

¹⁴ A/35/479.

roduction"; "II. Analysis of replies received from participating States"; "III. Related problems and aspects"; and "IV. Assessment, conclusions and recommendations", and four appendices: "Replies received from participating States"; "Communications from other States"; "The reporting instrument as tested"; and "Computerized tables"

In the introduction, the *Ad Hoc* Panel referred to prior General Assembly resolutions and reports of the Secretary-General on the reduction of military budgets and outlined the history of the practical test of the reporting instrument, including the aims of the utilization of the reporting instrument, the purposes of the test, and the testing procedures.

In its analysis of the replies, the Panel provided an overview of the 14 received — from Australia, Austria, Belgium, Canada, France, the Federal Republic of Germany, Indonesia, Italy, Mexico, the Netherlands, New Zealand, Norway, Sweden and the United States. The Panel noted that the States concerned had provided figures which generally conformed to the matrix contained in the reporting instrument, and it expressed satisfaction that replies had been submitted by countries from several geographical regions and having different budgeting systems. Following the overview, the Panel made a qualitative and quantitative analysis of the replies. In that connexion, it included in the report the pertinent statistical tables, most of which had been produced with the use of a computer. On the basis of its analysis, the Panel proposed some minor modifications of the matrix and its accompanying instructions. The matrix, incorporating the proposed revisions illustrated in the 1980 report, is reproduced in annex III to this chapter. It may be noted that the vertical axis provides for details of expenditures by types of resource costs and the horizontal axis provides for them by force groups, that is, types of forces.

In chapter III, the *Ad Hoc* Panel examined problems of comparability, international and intertemporal, of military expenditures, as well as other aspects of military expenditure measurement, comparison and reduction.

With regard to the problem of international comparison, the Panel studied issues involved in the use of the United States dollar, exchange rates, gross domestic product (GDP) *per capita*, and purchasing power parities (PPPs) to convert national currency data to common currency data. Concerning the problem of intertemporal comparison, the Panel studied the use of each country's consumer price index and gross national product (GNP) deflator. Certain other aspects of military expenditure measurement, comparison, and reduction were examined, including questions relating to valuation of resources, stocks of military capital, limitation and reduction agreements on military expenditures, and the verification of such agreements.

In chapter IV, the Panel stated that the data and other information submitted for the test by participating countries had constituted a satisfactory basis for its assessment concerning the viability of the reporting instrument and for recommendations concerning further refinement and implementation of use of the instrument. The Panel considered that, with the submission of its 1980 report, including the revised reporting instrument, the practical test called for in resolution 33/67 had been completed.

The Panel concluded that although certain minor parts of the instrument might call for some further examination, the results of the test had shown that the instrument provided a viable and practical methodology for international reporting of military expenditures. After the modifications proposed in the report, the reporting instrument should be even better suited to its purpose. The Panel also underscored the close relationship between building confidence among States and increased openness in matters of military expenditures by way of standardized reporting.

The Panel further concluded that its work through the years had led to a practical stage for decisions to be taken to implement a standardized system for the international reporting of military expenditures. Accordingly, it recommended that steps should be taken by the General Assembly leading to the early implementation of the use of the revised reporting instrument in a general and regular system for the international reporting of military expenditures. Steps should also be taken to ensure increasing participation in the system by an ever-widening number of States. The Panel felt that the importance of the question and information about the system should be brought to the attention of Member States, international organizations, other bodies concerned with global and regional disarmament, and the mass media. It also suggested that a special international body, assisted by the United Nations Secretariat, might be needed to collect, assemble and report, on a general and regular basis, on the data concerning military expenditures received from Member States.

The Panel finally recommended that a further study should be undertaken regarding the comparison of military expenditures among different States and in different years, and on the question of verification in connexion with agreements on reductions which might be reached.

Consideration by the General Assembly, 1980

At the thirty-fifth session of the General Assembly, many States stressed the need to limit and reduce increasing world military expenditures.¹⁵

Some, including Burundi, Nigeria and Singapore, noted that annual world military expenditure had recently reached a level of some \$500 billion and was still increasing. Albania, Bahrain and Papua New Guinea, among others, drew attention to the responsibility of the United States and the Soviet Union alone for a major portion of world military outlays. Papua New Guinea stated that those two countries accounted for 58 per cent, and with their allies as much as 80 per cent, of global military expenditure. Angola noted that annual military activities throughout the world absorbed resources equivalent to about two thirds of the aggregate gross national product of the third world countries.

¹⁵ See *Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings*, 4th to 33rd and 94th meetings; *ibid.*, *Thirty-fifth Session, First Committee*, 4th to 40th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, Corrigendum.

Numerous States, particularly non-aligned, pointed to the disparity between world military expenditures and development aid. The United Republic of Cameroon, for instance, stated that, while world military expenditures had increased to a staggering annual figure, development aid had been stagnating at around \$20 billion. Pakistan stated that world security was as much threatened by the reckless diversion of resources to the arms race as by the neglect of the fundamental needs of the underprivileged peoples of the world. India stressed that there was a moral link between the vast spending on armaments and low spending measures to remove hunger and disease in the third world.

The Bahamas, while acknowledging a potential link between disarmament and development, felt that reductions in military spending did not automatically increase funds for development, and suggested that Governments should be requested to allocate a percentage of their budgets, no matter how small, to development aid. In that way, appeals in both areas could be complementary, because there would be an onus on Governments to assist in a cause of concern to all, and the security threat would be lessened through the response to that side of the appeal. On the same subject, the Federal Republic of Germany emphasized that what the world needed was not an arms race, but a race in the provision of aid for the developing countries. It considered it necessary to establish two registers in the United Nations: the first to record how much every industrialized country spent *per capita* on armaments, and the second, how much on development assistance. Belgium referred to the report of the Brandt Commission which had suggested the establishment of machinery to strengthen the role of the United Nations by adding a function, namely, to generate funds for development through reductions in military expenditures.

Reinforcing other expressions of concern, a number of non-aligned States, including Fiji, Pakistan, Sri Lanka and Suriname, pointed out that limited resources have been utilized increasingly by the third world for the acquisition of arms. Fiji estimated the value of the arms imported by the third world in the last decade to be between \$80 and \$90 billion; Suriname noted that total imports of arms by the third world had quadrupled in the 1970s compared to the 1960s; and Singapore noted that, in the last 20 years, third world military spending had been increasing more rapidly than the gross national product. Several States, including Chile, China, Denmark, Hungary, Ireland and the Ukrainian SSR, drew attention also to the fact that approximately 80 per cent of total military expenditures was currently going for conventional weapons (see also chapter XVIII above).

A number of Western States, including the Federal Republic of Germany, Italy, Japan, the Netherlands and Norway, supported the ongoing test of the proposed reporting instrument on military expenditures, and welcomed the report of the Secretary-General¹⁶ entitled "Reduction of military budgets", described in the preceding section of this chapter. The Netherlands, speaking on behalf of the nine member States of the European Economic Community, claimed that concrete measures for freezing or reducing

¹⁶ A/35/479.

military expenditures could be based only on a standardized reporting system. The Nine considered that the *Ad Hoc* Panel of experts in the field of military budgeting should continue its work in order to refine further and implement routine use of the proposed reporting instrument; it should also study major problems, such as the question of verification. The Federal Republic of Germany and Italy, which were among the 14 States participating in the test of the reporting system, appealed to all States which had not done so to report their military expenditures to the Secretary-General. Japan also held that the prerequisite for achieving reductions in military expenditures was a fair method of calculation and international comparison of such expenditures.

The Soviet Union maintained its position of favouring the reduction of military budgets of all States, particularly the great Powers, and expressed its readiness to enter into talks with militarily significant States, including the permanent members of the Security Council, on the amount by which military budgets might be reduced, either in percentages or in absolute terms. In that connexion, the Soviet Union stated that its defence expenditures for 1981 had been reduced by approximately 17.05 billion roubles, which represented 5.7 per cent of its total budgetary expenditures. Romania announced that it had recently decided for the third successive time to reduce its military budget by 16 per cent, and divert the funds thus released to the implementation of programmes aimed at ensuring the well-being of its people.

On 5 November, Austria, Indonesia, Ireland, Nigeria, Peru, Romania, Rwanda, Senegal, Sweden and Uruguay submitted a draft resolution which was subsequently sponsored also by the United Republic of Cameroon. The draft resolution was introduced on 7 November by the representative of Romania, who noted that no fewer than 81 representatives had referred to the question of military budgets during the general debate. Romania also recalled its own proposals to reduce military budgets by 10 to 15 per cent, and the work of the Disarmament Commission in the area, including its recommendations (annex II). Romania added that a verification system as well as the solution of certain technical problems were implied in the course of reaching agreements on freezing and reduction of military budgets. Thereafter it reviewed the highlights of the draft resolution. On 20 November, Romania orally proposed to insert a new paragraph in the preambular part of the draft resolution, to follow the third preambular paragraph, as follows:

“Reaffirming that it is possible to achieve reductions in military budgets without affecting the military balance to the detriment of the national security of any State,”

The draft resolution, as orally revised, was approved, also on 20 November, without a vote.

On 5 November, Austria, Costa Rica, Denmark, France, the Federal Republic of Germany, Indonesia, Ireland, Italy, Mexico, the Netherlands, Nigeria, Norway, Romania and Sweden submitted a second draft resolution which was subsequently sponsored also by Belgium, Canada and the Niger. The draft resolution was introduced on 7 November by the representative of

Sweden, who stressed that a lowering of military budgets could not be accomplished except by a major shift from a state of distrust, particularly between the super-Powers, to one of real détente. It felt that the best to be hoped for in the short run was that the appeal for self-restraint, contained in both draft resolutions, would be heeded by all States for the benefit of developing countries. It regarded the two draft resolutions as complementary, their purpose being to prepare the ground for substantial reductions in military expenditures through a convention. With regard to the draft resolution, Sweden emphasized that the text of the reporting instrument and the report thereon constituted a worthwhile contribution towards more open reporting of military expenditures, which would build confidence and provide a first step towards agreed and balanced reductions in military expenditures. Sweden, at the same time, acknowledged the technical intricacies inherent in working towards practical and generally acceptable solutions to the problems involved. Thereafter, the representative of Sweden, on behalf of the sponsors, orally revised operative paragraph 4 (b) of the draft resolution by replacing the word "in" with the word "between" (see below).

On 24 November, the Committee approved the draft resolution introduced by Sweden by a recorded vote of 106 to none, with 25 abstentions.

In explanation of voting on the draft introduced by Romania, the Netherlands, again on behalf of the Nine, stated that they would give their support, and would also support the draft introduced by Sweden, because the two were complementary. It emphasized, however, the importance of systematic reporting of military budgets and referred also to the Final Document of the 1978 special session of the General Assembly.¹⁷ India stated that any reduction of military budgets should be on the basis of ensuring equal security for all States rather than maintenance of a military balance. It also had some reservations about paragraph 3 of the draft (see below). The USSR had reservations about paragraph 4, in that it referred to the previous year's resolution on the question (see below), and in any separate vote would have abstained on that paragraph.

With respect to the draft introduced by Sweden, the USSR regarded the question of comparability and verification as pretexts which allowed military budgets to continue to increase. Afghanistan and Hungary saw difficulties with the draft in the same general area, with Afghanistan doubting whether the reporting instrument would contribute to increased confidence and actual reductions, and Hungary stating that the most important requirement was self-restraint. Bolivia, Brazil, Egypt, Ghana and Zaire explained their support of the draft, with Ghana emphasizing the need for the co-operation of all States in respect of the reporting instrument, and the others emphasizing the particular responsibility of the great and militarily significant Powers.

On 12 December, the General Assembly adopted the draft resolution, initiated by Romania, without a vote as resolution 35/142 A, and the draft resolution, initiated by Sweden, by a recorded vote of 113 to none, with 21

¹⁷ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 89 and 90.

abstentions (Eastern European States, except Romania, and some non-aligned states), as resolutions 35/142 B. Resolution 35/142 A reads as follows:

The General Assembly,

Expressing its deep concern about the ever-spiralling arms race and growing military expenditures, which constitute a heavy burden for the economies of all nations and have extremely harmful effects on world peace and security,

Deeply convinced that the common aspirations of mankind for peace, security and progress require the urgent cessation of the arms race, particularly of the nuclear arms race, and the reduction of military expenditures, as well as the adoption of effective measures leading towards general and complete disarmament,

Reaffirming the provisions of the Final Document of the Tenth Special Session of the General Assembly according to which gradual reduction of military budgets on a mutually agreed basis, for example, in absolute figures or in terms of percentage points, particularly by nuclear-weapon States and other militarily significant States, would be a measure that would contribute to curbing the arms race and would increase the possibilities of reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries,

Reaffirming that it is possible to achieve reductions in military budgets without affecting the military balance to the detriment of the national security of any State,

Recalling its resolution 34/83 F of 11 December 1979, in which it, *inter alia*, stipulated that, in the light of the above-mentioned provision of the Final Document, a new impetus should be given to endeavours to achieve agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditures, including adequate measures of verification satisfactory to all parties concerned, and, to this end, requested the Disarmament Commission to undertake during 1980 to examine and identify effective ways and means of achieving such agreements,

Having considered the report of the Disarmament Commission on the work accomplished during its session of 1980 in pursuance of resolution 34/83 F,

Noting also the recommendation of the Disarmament Commission concerning the elements of the Declaration of the 1980s as the Second Disarmament Decade, which provides that during the Decade renewed efforts should be made to reach agreement on the reduction of military expenditures and the reallocation of resources from military purposes to economic and social development, especially for the benefit of developing countries,

Aware of the various proposals submitted by States and of the activities carried out so far within the framework of the United Nations in the field of the reduction of military budgets,

Recalling also paragraph 41 of the Final Document, which refers, *inter alia*, to the contribution of the unilateral measures to the attainment of the disarmament goals, and welcoming in this connexion such measures taken by States aimed at the freezing and the reduction of their military expenditures,

1. *Reaffirms* the urgent need to reinforce the endeavours of all States and international action in the area of the reduction of military budgets, with a view to reaching international agreements to freeze, reduce or otherwise restrain military expenditures;

2. *Reiterates* the appeal to all States, in particular the most heavily armed States, pending the conclusion of agreements on the reduction of military expenditures, to exercise self-restraint in their military expenditure with a view to reallocating the funds thus saved to economic and social development, particularly for the benefit of developing countries;

3. *Requests* the Disarmament Commission to continue at its session to be held in 1981 the consideration of the item entitled "Reduction of military budgets", taking into account the provisions of General Assembly resolution 34/83 F as well as those of the present resolution, and, in particular, to identify and elaborate on the principles which should govern further actions of States in the field of the freezing and reduction of military expenditures, keeping in mind the possibility of embodying such principles into a suitable document at an appropriate stage;

4. *Requests* the Secretary-General to invite Member States to express their views and suggestions on the principles which should govern their actions in the field of the freezing and

duction of military expenditures and to prepare on this basis a report to be submitted to the Disarmament Commission at its session in 1981;

5. *Considers* that this action to be carried out by the Disarmament Commission should be regarded as complementary to any other ongoing activity within the framework of the United Nations related to the question of reduction of military budgets as well as to any possible unilateral initiatives which may be undertaken by States in this field;

6. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Reduction of military budgets"

Resolution 35/142 B reads:

The General Assembly,

Recalling the provision of paragraph 90 of the Final Document of the Tenth Special Session of the General Assembly, according to which it should continue to consider what concrete steps should be taken to facilitate the reduction of military budgets, bearing in mind the relevant proposals and documents of the United Nations on this question,

Convinced that reductions of military expenditures could be carried out without affecting the military balance to the detriment of the national security of any country,

Recalling its resolution 33/67 of 14 December 1978, in which the General Assembly requested the Secretary-General, with the assistance of an *ad hoc* panel of experienced practitioners in the field of military budgeting:

(a) To carry out a practical test of the proposed reporting instrument with the voluntary co-operation of States from different regions and representing different budgeting and accounting systems,

(b) To assess the results of the practical tests,

(c) To develop recommendations for further refinement and implementation of the reporting instrument,

Taking note with appreciation of the report of the Secretary-General submitted in pursuance of resolution 33/67, containing recommended steps leading to the early implementation of the revised instrument in a general and regular system for the international reporting of military expenditures, ensuring an increasing participation with a view to universal reporting by an ever-widening set of States and at the same time recommending that a further study should be undertaken of the problems of comparing military expenditures among different States and in different years as well as the problems of verification that will arise in connexion with agreements on reduction of military expenditures,

Recognizing with satisfaction that a carefully elaborated reporting instrument has now become available for general and regular implementation, in the course of which it may be further refined, in particular through its testing by a widening set of States,

Emphasizing the value of such a reporting instrument, once fully implemented in its refined form, as a means to increase confidence between States by contributing to greater openness in military matters,

Convinced that the systematic reporting of military expenditures is an important first step in the move towards agreed and balanced reductions in military expenditures,

1. *Requests* the Secretary-General to make the necessary arrangements for the above-mentioned report to be issued as a United Nations publication and widely distributed;

2. *Recommends* that all Member States should make use of the reporting instrument and report annually to the Secretary-General their military expenditures of the latest fiscal year for which data are available, presenting their first report preferably not later than 30 April 1981;

3. *Requests* the Secretary-General to report on these matters to the General Assembly on an annual basis;

4. *Requests* the Secretary-General, with the assistance of an *ad hoc* group of qualified experts in the field of military budgets:

(a) To refine further the reporting instrument on the basis of future comments and suggestions received from States during the general and regular implementation of the reporting instrument;

(b) To examine and suggest solutions to the question of comparing military expenditures among different States and between different years as well as to the problems of verification that will arise in connexion with agreements on reduction of military expenditures;

5. *Requests* the Secretary-General to report on the implementation of paragraph 4 above to the General Assembly at its second special session devoted to disarmament;

6. *Requests* the Secretary-General to provide the group of experts with the necessary financial assistance and secretariat services;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Reduction of military budgets"

Conclusion

As in the past, the reduction of military budgets was extensively considered, especially by the Disarmament Commission and the First Committee of the General Assembly, both of which had specific items on the question on their 1980 agendas. There was widespread agreement that the reduction of military budgets was integral to halting the arms race and freeing resources for development purposes.

Different groups of countries, however, placed emphasis on different aspects of the question. A large number of non-aligned countries drew particular attention to the increasing gap between military outlays of major military powers and allocations to development assistance. Other non-aligned and most Eastern European and Western States expressed concern about the increase in military expenditures in both developed and developing countries.

The implementation of the practical test of the proposed reporting instrument on military expenditures and the conclusion of work by the *Ad Hoc* Panel of experts on military budgeting in 1980 marked a new phase of the discussion on that aspect of the subject. The Secretary-General's report, prepared by the Panel, was well received by Western and some non-aligned States which continued to regard definition of the scope of military expenditures and establishment of a standardized reporting instrument as prerequisites to the effective and verifiable reduction of military budgets. On the other hand, most Eastern European States reaffirmed the view that the reduction of military budgets was possible without the use of such technical means and without further study.

Pursuant to the two resolutions adopted by the General Assembly, Member States will submit views on the subject to the Disarmament Commission at its 1981 session, and the Secretary-General will submit to the General Assembly at its thirty-sixth session an annual report on the completed reporting instruments received. A new *ad hoc* group of experts on military budgets will carry out a study on the question for submission to the General Assembly at its second special session devoted to disarmament in 1982.

ANNEX I

Ad Hoc Panel on Military Budgeting

- Mr. Hans Christian Cars, Ph.D., Head of Division, Ministry of Defence, Planning and Budget Secretariat, Fack, Stockholm, Sweden
- Prof. José A. Encinas Del Pando, Dean, School of Economics, University of Lima, Casilla 121, Miraflores, Lima, Peru
- Mr. Daniel Gallik, Senior Economist, U.S. Arms Control & Disarmament Agency, Washington, D.C., United States
- Col. Dr. Traian Grozea, Principal Scientific Researcher, Centre for Studies and Research of History and Military Theory, Bucharest, Romania
- Professor Akira Kumagai, Director, Planning and Co-ordination Division, National Defense College, Tokyo, Japan
- Lt. Col. Victor O. Odeka, Principal Staff Officer, Paymaster General's Office, Headquarters Nigerian Army (PAY), Lagos, Nigeria
- Mr. Benjamin Parwoto, First Marshal TNI, Deputy Assistant for Planning, Department of Defense and Security, Dephankam, Jakarta, Indonesia

ANNEX II

Recommendations on agenda items 5 (a) and (b)

1. The Disarmament Commission considered items 5 (a) and (b) in pursuance of General Assembly resolutions 33/71 H of 14 December 1978 and 34/83 F of 11 December 1979. The Commission devoted a number of formal and informal meetings to a general exchange of views on these items and began to consider concrete steps to be undertaken by States regarding a gradual agreed reduction of military budgets and to examine effective ways and means of achieving agreements to freeze, reduce or otherwise restrain military expenditures. The exchange of views revealed widespread concern among Member States about the economic and social costs of the arms race, in particular the enormous consumption of human and material resources, as well as the conviction that taken as a whole the increase in weapons, far from helping to strengthen international security, on the contrary, weakens it. In view of paragraph 16 of the Final Document of the Tenth Special Session of the General Assembly which, *inter alia*, stated that "military expenditures are reaching ever higher levels, the highest percentage of which can be attributed to the nuclear-weapon States and most of their allies, with prospects of further expansion and the danger of further increases in the expenditures of other countries" Member States reiterated that a gradual reduction of military budgets on a mutually agreed basis, for example, in absolute figures or in terms of percentage points, particularly by nuclear-weapon States and other militarily significant States, would be a major contribution to curbing the arms race and would increase the possibilities of reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries. The final objective of efforts in this field should be the achievement of international agreements to freeze, reduce or otherwise restrain military expenditures.

2. In addition to the generally held views as set out above, a number of other issues was raised on which the following views were expressed.

3. Some delegations stressed the fact that the primary responsibility rested with the nuclear-weapon States and States with significant military potential to be the first to freeze and reduce their military budgets. These delegations reaffirmed their belief that the strict adherence by States to the principles of the Charter of the United Nations and just solutions of international political problems would encourage Member States to reduce their military budgets.

4. It was considered that like other disarmament measures the reduction of military budgets should take place in such an equitable and balanced manner as to ensure the right of each State to security and further to ensure that no individual State or group of States may obtain advantages over others at any stage. At each stage the objective should be undiminished security at the lowest possible level of armaments and military forces.

5. Some delegations referred to the need for adequate measures of verification satisfactory to all parties concerned, as expressed in General Assembly resolution 34/83 F. In this connexion, some delegations put special emphasis on the ongoing efforts within the United Nations which have resulted in the elaboration of a reporting instrument with a special matrix for different kinds of military expenditures by a group of United Nations experts in pursuance of Assembly resolution 33/67. They stated their view that the availability of a reliable reporting instrument constituted a precondition for agreements on the freezing and reduction of military budgets. Therefore, they expressed the hope for wider participation by States from all regional groups in the further development of a reporting instrument.

6. Some delegations referred to the need for the exercise of political will on the part of Governments which should result in the initiation of businesslike negotiations on the reduction of military budgets, particularly on the part of the major Powers, either in percentage terms or in absolute figures of the same magnitude. In this connexion, references were made to the proposal contained in the Declaration of the States Parties to the Warsaw Treaty adopted at the meeting of the Political Consultative Committee held at Warsaw on 14 and 15 May 1980. In the view of these delegations further consideration of questions relating to the comparability of budgets or their control would only delay the initiation of the negotiations referred to above.

7. At the beginning of the consideration of agenda items 5 (a) and (b) the delegations of Romania and Sweden, in order further to advance the discussion of concrete steps to be undertaken in order to facilitate a freezing and reduction of military expenditures, presented a joint working paper (document A/CN.10/14) which, *inter alia*, suggested the following measures: States Members of the United Nations should elaborate, and later adopt, a joint commitment in the form of a declaration expressing their political will to freeze and subsequently to reduce military expenditures and their determination, pending the conclusion of agreements on such reduction, to exercise self-restraint in their military expenditures; and increased efforts should be devoted to negotiating and concluding international agreements to freeze and reduce military expenditures on global, regional and bilateral levels. The working paper suggested also that the declaration should rest upon a number of basic principles, such as: (a) the process of freezing and reduction should start with the military budgets of the most heavily armed States; (b) the reductions should be carried out without affecting the military balance to the detriment of the national security of any country; and (c) the verification should be achieved through adequate measures satisfactory to all parties concerned, and part of the funds released should be reallocated to the benefit of the developing countries. The working paper further suggested that the General Assembly may recommend that States Members should take unilateral measures to freeze and reduce their military expenditures and thus promote the conditions for later international agreements on this subject. The two delegations specifically proposed that the General Assembly at its thirty-fifth session decide to request the Disarmament Commission to work out the main elements of a joint commitment in the form of a declaration on the freezing and reduction of military expenditures, to be further elaborated and negotiated on the basis of later recommendations of the Assembly and to request the Secretary-General to take appropriate measures to study all fundamental legal and technical problems connected with the freezing and reduction of military expenditures.

8. In the light of its consideration of agenda items 5 (a) and (b) reflected in the present report, the Disarmament Commission recommends that the General Assembly, at its thirty-fifth session after examining the item entitled "Reduction of military budgets" to be included in its provisional agenda in pursuance of resolutions 33/67 and 34/83 F, request the Disarmament Commission to continue at its next substantive session its consideration of these agenda items, taking into account the provisions of resolution 34/83 F and,

in particular, to identify and elaborate the principles which should govern further actions of States in the field of freezing and reduction of military expenditures, keeping in mind the possibility of embodying such principles into a suitable document at an appropriate stage.

9. The Disarmament Commission also requested the Secretariat to prepare a background paper listing all proposals made by Member States, resolutions adopted by the General Assembly and studies undertaken within the United Nations framework concerning the question of reduction of military budgets.

[Annex III overleaf]

ANNEX III

Instrument for standardized international reporting of military expenditures
(Actual outlays, current prices)

Country: Fiscal year:/..... day month year/..... day month year

National currency and unit of measure: (The unit of measure should not exceed one ten thousandth of the total military expenditures)

Force groups Resource costs	Strategic forces (1)	Land forces (2)	Naval forces (3)	Air forces (4)	Other combat forces (5)	Central support administration and command		Para-military forces (8)	Military assistance			Total military expenditures (1-12) (13)	Civil defense (14)	
						Support (6)	Command (7)		Home territory (9)	Abroad (10)	UN Peace keeping (11)			Undistributed (12)
1. OPERATING COSTS														
1.1 Personnel														
1.1.1 Conscripts														
1.1.2 Other military personnel incl. reserves														
1.1.3 Civilian personnel														
1.2 Operations and maintenance														
1.2.1 Materials for current use														
1.2.2 Maintenance and repair														
1.2.3 Purchased services														
1.2.4 Rent costs														
1.2.5 Other														

Force groups Resource costs	Strategic forces (1)	Land forces (2)	Naval forces (3)	Air forces (4)	Other combat forces (5)	Central support administration and command		Para-military forces (8)	Military assistance			Total military expenditures (1-12) (13)	Civil defense (14)	
						Support (6)	Command (7)		Home territory (9)	Abroad (10)	UN Peace keeping (11)			Undistributed (12)
2.2.8 Warehouses, depots etc.														
2.2.9 Command and adm. facilities														
2.2.10 Fortifications														
2.2.11 Shelters														
2.2.12 Land														
2.2.13 Other														
3. RESEARCH AND DEVELOPMENT														
3.1 Basic and applied research														
3.2 Development, testing and evaluation														
4. TOTAL (1 + 2 + 3)														

PART FIVE

Studies and information

Work of the Advisory Board on Disarmament Studies

Introduction

THE ADVISORY BOARD ON DISARMAMENT STUDIES was established by the Secretary-General following a request by the General Assembly at its first special session devoted to disarmament in 1978, to advise him on various aspects of studies to be made under the auspices of the United Nations in the field of disarmament and arms limitation, including a programme of such studies.¹ The 30 persons who make up the Board include current and former foreign ministers, high-level foreign ministry officials, permanent representatives to the United Nations and senior academic personalities.² Mr. Agha Shahi, Minister for Foreign Affairs of Pakistan, has served as the Chairman of the Board from the beginning of its activities and, since its fourth session, Mr. Eugeniusz Wyzner of Poland has been its Vice-Chairman.

At its first session, in November 1978, the Advisory Board concentrated in particular on the way in which it would approach its work. The Board attached special importance to the Secretary-General's remark in his report to the General Assembly at its thirty-third session,³ to the effect that its work could have a stimulating effect on current and future disarmament negotiations. The Board stated that it might, among other things, make recommendations for updating or complementing earlier United Nations studies and investigating areas which had not at the time been adequately studied. It further agreed that it was within its mandate to suggest subjects for United Nations disarmament studies. In addition, the Board took note of certain specific functions that the Secretary-General had envisaged that it would perform, such as defining the purpose of disarmament studies, elaborating a comprehensive programme for such studies and helping in the better utilization of relevant contributions by specialized agencies and other institutions as well as drawing together the expertise of research institutes and non-governmental organizations in that connexion.

The Board held its second and third sessions in April/May and October

¹ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4), sect. III, para. 124.

² For the composition of the Advisory Board, see the annex to this chapter.

³ A/33/312/Add.1.

1979. Those sessions were devoted principally to the discussion of a comprehensive programme of disarmament studies, possible ways of establishing, operating and financing an international institute for disarmament research, and the formulation of a new philosophy on disarmament. With regard to the last-mentioned item, the Board felt that, in the current situation, the Final Document of the Tenth Special Session of the General Assembly contained the essence of a new philosophy and provided an integrated framework for action.

With regard to the question of a comprehensive programme of disarmament studies, the Board agreed that such a programme should be not only comprehensive but "integrated", that is, the studies chosen should form part of a cohesive whole. The Board was of the opinion that topics would have to be selected on the basis of priorities, taking careful account of past and current studies. In determining what further studies were needed, particularly considering the purpose of assisting ongoing negotiations, the Board realized that to attempt to fill all gaps at once would not be realistic. Accordingly, the Board held that, for the selection of studies, certain criteria should be applied, for example, the importance of a given study for the United Nations, its urgency, its timeliness, the need to avoid unnecessary duplication, and the financial means available. It had an extensive exchange of views on a number of proposals for further studies to be made under the auspices of the United Nations.

The Board's discussions in 1979 on possible ways of establishing, operating and financing an international institute for disarmament research under the auspices of the United Nations were undertaken in accordance with General Assembly resolution 33/71 K. By that resolution, the Secretary-General was requested to seek the advice of the Board on the matter and report to the General Assembly at its thirty-fourth session. The Board had an extensive exchange of views on the general aspects of the establishment, operating and financing of the proposed institute and made a number of recommendations with respect to the mandate, the manner in which the institute should function, and the composition and the task of the institute's advisory council on disarmament research. Among other ideas, it considered a specific proposal that such an institute should be set up within the framework of the United Nations Institute for Training and Research (UNITAR).

The General Assembly, at its thirty-fourth session, by resolution 34/83 M, welcomed the recommendations, submitted by the Advisory Board and set forth in the report of the Secretary-General,⁴ concerning the United Nations institute for disarmament research. Furthermore, the Assembly requested the Secretary-General to hold consultations with UNITAR regarding the establishment of the institute and expressed the hope that appropriate steps would be taken as soon as possible with a view to implementing the recommendations.

⁴ A/34/589.

1980 sessions of the Advisory Board on Disarmament Studies

The Advisory Board on Disarmament Studies held its fourth and fifth sessions at United Nations Headquarters in New York from 28 April to 9 May and from 29 September to 9 October 1980, respectively.

The sessions of the Advisory Board in 1980 were devoted principally to the consideration of (a) proposals for studies on disarmament; (b) a comprehensive programme of disarmament studies; (c) possible ways of establishing, operating and financing an international institute for disarmament research; and (d) a new philosophy on disarmament.

Proposals for studies on disarmament

In the report of the Secretary-General entitled "United Nations studies on disarmament",⁵ it is stated that, at the Advisory Board's fourth and fifth sessions, members of the Board submitted detailed proposals for possible study, including details about the topics to be studied, the approaches to be taken and the manner in which the studies would be carried out.

The various proposals for study were thoroughly discussed in the light, *inter alia*, of considerations expressed on previous occasions regarding the purpose to be served by United Nations studies on disarmament and the criteria for the selection of such studies.

The Board reported to the Secretary-General that it had not been able to make a unanimous recommendation on the studies to be carried out. However, from the discussions and consultations among the members, a broad agreement had emerged, reflecting the views of the majority, that four from among the studies discussed should be undertaken:

(a) Study on the conduct and financing of a world-wide disarmament campaign;⁶

(b) Study on the question of zones of peace and co-operation;

(c) Study on the verification problem; and

(d) Study on the cessation of the production of all types of nuclear weapons and means of delivery and of the production of fissionable material for weapons purposes.

The amount of support expressed for each proposal had varied and there were also differences as to the approach to be adopted. Some members had drawn attention to the fact that studies in the field of disarmament and arms limitation, while intended to promote and support action in that field, could not replace such action. It was also noted that diverse aspects of the problems concerned might already have been considered in various forums.

On the basis of the working papers submitted by members, the Advisory Board discussed thoroughly a number of additional proposals for study:

⁵ A/35/575.

⁶ This proposal was approved by the General Assembly at its thirty-fifth session; see chapter XXIII below.

(a) The question of the consequences of the military uses of science and technology on the free access of States to science and technology for peaceful purposes;

(b) Further prohibition of military or any other hostile use of environmental modification techniques;

(c) Further measures in the field of disarmament to prevent the arms race on the sea-bed or the ocean floor or in the subsoil thereof;

(d) Further measures to prevent an arms race in outer space;

(e) The denuclearization of Africa: a study on the declaration of Africa, comprising continental Africa, Madagascar and other islands surrounding Africa, as a nuclear-weapon-free zone, and its relationship with the nuclear capability of South Africa.

It was noted in the discussions and recorded in the report of the Secretary-General that these further proposals should be considered at a later stage. One proposal, for a study entitled "The Indian Ocean as a zone of peace (military presence in the Indian Ocean)", was subsequently withdrawn on the understanding that the member who had initially advanced it might wish to have it reconsidered at an appropriate moment.

Comprehensive programme of disarmament studies

The Board, in its report to the Secretary-General, expressed its awareness that in due time one of its main tasks would be to elaborate a comprehensive programme of disarmament studies. In the meanwhile, it would continue the consideration of proposals for new studies in the context of those already completed or currently under way, keeping in mind the need to avoid duplication of work. The Board agreed in that connexion to take account of the relevant work performed by various *ad hoc* groups such as the *Ad Hoc* Committee on the Indian Ocean, as well as by the Committee on Disarmament and the Disarmament Commission with regard to the comprehensive programme of disarmament. Thus the Board recognized that the task of working out the comprehensive programme of disarmament studies must be a continuing process, conducted in the light of the elaboration of a comprehensive programme of disarmament, and deserving further consideration.

Possible ways of establishing, operating and financing an international institute for disarmament research

The Board, at its 1980 sessions, continued the discussion on possible ways of establishing, operating and financing a United Nations institute for disarmament research, giving particular attention to the question of the mandate of the institute and to the appropriate composition of its advisory council. In consequence of the various deliberations and consultations, as was stated in the report of the Secretary-General entitled "Programme of research and

studies on disarmament",⁷ the United Nations Institute for Disarmament Research was established with effect from 1 October 1980, within the framework of UNITAR, as an interim arrangement for the period until the second special session of the General Assembly devoted to disarmament, at which time it would be reviewed.

The Institute has a simple, pragmatic mandate to carry out research for the purpose of assisting in ongoing negotiations in the area of disarmament and arms limitation, stimulating initiatives for new negotiations, and providing a general insight into the problems involved. The Institute is to carry out its mandate on the basis of the provisions of the Final Document of the first special session of the General Assembly devoted to disarmament and in accordance with resolution 34/83 M. A 17-member advisory council was set up to assist the Institute in planning its programme, in determining research priorities and in exploring possibilities for fund raising. The advisory council is comprised of five members of the Advisory Board; four members of the UNITAR Board of Trustees; three specialists designated by the Executive Director of UNITAR in consultation with the Secretary-General; and, as *ex officio* members, the Chairman of the Advisory Board; the Chairman of the UNITAR Board of Trustees; the Assistant Secretary-General, United Nations Centre for Disarmament; the Chairman of the Disarmament Commission; and a representative of the Committee on Disarmament.

*

* *

In the First Committee, on 18 November, 33 States submitted a draft resolution on the question of the United Nations Institute for Disarmament Research and six additional States subsequently became sponsors, making 39 in all.⁸ By the proposal, the General Assembly, taking into account the decisions taken by the Board of Trustees of UNITAR and bearing in mind the work of the Advisory Board on Disarmament Studies at their meetings in 1980, would approve the report of the Secretary-General on the programme of research and studies on disarmament and welcome the establishment of the institute. In introducing the draft resolution, the representative of France stated that like UNITAR, the Institute for Disarmament Research was an organ of the United Nations. He informed the Assembly that the French Government had undertaken to place a specialist in disarmament matters at the new Institute's disposal and to pay his salary, and that France would contribute some \$250,000 to finance research already accomplished or under way on the whole range of disarmament problems. The French representative finally expressed the hope that the Institute's funds would be used advisedly

⁷ A/35/574.

⁸ Argentina, Austria, Bahamas, Belgium, Chile, Denmark, Ecuador, Egypt, France, Germany, Federal Republic of, Greece, Haiti, India, Indonesia, Ireland, Italy, Kuwait, Mexico, Netherlands, Niger, Nigeria, Pakistan, Philippines, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sweden, Turkey, United Kingdom, Upper Volta, Uruguay, Yugoslavia, Zaire and Zambia.

to carry out all or part of certain research projects with which the Advisory Board had been concerned.

The draft resolution was approved by the First Committee on 25 November without a vote. At its 94th plenary meeting, on 12 December 1980, the Assembly adopted the draft resolution, also without a vote, as resolution 35/152 H; it reads as follows:

The General Assembly,

Recalling the recommendations concerning the establishment of an international institute for disarmament research contained in its resolution 34/83 M of 11 December 1979,

Taking into account the decisions taken by the Board of Trustees of the United Nations Institute for Training and Research at its special meeting in February 1980,

Bearing in mind the work of the Advisory Board on Disarmament Studies at its meetings held in 1980,

1. *Approves* the report of the Secretary-General on the programme of research and studies on disarmament;
2. *Welcomes* the establishment at Geneva of the United Nations Institute for Disarmament Research within the framework of the United Nations Institute for Training and Research as an interim arrangement for the period until the second special session of the General Assembly devoted to disarmament.

New philosophy on disarmament

A working paper on the formulation of a new philosophy on disarmament was reintroduced by a member of the Board. The Board agreed to leave the topic on the agenda for further consideration at a future meeting so that proposals on the subject might be formulated before the second special session of the General Assembly devoted to disarmament in 1982.

Conclusion

The decision of the first special session of the General Assembly devoted to disarmament to create the Advisory Board on Disarmament Studies demonstrated the desire of the majority of States to follow both a more comprehensive and a longer-term approach to the way in which studies in the area of disarmament and arms limitation are to be selected and carried out.

The Board has so far concentrated its activities in particular on the consideration of proposals for new studies and has had profound discussion on them. But, as shown in this chapter, once the Board recommends a study as useful, it is up to the Secretary-General to transmit a recommendation to the General Assembly; the Assembly may then take a decision in that connexion. The Assembly, for reasons of its own, can also adopt proposals for studies initiated from outside the Board.

The Advisory Board, at the request of the General Assembly, has dealt also with the subjects of the new philosophy on disarmament and the establishment of the International Institute for Disarmament Research. With regard to the Institute, the Board is closely linked with it through the Advisory

Council of the Institute. A number of the Board's members are represented in the Advisory Council, and the chairman of the Board serves, *ex officio*, as chairman of the Advisory Council of the Institute.

From the outset of its activities, the Board has recognized that one of its principal tasks would be the elaboration of a comprehensive programme of disarmament studies. It should be kept in mind, however, that the task of working out such a programme must be a continuing process, the results of which should be integrated into the comprehensive programme on disarmament. The fact that the comprehensive programme has not yet been elaborated may have hampered the Advisory Board in fulfilling this element of its mandate.

ANNEX

Members of the Advisory Board on Disarmament Studies, 1980*

- Erich Bielka-Karltru, former Minister for Foreign Affairs of Austria
Abdulla Yaccoub Bishara, Permanent Representative of Kuwait to the United Nations
Frank Edmund Boatén, Ambassador of Ghana to Denmark
Constantin Ene, Permanent Representative of Romania to the United Nations Office at Geneva; representative of Romania to the Committee on Disarmament
Alfonso García Robles, Permanent Representative of Mexico to the Committee on Disarmament
John Garnett, Senior Lecturer in Strategic Studies, Department of International Politics, University of Aberystwyth, Wales, United Kingdom
Enrique Gaviria-Liévano, Deputy Permanent Representative of Colombia to the United Nations Office at Geneva
Ignac Golob, Assistant Federal Secretary for Foreign Affairs of Yugoslavia
A. C. S. Hameed, Minister for Foreign Affairs of Sri Lanka
John W. Holmes, Director of Research, Canadian Institute of International Affairs
Hussein Khallaf, Professor, University of Cairo, former Minister and Ambassador of Egypt
Lai Ya-li, Deputy Permanent Representative of China to the United Nations
Carlos Lechuga Hevia, Director of International Organizations, Ministry of Foreign Affairs of Cuba
Akira Matsui, Adviser, Ministry of Foreign Affairs of Japan
Kasuka S. Mutukwa, Deputy Permanent Representative of Zambia to the United Nations
Carlos Ortiz de Rozas, Ambassador of Argentina to the Court of St. James
Radha Krishna Ramphul, Permanent Representative of Mauritius to the United Nations
Klaus Ritter, Director, Foundation of Science and Politics, Ebenhausen, Federal Republic of Germany
Alejandro Rovira, former Minister for Foreign Affairs of Uruguay

* Some members were unable to attend one or both of the 1980 sessions.

George M. Seignious II, former head of the United States Arms Control and Disarmament Agency

Agha Shahi, Minister for Foreign Affairs of Pakistan

Vladimir Shustov, Deputy Permanent Representative of the USSR to the United Nations

Pierre-Christian Taittinger, Senator and former Minister of France

Oscar Vaernø, Deputy General for Planning and Research, Ministry of Foreign Affairs of Norway

Milous Vejvoda, Deputy Minister for Foreign Affairs of Czechoslovakia

M. A. Vellodi, Secretary, Ministry of External Affairs of India

Piero Vinci, Ambassador of Italy, Rome

Eugeniusz Wyzner, Director, Department of International Organizations, Ministry of Foreign Affairs of Poland

Alejandro D. Yango, Permanent Representative of the Philippines to the United Nations

Alexander Yankov, Deputy Foreign Minister of Bulgaria and Permanent Representative of Bulgaria to the United Nations

Disarmament studies concluded in 1980 and studies in progress

Introduction

DISARMAMENT STUDIES HAVE TWO BASIC PURPOSES. First, they provide information of a general nature to facilitate both understanding of the problems of the arms race and disarmament and, secondly, they support the negotiating process through the analysis of specific matters related to negotiations in progress. The United Nations has carried out such studies since the early 1960s, most of them with the assistance of consultants or governmental experts appointed by the Secretary-General or experts appointed directly by Governments. In addition, the United Nations Secretariat has made analyses having the characteristics of studies at the request of various bodies.

In 1976, the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament recommended, among other things, that the General Assembly should consider making increased use of in-depth studies on disarmament and related matters carried out by the Secretary-General with the assistance of experts nominated by Governments or selected on the basis of their qualifications in disarmament and related matters.¹ The recommendations of the *Ad Hoc* Committee were endorsed by the General Assembly in resolution 31/90 of 14 December 1976. In 1978, at its tenth special session, the General Assembly fully recognized the importance of disarmament studies by including in the Final Document, in addition to a number of general references to disarmament studies, several requests to the Secretary-General to carry out specific studies. At the special session, the General Assembly also decided that it should determine the guidelines for specific studies and requested the Secretary-General to make annual reports on the subject for the Assembly to take into consideration.

With regard to specific studies in progress in 1980, as called for by decisions of the General Assembly taken at its thirty-third and thirty-fourth sessions, one of them, that concerning the question of the reduction of military budgets, is dealt with in chapter XX above. The remainder are dealt with in separate sections of the present chapter. The composition of the rele-

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 36 (A/31/36)*, para. 18, "Agreed proposals", F.6.

vant study groups in 1980 is shown in the annex to this chapter in the order in which the studies are discussed.

Studies concluded in 1980

Study on all the aspects of regional disarmament

On the initiative of Belgium, the General Assembly, by resolution 33/91 E of 16 December 1978, requested the Secretary-General, with the assistance of a group of governmental experts, to carry out a systematic study of all aspects of regional disarmament and to submit it to the Assembly at its thirty-fifth session.

The Group of Governmental Experts on Regional Disarmament, consisting of 10 experts from Argentina, Belgium (Chairman), Egypt, Finland, the Federal Republic of Germany, Indonesia, Mexico, Nigeria, Pakistan and Poland, held four sessions, two in 1979 and two in 1980, in connexion with the preparation of the study. The study was unanimously recommended by the experts and transmitted to the Secretary-General on 8 August 1980. It was submitted to the General Assembly as the report of the Secretary-General on 8 October.²

The study consists of five chapters: "Introduction"; "Past experiences and present endeavours"; "Regional approach to disarmament"; "Survey of conceivable measures"; and "Conclusions"

In discussing the concept of regional disarmament, the study points to the fact that, for the great majority of States, the perceived threats to their security and their need for military preparedness are primarily connected with conditions in their own region. The importance of a regional approach to disarmament derives mainly from that fact. At the same time, the study notes, there is a link between conditions of security in one region and those in other regions and at the global level. Consequently, disarmament efforts in one region should take into account that interrelationship as well as efforts to stop and reverse the over-all arms race, especially the arms race involving the leading nuclear Powers. There is considerable scope, however, for independent initiatives and practical action in each region. The study notes that the concept of regional disarmament, therefore, aims at achieving several objectives at once: promotion of regional security, relaxation of tension, enhanced security, and disarmament at the global level. In other words, regional disarmament should be pursued as an effective complement to global measures and as an important constituent in the step-by-step approach to global disarmament. The more effectively the countries in a region can reduce tension among themselves, strengthen interregional co-operation and eliminate mutual military competition, the better will they be able to keep the region free from external interference, and to prevent it from becoming a zone of confrontation and rivalry for outside Powers.

² A/35/416.

The study also points out that, for regional disarmament, a flexible approach to the concept of a "region" must be adopted. It is not possible to define in advance and in general what might constitute a suitable "region" since that should depend on both the initiative of the States concerned and, in many cases, on the type of measures envisaged. It is for the States of the region under consideration to determine the modalities of their regional approach to disarmament. It is no less important, however, that third States should co-operate in the implementation of any disarmament measure agreed upon by the States of a region in the context of gradual advance towards global disarmament. As a minimum, such co-operation means respect for any new status established by the States in question for their own region. At the same time, a regional disarmament measure would not be in keeping with the objective of global disarmament if it did not take into account the security concerns of third States involved and of the international community as a whole.

In examining conceivable measures which, on the initiative of the States concerned may lend themselves to a regional approach, the study states that nothing should preclude States from negotiating and agreeing upon any measure of their choice on the basis of the conditions prevailing in their region. The measures discussed in the study are those listed by the United Nations Disarmament Commission in its elements of a comprehensive programme of disarmament. In the area of disarmament measures, the study examines nuclear weapons; other weapons of mass destruction; conventional weapons and armed forces; military expenditures; verification; related measures (zones of peace); and other measures. Under "Other measures", the study deals with measures aimed at achieving relaxation of international tension and confidence-building measures, measures aimed at preventing the use of force, mobilization of public opinion in favour of disarmament, and studies on disarmament. In the last two sections, the questions of (a) disarmament and development and (b) disarmament and international security are discussed.

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On 11 November, Argentina, Belgium, Egypt, Finland, the Federal Republic of Germany, Indonesia, Mexico, Nigeria, Pakistan and Poland submitted in the First Committee a draft resolution on the study, which was subsequently revised by the addition of what became operative paragraph 3 (see below). The draft was subsequently sponsored also by Denmark, France, Greece, Italy, the Netherlands, Qatar, Spain, Sweden and the United Kingdom.

In introducing the draft on 17 November, the representative of Belgium noted that, after the hope placed in negotiations on general and complete disarmament had been dashed for the foreseeable future, all efforts had shifted towards a gradual weapon-type by weapon-type approach, in the context of a broad range of arms regulation measures ranging from non-armament to partial measures. At the same time, Belgium added, another approach was

being tried from time to time, which consisted of applying to a given region a particular set of suitable arms regulation measures, without waiting for such measures to be equally acceptable to all the other regions of the world. Past experience, in fact, confirmed that the regional approach could usefully pave the way for and favour a global approach, provided that the region was judiciously defined, that States having territories or forces in the region shared the desire for achieving understanding, that thorough attention was paid to the harmonization of relations between the region concerned and the rest of the world, and that measures adopted at the regional level were compatible with what was at present planned or envisaged at the world level, in the context of future general and complete disarmament. Belgium concluded by stating that the draft did not come from any particular region; it reflected the concerns of all regions, but it would be for the individual States in each region to implement its provisions.

The draft was approved by the First Committee on 20 November without a vote, and by the General Assembly on 12 December, also without a vote, as resolution 35/156 D. It reads as follows:

The General Assembly,

Recalling its resolution 33/91 E of 16 December 1978, in which it decided to undertake a systematic study of all the aspects of regional disarmament and requested the Secretary-General to carry out the study with the assistance of a group of qualified governmental experts,

Having examined the report of the Secretary-General, to which is annexed the study prepared by the Group of Governmental Experts on Regional Disarmament,

1. *Takes note with appreciation* of the report of the Secretary-General and the study annexed thereto;
2. *Commends* the study and its conclusions to the attention of all States;
3. *Requests* the Secretary-General to make the necessary arrangements for the above-mentioned report to be issued as a United Nations publication and widely distributed;
4. *Invites* all Member States to inform the Secretary-General, at the latest by 1 June 1981, of their views regarding the study and its conclusions;
5. *Requests* the Secretary-General to transmit to the General Assembly at its thirty-sixth session, for its information, the replies of Member States;
6. *Decides* to transmit the study to the Disarmament Commission;
7. *Requests* the Secretary-General to transmit the study to the Committee on Disarmament;
8. *Expresses the hope* that the study will encourage Governments to take initiatives and to consult within the different regions with a view to agreeing upon appropriate measures of regional disarmament.

Comprehensive study on nuclear weapons

A comprehensive study on nuclear weapons was commenced in 1979 pursuant to General Assembly resolution 33/91 D of 16 December 1978. The main reasons for carrying out such a study were contained in the preamble of that resolution where it was stated that (a) the General Assembly, in the Final Document of its tenth special session, had recommended increased dissemination of information concerning the arms race and disarmament; (b)

the only study on nuclear weapons carried out by the United Nations was more than 10 years old and there had since been important developments in nuclear arms; and (c) a broad study on nuclear weapons, carried out by the United Nations, would make a valuable contribution to the dissemination of factual information and to international understanding of the issues involved.

On the basis of the mandate for the study as defined by the resolution, the Secretary-General, in the course of 1979, appointed a group of 12 experts from Algeria, Argentina, Australia, Canada, Ghana, India, Japan, Mexico, Pakistan, Romania, Sweden and Yugoslavia to assist him in the preparation of the study. The fact that no experts from any of the five nuclear-weapon States participated in the study reflected the position taken by those States in the recorded vote on resolution 33/91 D, in which they had abstained, except for China, which did not participate.

The group of experts held five sessions during 1979 and 1980, under the chairmanship of Mr. Anders I. Thunborg, Permanent Representative of Sweden to the United Nations. In the course of those sessions, the group discussed its mandate, organized its work and prepared the study, which, in accordance with the Assembly's request, was submitted by the Secretary-General to the Assembly at its thirty-fifth session in 1980.

Using published information, the study describes the enormous arsenals of nuclear weapons possessed by the super-Powers as well as those of the other nuclear-weapon Powers — China, France and the United Kingdom — the intense technological development taking place, and the effects of nuclear weapons of various types. Also covered are the nuclear doctrines of the nuclear-weapon States, the role of nuclear weapons in international relations, and efforts towards nuclear disarmament in the United Nations and elsewhere.

It is stated in the study that, at the time of writing, there were probably more than 40,000 nuclear warheads in the world. Their total explosive strength might be equivalent to about 1 million Hiroshima bombs, or more than 3 tons of TNT for every man, woman and child on the earth. The flight time of a land-based intercontinental ballistic missile (ICBM) from firing to target is about 30 minutes. A submarine-launched ballistic missile takes less. Thus, even maximum warning would give an urban population no time to evacuate. A 1-megaton explosion over a city of 4 million inhabitants (Detroit or Leningrad) would have the following effects: in Detroit it would immediately kill about 500,000 people and injure an additional 600,000; due to demographic differences, in Leningrad the figures would be about double. The area of property destruction would exceed 300 square kilometres. Radiation and burn injuries would be vast.

In the 12 years that had passed since the previous study was made on the subject under the aegis of the United Nations, the nuclear arms race had continued unabated. Not a single nuclear disarmament measure had been agreed upon, and numerous technological and other developments — such as multiple independently targetable re-entry vehicles (MIRV), cruise missiles, mobile land-based missiles, greatly improved miniaturization of systems, much greater accuracy, and many other qualitative improvements —

had substantially increased both the lethality and the effectiveness of nuclear weaponry.

In the same years, according to the study, the total number of strategic nuclear warheads increased from 4,500 to at least 9,200 for the United States and from 1,000 to at least 6,000 for the Soviet Union. Over 95 per cent of all nuclear weapons were in the hands of the two super-Powers. There was growing concern over the possible increase in the number of States that, overtly or covertly, might acquire nuclear weapons. The study notes the estimate that the two super-Powers between them were spending some \$10 million a day on the procurement of nuclear warheads alone, and perhaps 10 times as much on the associated delivery systems. On the other hand, for a State contemplating the creation, perhaps secretly, of a small nuclear-weapon capability, the real cost of developing nuclear weapons was less than it had been at the start of the nuclear era in 1945, due to the evolution of nuclear and other technology, electronics and chemical engineering.

The study makes the point that rapid advances in technology often dictate policy rather than the other way around. The creation of new weapons and delivery systems produces new offensive capabilities for which needs have to be invented and deployment theories adjusted.

Only a handful of States so far possess nuclear weapons as such and, in addition, India conducted a nuclear explosion in 1974 demonstrating a capability to construct nuclear weapons. The capability to develop a rudimentary nuclear force of, say, 12 warheads is considered as probably being within the reach of 20 to 25 non-nuclear-weapon States, and this number can be expected to increase as reliance on nuclear power grows. According to the study, the reasons for acquiring nuclear weapons are many, among them, enhancement of national security and of national status and prestige, protection of national freedom of action, and encouragement of scientific and technological development.

In the light of their awesome capabilities, nuclear weapons are regarded in the study as having acquired a unique role in international relations, and the future of mankind is hostage to the perceived security of a few nuclear-weapon States, most notably of the two super-Powers. The study concludes that without doubt nuclear weapons were concurrently the most serious threat to international security. In a nuclear war, the nuclear-weapon States themselves might suffer the heaviest casualties and the most damage. But all nations in the world would feel massive effects, either directly through radioactive fall-out or through a breakdown in the world's economy and food supply.

In the view of the experts writing the study, even if the road to nuclear disarmament is long and difficult, it must be followed; mutual deterrence through a balance of terror is cited as an unsafe and unacceptable philosophy. The study also sets out the conclusion that the United Nations should be used for all relevant purposes and stages of disarmament — from negotiation and agreement to verification that the agreements are being carried out. In addition, strong public opinion could, in time, help to create the political

will among all States to renounce the system of nuclear deterrence in favour of a different system accepted by all.

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On 17 November, Algeria, Argentina, Australia, Ghana, India, Ireland, Mexico, Pakistan, Romania, Sweden and Yugoslavia submitted in the First Committee a draft resolution which was subsequently also sponsored by Austria, Bangladesh, Costa Rica and Yemen. In introducing the draft on 18 November, Sweden recalled that the report of the Group of Experts had been unanimously approved, thus demonstrating that experts, serving in their personal capacities but representing a wide spectrum of political backgrounds, could arrive at a common view over the whole range of issues dealt with in the report.

The sponsors believed the discussion in the report of the probable effects of a nuclear war had its main value in the rather detailed and reasoned description which went beyond the abstract and generalized treatment that was often given to the subject. There was no task more urgent than contributing in every way possible to the creation of the political will that could bring about a real effort to seek an alternative to the arms race as a basis for the system of international security. One of the ways to foster that crucial political will was to encourage the awareness among the general public of the danger of the arms race and of the need for disarmament measures.

On 21 November the First Committee approved the draft resolution by a vote of 116 to none, with 20 abstentions, and on 12 December 1980 the Assembly adopted it as resolution 35/156 F by a recorded vote of 126 to none, with 19 abstentions (mainly Eastern European and Western States). It reads as follows:

The General Assembly,

Recalling the Final Document of the Tenth Special Session of the General Assembly, in which it was stated that nuclear weapons posed the greatest danger to mankind and to the survival of civilization,

Recalling also its resolution 33/91 D of 16 December 1978, in which the Secretary-General was requested to carry out a comprehensive study on nuclear weapons,

Noting that the report of the Secretary-General, to which is annexed the report of the Group of Experts on a Comprehensive Study on Nuclear Weapons, has been completed and is available,

Considering that in its report the Disarmament Commission recommended that, in the course of the decade of the 1980s, governmental and non-governmental information organs of Member States and those of the United Nations and the specialized agencies, as well as non-governmental organizations, should, as appropriate, undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations,

Convinced that the wide dissemination of the report would contribute to a better understanding of the threat presented by nuclear weapons as well as of the need for progress in the various negotiations aiming at the prevention of both horizontal and vertical proliferation of nuclear weapons and the achievement of nuclear disarmament,

1. *Takes note with satisfaction* of the report of the Secretary-General as a highly significant statement on present nuclear arsenals, the trends in their technological development and the

effects of their use, as well as on the various doctrines of deterrence and the security implications of the continued quantitative and qualitative development of nuclear-weapon systems and also as a reminder of the need for efforts to increase the political will necessary for effective disarmament measures, *inter alia*, through the promotion of public awareness of the need for disarmament;

2. *Expresses its appreciation* to the Secretary-General and to the experts who assisted him for the prompt and effective manner in which the report was prepared;

3. *Notes* the conclusions of the report and expresses the hope that all States will consider them carefully;

4. *Recommends* that the Committee on Disarmament should take the report and its conclusions into account in its efforts towards general and complete disarmament under effective international control, in particular in the field of nuclear disarmament;

5. *Requests* the Secretary-General to arrange for the reproduction of the entire report as a United Nations publication and, making full use of all the facilities of the Department of Public Information of the Secretariat, to publicize the report in as many languages as is considered desirable and practicable;

6. *Recommends* to all Governments the wide distribution of the report and its publication in their respective languages, as appropriate, so as to acquaint public opinion with its contents;

7. *Invites* regional intergovernmental organizations, the specialized agencies and the International Atomic Energy Agency, and national and international non-governmental organizations, to use all the facilities available to them to make the report widely known.

Study on a comprehensive nuclear test ban

At its 1979 autumn session, the Advisory Board on Disarmament Studies agreed to recommend to the Secretary-General that a study should be carried out on the question of a comprehensive nuclear test ban, outlined the chapters of which the study should consist and suggested that it should be completed in time to be transmitted to the Committee on Disarmament in the spring of 1980. This recommendation was included in the Secretary-General's report to the General Assembly, entitled "United Nations studies on disarmament"³

In connexion therewith, the Secretary-General stated that, although the matter had been the subject of much study in the past, he felt that any measures that might contribute to the conclusion of an agreement on a comprehensive nuclear test ban would be welcome. In the First Committee, Mexico submitted a draft decision calling for such a study, which was adopted by the General Assembly as decision 34/422.⁴

In accordance with that decision, the Secretary-General appointed the following persons, acting as consultant experts, to carry out the study: Mr. Alessandro Corradini, former Director and Deputy to the Assistant Secretary-General, Centre for Disarmament, United Nations; Mr. William Epstein, Professor, Carlton University, Ottawa; Mr. Jozef Goldblat, Senior Member of the Research Staff, Stockholm International Peace Research In-

³ A/34/588.

⁴ For details, see *The United Nations Disarmament Yearbook*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), chaps. IX and XXII.

stitute; and Mr. Kashi Prasad Jain, Director, Disarmament, Ministry of External Relations, New Delhi.

As called for by the General Assembly, the study was completed for submission to the Committee on Disarmament in the spring of 1980.⁵ In transmitting the study to the Committee, the Secretary-General recalled that on his very first statement to the Conference of the Committee on Disarmament in 1972, he had expressed the belief that all technical and scientific aspects of the problem had been so fully explored that only a political decision was necessary in order to achieve agreement. Stating that he still held that belief, he said that the problem could and should be solved now and that he shared the conviction, expressed in the Final Document adopted by the General Assembly at its tenth special session, that the cessation of nuclear-weapon testing by all States within the framework of an effective nuclear disarmament process would be in the interest of mankind.

The study begins by stating that no other question in the field of disarmament has been the subject of so much international concern, discussion, study and negotiation as that of stopping nuclear-weapon tests. The study provides a historical analysis of negotiations leading to the partial test-ban Treaty, emphasizing the fact that, in the preamble of that Treaty, the parties expressed the determination to seek to achieve the discontinuance of all test explosions for all time and to continue negotiations to that end, a determination that was later reaffirmed in the preamble of the non-proliferation Treaty. The study summarizes the deliberations and negotiations on the cessation of nuclear-weapon tests, a matter that has been on the agenda of the General Assembly since 1957 — longer than any other disarmament question; discusses the trilateral negotiations on a comprehensive test ban, which began in 1977; and examines major unresolved issues, such as verification and the scope and duration of a comprehensive test ban.

In their conclusions, the experts, among other things, state that a comprehensive test ban is regarded as the first and most urgent step towards a cessation of the nuclear arms race, particularly in respect of its qualitative aspects; reiterate the view of the parties to the non-proliferation Treaty that a comprehensive test ban would reinforce the Treaty by demonstrating the awareness on the part of the major nuclear Powers of the legal obligation under the Treaty "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at any early date"; and stress that, in order to achieve its purpose, a comprehensive test ban must be such as to endure. The appendices, *inter alia*, provide data on nuclear explosions from 1945 to 1963 and from 1963 to 1979. In that connexion the study indicates that, of 1,221 nuclear explosions reported to have been conducted between 1945 and 1979, 488 were carried out in the 18 years preceding the conclusion of the partial test-ban Treaty and 733 in the 16 years following the signing of the Treaty. Thus, the rate of testing was, on average, 45 per year after the Treaty, as compared to 27 per year before it. The three nuclear

⁵ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*, appendix II (CD/139), document CD/86.

Powers parties to the partial test-ban Treaty, namely, the USSR, the United Kingdom and the United States, had accounted for more than 90 per cent of all nuclear explosions.

The Committee on Disarmament expressed its appreciation for the report when considering the agenda item concerning a nuclear test ban (see chapter VIII above, pages 151-155). The report was particularly well received by members of the group of 21, which cited the facts and analysis presented therein to emphasize the urgency and importance of the conclusion of a comprehensive test ban and to buttress their argument that the initiation of negotiations in the Committee, within the framework of a working group, should not await the conclusion of the tripartite negotiations on the question. Several States drew attention to the Secretary-General's view, expressed in the CCD in 1972 and reaffirmed in the foreword to the report. On the other hand, the view was expressed that some of the statements in the report indicated clearly that a number of important technical issues relating to verification remained to be resolved.

Later in the year, the report was also submitted to the General Assembly.⁶ In a preambular paragraph of its resolution 35/145 B (see page 161 above), the Assembly noted with appreciation the report of the Secretary-General on the question of a comprehensive test ban.

South Africa's plan and capability in the nuclear field

By resolution 34/76 B of 11 December 1979, the General Assembly requested the Secretary-General to prepare, with the assistance appropriate, a comprehensive report on South Africa's plan and capability in the nuclear field, and to submit it to the General Assembly at its thirty-fifth session.

Pursuant to the resolution, the Secretary-General appointed six experts from Brazil, France, Nigeria, Sweden, the USSR and the United States. The experts met twice, from 25 to 29 February and 28 July to 8 August. Their study was transmitted to the Secretary-General on 8 August and submitted to the General Assembly as a report of the Secretary-General.⁷

The study consists of seven chapters: "Introduction"; "Nuclear energy profile of South Africa"; "South Africa's nuclear weapon capability"; "South Africa's nuclear weapon calculation"; "Two indicators of a possible South African nuclear weapon capability"; "Recent initiatives in the nuclear field involving South Africa"; and "Conclusions"

It is stated in the report that there is no undisputed scientific explanation of the light signal recorded by a VELA satellite on 22 September 1979; the presumption that there had been a nuclear explosion by South Africa or any other country in the South Atlantic area had been neither substantiated nor fully disproved.

⁶ A/35/257.

⁷ A/35/402.

According to the experts, there is no doubt that South Africa has the technical capability to make nuclear weapons and the necessary means of delivery. South Africa has vast uranium resources of its own. It has one un-safeguarded enrichment facility capable of producing weapon-grade uranium and it is building another with an even higher capacity.

The report goes on to state that the diplomatic and political costs of South African acquisition and deployment of nuclear weapons would be high, and possibly disastrous, if such weapons were ever used. Nevertheless, to preserve the *apartheid* system, South Africa might take extreme measures. Thus, South Africa possibly could covertly stockpile nuclear weapons but stop short of testing and deploying them.

The experts concluded that South Africa's nuclear energy activities have advanced steadily since the Second World War. It is one of the largest uranium producers in the world and until recently it has produced approximately 16 per cent of the uranium produced by the market economy countries. Moreover, by its illegal control of Namibian uranium resources South Africa has been able to increase its share of the international uranium market. The Group further expressed the view that the introduction of nuclear weapons to the African continent, and particularly in such a volatile region as southern Africa, would be a severe blow to world-wide efforts at non-proliferation and upset years of effort to preserve a nuclear-weapon-free zone.

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In the First Committee, 28 African States sponsored a draft resolution on the question, which was adopted by the General Assembly as resolution 35/146 A (for details, see chapter X above, pages 189-191). By that resolution, the Assembly, *inter alia*, expressed its appreciation for the report of the Secretary-General and requested that it be given maximum publicity.

Studies in progress

Comprehensive study on confidence-building measures

By resolution 34/87 B of 11 December 1979, the General Assembly decided to undertake a comprehensive study of confidence-building measures and requested the Secretary-General to carry out the study with the assistance of a group of qualified governmental experts, appointed by him on a balanced geographical basis. The General Assembly further requested the Secretary-General to submit to it at its thirty-fifth session a progress report on the work of the group and a final report at the thirty-sixth session.

Pursuant to the resolution, the Secretary-General appointed 14 experts from Austria, Canada, Czechoslovakia, Ecuador, Finland, Ghana, the Federal Republic of Germany, Japan, Peru, Romania, Thailand, the USSR, the United States and Zaire.

During 1980, the Group of Governmental Experts on Confidence-building Measures held two sessions, one in April at Geneva and one in July at New York, both under the chairmanship of Mr. Gerhard Pfeiffer, representative of the Federal Republic of Germany to the Committee on Disarmament. At its first session, the Group discussed the scope of the study, its main contents and the programme and methodology of its work. It agreed on a provisional outline for the study, which was the subject of further consideration and elaboration at the Group's second session.

The outline of the study, as adopted by the Group, envisaged an introduction and the following substantive chapters: "General considerations"; "The concept of confidence-building measures" (covering objectives, characteristics, and opportunities for confidence-building measures); "Evolution of confidence-building measures"; "Principles"; "Approach" (covering regional, interregional, international and global implications, and methods of implementation); "Types of confidence-building measures"; "Role of the United Nations" (including identification and promotion of confidence-building measures); and "Conclusions and recommendations". The outline of the study constituted the main component of the progress report on the work of the Group⁸ submitted by the Secretary-General to the General Assembly at its thirty-fifth session.

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In the First Committee, the Federal Republic of Germany introduced a draft resolution on confidence-building measures which was sponsored by 32 countries⁹ in all. In his introduction, the representative reviewed the concept of confidence-building, stating that it was aimed at the reduction of mistrust and fear, in order to encourage the development of a better understanding among nations. That would require Governments to have sufficient information to foresee and calculate actions and reactions of other Governments within their political environment. Thus confidence-building measures would contribute to a climate favourable to disarmament. In response to the invitation contained in resolution 33/91 B of 16 December 1978 — the initial resolution on the question — 33 States had provided views and opinions through the Secretary-General to the Assembly as to how greater confidence among States could be achieved,¹⁰ thus contributing significantly to the development of the concept. The representative then outlined the basic work accomplished by the experts during the year, calling attention to the group's general agreement that regional conditions demanded an open and flexible approach to confidence-building in the light of many factors — military, po-

⁸ See A/35/422, annex.

⁹ Austria, Bangladesh, Belgium, Bolivia, Canada, Chile, Colombia, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Greece, Ireland, Italy, Japan, Mauritius, Netherlands, Philippines, Peru, Romania, Spain, Sweden, Thailand, Turkey, United Kingdom, United States, Uruguay and Zaire.

¹⁰ A/34/416 and Add.1-3, and A/35/397.

litical, social and economic, among others. Accordingly, concrete measures providing for openness and predictability in relations among States would help contribute to elimination of the threat or use of force in international relations.

The draft resolution was recommended by the First Committee on 20 November and adopted by the General Assembly on 12 December, on both occasions without a vote. The resolution, 35/156 B, reads as follows:

The General Assembly,

Recalling its resolutions 33/91 B of 16 December 1978 and 34/87 B of 11 December 1979 on confidence-building measures,

1. Takes note with satisfaction of the report of the Secretary-General on a comprehensive study on confidence-building measures, to which is annexed the report of the Group of Governmental Experts on Confidence-building Measures;

2. Requests the Secretary-General to continue the work in this regard and to submit the study to the General Assembly at its thirty-sixth session;

3. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Confidence-building measures"

Israeli nuclear armament

In 1979, by resolution 34/89 of 11 December, the General Assembly requested the Secretary-General, with the assistance of qualified experts, to prepare a study on Israeli nuclear armament. Pursuant to that resolution, the Secretary-General appointed five experts to assist him in the preparation of the study. In 1980, the General Assembly had before it the Secretary-General's progress report of the work of the Group of Experts to Prepare a Study on Israeli Nuclear Armament¹¹ in which it was stated that the Group held its first session from 21 July to 1 August and discussed the organization of the study, the structure of the report to be made thereon and the principal elements to be incorporated in the report. The experts agreed to prepare, for their second session, in 1981, draft texts for inclusion in the various chapters of the report.

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At the thirty-fifth session a draft resolution on the study was submitted in the First Committee, initially by 22 developing countries, and subsequently sponsored by six additional countries, making 28 sponsors in all.¹² In introducing the draft, the representative of Iraq stated that the 1980 proposal was a procedural one. Iraq pointed to the danger of the proliferation of

¹¹ A/35/458.

¹² Algeria, Angola, Bahrain, Bangladesh, Democratic Yemen, Djibouti, Indonesia, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Viet Nam and Yemen.

nuclear weapons in the Middle East and questioned why Israel had not acceded to the Treaty on Non-Proliferation of Nuclear Weapons or to submit its nuclear installations to international safeguards. Iraq expressed the hope that the group of experts would complete its study in good time in 1981. Israel, in discussing the draft in the First Committee, stated that out of 22 initial sponsors of the draft resolution, nine had not signed the Treaty on the Non-Proliferation of Nuclear Weapons at all, two had not ratified it and four had not complied with full-scale safeguards. Israel held that the draft was not a procedural one.

In explanation of its vote before the vote, Ireland, on 21 November, stated that, although the draft resolution had been presented as a purely procedural one, its intent, as expressed in the second preambular paragraph, implied that in adopting it the Assembly would be reaffirming resolutions 33/71 A of 1978 and 34/89 of 1979, both of which were unacceptable to Ireland, which could not accept their reaffirmation, and would abstain in the vote. After the vote, similar explanations were made by the Federal Republic of Germany and Italy. Brazil stated that it had voted in favour, but had a separate vote been taken on the second preambular paragraph, it would have abstained.

The draft resolution was approved by the First Committee by a recorded vote of 96 to 6, with 34 abstentions, and adopted by the General Assembly on 12 December 1980 by a recorded vote of 99 to 6, with 38 abstentions, as resolution 35/157. It reads as follows:

The General Assembly,

Recalling its relevant resolutions on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Reaffirming its resolution 33/71 A of 14 December 1978 on military and nuclear collaboration with Israel, and its resolution 34/89 of 11 December 1979 on Israeli nuclear armament,

1. *Takes note* of the progress report of the Secretary-General on the work of the Group of Experts to Prepare a Study on Israeli Nuclear Armament submitted to the General Assembly at its thirty-fifth session;

2. *Requests* the Secretary-General to pursue his efforts in this regard and to submit his report to the General Assembly at its thirty-sixth session;

3. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Israeli nuclear armament"

Study on the relationship between disarmament and international security

As requested by resolution 32/87 C of 12 December 1977, the Secretary-General submitted to the General Assembly at its special session devoted to disarmament in 1978 an initial report on the question of a study on the relationship between disarmament and international security.¹³ In the Final Document adopted at that session, the Secretary-General was requested to con-

¹³ A/S-10/7.

tinue the study with the assistance of consultant experts appointed by him and to submit it to the Assembly at its thirty-fourth session. Later that year, at its thirty-third regular session, the Assembly, by resolution 33/91 I, restated its request that the study be continued, with a progress report to be submitted at its thirty-fourth session, and the final report at its thirty-fifth session. In 1979, the 10-member Group of Experts on the Relationship between Disarmament and International Security was appointed by the Secretary-General. The Group that year held two substantive sessions under the Chairmanship of Ambassador Carlos Romulo of the Philippines, during which a detailed outline¹⁴ was agreed upon and presented to the Assembly at its thirty-fourth session. The Assembly, by resolution 34/83 A, took note of the progress report.

The Group continued its work in 1980, holding one session of the Group as a whole from 28 April to 9 May, as well as two sessions of its informal working group from 28 July to 8 August and from 8 to 19 December.

At its first substantive session in 1980, the Group had before it a comprehensive draft study, set out by the Secretariat of the United Nations, which it accepted as the basis for its work. However, throughout the substantive session and later, in the working group, it became clear that, because of the vast area covered by the report and a number of substantial conceptual differences, more time would be required by the experts to find common ground on all the aspects of the question. It was generally felt that additional time would allow the Group to explore the full scope of the relationship between disarmament and international security which, in the context of its work, was regarded as representing the most vital aspect of relations among nations in the nuclear age.

In a letter dated 3 September 1980 addressed to the Secretary-General, the Chairman requested that more time be given to allow the Group to work out a unanimous report, to be submitted to the General Assembly before its thirty-sixth session. The Secretary-General, in a short report with the Chairman's letter annexed,¹⁵ informed the General Assembly that the Group of Experts had not been able to finalize its work in time for submission at the thirty-fifth session.

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On 13 November, Cyprus, Peru and the Philippines submitted a draft resolution on the subject to the First Committee. The draft was subsequently sponsored also by Bangladesh, Denmark, Liberia, Qatar and Zaire. In introducing it, the representative of the Philippines stated that it was solely procedural. By the draft, the Assembly would take note of the Secretary-General's report and the Group's need for more time to complete its work, and request the Secretary-General to continue the study and submit the final report to the General Assembly at its thirty-sixth session.

¹⁴ A/34/456 and Corr.1.

¹⁵ A/35/486.

On 24 November, the First Committee approved the draft resolution without a vote, and on 12 December the General Assembly adopted it, also without a vote, as resolution 35/156 E. It reads as follows:

The General Assembly,

Recalling its resolution 32/87 C of 12 December 1977, in which it requested the Secretary-General to initiate a study on the interrelationship between disarmament and international security,

Recalling also its resolutions S-10/2 of 30 June 1978, 33/91 I of 16 December 1978 and 34/83 A of 11 December 1979,

1. Takes note of the report of the Secretary-General to which is annexed a letter from the Chairman of the Group of Experts on the Relationship between Disarmament and International Security, informing the Secretary-General that, owing to the vast area to be covered and the complexity and sensitivity of the issues involved, the Group would need more time to complete its work;

2. Requests the Secretary-General to continue the study and to submit the final report to the General Assembly at its thirty-sixth session.

At its final session in 1980, held in New York from 8 to 19 December, the informal working group continued its discussion and agreed that progress had been made. Three sessions of the Group were scheduled for 1981, the first two to be held in Geneva and the final one in New York.

Relationship between disarmament and development

The study on the relationship between disarmament and development originated with resolution 32/88 A of 12 December 1977 whereby the General Assembly decided that such a study should be initiated and that its terms of reference should be determined by the General Assembly at its special session devoted to disarmament in 1978. To that end, the Secretary-General was requested to appoint an *ad hoc* group of governmental experts for the purpose of elaborating a possible framework and terms of reference for the study. The *Ad Hoc* Group submitted its report to the Secretary-General on 21 March 1978, and the report was subsequently transmitted to the General Assembly at its tenth special session.¹⁶ The Assembly decided, as set out in paragraphs 94 and 95 of the Final Document, that the Secretary-General should appoint a group of qualified governmental experts to execute the study, and that the report of the *Ad Hoc* Group should serve as the mandate of the expert group to be appointed.

In pursuance of that decision, the Secretary-General appointed a group of 24 governmental experts.¹⁷ The Group of Governmental Experts on the Relationship between Disarmament and Development held its first meeting

¹⁶ A/S-10/9.

¹⁷ The countries represented were: Brazil, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Japan, Mexico, Netherlands, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Romania, Senegal, Sweden, USSR, United Kingdom, United States, Venezuela and Yugoslavia. Subsequently, in January 1979, the Group was expanded by the addition of experts from Canada, Jamaica and Sri Lanka.

from 4 to 13 September 1978. The work of the Group in 1978 and 1979 was summarized in separate reports to the General Assembly at its thirty-third and thirty-fourth sessions.¹⁸

The three meetings of the Group in 1980 were devoted almost exclusively to the review and evaluation of over 40 research papers commissioned by the Group during the course of its work in 1979.¹⁹ The process of commissioning research covering virtually every aspect of the question coupled with the continuous refinement of the outline of the Group's final report was intended to provide guidance for consultants engaged by the Secretariat for the purpose of drafting the final report on behalf of the Group. The Group of Governmental Experts is scheduled to review the first draft of the final report at its meeting in January 1981.

During 1980 the Group also made arrangements, in co-operation with the Government of Canada, for the preparation of a popular version of its final report. The Group also continued its practice of exchanging views with representatives of the trade union movement and with non-governmental organizations. Because the work of the Group was at an advanced stage, no report was requested for submission to the General Assembly at its thirty-fifth session in 1980, nor was it considered necessary at that session to adopt a further resolution on the question of the relationship between disarmament and development. Nevertheless, in all the major United Nations forums in 1980, including, especially, the Disarmament Commission, the special session of the General Assembly devoted to development issues, and the regular session of the General Assembly, attention continued to be given to the dichotomy between the magnitude of the resources devoted to armaments and the scale and urgency of development needs. It was observed that there were opportunities inherent in that situation for a highly advantageous reallocation of resources. In short, the final report on the relationship between disarmament and development seems assured of extensive consideration both throughout the United Nations system and internationally. That report is due to be submitted to the General Assembly at its thirty-sixth session, in 1981.

Study on the institutional arrangements relating to the process of disarmament

At its thirty-fourth regular session, in 1979, the General Assembly, following an initiative by Sweden, adopted resolution 34/87 E by which the Assembly, *inter alia*, requested the Secretary-General, "with the assistance of qualified governmental experts, to carry out a comprehensive study assessing current institutional requirements and future estimated needs in the United Nations management of disarmament affairs and outlining possible

¹⁸ A/33/317 and A/34/534, respectively.

¹⁹ For the authors and titles of these papers, see *The United Nations Disarmament Yearbook*, vol. 4: 1979, chap. XXIII, annex.

functions, structure and institutional framework that could meet those requirements and needs, including legal and financial implications, and formulating recommendations for possible later decisions on the matter” The Assembly, furthermore, recommended that the Secretary-General, in carrying out the study, “should seek the views of Member States, for the benefit of the experts, on some key issues, such as desirable functions, structure and institutional framework of United Nations management of disarmament affairs” and invited all Governments to co-operate with the Secretary-General so that the objectives of the study might be achieved. The General Assembly also noted the growing disarmament agenda and complexity of the issues involved, and the consequent increasing demands on United Nations management of disarmament affairs. Finally, it recalled the recommendation of the Disarmament Commission adopted at its 22nd meeting on 8 June 1979²⁰ that requirements of an institutional and procedural nature should be examined so as to facilitate the disarmament process and ensure implementation of disarmament agreements and proposals.

In pursuance of the relevant provisions of Assembly resolution 34/87 E, the Secretary-General, in early 1980, established the Group of Governmental Experts to Study the Institutional Arrangements relating to the Process of Disarmament composed of experts from 20 Member States. During 1980, the Group held two sessions, one from 8 to 11 April and the other from 30 June to 3 July, both in New York. The Group will continue its work in 1981, with two sessions scheduled, for January and June, both to take place in New York.

Technical, legal and financial implications of establishing an international satellite monitoring agency

By resolution 33/71 J the General Assembly requested the Secretary-General to undertake, with the assistance of qualified governmental experts, a study on the technical, legal and financial implications of establishing an international satellite monitoring agency and to report the preliminary conclusions of the experts to the General Assembly at its thirty-fourth session. Taking into consideration those preliminary conclusions, as contained in the relevant report of the Secretary-General,²¹ the General Assembly adopted resolution 34/83 E on 11 December 1979, requesting the Secretary-General to carry out an in-depth study of these implications with the assistance of the group as previously constituted.

In compliance with resolution 34/83 E, the Group of Governmental Ex-

²⁰ See *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 42 (A/34/42)*, sect. IV, para. 19, under the heading “Elements of a comprehensive programme of disarmament”, para. 18. The relevant recommendations of the Disarmament Commission are reproduced also in *The United Nations Disarmament Yearbook*, vol. 4: 1979, appendix II.

²¹ A/34/540, annex.

perts on the Question of the Establishment of an International Satellite Monitoring Agency met in Geneva for three sessions in 1980, to continue its consideration of such an agency as a means of verification of arms control and disarmament agreements. During those sessions the Group held 57 meetings.

The Group, working in closed meetings, completed the first draft of its report, which it was to adopt for submission to the Secretary-General in time for its consideration in 1981 by the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament. The draft report consists of a preface, an introduction and three main chapters.

In chapter I, the experts considered the background against which the technical implications had to be seen, including the present state of both civilian and military space technology, weather satellites relevant to an international satellite monitoring agency (ISMA),²² remote sensing satellite data receiving and processing facilities, launchers and future trends in remote sensing. Proceeding to estimate the mission and data requirements of such an agency as well as the technical facilities it would need, the chapter deals with these requirements in relation to the monitoring of compliance with both existing and future arms limitation and disarmament agreements. In conclusion, the chapter addresses questions of the evolution of an ISMA in the light of three proposed phases of its implementation as well as other outstanding technical considerations. The phases envisaged are: setting up an image-processing centre (stage I), establishing ground stations (stage II), and launching satellites (stage III).

Chapter II deals with the legal implications, against the background of general legal considerations, relating to all types of monitoring by satellites. There follows an examination of legal aspects of the functions of an ISMA, including the specific legal issues relating to its establishment and functioning, and the legal implications of its activities, membership and organs, financing, and the settlement of internal disputes.

Chapter III examines the financial implications of establishing an ISMA in the proposed three-phased approach.

The draft report further contains summary conclusions and various annexes providing a list of experts, a glossary, a list of abbreviations, maps and charts, the texts of verification clauses contained in existing arms limitation and disarmament agreements, and a list of reference materials used.

The Group of Experts is scheduled to consider and adopt the draft report at a field session in the spring of 1981 and to forward it to the Secretary-General. The study is to be submitted no later than June 1981 to the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament, and the report of the Secretary-General is to be submitted in time for the General Assembly to take a decision on it at its second special session in 1982.

²² The term "international satellite monitoring agency" (ISMA) was used in the draft report without prejudging the nature of a future organizational structure.

Studies initiated by the General Assembly in 1980

In addition to the ongoing studies, the General Assembly, in 1980, requested three new studies on disarmament: (a) on the economic and social consequences of the arms race and its extremely harmful consequences on world peace and security; (b) on the conventional arms race and on disarmament relating to conventional weapons and armed forces; and (c) on the organization and financing of a World Disarmament Campaign under United Nations auspices.

Economic and social consequences of the arms race

A draft resolution proposing the updating of the study entitled *Economic and Social Consequences of the Arms Race and of Military Expenditures*²³ was submitted in the First Committee on 11 November by Colombia, Czechoslovakia, India, Ireland, Mexico, Nigeria, Peru, Romania, Rwanda, Sri Lanka, Sweden, Venezuela and Yugoslavia and subsequently sponsored also by the Bahamas, Bangladesh, Barbados, Bolivia, the Congo, Ecuador, Egypt, Madagascar, Mali, the Niger, Sierra Leone and Zaire. In introducing the proposal in the First Committee on 13 November, the representative of Romania stated, on behalf of the sponsors, that the Secretary-General's existing report on the question, first drafted in 1972 and then updated in 1977, had provided useful information and ideas with a view to imparting a better knowledge of the most complex phenomena of armaments. Those studies had assisted Governments in the process of debating and negotiating disarmament questions. In the view of the sponsors another updating of the report was justified because the arms race had undergone important qualitative and quantitative developments since 1977.

On 25 November, the First Committee approved the draft resolution without a vote, and the General Assembly adopted it, as resolution 35/141, on 12 December 1980, also without a vote.

The resolution reads as follows:

The General Assembly,

Having considered the item entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security",

Deeply concerned that the arms race, particularly in nuclear armaments and military expenditures, has continued to increase at an alarming speed, absorbing enormous material and human resources, which represents a heavy burden for the peoples of all countries and constitutes a grave danger for world peace and security,

Convinced that, disarmament being a matter of universal concern, there is a pressing need for all Governments and peoples to be informed about and be aware of the problems created by the armaments race and of the need for disarmament, and that the United Nations has a central role in this connexion,

Noting that, since the preparation of the updated report of the Secretary-General entitled

²³ United Nations publication, Sales No. E.78.IX.1.

Economic and Social Consequences of the Arms Race and of Military Expenditures, new developments have taken place in the fields covered by the report that are of particular relevance in the present economic and political conditions of the world,

Recalling its decision, as reaffirmed in its resolution 32/75 of 12 December 1977, to keep the item under constant review,

Recalling further paragraph 93 (c) of the Final Document of the Tenth Special Session of the General Assembly, which provides that the Secretary-General shall periodically submit reports to the Assembly on the economic and social consequences of the armaments race and its extremely harmful effects on world peace and security,

1. Requests the Secretary-General to bring up to date, with the assistance of qualified consultant experts appointed by him, the report entitled *Economic and Social Consequences of the Arms Race and of Military Expenditures*, covering the basic topics of that report, and to transmit it to the General Assembly at its thirty-seventh session;

2. Invites all Governments to extend to the Secretary-General their support and full co-operation to ensure that the study will be carried out in the most effective way;

3. Calls upon non-governmental organizations and international institutions and organizations to co-operate with the Secretary-General in the preparation of the report;

4. Decides to include in the provisional agenda of its fortieth session the item entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security"

Conventional disarmament

Denmark initiated the proposal for a study concerning conventional disarmament, which was authorized by the General Assembly in resolution 35/156 A (see chapter XVIII above, page 351). By that resolution the Assembly approved, in principle, the carrying out of a study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces, to be undertaken by the Secretary-General with the assistance of a group of qualified experts appointed by him on a balanced geographical basis. The Assembly agreed that the Disarmament Commission, at its forthcoming session, should work out the general approach to the study. It further requested the Secretary-General to submit a progress report on the study to the General Assembly at its second special session devoted to disarmament in 1982 and a final report at its thirty-eighth session in 1983.

World Disarmament Campaign

On the basis of a draft resolution submitted in the First Committee by India, Mexico, Nigeria, Sri Lanka, Sweden and Yugoslavia, subsequently also sponsored by the Congo, the Niger, Romania and Venezuela, and introduced by Mexico, the General Assembly adopted resolution 35/152 I (see chapter XXIII below, page 430) by which it requested the Secretary-General to carry out, with the assistance of a small group of experts, a study on the organization and financing of a World Disarmament Campaign under the auspices of the United Nations. The Assembly decided to include an item on the question in the provisional agenda of its thirty-sixth session, in 1981.

Conclusion

The growing interest in United Nations disarmament studies as a means of promoting a better understanding of concepts and issues relating to the arms race and disarmament efforts and as an aid in the negotiating process is clearly illustrated by the number and variety of subjects embraced by the studies completed or in progress in 1980, or called for by the General Assembly at its thirty-fifth session late in the year.

Some studies proposed in recent years have not, however, enjoyed universal support. They have variously been considered by certain States as not in their interests, as redundant or unnecessary, or as delaying the implementation of concrete disarmament measures. None the less, in view of the widespread feeling among States Members of the United Nations that all avenues should be explored in the effort to curb the arms race, an increasing number of studies have been requested, and conducted, objectively and in such depth as has been possible under the various mandates given. It is significant to note that in 1980 the General Assembly, by four resolutions — 35/146 A (see chapter X above, page 190), 35/142 B (see chapter XX above, page 190), 35/156 D and 35/156 F (see above) — requested the Secretary-General to give wide publicity to four of the five studies concluded during the year.

Every indication is that in-depth, issue-oriented studies can lead to better and more widespread appreciation of the complexity of the question concerned. They will almost certainly continue to be a significant element in the quest for disarmament.

ANNEX

Composition of study groups in 1980^a

Completed studies^b

STUDY ON ALL THE ASPECTS OF REGIONAL DISARMAMENT

Olu Adeniji, Nigeria	Stanislaw Przygodzki, Poland
Antonio González de León, Mexico	Mohamed Ibrahim Shaker, Egypt
Wolfgang Heisenberg, Federal Republic of Germany	Purbo S. Suwondo, Indonesia
Niaz A. Naik, Pakistan	Klaus Törnudd, Finland
José María V. Otegui, Argentina	Włodzimierz Wieczorek, Poland
	Albert Willot, Belgium

COMPREHENSIVE STUDY ON NUCLEAR WEAPONS

F. K. A. Allotey, Ghana	Albert Legault, Canada
Fathih K. Bouayad-Agha, Algeria	J. K. A. Marker, Pakistan
Milutin Civić, Yugoslavi ^c	José María Otegui, Argentina
F. Correa-Villalobos, Mexico	Alan Oxley, Australia
N. Haffad, Nigeria	Anders I. Thunborg, Sweden
Owen Harries, Australia	Gheorghe Tinca, Romania
Ryukichi Imai, Japan	M. A. Vellodi, India

SOUTH AFRICA'S PLAN AND CAPABILITY IN THE NUCLEAR FIELD

Bo K. Heinebäck, Sweden	C. A. Onwumechili, Nigeria
Vladimir Kulagin, USSR	Ruben Santos-Cuyugan, Philippines
María Clemencia López, Brazil	François Sébilleau, France

Ongoing studies

Group of Governmental Experts on Confidence-building Measures

Leopoldo Benites, Ecuador	Nobumasa Ohta, Japan
O. N. Bykov, USSR	Hugo Palma, Peru
Frank Ceska, Austria	Gerhard Pfeiffer, Federal Republic of Germany
David Clinard, United States	Esko Rajakoski, Finland
Nilson Dumevi, Ghana	P. N. Roberts, Canada
Pracha Gunakasem, Thailand	Milan Stembera, Czechoslovakia
Kamanda Wa Kamanda, Zaire	
Ion Nicolae, Romania	

^a Inclusion of a name does not necessarily indicate that the individual served with the study group for the entire year or duration of the group's mandate.

^b The *Ad Hoc* Panel on Military Budgeting is shown in chapter XX, annex I. The consultant experts who carried out the study on a comprehensive nuclear test ban are listed in the text of the present chapter.

*Group of Experts to Prepare a Study on
Israeli Nuclear Armament*

Ashok Kapur, Canada
Mark A. Khroustalev, USSR
Ali Mazrui, Kenya

George Quester, United States
Assad Saab, Lebanon

*Group of Experts on the Relationship between
Disarmament and International Security*

M'Hamed Achache, Algeria
Evgheni Alexandrov, Bulgaria
Leopoldo Benites, Ecuador
Evgheny Bougrov, USSR
Betty Lall, United States

Jorge Morelli, Peru
Janus A. W. Paludan, Iceland
Carlos P. Romulo, Philippines
Zenon Rossides, Cyprus
Winston Tubman, Liberia

*Group of Governmental Experts on the Relationship between
Disarmament and Development*

Ljubivoje Acimović, Yugoslavia
Mansur Ahmad, Pakistan
Tamas Bacskai, Hungary
Horst Becker, Federal Republic of Germany
Luis Cabana, Venezuela
Hendrik De Haan, The Netherlands
Sergio de Queiroz Duarte, Brazil
Omran El Shafei, Egypt
José A. Encinas del Pando, Peru
Klaus Engelhardt, German Democratic Republic
Brian A. Field, United Kingdom
Daniel Gallik, United States
Placido García Reynoso, Mexico
K. G. Anthony Hill, Jamaica

Masayoshi Kakitsubo, Japan
Sten F. Lundbo, Norway
A. C. H. Mohamed, Sri Lanka
Niaz A. Naik, Pakistan
Maciei Perczynski, Poland
Jacques Pradelle de la Tour de Jean, France
Narciso G. Reyes, Philippines
Anire Sagay, Nigeria
Nodari Simonia, USSR
K. Subrahmanyam, India
Ibrahima Sy, Senegal
Inga Thorsson, Sweden
Constantin Vlad, Romania
Bernard Wood, Canada

*Group of Governmental Experts to Study the
Institutional Arrangements relating to the Process of Disarmament*

B. A. Adeyemi, Nigeria
Rolf Björnerstedt, Sweden
Alicia Cabrera, Mexico
Benoit D'Aboville, France
C. R. Dean, United Kingdom
Sushil Dubey, India
Fan Ta-Chun, China
Charles Gatere Maina, Kenya
Tsutomu Ishiguri, Japan
P. H. Kooymans, The Netherlands
Carlos Lechuga-Hevia, Cuba

A. C. H. Mohamed, Sri Lanka
Tadayuki Nonoyama, Japan
Carlos Ortiz de Rozas, Argentina
Henryk Pac, Poland
Sidi Mohamed Rahhali, Morocco
Robert B. Rosenstock, United States
Vladimir Shustov, USSR
Ibrahima Sy, Senegal
Ferdinand Thun, German Democratic
Republic
Miljenko Vuković, Yugoslavia

*Group of Governmental Experts on the Question of the
Establishment of an International Satellite Monitoring Agency*

Cesare Albanesi, Italy

Hubert Bortzmeyer, France

Sune Danielsson, Sweden

Mohamed Abdel-Hady, Egypt

Enrique Gaviria-Liévano, Colombia

Mekki Louiz, Tunisia

Eugeniu Mandescu, Romania

J. P. Ouedraogo, Upper Volta

Carlos Passalacqua, Argentina

Krishnamurthy Santhanam, India

Mohamad Sidik, Indonesia

Obrad Vucurović, Yugoslavia

Hans Winkler, Austria

Mobilization of public opinion and the observance of Disarmament Week

Introduction

A MAJOR FUNCTION OF THE UNITED NATIONS is to increase the flow of information on the arms race and disarmament to Governments, non-governmental organizations (NGOs) and news media and, through them as well as directly, to the general public. The aim is to facilitate a better understanding of the problems of the arms race and disarmament, stimulate the interest of organizations and individuals and generate wider public support for disarmament efforts.

In this connexion it is important to recall that in the Final Document of its 1978 special session devoted to disarmament, the General Assembly, under the heading "Declaration", stated that "It is essential that not only Governments but also the peoples of the world recognize and understand the dangers in the present situation."¹ Therefore, the General Assembly saw a special need for increased participation in the dissemination of information by non-governmental organizations concerned with disarmament and, in the Programme of Action, called for closer liaison between NGOs and the United Nations.² In response to that request, the Centre for Disarmament appointed a liaison officer for non-governmental organizations early in 1980.

General activities

In the course of 1980, co-operation with non-governmental organizations and the media was maintained and expanded in all regions of the world. Requests for speakers, United Nations literature and films were responded to as far as possible. A mailing list of non-governmental organizations concerned with disarmament was established, and current United Nations literature was distributed at regular intervals.

¹ See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4 (A/S-10/4)*, sect. III, para. 15.

² *Ibid.*, para. 104.

The United Nations organized a number of seminars and conferences with the aim of drawing attention to the armaments situation and to disseminate information about it more effectively. In that context, mention should be made of the Annual Conference of Non-Governmental Organizations, held in June 1980 at United Nations Headquarters in New York, on the subject of "The arms race and the human race", and the UNESCO Congress on Disarmament Education which took place, also in June 1980, in Paris. Appendix III to the present volume includes detailed coverage of the UNESCO Congress.

Consideration by the Disarmament Commission, 1980

At its substantive session in May 1980, the Disarmament Commission had before it a note by the Secretary-General entitled "Declaration of the 1980s as the Second Disarmament Decade"³ containing an annex, "Proposals for an information programme for the Second Disarmament Decade", reading in part as follows:

1. The General Assembly, in resolution 34/75 of 11 December 1979, directed the Disarmament Commission to prepare elements for a "Declaration of the 1980s as the Second Disarmament Decade" for consideration by the thirty-fifth session of the General Assembly. The Declaration should contain an indication of ways and means of mobilizing world opinion for disarmament.

2. The effort to mobilize public opinion must take account of the specific requirements and needs of the different regions of the world. To be effective, it must be able to reach its audience through those media which are most appropriate for the region in question. The measures relayed must be presented in easily understandable language. The following programme is drawn up with these considerations in mind.

3. The Secretariat envisages a continuing information effort to be conducted in four main areas: (a) publications, (b) provision of audio-visual materials, (c) relations with news media and (d) co-operation with non-governmental organizations.

The annex outlined specific activities that could be undertaken by the United Nations, in the main areas identified, during the course of the Second Disarmament Decade.

In communications to the Commission in connexion with the Decade, submitted in pursuance of resolution 34/75 cited in the quotation above,⁴ the need for enhanced public awareness was particularly referred to by a large number of Governments, including those of Finland, the Federal Republic of Germany, Hungary, India, Indonesia, Italy, Mexico, Poland, Romania, Sweden, the United Kingdom and Zaire. Of the replies received from the specialized agencies of the United Nations, especially noteworthy was the extensive report by UNESCO, relating to disarmament education.⁵

On 6 June 1980, the Disarmament Commission adopted by consensus

³ A/CN.10/11.

⁴ See A/CN.10/10 and Add.1-13.

⁵ *Ibid.*, Add.4, sect. II.

its recommendations on the Elements of the Declaration of the 1980s as the Second Disarmament Decade, for submission to the General Assembly. Under the heading "Activities" and subheading "Public awareness",⁶ the Commission recommended:

19. As stated in the Final Document, "it is essential that not only Governments but also the peoples of the world recognize and understand the dangers" in the present world armaments situation, so that world public opinion will be mobilized on behalf of peace and disarmament. This will be of great importance to the strengthening of international peace and security, the just and peaceful resolution of disputes and conflicts and effective disarmament.

20. In the course of the decade of the 1980s, therefore, governmental and non-governmental information organs of Member States and those of the United Nations and its specialized agencies, as well as non-governmental organizations, should, as appropriate, undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations and their results, particularly by means of annual activities conducted in connexion with Disarmament Week. These actions should constitute a large-scale programme to further alert world opinion to the danger of war in general and of nuclear war in particular. In keeping with its central role and primary responsibility in the sphere of disarmament, the United Nations, in particular its Centre for Disarmament, should intensify and co-ordinate its programme of publications, audio-visual materials, co-operation with non-governmental organizations and relations with the media. Among its activities, the United Nations should also, in the course of the decade, sponsor seminars in the different regions of the world at which issues relating to world disarmament in general and of the particular region, especially, will be extensively discussed.

Observance of Disarmament Week 1980

The General Assembly, at its tenth special session in 1978, proclaimed the week starting 24 October, the day of the founding of the United Nations, as a week devoted to fostering the objectives of disarmament. In the course of 1980, the Secretary-General received replies from 21 Governments and specialized agencies about their activities during Disarmament Week.⁷

In preparation for Disarmament Week 1980, the Assistant Secretary-General of the United Nations Centre for Disarmament sent a letter to over 300 non-governmental organizations on record with the Centre as having an interest in the field of disarmament. The letter was accompanied by a brochure describing the goals of Disarmament Week and possible activities by the United Nations, Governments and non-governmental organizations, and a wall sheet entitled "When will we listen?" On request, those materials were further distributed to non-governmental organizations, research institutes, and members of the general public world-wide.

On 23 October, Shridath Ramphal, Commonwealth Secretary-General, addressed a special meeting of non-governmental organizations and delegations at United Nations Headquarters in New York.

He stated that a world disarmament week should "be marked in schools

⁶ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 42 (A/35/42)*, sect. IV, para. 19.

⁷ A/35/147.

and universities, in temples and cathedrals, in community centres and communes, in farms and in factories across our threatened globe" While global poverty was deepening and ever higher expenditures on arms were leading to ever greater insecurity, he saw hope in the fact that humanity's perception of the problem was being revolutionized. He argued that disarmament must be seen in positive, not negative, terms, as strengthening States and economies. Mr. Ramphal said: "More and more people are questioning the premises of the arms race, questioning whether more arms means more security, questioning the relevance of military balance in the era of nuclear overkill, questioning the ingrained acceptance of war itself as a conflict-solving mechanism" In his view, it was for the people of the world to assert that they chose to survive.

On 24 October, Disarmament Week was observed in the First Committee of the General Assembly at United Nations Headquarters. The Chairman of the First Committee, Ambassador Niaz A. Naik of Pakistan, read a message from the President of the General Assembly, Ambassador Rüdiger von Wechmar of the Federal Republic of Germany, in which the President stated that Governments and peoples of the world must use the occasion of Disarmament Week to reaffirm their faith in disarmament in order not to allow the horrors of war to devastate the world once again. The President stated that Disarmament Week provided an opportunity to increase public awareness of the dangers of the arms race and to create an atmosphere conducive to progress in disarmament negotiations.

The Assistant Secretary-General, the Centre for Disarmament, Jan Martenson, conveyed the message of the Secretary-General of the United Nations on the occasion of Disarmament Week. In his message, the Secretary-General stated that people should not resign themselves to the belief that the arms race was, and would always remain, an ineluctable fate. The message also presented an argument against the tendency to regard disarmament as a Utopian goal and stressed that it was not disarmament, but an unrestrained arms race, which was proving to be an illusory objective. The Secretary-General appealed to all Governments, to non-governmental organizations and to the mass media to help make the second special session of the General Assembly in 1982 "a landmark in our quest for disarmament".

Speaking on behalf of the Eastern European States, the representative of the Byelorussian SSR stated that the arms race was approaching the point beyond which the possibility for effectively curbing it might be lost. Nevertheless, the Eastern European States remained convinced that objective reality contained realistic possibilities for deepening détente and averting the threat of nuclear conflict.

Chile, speaking on behalf of the Latin American States, reiterated that group's deep commitment to peace. It regarded as disheartening the realization that expenditures on armaments contributed to delaying measures to establish a more equitable new international economic order.

On behalf of the group of African States, Somalia stressed that, in the perilous situation in which the world found itself, the leadership role of the United Nations in educating and mobilizing international public opinion on

disarmament questions was a vital one. It underlined the need for the richer Powers to show more political will and determination for nuclear disarmament than had been the case in the past.

Bhutan spoke for the group of Asian States and referred to the need for a broad-based awareness of the "dreadful" phenomenon of the arms race being pursued by man for mutual destruction. In the group's opinion, such an awareness would lead to a more vigorous pursuit of meaningful international agreements and actions for attaining general and complete disarmament.

Speaking on behalf of the group of Western European and other States, New Zealand stressed the need to strengthen initiatives for keeping the peace. Its representative stated: "Our task is to create confidence in a future in which relations among States will be pursued within the framework of a durable peace."

The Netherlands, on behalf of the States members of the European Economic Community, expressed the sincere wish of that group of States that trust between nations might be restored, thereby allowing the creation of a climate in which more substantial progress towards concrete measures of disarmament could be achieved.

On behalf of the Arab States, Iraq stated that doubts and a lack of trust among States were the major obstacles hampering progress in the field of disarmament. The Arab States saw nuclear weapons as the greatest danger threatening humanity and advocated putting an end to the nuclear arms race in all its forms.

Speaking on behalf of the member States of the Islamic Conference, Pakistan expressed deep concern about the relentless arms race and particularly about the nuclear arms buildup. It emphasized the Islamic Conference's "resolve to strive for the strengthening of international peace and security"

At the United Nations Office in Geneva, the Director-General, Luigi Cottafavi, addressed the staff of the Geneva office. In his statement, the Director-General recognized the role of the public in activating the political will of Governments to reach disarmament agreements. He said that the purpose of Disarmament Week was to oppose the collective madness posed by the arms race.

The Director-General of the Food and Agriculture Organization of the United Nations, Edward Saouma, issued a statement on Disarmament Week 1980 in which it appealed to the leaders of the world to strive together to reach the common goal of building a world in which humanity will be free from the many evils which beset it.

The Director-General of UNESCO, Amadou-Mahtar M'Bow, delivered an address at the 21st session of the UNESCO General Conference in Belgrade on 24 October 1980. The Director-General emphasized that the arms race by itself was a factor of tension. He outlined UNESCO's suggestion for disarmament education and stated that "action for disarmament necessitates the continual mobilization of goodwill and increased initiative in all countries and at all levels"

Reports were received from a number of United Nations offices around the world indicating that Disarmament Week was commemorated in at least 38 countries.

Although no comprehensive report was compiled about non-governmental activities world-wide, indications were that non-governmental organizations arranged numerous special occasions during Disarmament Week drawing attention to its goals. For example, in one country, Canada, at least 160 different events were organized in 30 locations by a non-governmental organization in co-operation with the United Nations Association of that country.

Within its means, the United Nations Centre for Disarmament sought to support national activities by providing publications, films and speakers. Staff members of the Centre for Disarmament spoke on 22 different occasions during Disarmament Week. The total number of statements made in 1980 to NGO events by staff of the Centre was 125. In addition, a number of interviews were given on radio and television and to the press.

Consideration by the General Assembly, 1980

The General Assembly at its thirty-fifth session had before it the report of the Disarmament Commission,⁸ referred to above, in which the Commission detailed its recommendations as to further programmes of information relating to "the danger of the armaments race as well as to disarmament efforts and negotiations and their results"

In addition to a variety of general references in the debate to the value of an informed public opinion in support of disarmament, in the discussion under the agenda item on the Declaration of the 1980s as the Second Disarmament Decade in the First Committee⁹ a number of delegations referred specifically to information activities which they expected the Centre for Disarmament to carry out, in co-operation with the Department of Public Information, in the course of the Decade.

India, in introducing the draft resolution on that item, included specific reference to the recommendations of the Disarmament Commission concerning public opinion, and stated that a concrete way in which public opinion could be mobilized would be to request the Secretariat to prepare a programme of information activities for 1981 and 1982 that would be continued thereafter, throughout the remainder of the Decade. It stressed that those activities, for the following two years, should be focused on the second special session of the General Assembly devoted to disarmament. Nigeria, in supporting India's suggestion, stressed the need for "mobilization of world public opinion on behalf of peace and disarmament" to be "intensified and sustained". It particularly referred to the organization of regional seminars

⁸ See foot-note 6.

⁹ *Official Records of the General Assembly, First Committee, 4th to 42 meetings, and ibid., Sessional Fascicle, corrigendum.*

by the United Nations, and felt that, for effectiveness, at least three such seminars should be held before the second special session of the Assembly in 1982. That proposal was supported by Mexico and Romania.

On 25 November, the First Committee approved, without a vote, the draft resolution on the Declaration of the 1980s as the Second Disarmament Decade, and on 3 December the General Assembly adopted it as resolution 35/46 (for details, see chapter V above).

Under the agenda item entitled "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session", a draft resolution entitled "World Disarmament Campaign" was sponsored by the Congo, India, Mexico, the Niger, Nigeria, Romania, Sri Lanka, Sweden, Venezuela and Yugoslavia. In introducing the draft, the representative of Mexico explained that the goal of the proposal was to have a study carried out on the organization and financing of a world disarmament campaign under the auspices of the United Nations, a campaign which would make it possible to conduct a mobilization of world public opinion in favour of disarmament. Mexico stated that the general objectives of the campaign, on the one hand, would be to intensify and broaden the dissemination of information about the arms race and the efforts to halt and reverse it and, on the other, to promote programmes of study and education concerning disarmament. He added that if the proposal proved itself effective in giving momentum to the mobilization of world public opinion on behalf of disarmament, the benefits to be derived would be incalculable and the proposal in the long term one of the most important of the thirty-fifth session.

The text was approved by the First Committee on 25 November by a recorded vote of 125 to none, with 12 abstentions. Following the vote, the United States explained that it had abstained because it believed the study was not necessary; since the draft had been adopted, however, it expressed the hope that the study would be carried out by Secretariat personnel with no additional expenditure of funds.

The draft resolution was adopted by the General Assembly on 12 December by a vote of 128 to none, with 17 abstentions (mostly Western States), as resolution 35/152 I, which reads as follows:

The General Assembly,

Recalling that at its tenth special session it stressed the importance of mobilizing public opinion on behalf of disarmament,

Taking into account that, in the Final Document of the Tenth Special Session of the General Assembly, it recommended to that end the adoption of several concrete measures intended to intensify and broaden the dissemination of information about the arms race and the efforts to halt and reverse it as well as to promote programmes of study and education concerning disarmament,

Bearing in mind that for the realization of a world disarmament campaign of a permanent character it will be necessary, on the one hand, to define some basic rules which, without detriment to the necessary flexibility, will ensure a minimum co-ordination and, on the other hand, to establish a practical and generally acceptable system for the financing of such a campaign,

Having examined the relevant section of the report of the Secretary-General on the fourth and fifth sessions of the Advisory Board on Disarmament Studies,

1. *Requests* the Secretary-General to carry out, with the assistance of a small group of experts, for whose composition, in so far as circumstances permit, preference should be given to members of the Secretariat, a study on the organization and financing of a World Disarmament Campaign under the auspices of the United Nations;

2. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled "World Disarmament Campaign"

Conclusion

The continuing effort of the United Nations to mobilize public opinion in support of disarmament was given fresh impetus in 1980.

As a result of the consideration of the matter by the Disarmament Commission at its substantive session and the General Assembly at its thirty-fifth session, the United Nations Centre for Disarmament, in co-operation with the Department of Public Information, was asked to carry out an expanded programme of disseminating information in the course of the Second Disarmament Decade.

The expansion of such activities has been most visible in recent years in the areas of strengthening contacts with non-governmental organizations in all regions of the world, wider dissemination of United Nations publications and films, and increased activities during Disarmament Week, and this trend may be expected to continue. In addition, pursuant to resolution 35/152 I, the Secretary-General will carry out a study on the organization and financing of a world disarmament campaign under United Nations auspices, and the item will be included in the provisional agenda of the Assembly at its thirty-sixth session.

APPENDICES

Status of multilateral arms regulation and disarmament agreements: actions taken in the period 1 January to 31 December 1980

The following list provides the basic information concerning the agreements contained in the special supplement to *The United Nations Disarmament Yearbook*, volume 2: 1977,^a updated in appendices II and III of *The United Nations Disarmament Yearbook*, volume 3: 1978, and volume 4: 1979, respectively,^b and shows the action taken, if any, with regard to those agreements in the period subsequent to publication of volume 4, that is, from 1 January to 31 December 1980.^c No further agreements were concluded or opened for signature during the period.

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare

SIGNED AT GENEVA: 17 June 1925

ENTERED INTO FORCE: for each signatory as from the date of deposit of its ratification; accessions take effect on the date of the notification of the depositary Government

DEPOSITARY GOVERNMENT: France

NEW PARTIES: Papua New Guinea — 2 September 1980 (s)^d

Viet Nam — 28 October 1980 (a)^e

Sudan — 17 December 1980 (a)

The Antarctic Treaty

SIGNED AT WASHINGTON: 1 December 1959

ENTERED INTO FORCE: 23 June 1961

^a*Status of Multilateral Arms Regulation and Disarmament Agreements* (United Nations publication, Sales No. E.78.IX.2).

^b*The United Nations Disarmament Yearbook*, vol. 3: 1978 (United Nations publication, Sales No. E.79.IX.2 or 3), and *ibid.*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7).

^c Accession is indicated by (a) and succession by (s). Instruments of ratification, accession or succession may be deposited with the Governments of the Union of Soviet Socialist Republics (M), the United Kingdom of Great Britain and Northern Ireland (L) and/or the United States of America (W) or other depositaries, as applicable.

^d Succeeded to the Protocol by virtue of the ratification of Australia.

^e With the following reservation:

“(1) The said Protocol is only binding on the Government of Viet Nam as regards States which have signed or ratified it or which may accede to it.

“(2) The said Protocol shall *ipso facto* cease to be binding on the government of Viet Nam in regard to any enemy State whose armed forces or whose Allies fail to respect the prohibitions laid down in the Protocol.”

DEPOSITORY GOVERNMENT: United States of America

NEW PARTIES: Uruguay — 11 January 1980,^f

Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water

SIGNED BY THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA IN MOSCOW:

5 August 1963

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON: 8 August 1963

ENTERED INTO FORCE: 10 October 1963

DEPOSITORY GOVERNMENTS: Union of Soviet Socialist Republics (M), United Kingdom of
Great Britain and Northern Ireland (L) and United States of America (W)

AMENDMENTS: Egypt — 28 April 1980,^g

NEW PARTIES: Papua New Guinea — 27 October 1980 (L) (s)

— 13 November 1980 (M) (s)

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON: 27 January 1967

^f With the following declaration:

“The Government of the Eastern Republic of Uruguay considers that, through its accession to the Antarctic Treaty signed at Washington (United States of America) on 1 December 1959, it helps to affirm the principles of using Antarctica exclusively for peaceful purposes, of prohibiting any nuclear explosion or radioactive waste disposal in this area, of freedom of scientific research in Antarctica in the service of mankind, and of international co-operation to achieve these objectives, which are established in said Treaty.

“Within the context of these principles Uruguay proposes, through a procedure based on the principle of legal equality, the establishment of a general and definitive statute on Antarctica in which, respecting the rights of States as recognized in international law, the interests of all States involved and of the international community as a whole would be considered equitably.

“The decision of the Uruguayan Government to accede to the Antarctic Treaty is based not only on the interest which, like all members of the international community, Uruguay has in Antarctica, but also on a special, direct and substantial interest which arises from its geographic location, from the fact that its Atlantic coastline faces the continent of Antarctica, from the resultant influence upon its climate, ecology and marine biology, from the historic bonds which date back to the first expeditions which ventured to explore that continent and its waters, and also from the obligations assumed in conformity with the Inter-American Treaty of Reciprocal Assistance which includes a portion of Antarctic territory in the zone described in article 4, by virtue of which Uruguay shares the responsibility of defending the region.

“In communicating its decision to accede to the Antarctic Treaty, the Government of the Eastern Republic of Uruguay declares that it reserves its rights in Antarctica in accordance with international law.”

^g In a note dated 28 April 1980, from the Embassy of the Arab Republic of Egypt to the Department of State of the United States, the Government of Egypt referred to its ratification of the Treaty on 10 January 1974 and stated the following:

“The instrument of ratification of that treaty, deposited with the Government of the United States of America, was accompanied by a statement which read as follows:

“The ratification by the Government of the United Arab Republic of this treaty does not mean or imply any recognition of Israel or any treaty relation with Israel.”

“The Embassy of the Arab Republic of Egypt wishes to inform the Department of State that the position of the Government of the Arab Republic of Egypt on this issue, as contained in that statement, is no longer in force.”

ENTERED INTO FORCE: 10 October 1967

DEPOSITARY GOVERNMENTS: Union of Soviet Socialist Republics (M), United Kingdom of Great Britain and Northern Ireland (L) and United States of America (W)

NEW PARTIES: Viet Nam — 20 June 1980 (M) (a)
Papua New Guinea — 27 October 1980 (L) (s)^h
— 13 November 1980 (M) (s)

Treaty for the Prohibition of Nuclear Weapons in Latin America

OPENED FOR SIGNATURE AT MEXICO CITY: 14 February 1967

ENTERED INTO FORCE: for each Government individually

DEPOSITARY GOVERNMENT: Mexico

TREATY — NEW PARTIES: none

ADDITIONAL PROTOCOL I — NEW PARTIES: none

ADDITIONAL PROTOCOL II — NEW PARTIES: none

Treaty on the Non-Proliferation of Nuclear Weapons

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON: 1 July 1968

ENTERED INTO FORCE: 5 March 1970

DEPOSITARY GOVERNMENTS: Union of Soviet Socialist Republics (M), United Kingdom of Great Britain and Northern Ireland (L) and United States of America (W)

NEW PARTIES: Barbados — 21 February 1980 (W)
Turkey — 17 April 1980 (L) (M) (W)ⁱ

TERMINATIONS: Viet Nam — 6 May 1980

^h Succeeded to the Treaty by virtue of the ratification of Australia.

ⁱ With the following statement:

"The Government of the Republic of Turkey decided to deposit today the instrument of ratification of the Treaty on the Non-Proliferation of Nuclear Weapons.

"In voting in favour of the Treaty on 12 June 1968 at the twenty-second session of the United Nations General Assembly and in signing the Treaty on 28 January 1969, the Turkish Government indicated its intention for eventual ratification.

"The Turkish Government is convinced that the Treaty is the most important multilateral arms control agreement yet concluded. By reducing the danger of a nuclear war, it greatly contributed to the process of détente, international security and disarmament.

"Turkey believes that her adherence would further the universality of the Treaty and strengthen the international nuclear non-proliferation system. It is however evident that cessation of the continuing arms race and preventing the war technology from reaching dangerous dimensions for the whole of mankind can only be realised through the conclusion of a treaty on general and complete disarmament under strict and effective international control. Furthermore, Turkey would like to underline the non-proliferation obligations of the nuclear-weapon States under relevant paragraphs of the Preamble and article VI of the Treaty. Proliferation of all kinds must be halted and measures must be taken to meet adequately the security requirements of non-nuclear weapon States. Continuing absence of such assurances might have such consequences that may undermine the objectives and the provisions of the Treaty.

"Having included nuclear energy in its development plan as one of the sources of electricity production, Turkey is prepared, as stipulated in article IV of the Treaty, to cooperate further with the technologically advanced States, on a non-discriminatory basis, in the field of nuclear research and development as well as in nuclear energy production. Measures developed or to be developed at national and international levels to ensure the non-proliferation of nuclear weapons should in no case restrict the non-nuclear-weapon States in their options for the application of nuclear energy for peaceful purposes."

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON: 11 February 1971

ENTERED INTO FORCE: 18 May 1972

DEPOSITARY GOVERNMENTS: Union of Soviet Socialist Republics (M), United Kingdom of Great Britain and Northern Ireland (L) and United States of America (W)

NEW PARTIES: Viet Nam — 20 June 1980 (M) (a)

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON: 10 April 1972

ENTERED INTO FORCE: 26 March 1975

DEPOSITARY GOVERNMENTS: Union of Soviet Socialist Republics (M), United Kingdom of Great Britain and Northern Ireland (L) and United States of America (W)

NEW PARTIES: Chile — 22 April 1980 (L)

Viet Nam — 20 June 1980 (M) (a)

Papua New Guinea — 27 October 1980 (L) (a)

— 13 November 1980 (M) (a)

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

OPENED FOR SIGNATURE AT GENEVA: 18 May 1977

ENTERED INTO FORCE: 5 October 1978

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES: Kuwait — 2 January 1980 (a)^j \

United States of America — 17 January 1980

Viet Nam — 26 August 1980 (a)

Papua New Guinea — 28 October 1980 (a)

^j With the following reservation:

“This Convention binds the State of Kuwait only towards States Parties thereto. Its obligatory character shall *ipso facto* terminate with respect to any hostile state which does not abide by the prohibition contained therein.”

With the following understanding:

“It is understood that accession to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, done in Geneva, 1977, does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relation will arise between the State of Kuwait and Israel.”

On 23 June 1980, the Secretary-General received from the Government of Israel the following communication concerning the Kuwait understanding:

“The Government of Israel has noted the political character of the statement made by the Government of Kuwait. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon Kuwait, under general international law or under particular conventions. Insofar as concerns the substance of the matter, the Government of Israel will adopt towards the Government of Kuwait an attitude of complete reciprocity.”

Activities of the United Nations Environment Programme related to disarmament*

Introduction

The Declaration on the Human Environment adopted by the United Nations Conference on the Human Environment, held at Stockholm in June 1972 and endorsed by the General Assembly, clearly states in principle 26 that

“Man and his environment must be spared the effects of nuclear weapons and all other means of mass destruction. States must strive to reach prompt agreement, in the relevant international organs, on the elimination and complete destruction of such weapons.”

Since the creation of the United Nations Environment Programme (UNEP), its Governing Council has adopted a number of resolutions and also some of the activities of UNEP are related to that principle for the enhancement of the environment. A brief review of such resolutions and activities is given in this appendix.

Resolutions and reports

1. The Governing Council of UNEP, at its sixth session in May 1978, requested the Executive Director of UNEP to continue to gather, through the International Referral System, sources of information on methods of dealing with environmental problems caused by the material remnants of wars, to render assistance to Governments in preparing their programmes for the elimination of mines in their territories and to carry out and promote studies on the environmental effects of the material remnants of wars, particularly mines. The Governing Council of UNEP, at its fourth session in April 1976 and at its fifth session in May 1977, had requested the Executive Director of UNEP to render assistance in the field of environmental protection to States in preparing their own programmes for the elimination of mines in their territories.

2. The Executive Director of UNEP submitted a report (A/32/137) entitled “Material remnants of wars and their effect on the environment” to the General Assembly at its thirty-second session, highlighting the adverse effect of remnants of wars on the environment. The General Assembly, at its thirty-fifth session in December 1980, adopted a resolution (35/71) in which it took note of the interim report of UNEP on the study of the problems of the material remnants of war, particularly mines, and their effect on the environment and requested the Governing Council of UNEP to ensure its completion.

3. The United Nations Conference on Desertification, held in 1977, adopted a resolution concerning the effect of weapons of mass destruction on ecosystems. It noted that the use of chemical and biological weapons during wars was one of the factors contributing to desertification in certain parts of the world and that those factors were most seriously felt in developing countries, including those which were currently engaged in armed struggle for independence

* Text contributed by the United Nations Environment Programme.

and those which had recently achieved independence through armed struggle. It condemned the use of any techniques that cause the desertification of the environment and denounced the effects of destructive weapons and practices on the ecosystems of all countries. The use of chemical and biological weapons which destroy or diminish the potential of ecosystems and are conducive to desertification was also condemned and the prohibition of the use of poisons in water as a weapon of war was demanded. In implementation of the resolution, the Secretary-General presented a report to the General Assembly at its thirty-third session.^a

4. The Governing Council of UNEP, at its fifth session in May 1977, took note of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques annexed to General Assembly resolution 31/72 of 10 December 1976 and requested Member States to facilitate exchanges of information on the use of environmental modification techniques for peaceful purposes.

5. *The State of the World Environment Report*, 1980, published by UNEP, included the topic "Environmental effects of military activity"

6. The General Assembly, at its thirty-fifth session in November 1980, adopted, by a recorded vote of 68 to none, with 47 abstentions, resolution 35/8 on the historical responsibility of States for the preservation of nature for present and future generations and asked UNEP to prepare a report on the pernicious effects of the arms race on nature and to seek the views of States on possible measures to be taken at the international level for the preservation of nature.

Ozone research and monitoring

UNEP organized a meeting of experts designated by Governments, intergovernmental and non-governmental organizations at Washington, D.C., in March 1977. The outcome of the meeting was an agreed World Plan of Action on the Ozone Layer. Following the recommendations contained in the Plan of Action, the Co-ordinating Committee on the Ozone Layer was set up. It was composed of representatives of the international agencies and non-governmental organizations participating in implementing the Plan of Action as well as representatives of countries with major scientific programmes contributing to it. The Committee met in November 1977 and November 1978 to review the progress made in implementing the Plan of Action, identified deficiencies and made recommendations for future work. At its first meeting, held at Geneva in November 1977, it was agreed that UNEP should issue a half-yearly bulletin (January and July) giving information on ongoing and planned research activities on the ozone layer relevant to the Plan of Action. The publication of the bulletin was begun in January 1978. At the second meeting, held at Bonn in November 1978, the Committee issued a document entitled "An assessment of ozone depletion and its impacts — December 1978"

UNEP is supporting a Global Ozone Research and Monitoring Project meant to provide advice to Member States, to the United Nations and other appropriate international organizations concerning various aspects of atmospheric ozone.

Weather modification

UNEP is co-operating with the World Meteorological Organization in the Precipitation Enhancement Project, whose objective is to obtain scientifically accepted information on the feasibility of precipitation enhancement with an assessment of the environmental impact of such enhancement.

The Governing Council of UNEP, at its eighth session, adopted decision 8/7, section (a) of which is entitled "Provision for co-operation between States in weather modification". In paragraph 1 of that decision, the Governing Council decided, *inter alia*, that weather modification should be dedicated to the benefit of mankind and the environment.

^a A fuller version of that report is available in *UNEP Studies*, vol. 1, "The effects of weapons on ecosystems", by J. P. Robinson of the Science Policy Research Unit, University of Sussex, Brighton, England. (Published for the United Nations Environment Programme by Pergamon Press.)

Activities of the United Nations Educational, Scientific and Cultural Organization related to disarmament*

Introduction

1. In 1980, the Organization's mandate in the field of disarmament was set out in the programme and budget for 1979-1980, which was prepared in accordance with Objective 2.1 of the medium-term plan for 1977-1982 and two resolutions adopted at the twentieth session of the General Conference. These have been dealt with in previous volumes of this Yearbook.^a

2. In 1980, two events exerted determining influence on the activities of UNESCO in the field of disarmament: the World Congress on Disarmament Education and the twenty-first session of the General Conference of UNESCO.

3. The following report will therefore deal with ongoing research and publications of UNESCO relating to disarmament and its activities in support of disarmament education, with particular reference to the World Congress, as well as those related to disarmament information. It will also review preparations for future activities, with special focus on the resolutions of the General Conference.

Research and publications

4. In an effort to contribute to the development of a deeper understanding of the issues involved in the arms race and prospects for disarmament, UNESCO has intensified its research projects, studies and publications dealing with these issues.

5. Pursuant to a specific request of the General Conference, a multidisciplinary study on the obstacles to disarmament and ways of overcoming them was completed, and will appear in 1981.

6. As requested by the General Assembly in paragraph 103 of the Final Document of the tenth special session, UNESCO identified its activities aimed at facilitating research and publications on disarmament. During the biennium 1979-1980, two new multidisciplinary research projects were launched, one dealing with military research and development and its impact on the scientific community and on scientific and technological development, the other dealing with strategic doctrines and their effects on disarmament prospects. An issue of *Impact of Science on Society* was prepared in 1980 and published in January 1981, dealing with military research and development under the title *Weapons from Science* (vol. 31, No. 1).

7. The fourth edition of the UNESCO *World Directory of Peace Research Institutions* was published in 1980 in the series *Reports and Papers in the Social Sciences*, No. 49. This di-

* Text contributed by the United Nations Educational, Scientific and Cultural Organization.

^a See *The United Nations Disarmament Yearbook*, vol. 3: 1978 (United Nations publication, Sales No. E.79.IX.2 or 3), appendix IV, and *ibid.*, vol. 4: 1979 (United Nations publication, Sales No. E.80.IX.6 or 7), appendix V.

rectory contains detailed entries concerning each institution, including titles of research and publications on disarmament followed by indexes by name of institution, head of institution and research areas.

8. In 1980, work progressed on volume 2 of the collection *New Challenges to International Law* dealing with the international law of disarmament as a new branch of international law.

9. The first volume of a new *UNESCO Yearbook of Peace and Conflict Studies* was completed in 1980 and will appear in 1981.

10. As mentioned above, the main activity of the Organization relating to disarmament education was holding the World Congress on Disarmament Education at UNESCO Headquarters on 9 to 13 June 1980.

World Congress on Disarmament Education

11. The organization of the Congress constituted a significant contribution by UNESCO to the implementation of the provisions of the Final Document of the tenth special session of the United Nations General Assembly. The Congress itself was to be seen in the context of the launching of the Second Disarmament Decade proclaimed by the General Assembly in resolution 34/75 of 11 December 1979. At the same time, it was a manifestation of UNESCO efforts "to step up its programme aimed at the development of disarmament education as a distinct field of study", as the General Assembly urged it to do in paragraph 107 of the Final Document of the tenth special session.

(a) Participants

12. The Congress was attended by 132 specialists from 48 countries, together with 122 observers from 97 non-governmental organizations and 55 Member States and 9 representatives from organizations in the United Nations system, 2 international governmental organizations and 2 liberation movements. The participants attended in their personal capacity, in conformity with the rules applying to this type of meeting. They included educators, mass media specialists, scientific researchers in the fields of peace and disarmament, and officials responsible for education and information from the Member States.

13. In pursuance of the recommendations of the preparatory meeting of experts for the Congress, held in Prague, Czechoslovakia, from 4 to 8 June 1979, an open discussion took place during which different points of view on disarmament were put forward. A substantial volume of documentation, comprising reports and studies prepared by experts and institutions, was made available to the Congress. A variety of teaching materials were put on exhibition, a series of films shown to illustrate the cultural dimension of disarmament education, and mural painting was produced.

(b) Opening of the Congress

14. The Congress was opened on behalf of the Director-General by Mr. Federico Mayor, Deputy Director-General, who recalled that disarmament education came within the context of one of the priority objectives of UNESCO and that its fundamental task, as defined in its Constitution, was to work for peace through education, the spread of culture and the broadest possible dissemination of information. Mentioning the declaration of an international consultation of outstanding figures which had just been held at UNESCO, he drew attention to the close link existing between disarmament, the effective protection of human rights and development. He said that a new outlook favouring peace and co-operation had to be created within public opinion, and he expressed the hope that the Congress would contribute to the establishment of the ethical, intellectual and psychological bases that would be instrumental in working out a solution to the problems involved in the arms race.

15. In his opening address, H. E. Mr. Rodrigo Carazo, President of the Republic of Costa Rica, spoke of the example of his country which, at the end of the Second World War,

had decided to abolish its army and had since then lived in a state of unprecedented security. He asserted that peace and security were not the corollary of the number and quality of arms and that over-armed countries were always liable to become their own gaolers. He also emphasized that mankind was running the risk of war if it did not soon embark on a process of disarmament. He drew the attention of the assembly to the essential role of education and information, which were the only paths which could lead to the ending of war and the abolition of hatred and violence. He concluded by urging that peace, in its positive, universal and engulfing dimension, be the axis of the most varied studies and methods. He proposed that the University for Peace, now in its formative stages in Costa Rica, should become a leading world centre for high-level cultural action in that field.

16. Mr. Jan Martenson, United Nations Assistant Secretary-General for Disarmament, said that the Congress was the first occasion on which the question of relating education to the goals of disarmament and peace would be systematically explored. He recalled that the Final Document of the tenth special session of the United Nations General Assembly in 1978 conferred a central role on the world organization in the sphere of disarmament. The implementation of these recommendations calls for careful co-ordination, in order to ensure that the actions taken duly meet the desiderata expressed by the General Assembly. He mentioned further that co-ordination was also necessary to ensure that the activities of the various institutions of the United Nations system were mutually reinforcing. This was especially important in view of the fact that the available resources—both financial and human—were very limited. Commenting on the activities of the United Nations Centre for Disarmament, he pledged to do the utmost to ensure that the task entrusted to it was fulfilled and, in particular, to support all efforts towards that end undertaken in the United Nations system. He drew attention to the importance of mobilizing world opinion in favour of disarmament. In that connexion, he said that the primary goal of a programme of disarmament education should be to explain to the largest number of people that, in the nuclear age, security was not to be found in an ever-expanding accumulation of arms, but in the development of international co-operation.

17. The last speaker at the opening meeting was Mr. Rodolfo Stavenhagen, Assistant Director-General for the Social Sciences and their Applications. After speaking of the importance which the tenth special session of the General Assembly had attached to the democratization of the disarmament negotiation process, Mr. Stavenhagen emphasized that disarmament education constituted a new phase in the democratization of disarmament. He also said that a great many obstacles still had to be overcome before the demilitarization of the world became a reality. He mentioned, *inter alia*, the need to redirect the flow of economic development of peoples; the international arms trade; the abundance of different political and strategic doctrines concerning the foreign or domestic security of States; the conditioning of public opinion and of children from an early age to accept a glorified vision of military personalities, feats of arms, wars and conquests; the spread of certain fashionable theories in the sphere of mass psychology; the impact of the mass media, and the sale of games and toys of a military nature. He recalled the three approaches to disarmament education proposed by the Director-General at the Prague preparatory meeting: educating in the spirit of disarmament, incorporating appropriate materials in existing disciplines and developing a distinct field of study. He concluded by suggesting that there was a need for a global multilateral effort to promote disarmament with the active participation of peoples and not just governments. Education had a key role in these efforts.

(c) Structure and functioning of the Congress

18. Pursuant to the recommendations of the preparatory meeting of experts held in Prague, Czechoslovakia (4-8 June 1979), the Congress met in plenary and in two Commissions, the terms of reference of which were as follows:

Commission I: Education — formal and non-formal education at different levels; the training of teaching personnel; the working out of appropriate teaching material; the revision of existing textbooks, particularly history and geography, etc.

Commission II: Information — the training of professional workers in the field of information, information ethics relating to questions of armament and disarmament, methods of informing the general public, scientific circles, military personnel, etc.

The two Commissions each held three meetings; the plenary met six times.

19. In pursuance of rule 4 of the rules of procedure, the Congress elected its officers, as follows:

- President:* Mr. Jaime Diaz (Colombia)
Vice-Presidents: Mrs. Swadesh Rana (India)
Mrs. Mabel Segun (Nigeria)
Mr. Louis Sohn (United States of America)
Mr. Vladimir Tropine (Union of Soviet Socialist Republics)
General Rapporteur: Mr. Franco Casadio (Italy)
Commission I (Education):
Chairman: Mr. Zdenek Ceska (Czechoslovakia)
Rapporteur: Mr. Nasser-Eddine Ghozali (Algeria)
Commission II (Information):
Chairman: Mrs. Birgit Brock-Utne (Norway)
Rapporteur: Mr. Ibrahima Fall (Senegal)

20. The agenda of the Congress was as follows:

1. Opening of the Congress (plenary)
2. The situation of disarmament education at all levels of formal and non-formal education (plenary):
 - (a) The present status of disarmament education at primary and secondary levels
 - (b) The present status of disarmament education at university level
 - (c) The present status of disarmament education in teacher training
 - (d) The present status of disarmament education in adult and non-formal education
3. Problems of and prospects for the development of disarmament education within the school system (Commission I):
 - (a) Curriculum and materials
 - (b) Teaching methods
 - (c) Teacher training
 - (d) Teaching of military personnel
4. Problems of and prospects for the development of disarmament education outside the school system (Commission I):
 - (a) Informal educational approaches
 - (b) Non-formal education
 - (c) Education within the family
 - (d) Education within the trade unions
5. Problems and prospects for the development of disarmament education through the mass media (Commission II):
 - (a) Formation of public opinion on disarmament questions through the media
 - (b) Approaches to problems of professional ethics in relation to disarmament education through the media
 - (c) Improvement of media coverage of disarmament problems
 - (d) Development of audio-visual materials
6. Promotion and development of research on disarmament (both Commissions as indicated):
 - (a) Research as part of education (Commission I)
 - (b) Research as part of information (Commission II)
 - (c) Co-operation among research bodies (both Commissions)
 - (d) Problems of documentation (both Commissions)
7. Structural questions (plenary):
 - (a) Co-ordination of efforts among educators, education officials and the scientific community to develop disarmament education
 - (b) The role of UNESCO and its National Commissions

- (c) Co-operation and co-ordination with other United Nations bodies
 - (d) The role of non-governmental organizations
8. Adoption of the Final Document (plenary)
 9. Closing of the Congress (plenary)

(d) Adoption of the Final Document

21. At its last plenary meeting the Congress adopted the following Final Document by consensus, it being understood that certain stylistic improvements and modifications based on observations and proposals made during the final session would be incorporated into the final version by the Secretariat in consultation with the President and the General Rapporteur of the Congress. The Final Document, containing guiding principles and considerations for disarmament education and recommendations addressed to the Director-General, is reproduced in annex I. The recommendations of the two Commissions as formulated by the Rapporteurs on the basis of the proposals from participants and observers appear in annex II.

Other activities in the area of disarmament education

22. As a follow-up to the World Congress on Disarmament Education, a colloquium on disarmament education was organized under the auspices of the French Peace Movement at UNESCO Headquarters, on 19 October 1980, with the collaboration of the United Nations Information Centre and UNESCO.

23. Other disarmament education activities concern the direct implementation of the recommendation concerning education for international understanding, co-operation and peace and education relating to human rights and fundamental freedoms, adopted by the General Conference at its eighteenth session (1974). Two regional seminars have been held during the past two years; one in Helsinki, Finland, and the other in Sofia, Bulgaria. Two more regional seminars are being planned. These will be held in 1981, in one of the Arab States and in Latin America, and will pay special attention to school curricula and teaching materials.

24. A handbook for classroom teachers on implementation of the above-mentioned recommendation, containing a chapter on international peace and security and disarmament, was completed in 1980 and will be published in 1981.

25. During 1980 non-governmental organizations carried out studies, under contract, on co-operation between the school and other social institutions equipped to contribute to disarmament education, and on the role of moral and civic education in the promotion of international understanding and disarmament education.

26. Another area where UNESCO contributed to disarmament education activities was in the preparation of teaching materials relating directly to disarmament, pursuant to paragraph 107 of the Final Document of the tenth special session. A publication called *Armaments, Arms Control and Disarmament* was completed in 1980 as a reader for disarmament education at the university level.

27. With regard to other activities in 1980, multilateral consultations on the question of secondary school history textbooks were carried out under a contract with the Finnish National Commission for UNESCO. The following six Member States participated: Finland, German Democratic Republic, Italy, Norway, Poland and USSR. In the criteria for the critical examination of the content of history textbooks, which were formulated by a group of experts, considerable attention was given to disarmament education.

Promotion of disarmament information

28. In carrying out disarmament information projects, the Director-General was guided by paragraph 4 of resolution 20 C/11.1 by which the General Conference invited him to consider whether certain activities or studies could be initiated or encouraged, including interdisci-

plinary research or symposia on such themes as "The possibility of increasing the dissemination and publication of information about the arms race and the efforts to halt it and reverse it, in conformity with paragraphs 99 and 100 of the Final Document" of the tenth special session of the United Nations General Assembly.

29. The Secretariat was also guided by paragraph 4 (c) of resolution 20 C/11.1 by which the General Conference invited the Director-General to consider "extending the use of UNESCO's information channels in order to mobilize world public opinion about the dangers of the arms race and the need for disarmament, for example by increasing the publication of UNESCO brochures and books on this subject, holding art exhibitions and film festivals"

30. Thus, considerable emphasis was also placed on disarmament questions in the implementation of the programme of public information for 1979-1980. For example, the text of the address the Director-General delivered at the tenth special session of the General Assembly on 26 May 1978 was reproduced as a brochure under the title *The Will for Peace* and was widely distributed in English and French during the biennium 1979-1980.

31. Furthermore, and as a follow-up to the adoption of the "Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, the Promotion of Human Rights and to Countering Racism, *Apartheid* and Incitement to War", the text of the Declaration was published in 16 languages. Studies were undertaken on how the press in Austria, France, the Federal Republic of Germany, Switzerland and the United Kingdom reflected and reported on the adoption of the Declaration. Consultations were held on ways to promote the inclusion of the principles of the Declaration in the communications curricula of teaching and training institutions. A study of the background to the Declaration was published in the series "Reports and papers in mass communication" in 1980.

32. Following an issue on the arms race (April 1979), the UNESCO *Courier* published an issue on disarmament education in September 1980. The aim of this issue was to inform public opinion about the role education and information could play in halting the arms race.

33. As in the past, special public information activities were carried out during Disarmament Week in 1980. These activities had the double purpose of providing information for the general public visiting the Organization's buildings in Paris and marking the occasion at the General Conference taking place at the same time in Belgrade.

34. At Headquarters, displays were set up drawing from the exhibition organized, with the collaboration of the Geneva Unit of the Centre for Disarmament, on the occasion of the World Congress on Disarmament Education. United Nations films were shown and publications of UNESCO, the United Nations and certain Member States were presented in display cases in all six buildings of UNESCO in Paris. An original exhibition of posters was organized with the collaboration of the International Peace Bureau.

35. During the General Conference, beginning 24 October, several posters were displayed to interest the delegates in Disarmament Week. The Director-General delivered a message to the General Conference marking the occasion. The text of the message is reproduced as annex III of this document.

Preparatory work for future programmes

36. The orientation of future activities of UNESCO was determined by the General Conference at its twenty-first session held in Belgrade, Yugoslavia, from 23 September to 28 October 1980. The programme and budget of the Organization for 1981-1983, as well as a number of resolutions adopted by the General Conference, are of direct relevance to disarmament.

37. The Director-General, in his introduction to the general policy debate, described the measures he had taken to implement resolution 20 C/11.1 adopted in 1978 entitled "Role of UNESCO in generating a climate of public opinion conducive to the halting of the arms race and transition to disarmament" These measures were set out in greater detail in document 21 C/14.

38. Disarmament and disarmament education were discussed in particular by the Commission dealing with social sciences and their applications. Based on the work of that Commission, the General Conference adopted resolution 21 C/3.01 on the programme of the social sci-

ences and their applications, by which it invited the Director-General to carry out activities contributing to the achievement of the objective of UNESCO relating to peace research, *inter alia*, "by encouraging the development of research on peace and on factors affecting disarmament, in particular by promoting development of institutions and research milieux in developing countries, by encouraging the development of education based on such research work, and by taking into account the main results of the World Congress on Disarmament Education organized by UNESCO in 1980, and the provisions of the Declaration on the Preparation of Societies for Life in Peace, adopted by the United Nations General Assembly at its thirty-third session" (paragraph 3 (e)).

39. Furthermore, the General Conference adopted resolutions 21 C/10.1 and 21 C/10.2 on the contribution of UNESCO to peace, and resolution 21 C/11.1 on the creation of a climate of public opinion conducive to the halting of the arms race and the transition to disarmament.

40. In resolution 21 C/10.2 the importance of disarmament and disarmament education is emphasized in the following paragraphs:

The General Conference,

Invites the Director-General:

(a) to study the possibility of initiating preparatory work on an interdisciplinary study on the preparation of societies for life in peace, based on research and exchanges of experience among Member States;

(b) to take into account, in the implementation of the programmed for 1981-1983, the appeal made to UNESCO by the United Nations General Assembly in its Declaration on the Preparation of Societies for Life in Peace, in particular:

In the field of education

- (i) by intensifying efforts to promote the production of textbooks in the spirit of education for peace, respect for national identity and sovereignty, mutual understanding and the dialogue of cultures, and the elimination of racial and other forms of prejudice;
- (ii) by giving special attention, in Associated Schools activities, to education for peace, respect for human rights, disarmament and mutual understanding;
- (iii) by carrying out studies on the state of education for peace in universities and higher educational establishments;
- (iv) by placing special emphasis on preparations for the intergovernmental conference on education for international understanding, co-operation and peace and education relating to human rights and fundamental freedoms, with a view to developing a climate conducive to the strengthening of security and disarmament;

In the field of social sciences

- (v) by continuing the interdisciplinary studies already undertaken concerning peace and disarmament, taking specially into account the reciprocal links between peace, disarmament and development;
- (vi) by continuing studies on ways of encouraging all persons engaged in occupations within UNESCO's fields of competence, and especially scientists, to work for disarmament;
- (vii) by carrying out research on factors conducive to education for peace and on existing obstacles;

41. The crucial importance of disarmament matters for the General Conference was once again reflected in resolution 21 C/11.1 mentioned above (para. 39) and reproduced in full in annex IV below.

[Annexes on the following pages]

ANNEX I

Final Document of the World Congress on Disarmament Education

The World Congress on Disarmament Education, convened by the Director-General of UNESCO and meeting at UNESCO Headquarters in Paris from 9 to 13 June 1980 in accordance with resolution 3/2.1/1 adopted by the General Conference at its twentieth session,

1. *Deeply concerned* by the lack of real progress towards disarmament and by the worsening of international tensions which threaten to unleash a war so devastating as to imperil the survival of mankind,

2. *Convinced* that education and information may make a significant contribution to reducing tensions and to promoting disarmament, and that it is urgent to undertake vigorous action in these areas,

3. *Taking into account* the Final Document of the tenth special session of the General Assembly and in particular paragraph 106, according to which the General Assembly urged governments and governmental and non-governmental organizations to take steps to develop programmes of education for disarmament and peace studies at all levels, and paragraph 107, according to which the General Assembly welcomed the holding of this Congress and urged UNESCO to step up its programme aimed at the development of disarmament education as a distinct field of study,

4. *Bearing in mind* other pertinent resolutions of the General Assembly, such as resolution 34/75 according to which the General Assembly declared the decade beginning in 1980 the Second Disarmament Decade, and resolution 33/73 by which the General Assembly adopted the Declaration on the Preparation of Societies for Life in Peace,

5. *Considering* resolution 11.1 adopted by the General Conference at its twentieth session concerning the role of UNESCO in generating a climate of public opinion conducive to the halting of the arms race and transition to disarmament,

6. *Considering* further the Declaration on fundamental principles concerning the contribution of the mass media to strengthening peace and international understanding, to the promotion of human rights and to countering racism, apartheid and incitement to war, adopted by the General Conference at its twentieth session (1978),

7. *Desiring* to promote the implementation of the Recommendation on Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, adopted by the General Conference at its eighteenth session (1974),

8. *Recalling* the Expert Meeting for the preparation of the World Congress on Disarmament Education held in Prague, Czechoslovakia, on 4-8 June 1979 at the invitation of the Czechoslovak Socialist Republic,

A

Believes that disarmament education should be guided by the following *principles and considerations*:

Relation of education to disarmament

1. Disarmament education, an essential component of peace education, implies both education about disarmament and education for disarmament. All who engage in education or communication may contribute to disarmament education by being aware and creating an awareness of the factors underlying the production and acquisition of arms, of the social, political, economic and cultural repercussions of the arms race and of the grave danger for the survival of humanity of the existence and potential use of nuclear weapons.

Definition of disarmament

2. For the purposes of disarmament education, disarmament may be understood as any form of action aimed at limiting, controlling or reducing arms, including unilateral disarmament

initiatives, and, ultimately, general and complete disarmament under effective international control. It may also be understood as a process aimed at transforming the current system of armed nation States into a new world order of planned unarmed peace in which war is no longer an instrument of national policy and peoples determine their own future and live in security based on justice and solidarity.

Role of information

3. Disarmament education requires the collection and dissemination of reliable information from sources offering the highest degree of objectivity in accordance with a free and more balanced international flow of information. It should prepare learners, in the strictest respect for freedom of opinion, expression and information, to resist incitement to war, military propaganda and militarism in general.

Relation to economics and political realities

4. Disarmament education cannot, however, confine itself to the dissemination of data and information on disarmament projects and prospects nor even to commenting on the hopes and ideals which inspired them. It should recognize fully the relationship disarmament has with achieving international security and realizing development. To be effective in this regard, disarmament education should be related to the lives and concerns of the learners and to the political realities within which disarmament is sought and should provide insights into the political, economic and social factors on which the security of peoples could be based.

Research and decision-making

5. In addition to reaching the general public, disarmament education has a more specific and equally crucial task of providing rational arguments for disarmament based on independent scientific research which can guide decision-makers and, to the extent possible, rectify perceptions of a potential adversary based on incomplete or inaccurate information.

Substantive approaches

6. As an approach to international peace and security, disarmament education should take due account of the principles of international law based on the Charter of the United Nations, in particular, the refraining from the threat or use of force against the territorial integrity or political independence of States, the peaceful settlement of disputes, non-intervention in domestic affairs and self-determination of peoples. It should also draw upon the international law of human rights and international humanitarian law applicable in time of armed conflict and consider alternative approaches to security, including such non-military defence systems as non-violent civilian action. The study of United Nations efforts, of confidence-building measures, of peace-keeping, of non-violent conflict resolution and of other means of controlling international violence take on special importance in this regard. Due attention should be accorded in programmes of disarmament education to the right of conscientious objection and the right to refuse to kill. Disarmament education should provide an occasion to explore, without prejudging the issue, the implications for disarmament of the root causes of individual and collective violence and the objective and subjective causes of tensions, crises, disputes and conflicts which characterize the current national and international structures reflecting factors of inequality and injustice.

Links with human rights and development

7. As an integral part of peace education, disarmament education has essential links with human rights education and development education, in so far as each of the three terms peace, human rights and development must be defined in relation to the other two. Moreover, disarmament education offers an occasion to elucidate emerging concepts such as the individual and collective rights to peace and to development, based on the satisfaction of material and non-material human needs.

Pragmatic objectives

8. Whether conceived as education in the spirit of disarmament, as the incorporation of relevant materials in existing disciplines or as the development of a distinct field of study, disarmament education should apply the most imaginative educational methods, particularly those of participatory learning, geared to each specific cultural and social situation and level of education. It aims at teaching *how* to think about disarmament rather than *what* to think about it. It should therefore be problem-centred so as to develop the analytical and critical capacity to examine and evaluate practical steps towards the reduction of arms and the elimination of war as an acceptable international practice.

Values

9. Disarmament education should be based upon the values of international understanding, tolerance of ideological and cultural diversity and commitment to social justice and human solidarity.

Sectors of society concerned

10. Disarmament education should be the concern of all sectors of society and public opinion. Indeed, schools, non-formal and informal education circles such as the family, community organizations and the world of work, universities and other research centres and information media, all have a part to play in this task. Educators and communicators should strive to develop the most appropriate and effective language and teaching methods for each situation. The challenge is all the greater as the stakes are so high.

B

The World Congress on Disarmament Education.

Considering that in this initial year of the Second Disarmament Decade special impetus should be given to the development of disarmament education,

Accordingly requests the Director-General to:

(a) Set out, on the basis of the aforementioned principles and considerations, elements to be included in the Declaration of the 1980s as the Second Disarmament Decade aimed at making disarmament education one of the vital means of achieving the objectives of the Decade, and transmit them to the United Nations Secretary-General for submission to the General Assembly at its thirty-fifth session;

(b) Encourage initiatives designed to make adequate funds available for the significant development of disarmament education, by supporting, *inter alia*, the suggestion of the United Nations Secretary-General that one-tenth of one per cent of military spending should be devoted to national and international efforts in favour of disarmament, including disarmament education and information;

(c) Strengthen social science research activities on disarmament, peace and international relations with a view, *inter alia*, to improving education and information programmes in these fields, in collaboration with the United Nations, in particular with the Centre for Disarmament and the Institute for Disarmament Research, with national and international research bodies, and with appropriate non-governmental organizations;

(d) Investigate the possibility of drawing up standard clauses whereby States parties to arms control or limitation agreements would undertake, on the one hand, to foster the dissemination of the instrument in question and, on the other, to promote, to the greatest possible extent, and by appropriate means, disarmament education in general;

(e) Examine, in collaboration with the Secretary-General of the United Nations, the possibility of setting up a United Nations-UNESCO Radio Station, to provide information and to promote the objectives of the United Nations relating, *inter alia*, to disarmament, human rights and development;

(f) Draw up, on the basis of the work of the Congress, a detailed, phased action plan, on the understanding that this plan will coincide with UNESCO's next medium-term plan.

For the purpose of implementing this final recommendation, the Congress took note of the recommendations contained on the working papers and of the points proposed by the Rapporteurs of the Commissions on the basis of suggestions submitted by the participants and observers (see Annex II below).

ANNEX II

Recommendations formulated by the Rapporteurs of the two Commissions of the Congress on the basis of the proposals from participants and observers

I. Development of disarmament education and information about disarmament

A. WITHIN THE SCHOOL AND UNIVERSITY SYSTEM

(1) Curricula and educational materials

1. The preparation of curricula and educational materials should be guided by a number of principles, with particular reference to the following:

(a) Disarmament education is an integral part of peace education in furtherance of the principles of the Charter of the United Nations and the International Bill of Human Rights;

(b) It should cover all levels of the education system, and be adapted to the needs of the various socio-economic groups concerned;

(c) It should take into account the special cultural, economic and social characteristics of each country, though without thereby being diverted from its basic mission for partisan policy or propaganda purposes;

(d) It should also adopt a multidisciplinary approach, taking particular account of history, philosophy, political science, law, economics and sociology.

2. Programmes of disarmament education should emphasize the perception of the relationship between disarmament on the one hand, and on the other international peace and security, friendly co-operation between States, and human rights.

3. Disarmament education should accord an appropriate place to the individual's right to refuse military service on grounds of conscientious objection, and to resist the obligation to make war or to kill.

4. The content of curricula should provide an opportunity of a critical approach to the problems of militarism and armaments. To this end, texts should be made available to students relating, *inter alia*, to the arms race, human rights, the struggle against racial discrimination, and the new international economic order, and giving examples of specific cases of violations of the principles stated in these texts.

5. UNESCO should contribute towards revising existing textbooks on peace, disarmament and human rights. It should also contribute to the preparation of suitable education material relating to these fields. Such material should be designed in particular to make pupils and students keenly aware of the problems of war and violence; it should include the findings of scientific research into the development of weapons of mass destruction, in particular nuclear weapons, and the damage they cause.

6. To achieve specific results in this field, UNESCO might also:

(a) Prepare a *standard* educational textbook on peace and disarmament, which would serve as a model for all programmes of peace education throughout the world;

(b) Encourage the launching of regional and national projects for the preparation of educational materials on disarmament. Special attention should be paid to non-governmental projects likely to have the greatest impact on teacher training and education;

(c) Facilitate the conclusion of bilateral and multilateral agreements in respect of the programming, planning and integration of disarmament education in formal and non-formal education systems, at least between countries in the same region, with a view to promoting international solidarity;

(d) Encourage and assist groups of educators whose purpose is to prepare educational material for universal use. A group of educators from countries from the East and West was set up during the Congress with a view to preparing educational material which could be used in these countries.

(2) *Educational methods*

7. The methods used in disarmament education might include recourse to attractive media such as illustrated history books, cartoon strips and anecdotes, which would on the one hand explain the existing relationship between the arms race and the aggravation of tension throughout the world, and on the other bring out the links between disarmament, economic and social development and respect for and the promotion of human rights.

8. Educational methods might be improved by means of exchanges of views and experience between specialized institutions in this field. Such exchanges should be encouraged, for example by making correspondence between educational establishments free of postage.

(3) *Training for teachers and educators*

9. Training for teachers and educators should be multidisciplinary, and correspond to the present and future needs of disarmament education.

10. It might be facilitated by organizing special training courses, for example in the centres for the study of international relations which exist in several countries, some of them of a regional nature.

11. Teachers and educators should enjoy legal protection against any threats or penalties to which they are liable in the performance of their duties.

(4) *Training for the armed forces*

12. Disarmament education should from now on be a part of training programmes in military colleges in all countries. Its purpose should be to create in the minds of the members of the armed and security forces respect for human rights and international humanitarian law. In particular it should encourage them to favour the settlement of conflicts through negotiation and other peaceful means.

13. The United Nations might contribute to the preparation of appropriate programmes for this purpose, and to the popularization of texts and studies on disarmament.

B. OUTSIDE THE SCHOOL AND UNIVERSITY SYSTEM

(1) *Informal educational approaches*

14. Youth associations should be encouraged to consider the problems stemming from the arms race, and to introduce appropriate components in their training programmes so as to strengthen the idea of peace, disarmament and respect for human rights in the minds of young people.

15. There is also a need to encourage, among young people and adults, national, regional and international meetings and events of a sporting, artistic or scientific character, with a view to mobilizing a body of opinion in favour of disarmament, peace and respect for human rights.

16. Political parties and organizations should be called on to pay more attention to the question of disarmament and peace, with special emphasis on the role incumbent on members of parliament, political leaders and representatives of non-governmental organizations in the creation of a climate of public opinion in favour of halting the arms race and embarking on a process of disarmament instead.

(2) *Non-formal education*

17. Disarmament education programmes for adults should draw on larger human and financial resources, and be drawn up in terms of the specific needs of each country, particularly the developing countries, special account being taken of the psychological attitudes of illiterate adults.

(3) *Trade union education*

18. The trade unions should envisage the inclusion of disarmament education in their training programmes. Workers, particularly those in armaments sectors, should be given clear and specific information about the possibilities of converting military industries to other uses.

19. To facilitate their task, the trade unions should have access to the findings of studies and research carried out in the field of armaments and disarmament, and to the documents of the United Nations system relating to these problems.

(4) *Family education*

20. As the family is the nucleus of society, it is within the family that the new generation should be given an introduction to the cause of peace. Very special attention should accordingly be paid to the role of the family in education and information, so that it may adopt a pro-disarmament attitude in the education of children.

21. With this in mind, an effort should be made to find ways of encouraging the abolition of toys of a military nature, and the development of toys devised to create in children attitudes favourable to a peaceful approach to conflicts.

C. THROUGH THE MASS MEDIA

(1) *Forming public opinion*

22. The education of the public through the mass media should be integrated in a general information policy in favour of disarmament. Such a policy should prevent any kind of direct or indirect war propaganda; it should be developed in close co-operation with non-governmental organizations pursuing humanitarian and peaceful aims.

23. World campaigns might be launched, under the auspices of UNESCO, to make public opinion keenly aware of the problem of armaments and disarmament. Such campaigns might be strengthened by periodical international conferences of journalists, editors and proprietors of the mass media, with a view to carrying out a critical and systematic evaluation of the role and place of the written press and audio-visual media in forming a climate of public opinion in favour of disarmament.

24. In this context it would be valuable for UNESCO, in co-operation with the Secretary-General of the United Nations, to examine the possibility of setting up a United Nations/UNESCO radio station which would broadcast information and programmes on the activities of the United Nations system concerning the disarmament problem and its consequences for development, peace, security and respect for human rights.

25. This radio station, which would operate 24 hours around the clock in several languages, could contribute towards creating a climate of opinion in favour of disarmament, the promotion of human rights and peace. Its main task would be to counteract propaganda in support of violence and the arms race, and to advocate a society of just and lasting peace. In particular, it could broadcast to illiterate or isolated populations for whom audio-visual media constitute the sole channel of access to information.

26. For their part, national radio and television stations, and other audio-visual media, should include in their programmes broadcasts devoted to presenting and discussing questions relating to disarmament, regional and international peace and security and respect for and the promotion of human rights.

27. Regional centres for written and audio-visual information and documentation on disarmament questions should be established, or strengthened, for use by all categories of the public. Such centres should be organized and operated in close co-operation with non-governmental organizations.

28. The public's contribution towards disarmament and peace efforts should be intensified, in order to influence and guide governments. UNESCO might assist these efforts:

(a) By encouraging the dissemination of information on the activities of non-governmental organizations in this field;

(b) By helping to set up documentation units for educational material on disarmament, peace and human rights, which should be made available to the public and educators;

(c) By encouraging studies on systems of non-violent defence, passive resistance and non-violent struggle against weapons of mass destruction;

(d) By organizing a world-wide referendum, with the assistance of UNESCO National Commissions and non-governmental organizations, with a view to preparing public opinion to give support to future negotiations on the limitation of nuclear weapons leading to their effective international control.

(2) *Approaches to problems of professional ethics in relation to disarmament education through the mass media*

29. It would be valuable to encourage journalists of all kinds to develop an attitude in support of disarmament, peace and respect for human rights. To this end, ethical and deontological codes for the profession of journalism should be drawn up under the auspices of UNESCO, taking particular account of the special considerations relating to peace and disarmament to which reference is made in the Declaration adopted by the organizations of journalists at their meeting in Mexico City in April 1980, and in the Universal Declaration of Human Rights.

30. An annual prize might be awarded, under the auspices of UNESCO, to journalists or information organs having particularly distinguished themselves in the field of information in support of disarmament, peace and security throughout the world.

31. For its impact to be significant, information should be clear, objective, accessible and logical, and bring out the benefits of disarmament, with particular emphasis on:

(a) A positive approach to disarmament;

(b) A denunciation of arguments in favour of the arms race;

(c) The benefits to be derived from disarmament by way of quantitative and qualitative improvements in the individual's standard of living.

(3) *Improvement of media coverage of disarmament problems*

32. The mass media, in co-operation with specialized bodies, should strengthen the impact of disarmament education:

(a) By facilitating access by the public, including journalists and non-governmental organizations, to national and international sources holding information on armaments and defence policies and their effect on economic and social development, and on the progress stemming from arms limitation and control;

(b) By organizing training and further training courses for journalists and information specialists, and granting fellowships to them, particularly those who belong to movements in support of peace;

(c) By participating in the publication of a UNESCO newsletter on the subject of disarmament;

(d) By increasing the number and variety of international debates on this subject, with the participation of personalities of different political persuasions;

(e) By developing co-operation between editors and journalists at national, regional and international levels.

33. UNESCO should publish a study on the major pacifist works already written on disarmament and the cause of peace, and on people such as Mahatma Gandhi who have distinguished themselves in this field, on the same lines as its publications on *apartheid* and other humanitarian subjects.

(4) *Promotion of new audio-visual materials*

34. Use should be made of cultural vehicles such as the cinema, the theatre, the plastic arts, fairs, festivals and folk art, in order to make public opinion keenly aware of the problem of disarmament, and facilitate educational efforts in this field.

35. As was the case for the UNESCO literacy programme, non-governmental organizations, in co-operation with UNESCO National Commissions, might study the possibility of launching a project for a bus equipped with a variety of audio-visual materials, which would go from village to village in different countries in order to inform rural populations and make them aware of the importance of disarmament.

36. Substantial support might be provided for the disarmament education effort by the establishment of specialized libraries, including tape-recording and photographic libraries. In addition, it would be desirable to encourage artists and film-makers, particularly those working in the context of UNESCO Clubs, to direct their activities to this field.

37. UNESCO might convene a committee of expert film-makers to examine the possibilities of making films on disarmament and major peaceful events, and on the men who brought them about.

38. Meetings might be held, at UNESCO's initiative or under its patronage, between those responsible for the mass media in each country and officials of regional mass media associations, with a view to envisaging ways and means for a more suitable and effective commitment of the media to the promotion of disarmament and peace education.

II. *Development of research in the context of disarmament education and information about disarmament*

A. TOPICS FOR RESEARCH PROJECTS

39. The research topics which merit attention include the following:

- (a) The relationship between disarmament and economic and social progress;
- (b) Military research in relation to development problems;
- (c) Calculating the costs of war preparations;
- (d) Peaceful channels for the settlement of conflicts;
- (e) The militarization of the education system;
- (f) The relationship between social violence and the quality of education within the family;
- (g) The problems of applying total and partial disarmament agreements in the context of effective international control.

40. In particular, consideration should be given to the relations between the mass media and the environment, bearing in mind the influence of cultures on the psychological and moral attitudes of individuals and groups of individuals towards the disarmament problem. A study of public opinion and its special characteristics might improve the orientation of information programmes in the society concerned.

41. Interdisciplinary research in the field of educational psychology should be encouraged, embracing educationists, psychologists, sociologists, educators and educational and information planners, with a view to finding what is most likely to develop children's and adults' faculties of reflection on the alternatives to war.

42. In States where war is still present or imminent, research should be directed rather to the role of those young people who seek a more reasonable and calm approach to the solution of the conflicts in which their country is involved. Research in this field should also include a study of mass psychology.

43. Studies should be encouraged on the phenomenon of perception in the field of international relations, particularly with a view to determining to what extent mutual misunderstanding is responsible for the arms race.

44. Investigations should be initiated internationally, both on the problem of individual perception of the relationship between disarmament and peace, and on making teachers and those responsible for national education policy aware of this problem.

45. UNESCO might convene a meeting of experts to study how the mass media can contribute to the creation of an international atmosphere favourable to disarmament, peace, international security and human rights.

46. Disarmament education and information about disarmament should be concerned to a greater extent with the study of historical personalities, such as Mahatma Gandhi, who devoted themselves to the cause of peace and the settlement of conflicts by peaceful means.

B. IMPROVEMENT OF CONDITIONS GOVERNING RESEARCH

47. Research might be improved, for example, by:

- (a) Organizing seminars;
 - (b) Granting fellowships to young researchers, particularly in developing countries, to enable them to carry out high-level research on disarmament and related questions;
 - (c) Earmarking for research on disarmament education a percentage of national resources devoted to research in general;
 - (d) Establishing national and international research centres on disarmament and peace.
48. Public and private research bodies, and scientific researchers, should have the possibility of co-operating in finding ways of applying the results of their research to humanitarian and peaceful ends, such as:

- (a) The rational utilization of natural resources;
- (b) The development and utilization of new sources of energy;
- (c) Improvements in the quality of life and the environment, and the harmonious development of society.

49. Scientific researchers and workers should be accorded the right to refuse to carry out scientific research work designed to produce weapons which are prohibited by international agreements, and also the right to oppose secrecy in respect of the basic sciences. They should be entitled to oppose the exploitation of scientific advances for military ends, in the spirit of the Recommendation on the Status of Scientific Researchers adopted by the General Conference of UNESCO on 20 November 1974.

50. Encouragement should be given to bringing together for discussion specialized researchers and those engaged in education and information, with a view to improved co-ordination of their activities and more efficacious co-operation with non-governmental organizations.

51. Educational establishments within the United Nations system, such as the UNESCO Centre for Higher Education in Bucharest, the United Nations University in Tokyo and the University for Peace in Costa Rica, should help to initiate research in the field of disarmament education and information about disarmament.

C. IMPROVEMENT OF DOCUMENTATION

52. An international documentation centre on disarmament should be established, to receive and distribute disarmament education material from and for different countries.

53. It is suggested that the organizations in the United Nations system might:

- (a) Envisage bringing out newsletters, with the assistance of non-governmental organizations, in connexion with Disarmament Week;
- (b) Envisage the publication of a monthly newsletter which would be more complete than the weekly newsletter at present published by the United Nations Office of Public Information;
- (c) Recommend that Governments establish documentation units on disarmament within the national government departments concerned;
- (d) Under the auspices of UNESCO, publish a list of persons who have been victims of violence on account of their anti-militaristic opinions or activities.

54. The mass media should make a firm effort to conserve and file audio-visual and written documents relating to the havoc wreaked by war, in particular that of the Second World War, and the continuing damage caused by *apartheid*, the violation of human rights and racial discrimination.

55. An information commission should be set up in each country, consisting of disarmament, education and information specialists, with a view to studying the possibility of a common strategy for the conservation, exchange and dissemination of documents relating to the entire range of armaments problems.

ANNEX III

Message delivered to the General Conference by the Director-General of the United Nations Educational, Scientific and Cultural Organization on the occasion of Disarmament Week, beginning 24 October 1980

In 1978, in the Final Document of its tenth special session, the United Nations General Assembly proclaimed as Disarmament Week the week beginning 24 October—the anniversary of the founding of the United Nations. UNESCO is actively collaborating in this Week not only at the express request of the General Assembly, but also as a continuation of the Organization's constant efforts to help establish a just and lasting peace, ensuring freedom and independence for all peoples—and with this end in view, to generate a climate of public opinion conducive to the halting of the arms race and transition to disarmament.

In fact, the arms race is an appalling waste of human and material resources: one million dollars a minute are being spent on armaments, and the world at this moment has 500,000 scientists engaged in military research. The arms race is, *per se*, a factor of tension. It increases the risks of confrontation since the development of the instruments of destruction and death, coming as they do on top of the inequalities, misunderstandings and miseries of our time, tends to provoke greater inflexibility and to encourage, in the event of disputes between nations, solutions of force rather than negotiated settlements.

Consequently, deceleration of the arms race, gradual reduction of military industries and, ultimately, disarmament may be considered as the essential long-term ideals of all UNESCO activities—both as conditions for attaining its objectives and as objectives to be pursued in themselves within the organization's fields of competence. This is why the Organization has persistently undertaken systematic action towards this end.

This action, which is carried out in close collaboration with the United Nations, and in particular with the United Nations Centre for Disarmament, is basically conducted at two levels: that of scientific research and that of information and education.

At the level of scientific research, UNESCO has from the beginning done all in its power to undertake and encourage a series of studies and a great deal of thought on the causes of conflicts. One of the priority themes of this research, which strives to identify the foundations of peace, was the study on the obstacles to disarmament.

In this context, an expert meeting was held in 1978 on the obstacles to disarmament and the ways of overcoming them, and a publication on this subject will soon appear; also, some issues of the *International Social Science Journal*, and *Impact of Science on Society* have been devoted to the problems of the arms race; studies are now in progress on the social consequences of military research and development, and their impact on development, particularly the development of the poorer societies. Moreover, in document 21 C/5, I have proposed new research subjects concerned in particular with the role that men of science and culture can play in the field of disarmament.

With regard to education and information, it is UNESCO's aim to make disarmament increasingly recognized as a possible, realistic and acceptable alternative to the present arms race.

First of all, education in the spirit of disarmament must be encouraged, so that teachers and pupils alike may become aware not only of its advantages, but also of the threat which the arms race poses for the future of mankind as a whole.

Next, the teaching of disarmament should be incorporated into those disciplines which, by their very nature, are best suited to it—such as civic education, the history of science in general, political science and law, to name a few.

Finally, disarmament must be taught as such, so that it becomes a separate teaching and research subject. It is particularly at the higher education level that the need for this is most apparent.

As I mentioned this morning, in order to achieve this objective, UNESCO organized last June a World Congress on Disarmament Education. This Congress, attended by more than 200 specialists, drew up a set of 10 principles on which disarmament education should be based, and submitted to me a set of concrete recommendations which I will take into account when determining the Organization's future activities.

With regard to information, which is an integral component of education in the broad sense of the term, the Organization disseminates brochures and radio programmes aimed at acquainting the general public with the arguments in favour of disarmament; one recent issue of the UNESCO *Courier* was devoted to disarmament education. This issue, which followed up the April 1979 issue on the arms race, will be given the widest possible circulation.

Mr. President, a poster exhibition on disarmament opened this morning at the Organization's Headquarters in Paris, and was specially prepared for the Week beginning today.

But action for disarmament necessitates the continual mobilization of goodwill and increased initiative in all countries and at all levels. This is why UNESCO's efforts can only come to full fruition if they encourage every man and every woman, wherever they may be, whatever their responsibilities, to make their own contribution to the work of all mankind. On the occasion of this Disarmament Week, such is the wish that I would like to express for the future of us all.

ANNEX IV

11. Creation of a climate of public opinion conducive to the halting of the arms race and the transition to disarmament*

11.1 *The General Conference,*

Mindful that the purpose of UNESCO, in accordance with Article I of its Constitution, is "to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations",

Convinced that UNESCO's activity, based on the purposes and functions set out in its Constitution, will continue to influence world public opinion in favour of promoting the ideals of peace, mutual respect and understanding between peoples,

Emphasizing in this connection that the arms race, the dimensions of which are growing and which is imperilling the future of all mankind, remains one of the chief obstacles to the strengthening of peace,

Recognizing the terrible dangers to which a nuclear war would expose mankind,

Noting the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, and from any other action inconsistent with the purposes and principles of the Charter of the United Nations, and convinced that the implementation of those principles is indispensable for generating a climate conducive to the halting of the arms race,

Drawing attention to the fact that the development process and the establishment of a new international economic order are seriously inhibited by the growing expenditure of human and material resources on the arms race,

Recalling that the problem of disarmament constitutes one of the major preoccupations of our century, and *further recalling* the decisions adopted in this field by the United Nations General Assembly,

Realizing that the dangers threatening mankind call for redoubled efforts to solve the problems of halting the arms race and of the transition to disarmament,

Noting with satisfaction that the United Nations has proclaimed the 1980s a Second Disarmament Decade,

Welcoming the decision to hold a special session of the United Nations General Assembly devoted to disarmament in 1982,

* Resolution adopted on the proposal of the Drafting and Negotiation Group at the thirty-sixth plenary meeting, on 24 October 1980.

Recognizing further that disarmament could afford possibilities of improving the lives of the peoples of the world and of promoting the solution of a multitude of urgent socio-economic problems,

Noting that the Final Document of the Tenth Special Session of the General Assembly urged Governments and governmental and non-governmental international organizations to take steps to develop programmes of education for disarmament and peace studies at all levels, with a view to contributing to a greater understanding and awareness of the problems created by the armaments race and of the need for disarmament, and that it specifically urged UNESCO to step up its programme aimed at the development of disarmament education as a distinct field of study through the preparation, *inter alia*, of teachers' guides, textbooks, readers and audio-visual materials,

Noting with satisfaction the substantial and constructive efforts that UNESCO has made within its fields of competence to promote understanding of the problem of disarmament, as reflected in the Director-General's report on the implementation of resolution 11.1 adopted by the General Conference at its twentieth session,

Considering that, in the present international situation, UNESCO should continue and make more effective its efforts to generate a climate of public opinion conducive to the halting of the arms race and the transition to disarmament,

Noting in particular that UNESCO's action to promote public education, research and information activities, in consultation with the competent United Nations bodies and the non-governmental organizations concerned, with a view to contributing, within its spheres of competence, to international peace, disarmament and security and to respect for human rights, can constitute a substantial contribution to international efforts in this field,

Taking note with interest of the Final Document of the World Congress on Disarmament Education (Paris, 9-13 June 1980),

Recalling in this connection that the United Nations General Assembly, at its tenth special session devoted to disarmament, drew particular attention to the potential influence of world public opinion for halting the arms race and achieving disarmament, and welcomed UNESCO's contribution to understanding of these problems whose urgency brooks no delay.

I

1. *Calls upon* all those active in UNESCO's spheres of competence to participate in the Organization's efforts to generate a climate of public opinion conducive to the halting of the arms race and the transition to disarmament;

II

2. *Invites* Member States:

(a) To continue to encourage the development of the activities in UNESCO's fields of competence set out in the relevant paragraphs of the Final Document adopted by the United Nations General Assembly at its tenth special session, and to publicize the results of such efforts;

(b) To take note of the Final Document of the World Congress on Disarmament Education;

(c) To encourage public and private scientific research institutions which could usefully contribute to a better understanding of the problems relating to disarmament;

(d) To take the necessary steps to make adequate information available on matters concerning disarmament, in order to make meaningful and informed disarmament education possible;

(e) To respond actively to the call of the General Assembly at its special session to observe the week beginning 24 October as a week devoted to fostering the objectives of disarmament;

III

3. *Invites* the Director-General:

(a) To continue efforts to implement those recommendations of the tenth special session

of the United Nations General Assembly which fall within UNESCO's spheres of competence;

(b) To concentrate and streamline present activities in this field and elaborate suitable projects within the present framework of UNESCO's Programme and Budget for 1981-1983, and in the second medium-term plan for 1984-1989, taking account *inter alia* of the results of the World Congress on Disarmament Education;

(c) To take appropriate measures, within UNESCO's fields of competence, to assist the achievement of the goals of the Second Disarmament Decade proclaimed by the United Nations;

(d) To make an appropriate contribution, within UNESCO's spheres of competence, to the preparation of the special session of the General Assembly of the United Nations to be devoted to disarmament in 1982;

(e) To focus research on multidimensional themes, including differing perceptions of security and the linkage between disarmament education and the social and educational context in which it takes place, and to encourage intersectoral and multidisciplinary research where appropriate;

(f) To make the most effective use of UNESCO's information channels to improve international understanding of the issues raised by the arms race and of the need in all countries for education about disarmament as an essential component of education for peace, through the publication of books and appropriate articles in the Organization's periodicals, particularly in connexion with the Disarmament Week (24-30 October) proclaimed by the United Nations;

(g) To encourage and promote various activities to mark Disarmament Week in UNESCO's Member States, and to assist National Commissions therein by sending them useful information and audio-visual material prepared by UNESCO for that purpose;

(h) To maintain co-operation with the institutions of the United Nations system, and in particular with the United Nations Centre for Disarmament and the United Nations Institute for Disarmament Research attached to the United Nations Institute for Training and Research;

(i) To continue to stimulate and support activities of the international non-governmental organizations which are directed to achieving disarmament objectives within UNESCO's fields of competence;

(j) To report to the General Conference at its twenty-second session on the progress made in implementing this resolution.

Activities of the Food and Agriculture Organization of the United Nations related to disarmament*

Although not directly involved in questions of disarmament the Food and Agriculture Organization of the United Nations (FAO), fully aware of the damaging effects of the arms race, contributes regularly to disseminating information on the disastrous consequences of armament on development in general and agriculture in particular. Thus in 1980 the question of disarmament was brought up on the following occasions:

1. For Disarmament Week in October 1980 the Director-General of FAO, alarmed by the threat to the very survival of mankind posed by the arms race and resulting world tension and insecurity, issued a statement in which he expressed sincere appreciation for the efforts of the United Nations to halt this race into death. He noted that while in 1980 millions of men, women and children live in the despair engendered by poverty, famine, illness, illiteracy, unemployment and fear of war, at the same time millions of other men, women and children enjoy the abundance which this world can offer. Yet all these human beings are citizens of one world, of countries all States Members of the United Nations.

He said that no time must be lost, no effort must be spared to reach international agreement, to bring the arms race to an end. Expenditures on arms have reached unimaginable levels, and a world incapable of feeding its inhabitants properly is perfectly capable of killing them all off, a dozen times over. While its food reserves could hardly cover a series of major crop failures, its arsenals are crammed with four tons of TNT for every man, woman and child alive.

The Director-General went on to say that the transfer for development of the resources and talent now locked up in machines of destruction could mark the beginning of a new era.

He observed also that it was significant that Disarmament Week should start on 24 October, which was also United Nations Day, the anniversary of the entry into force of the Charter of the United Nations, Article 26 of which proclaims the goal of promoting the establishment and maintenance of peace and security with the least diversion for armaments of the world's human and economic resources.

The end of the Director-General's statement contained an appeal from FAO to the leaders of the world to strive together to reach the common goal of building a world in which humanity would be free from the many evils, such as hunger, illness, illiteracy, unemployment and fear, which beset it today.

2. On the occasion of the seventy-eighth session of the FAO Council held in Rome from 24 November to 5 December 1980, the Director-General reported, for the information of the member nations, on recent developments in the United Nations system relating to disarmament.

3. As can be seen, FAO's concern about disarmament is apparent and was reflected in its contribution submitted in pursuance of paragraph 4 of General Assembly resolution 34/75. This demonstrated the absurdity of spending more money on arms while millions of people are still dying of hunger. The full text of the submission is contained in the annex to this document.

* Text contributed by the Food and Agriculture Organization of the United Nations.

4. Furthermore, FAO participated in the *Ad Hoc* Interagency Meeting on Co-ordination of Disarmament Related Activities within the United Nations system held in Geneva in June 1980, reaffirming on this occasion that "peace was a precondition for the pursuit of the Organization's objectives of eliminating hunger and improving agriculture, fisheries and forestry"

ANNEX

Consideration of the Declaration of the 1980s as the Second Disarmament Decade

(Resolution 34/75 of 11 December 1979)

Contribution of FAO on possible elements in the Declaration

The Second Disarmament Decade to be solemnly declared by the United Nations opens at a time of increased tension in international relations and unprecedented threat to the survival of mankind.

Not only has this heightened world tension hampered progress in disarmament negotiations but it has instead led to a terrifying escalation of the arms race, illustrated by increased world militarization.

FAO is deeply concerned about the counter effects that such deterioration in international confidence is likely to have on the development process as a whole as well as on that of agriculture and food production.

Millions of people throughout the world are undernourished. Like the poor and the unemployed, the hungry are not confined to developing nations only, although as FAO figures show, that is where most are found: 230 million in South Asia, 85 million in Africa, 70 million in the Far East, 46 million in Latin America and 20 million in the Middle East.

Malnutrition today is not basically due to an insufficiency of food but to its inadequate and inequitable distribution as well as to the lack of material and human resources to support increases in food production in developing countries.

Yet each year some \$450 billion are spent on armaments and over half a million scientists and engineers throughout the world are being used for the development and proliferation of increasingly sophisticated devices of destruction, thus denying the full backing of the scientific and financial communities to such top priority sectors as food production, agriculture and rural development.

Such misallocation of money and brainpower constitutes an immense waste of scarce material urgently needed for ensuring the massive numbers of malnourished people of the planet of the basic human right to a diet adequate for survival.

Those suffering most from such misallocation of resources are the poor and among these the rural poor. History shows that unemployment and hunger both in rural and urban areas generate unrest and war which in turn result in still more unemployment and more hunger and more unrest.

It is therefore imperative for the world community to remedy these constantly growing plagues by gradually converting its arms race expenditure into constructive "swords-into-plowshares" programmes. A little over one per cent of the world's current expenditure on armaments or \$5 billion per annum would permit both the direct action and long-term development programmes needed to eliminate hunger. This could more than double the present flow of annual international aid for agriculture in developing countries and would bring the aid level close to the requirements estimated by FAO. The composition and nature of investment programmes which could utilize this increased level of aid are identified in the FAO long-term development study entitled *Agriculture: Toward 2000*.

Daily hunger is yet but one in the endless list of the world's economic and social deficiencies and inequities: water unfit to drink, the perpetual darkness of illiteracy, ill-health, miserable poverty are but some of the economic-social problems plaguing the world today.

Not one will be solved by national military expenditures, no matter how extravagant.

Activities of the World Health Organization related to disarmament*

During the past year, the World Health Organization (WHO) has taken a great interest in disarmament questions, particularly with respect to the work being carried out by the Group of Governmental Experts on the Relationship between Disarmament and Development. It also was represented at the World Congress on Disarmament Education organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and held in Paris from 9 to 13 June 1980 (see appendix III above). WHO remains in contact with UNESCO regarding the follow-up to that Congress with a view to determining to what extent health concerns can be reflected in future teaching curricula on disarmament matters.

* Text contributed by the World Health Organization.

Activities of the World Meteorological Organization related to disarmament*

Introduction

The World Meteorological Organization (WMO) is not directly involved in questions of disarmament. Some of the activities of the Organization, however, have some relevance to article III of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (General Assembly resolution 31/72, annex) and the understandings of the Conference of the Committee on Disarmament relating thereto.^a A brief review of such activities in 1979 is given in the present note. Before describing those activities, it should be noted that the World Weather Watch, which is the basic programme of WMO, contains the following provision:

“The World Weather Watch shall be used only for peaceful purposes, due account being taken of the national sovereignty and security of States, in accordance with the provisions of the Charter of the United Nations and the spirit and traditions of the World Meteorological Organization.”

Weather modification

The Eighth Congress (1979) of WMO reaffirmed the organization's commitment to continued studies in weather modification, the main component of which is the Precipitation Enhancement Project. The Project consists of an internationally planned and executed scientifically evaluated field experiment to obtain scientifically accepted information on the feasibility of precipitation enhancement under given conditions. Further measurements of the clouds' characteristics were conducted from mid-February to early May 1980. Additional measurements are planned for 1981 and, in the light of the data obtained, future field activities will depend on the assessment of the suitability of the site for a precipitation enhancement experiment.

The Eighth Congress of WMO also approved a project on hail-suppression research aimed at reducing the enormous losses caused by hail in numerous countries around the world. In its initial stages this project will concentrate on the poorly understood physical hail formation processes.

In connexion with WMO weather modification activities, discussions continued with appropriate bodies, such as the United Nations Environment Programme (UNEP), on studies of the environmental consequences of weather modification experiments. A WMO/UNEP Meeting of Experts designated by Governments on the legal aspects of weather modification (September

* Text contributed by the World Meteorological Organization

^a See *The United Nations Disarmament Yearbook*, vol. 1: 1976 (United Nations publication, Sales No. E.77.IX.2), appendix IX.

1979) agreed on a draft document concerning co-operation between States in weather modification.^b

The Fifth Register of National Weather Modification Projects, relating to 1979 activities, was distributed and the Sixth Register, relating to 1980 activities, is being completed.

Ozone research and monitoring

Action was continued in implementing the WMO Global Ozone Research and Monitoring Project, the objective of which is to enable WMO to provide advice to member countries and to the United Nations and other appropriate international organizations concerning various aspects of atmospheric ozone. The project is being carried out with support from the United Nations Environment Programme (UNEP).

The main activities are related to the improvement of the global network of ground-based total-ozone measuring stations and the organization of meetings of experts for discussion of specific problems relating to the project in accordance with the UNEP World Plan of Action on the Ozone Layer.

World Climate Programme

Following approval of a draft plan for implementation of the World Climate Programme (WCP) by the Eighth World Meteorological Congress (1979) action is now under way for its implementation. WCP comprises four component parts: the World Climate Data Programme (WCDDP) and the World Climate Applications Programme (WCAP), for which WMO has assumed responsibility in co-operation with concerned United Nations organizations and other international organizations, the World Climate Impact Studies Programme (WCIP) for which UNEP, in co-operation with WMO, has assumed responsibility, and the World Climate Research Programme (WCRP), which will be carried out jointly by WMO and the International Council of Scientific Unions (ICSU). The WMO Executive Committee is responsible for overall co-ordination of the Programme.

^b The document has since been approved by the UNEP Governing Council.

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects*

The High Contracting Parties,

Recalling that every State has the duty, in conformity with the Charter of the United Nations, to refrain in its international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Further recalling the general principle of the protection of the civilian population against the effects of hostilities,

Basing themselves on the principle of international law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, and on the principle that prohibits the employment in armed conflicts of weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering,

Also recalling that it is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment,

Confirming their determination that in cases not covered by this Convention and its annexed Protocols or by other international agreements, the civilian population and the combatants shall at all times remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience,

Desiring to contribute to international *détente*, the ending of the arms race and the building of confidence among States, and hence to the realization of the aspiration of all peoples to live in peace,

Recognizing the importance of pursuing every effort which may contribute to progress towards general and complete disarmament under strict and effective international control,

Reaffirming the need to continue the codification and progressive development of the rules of international law applicable in armed conflict,

Wishing to prohibit or restrict further the use of certain conventional weapons and believing that the positive results achieved in this area may facilitate the main talks on disarmament with a view to putting an end to the production, stockpiling and proliferation of such weapons,

Emphasizing the desirability that all States become parties to this Convention and its annexed Protocols, especially the militarily significant States,

Bearing in mind that the General Assembly of the United Nations and the United Nations Disarmament Commission may decide to examine the question of a possible broadening of the

* Text as it appears in the Final Act of the Conference; this text should not be regarded as the official legal text.

scope of the prohibitions and restrictions contained in this Convention and its annexed Protocols,

Further bearing in mind that the Committee on Disarmament may decide to consider the question of adopting further measures to prohibit or restrict the use of certain conventional weapons,

Have agreed as follows:

Article 1

Scope of application

This Convention and its annexed Protocols shall apply in the situations referred to in article 2 common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, including any situation described in paragraph 4 of article 1 of Additional Protocol I to these Conventions.

Article 2

Relations with other international agreements

Nothing in this Convention or its annexed Protocols shall be interpreted as detracting from other obligations imposed upon the High Contracting Parties by international humanitarian law applicable in armed conflict.

Article 3

Signature

This Convention shall be open for signature by all States at United Nations Headquarters in New York for a period of twelve months from 10 April 1981.

Article 4

Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval by the Signatories. Any State which has not signed this Convention may accede to it.

2. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

3. Expressions of consent to be bound by any of the Protocols annexed to this Convention shall be optional for each State, provided that at the time of the deposit of its instrument of ratification, acceptance or approval of this Convention or of accession thereto, that State shall notify the Depositary of its consent to be bound by any two or more of these Protocols.

4. At any time after the deposit of its instrument of ratification, acceptance or approval of this Convention or of accession thereto, a State may notify the Depositary of its consent to be bound by any annexed Protocol by which it is not already bound.

5. Any Protocol by which a High Contracting Party is bound shall for that Party form an integral part of this Convention.

Article 5

Entry into force

1. This Convention shall enter into force six months after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession.

2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the twentieth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force six months after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

3. Each of the Protocols annexed to this Convention shall enter into force six months after the date by which twenty States have notified their consent to be bound by it in accordance with paragraph 3 or 4 of article 4 of this Convention.

4. For any State which notifies its consent to be bound by a Protocol, annexed to this Convention after the date by which twenty States have notified their consent to be bound by it, the Protocol shall enter into force six months after the date on which that State has notified its consent so to be bound.

Article 6

Dissemination

The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate this Convention and those of its annexed Protocols by which they are bound as widely as possible in their respective countries and, in particular, to include the study thereof in their programmes of military instruction, so that those instruments may become known to their armed forces.

Article 7

Treaty relations upon entry into force of this Convention

1. When one of the parties to a conflict is not bound by an annexed Protocol, the parties bound by this Convention and that annexed Protocol shall remain bound by them in their mutual relations.

2. Any High Contracting Party shall be bound by this Convention and any Protocol annexed thereto which is in force for it, in any situation contemplated by article 1, in relation to any State which is not a party to this Convention or bound by the relevant annexed Protocol, if the latter accepts and applies this Convention or the relevant Protocol, and so notifies the Depositary.

3. The Depositary shall immediately inform the High Contracting Parties concerned of any notification received under paragraph 2 of this article.

4. This Convention, and the annexed Protocols by which a High Contracting Party is bound, shall apply with respect to an armed conflict against that High Contracting Party of the type referred to in article 1, paragraph 4, of Additional Protocol I to the Geneva Conventions of 12 August 1949 for the Protection of War Victims:

(a) Where the High Contracting Party is also a party to Additional Protocol I and an authority referred to in article 96, paragraph 3, of that Protocol has undertaken to apply the Geneva Conventions and Additional Protocol I in accordance with article 96, paragraph 3, of the said Protocol, and undertakes to apply this Convention and the relevant annexed Protocols in relation to that conflict; or

(b) Where the High Contracting Party is not a party to Additional Protocol I and an authority of the type referred to in subparagraph (a) above accepts and applies the obligations of the Geneva Conventions and of this Convention and the relevant annexed Protocols in relation to that conflict. Such an acceptance and application shall have in relation to that conflict the following effects:

- (i) The Geneva Conventions and this Convention and its relevant annexed Protocols are brought into force for the parties to the conflict with immediate effect;
- (ii) The said authority assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Geneva Conventions, this Convention and its relevant annexed Protocols; and
- (iii) The Geneva Conventions, this Convention and its relevant annexed Protocols are equally binding upon all parties to the conflict.

The High Contracting Party and the authority may also agree to accept and apply the obligations of Additional Protocol I to the Geneva Conventions on a reciprocal basis.

Article 8

Review and amendments

1. (a) At any time after the entry into force of this Convention any High Contracting Party may propose amendments to this Convention or any annexed Protocol by which it is bound. Any proposal for an amendment shall be communicated to the Depositary, who shall notify it to all the High Contracting Parties and shall seek their views on whether a conference should be convened to consider the proposal. If a majority, that shall not be less than eighteen of the High Contracting Parties so agree, he shall promptly convene a conference to which all High Contracting Parties shall be invited. States not parties to this Convention shall be invited to the conference as observers.

(b) Such a conference may agree upon amendments which shall be adopted and shall enter into force in the same manner as this Convention and the annexed Protocols, provided that amendments to this Convention may be adopted only by the High Contracting Parties and that amendments to a specific annexed Protocol may be adopted only by the High Contracting Parties which are bound by that Protocol.

2. (a) At any time after the entry into force of this Convention any High Contracting Party may propose additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. Any such proposal for an additional protocol shall be communicated to the Depositary, who shall notify it to all the High Contracting Parties in accordance with subparagraph 1 (a) of this article. If a majority, that shall not be less than eighteen of the High Contracting Parties so agree, the Depositary shall promptly convene a conference to which all States shall be invited.

(b) Such a conference may agree, with the full participation of all States represented at the conference, upon additional protocols which shall be adopted in the same manner as this Convention, shall be annexed thereto and shall enter into force as provided in paragraphs 3 and 4 of article 5 of this Convention.

3. (a) If, after a period of ten years following the entry into force of this Convention, no conference has been convened in accordance with subparagraph 1 (a) or 2 (a) of this article, any High Contracting Party may request the Depositary to convene a conference to which all High Contracting Parties shall be invited to review the scope and operation of this Convention and the Protocols annexed thereto and to consider any proposal for amendments of this Convention or of the existing Protocols. States not parties to this Convention shall be invited as observers to the conference. The conference may agree upon amendments which shall be adopted and enter into force in accordance with subparagraph 1 (b) above.

(b) At such conference consideration may also be given to any proposal for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. All States represented at the conference may participate fully in such consideration. Any additional protocols shall be adopted in the same manner as this Convention, shall be annexed thereto and shall enter into force as provided in paragraphs 3 and 4 of article 5 of this Convention.

(c) Such a conference may consider whether provision should be made for the convening of a further conference at the request of any High Contracting Party if, after a similar period to that referred to in subparagraph 3 (a) of this article, no conference has been convened in accordance with subparagraph 1 (a) or 2 (a) of this article.

Article 9

Denunciation

1. Any High Contracting Party may denounce this Convention or any of its annexed Protocols by so notifying the Depositary.

2. Any such denunciation shall only take effect one year after receipt by the Depositary of the notification of denunciation. If, however, on the expiry of that year the denouncing High Contracting Party is engaged in one of the situations referred to in article 1, the Party shall continue to be bound by the obligations of this Convention and of the relevant annexed Protocols until the end of the armed conflict or occupation and, in any case, until the termination of oper-

ations connected with the final release, repatriation or re-establishment of the person protected by the rules of international law applicable in armed conflict, and in the case of any annexed Protocol containing provisions concerning situations in which peace-keeping, observation or similar functions are performed by United Nations forces or missions in the area concerned, until the termination of those functions.

3. Any denunciation of this Convention shall be considered as also applying to all annexed Protocols by which the denouncing High Contracting Party is bound.

4. Any denunciation shall have effect only in respect of the denouncing High Contracting Party.

5. Any denunciation shall not affect the obligations already incurred, by reason of an armed conflict, under this Convention and its annexed Protocols by such denouncing High Contracting Party in respect of any act committed before this denunciation becomes effective.

Article 10

Depositary

1. The Secretary-General of the United Nations shall be the Depositary of this Convention and of its annexed Protocols.

2. In addition to his usual functions, the Depositary shall inform all States of:

(a) Signatures affixed to this Convention under article 3;

(b) Deposits of instruments of ratification, acceptance or approval or of accession to this Convention deposited under article 4;

(c) Notifications of consent to be bound by annexed Protocols under article 4;

(d) The dates of entry into force of this Convention and of each of its annexed Protocols under article 5; and

(e) Notifications of denunciation received under article 9, and their effective date.

Article 11

Authentic texts

The original of this Convention with the annexed Protocols, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Depositary, who shall transmit certified true copies thereof to all States.

Protocol on Non-detectable Fragments (Protocol I)

It is prohibited to use any weapon the primary effect of which is to injure by fragments which in the human body escape detection by X-rays.

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II)

Article 1

Material scope of application

This Protocol relates to the use on land of the mines, booby-traps and other devices defined herein, including mines laid to interdict beaches, waterway crossings or river crossings, but does not apply to the use of anti-ship mines at sea or in inland waterways.

Article 2

Definitions

For the purpose of this Protocol:

1. "Mine" means any munition placed under, on or near the ground or other surface area

and designed to be detonated or exploded by the presence, proximity or contact of a person or vehicle, and "remotely delivered mine" means any mine so defined delivered by artillery, rocket, mortar or similar means or dropped from an aircraft.

2. "Booby-trap" means any device or material which is designed, constructed or adapted to kill or injure and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act.

3. "Other devices" means manually-emplaced munitions and devices designed to kill, injure or damage and which are actuated by remote control or automatically after a lapse of time.

4. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

5. "Civilian objects" are all objects which are not military objectives as defined in paragraph 4.

6. "Recording" means a physical, administrative and technical operation designed to obtain, for the purpose of registration in the official records, all available information facilitating the location of minefields, mines and booby-traps.

Article 3

General restrictions on the use of mines, booby-traps and other devices

1. This article applies to:

- (a) Mines;
- (b) Booby-traps; and
- (c) Other devices.

2. It is prohibited in all circumstances to direct weapons to which this article applies, either in offence, defence or by way of reprisals, against the civilian population as such or against individual civilians.

3. The indiscriminate use of weapons to which this article applies is prohibited. Indiscriminate use is any placement of such weapons;

- (a) Which is not on, or directed at, a military objective; or
- (b) Which employs a method or means of delivery which cannot be directed at a specific military objective; or
- (c) Which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

4. All feasible precautions shall be taken to protect civilians from the effects of weapons to which this article applies. Feasible precautions are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations.

Article 4

Restrictions on the use of mines other than remotely delivered mines, booby-traps and other devices in populated areas

1. This article applies to:

- (a) Mines other than remotely delivered mines;
- (b) Booby-traps; and
- (c) Other devices.

2. It is prohibited to use weapons to which this article applies in any city, town, village or other area containing a similar concentration of civilians in which combat between ground forces is not taking place or does not appear to be imminent, unless either:

(a) They are placed on or in the close vicinity of a military objective belonging to or under the control of an adverse party; or

(b) Measures are taken to protect civilians from their effects, for example, the posting of warning signs, the posting of sentries, the issue of warnings or the provision of fences.

Article 5

Restrictions on the use of remotely delivered mines

1. The use of remotely delivered mines is prohibited unless such mines are only used within an area which is itself a military objective or which contains military objectives, and unless:

(a) Their location can be accurately recorded in accordance with article 7 (1)(a); or

(b) An effective neutralizing mechanism is used on each such mine, that is to say, a self-actuating mechanism which is designed to render a mine harmless or cause it to destroy itself when it is anticipated that the mine will no longer serve the military purpose for which it was placed in position, or a remotely-controlled mechanism which is designed to render harmless or destroy a mine when the mine no longer serves the military purpose for which it was placed in position.

2. Effective advance warning shall be given of any delivery or dropping of remotely delivered mines which may affect the civilian population, unless circumstances do not permit.

Article 6

Prohibition on the use of certain booby-traps

1. Without prejudice to the rules of international law applicable in armed conflict relating to treachery and perfidy, it is prohibited in all circumstances to use:

(a) Any booby-trap in the form of an apparently harmless portable object which is specifically designed and constructed to contain explosive material and to detonate when it is disturbed or approached; or

(b) Booby-traps which are in any way attached to or associated with:

- (i) Internationally recognized protective emblems, signs or signals;
- (ii) Sick, wounded or dead persons;
- (iii) Burial or cremation sites or graves;
- (iv) Medical facilities, medical equipment, medical supplies or medical transportation;
- (v) Children's toys or other portable objects or products specially designed for the feeding, health, hygiene, clothing or education of children;
- (vi) Food or drink;
- (vii) Kitchen utensils or appliances except in military establishments, military locations or military supply depots;
- (viii) Objects clearly of a religious nature;
- (ix) Historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples;
- (x) Animals or their carcasses.

2. It is prohibited in all circumstances to use any booby-trap which is designed to cause superfluous injury or unnecessary suffering.

Article 7

Recording and publication of the location of minefields, mines and booby-traps

1. The parties to a conflict shall record the location of:

(a) All pre-planned minefields laid by them; and

- (b) All areas in which they have made large-scale and pre-planned use of booby-traps.
2. The parties shall endeavour to ensure the recording of the location of all other minefields, mines and booby-traps which they have laid or placed in position.
3. All such records shall be retained by the parties who shall:
- (a) Immediately after the cessation of active hostilities:
- (i) Take all necessary and appropriate measures, including the use of such records, to protect civilians from the effects of minefields, mines and booby-traps; and either
- (ii) In cases where the forces of neither party are in the territory of the adverse party, make available to each other and to the Secretary-General of the United Nations all information in their possession concerning the location of minefields, mines and booby-traps in the territory of the adverse party; or
- (iii) Once complete withdrawal of the forces of the parties from the territory of the adverse party has taken place, make available to the adverse party and to the Secretary-General of the United Nations all information in their possession concerning the location of minefields, mines and booby-traps in the territory of the adverse party;
- (b) When a United Nations force or mission performs functions in any area, make available to the authority mentioned in article 8 such information as is required by that article;
- (c) Whenever possible, by mutual agreement, provide for the release of information concerning the location of minefields, mines and booby-traps, particularly in governing the cessation of hostilities.

Article 8

Protection of United Nations forces and missions from the effects of minefields, mines and booby-traps

1. When a United Nations force or mission performs functions of peacekeeping, observation or similar functions in any area, each party to the conflict shall, if requested by the head of the United Nations force or mission in that area, as far as it is able:

- (a) Remove or render harmless all mines or booby-traps in that area;
- (b) Take such measures as may be necessary to protect the force or mission from the effects of minefields, mines and booby traps while carrying out its duties; and
- (c) Make available to the head of the United Nations force or mission in that area, all information in the party's possession concerning the location of minefields, mines and booby-traps in that area.

2. When a United Nations fact-finding mission performs functions in any area, any party to the conflict concerned shall provide protection to that mission except where, because of the size of such mission, it cannot adequately provide such protection. In that case it shall make available to the head of the mission the information in its possession concerning the location of minefields, mines and booby-traps in that area.

Article 9

International co-operation in the removal of minefields, mines and booby-traps

After the cessation of active hostilities, the parties shall endeavour to reach agreement, both among themselves and, where appropriate, with other States and with international organizations, on the provision of information and technical and material assistance — including, in appropriate circumstances, joint operations — necessary to remove or otherwise render ineffective minefields, mines and booby-traps placed in position during the conflict.

Technical Annex to the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II)

Guidelines on recording

Whenever an obligation for the recording of the location of minefields, mines and booby-traps arises under the Protocol, the following guidelines shall be taken into account.

1. With regard to pre-planned minefields and large-scale and pre-planned use of booby-traps:

(a) Maps, diagrams or other records should be made in such a way as to indicate the extent of the minefield or booby-trapped area; and

(b) The location of the minefield or booby-trapped area should be specified by relation to the co-ordinates of a single reference point and by the estimated dimensions of the area containing mines and booby-traps in relation to that single reference point.

2. With regard to other minefields, mines and booby-traps laid or placed in position:

In so far as possible, the relevant information specified in paragraph 1 above should be recorded so as to enable the areas containing minefields, mines and booby-traps to be identified.

Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III)

Article 1

Definitions

For the purpose of this Protocol:

1. "Incendiary weapon" means any weapon or munition which is primarily designed to set fire to objects or to cause burn injury to persons through the action of flame, heat, or a combination thereof, produced by a chemical reaction of a substance delivered on the target.

(a) Incendiary weapons can take the form of, for example, flame throwers, fougasses, shells, rockets, grenades, mines, bombs and other containers of incendiary substances.

(b) Incendiary weapons do not include:

(i) Munitions which may have incidental incendiary effects, such as illuminants, tracers, smoke or signalling systems;

(ii) Munitions designed to combine penetration, blast or fragmentation effects with an additional incendiary effect, such as armour-piercing projectiles, fragmentation shells, explosive bombs and similar combined-effects munitions in which the incendiary effect is not specifically designed to cause burn injury to persons, but to be used against military objectives, such as armoured vehicles, aircraft and installations or facilities.

2. "Concentration of civilians" means any concentration of civilians, be it permanent or temporary, such as in inhabited parts of cities, or inhabited towns or villages, or as in camps or columns of refugees or evacuees, or groups of nomads.

3. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

4. "Civilian objects" are all objects which are not military objectives as defined in paragraph 3.

5. "Feasible precautions" are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations.

Article 2

Protection of civilians and civilian objects

1. It is prohibited in all circumstances to make the civilian population as such, individual civilians or civilian objects the object of attack by incendiary weapons.

2. It is prohibited in all circumstances to make any military objective located within a concentration of civilians the object of attack by air-delivered incendiary weapons.

3. It is further prohibited to make any military objective located within a concentration of

civilians the object of attack by means of incendiary weapons other than air-delivered incendiary weapons, except when such military objective is clearly separated from the concentration of civilians and all feasible precautions are taken with a view to limiting the incendiary effects to the military objective and to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects.

4. It is prohibited to make forests or other kinds of plant cover the object of attack by incendiary weapons except when such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives.

Resolution on Small-calibre Weapon Systems

Adopted by the Conference at its 7th plenary meeting, 23 September 1979

The United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons,

Recalling United Nations General Assembly resolution 32/152 of 19 December 1977,

Aware of the continuous development of small-calibre weapon systems (i.e., arms and projectiles),

Anxious to prevent an unnecessary increase of the injurious effects of such weapon systems,

Recalling the agreement embodied in The Hague Declaration of 29 July 1899, to abstain, in international armed conflict, from the use of bullets which expand or flatten easily in the human body,

Convinced that it is desirable to establish accurately the wounding effects of current and new generations of small calibre weapon systems including the various parameters that affect the energy transfer and the wounding mechanism of such systems.

1. *Takes note* with appreciation of the intensive research carried out nationally and internationally in the area of wound ballistics, in particular relating to small-calibre weapon systems, as documented during the Conference;

2. *Considers* that this research and the international discussion on the subject has led to an increased understanding of the wounding effects of small-calibre weapon systems and of the parameters involved;

3. *Believes* that such research, including testing of small-calibre weapon systems, should be continued with a view to developing standardized assessment methodology relative to ballistic parameters and medical effects of such systems;

4. *Invites* Governments to carry out further research, jointly or individually, on the wounding effects of small-calibre weapon systems and to communicate, where possible, their findings and conclusions;

5. *Welcomes* the announcement that an international scientific symposium on wound ballistics will be held in Gothenburg, Sweden, in late 1980 or in 1981, and hopes that the results of the symposium will be made available to the United Nations Disarmament Commission, the Committee on Disarmament and other interested fora;

6. *Appeals* to all Governments to exercise the utmost care in the development of small-calibre weapon systems, so as to avoid an unnecessary escalation of the injurious effects of such systems.

List of resolutions and decisions on disarmament and related questions adopted by the General Assembly at its thirty-fifth session, held from 16 September to 17 December 1980 (including voting)

	<i>Reference in text</i>
<i>Resolutions on disarmament questions</i>	
35/46 Declaration of the 1980s as the Second Disarmament Decade <i>Adopted without a vote</i>	80
35/47 Preparations for the second special session of the General Assembly devoted to disarmament <i>Adopted without a vote</i>	40
35/141 Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security <i>Adopted without a vote</i>	418
35/142 Reduction of military budgets	
Resolution A <i>Adopted without a vote</i>	380
Resolution B <i>Adopted by a recorded vote of 113 to none, with 21 abstentions,^a as follows:</i>	381
<p><i>In favour:</i> Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Denmark, Djibouti, Ecuador, Egypt, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Ro-</p>	

^a The delegation of the Dominican Republic subsequently advised the Secretariat that it had intended to vote in favour.

mania, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Ghana, Guinea, Hungary, India, Lao People's Democratic Republic, Mongolia, Mozambique, Poland, Sao Tome and Principe, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

- 35/143 Implementation of General Assembly resolution 34/71 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) 188

Adopted by a recorded vote of 138 to none, with 5 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Central African Republic, Cuba, France, Guyana, United States of America.

- 35/144 Chemical and bacteriological (biological) weapons
- Resolution A 271
- Adopted without a vote*
- Resolution B 253
- Adopted without a vote*

Resolution C

Adopted by a recorded vote of 78 to 17, with 36 abstentions, as follows:

In favour: Australia, Austria, Bahamas, Belgium, Burundi, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana,^b Haiti, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Lesotho, Liberia, Luxembourg, Malawi, Malaysia, Mali,^b Malta, Mauritania, Mauritius, Morocco, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Portugal, Rwanda, Samoa, Senegal, Sierra Leone, Singapore, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Zaire, Zambia.

Against: Afghanistan, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Romania, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Argentina, Bangladesh, Barbados, Bhutan, Bolivia, Brazil, Burma, Congo, Cyprus, Ecuador, Finland, Grenada, Guinea, India, Indonesia, Iraq, Jamaica, Lebanon, Madagascar, Maldives, Mexico, Nepal, Nicaragua, Nigeria, Peru, Qatar, Saint Lucia, Saudi Arabia, Somalia, Sri Lanka, Trinidad and Tobago, Uganda, United Republic of Cameroon, Venezuela, Yemen, Yugoslavia.

35/145 Implementation of General Assembly resolution 34/73

Resolution A — Cessation of all test explosions of nuclear weapons

160

Adopted by a recorded vote of 111 to 2, with 31 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Cape Verde, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cyprus, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist

^b The delegations of Guyana and Mali subsequently informed the Secretariat that they wished to have their votes recorded as having abstained.

Republic, Canada, Central African Republic, China, Cuba, Czechoslovakia, Denmark, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Iceland, Israel, Italy, Japan, Lao People's Democratic Republic, Luxembourg, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Resolution B — Prohibition of all nuclear-test explosions by all States for all time

161

Adopted by a recorded vote of 129 to none, with 16 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, China, Czechoslovakia, France, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam.

35/146 Implementation of the Declaration on the Denuclearization of Africa

Resolution A — Nuclear capability of South Africa

190

Adopted by a recorded vote of 132 to none, with 13 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines,

Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, Canada, France, Germany, Federal Republic of Greece, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Resolution B — Implementation of the Declaration

191

Adopted by a recorded vote of 133 to none, with 12 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, Canada, France, Germany, Federal Republic of Greece, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

35/147 Establishment of a nuclear-weapon-free zone in the region of the Middle East 194

Adopted without a vote

35/148 Establishment of a nuclear-weapon-free zone in South Asia 197

Adopted by a recorded vote of 96 votes to 3, with 44 abstentions, as follows:

In favour: Bahrain, Bangladesh, Barbados, Belgium, Burundi, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, Gabon, Gambia, Germany, Federal Republic of, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya,

Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Nepal, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Zaire, Zambia, Zimbabwe.

Against: Bhutan, India, Mauritius.

Abstaining: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Benin, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Congo, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Fiji, France, German Democratic Republic, Greece, Hungary, Indonesia, Israel, Italy, Lao People's Democratic Republic, Malawi, Mongolia, Morocco, Mozambique, Nicaragua, Norway, Poland, Sao Tome and Principe, Seychelles, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Viet Nam, Yugoslavia.

- 35/149 Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons 285

Adopted by a recorded vote of 117 to none, with 26 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, Colombia, Comoros, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Central African Republic, Denmark, France, Gambia, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

- 35/150 Implementation of the Declaration on the Indian Ocean as a Zone of Peace 366

Adopted without a vote

- 35/151 World Disarmament Conference 68
Adopted without a vote
- 35/152 Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session 42
- Resolution A — United Nations programme of fellowships on disarmament
Adopted without a vote
- Resolution B — Nuclear weapons in all aspects 112
Adopted by a recorded vote of 118 to 18, with 7 abstentions, as follows:
- In favour:* Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.
- Against:* Australia, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.
- Abstaining:* Brazil, Ireland, Israel, Malawi, Morocco, Spain, Zaire.
- Resolution C — Nuclear weapons in all aspects 113
Adopted by a recorded vote of 124 to 4, with 17 abstentions, as follows:
- In favour:* Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singa-

pore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: France, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Belgium, Canada, Denmark, Germany, Federal Republic of Greece, Iceland, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey.

Resolution D — Non-use of nuclear weapons and prevention of nuclear war 118

Adopted by a recorded vote of 112 to 19, with 14 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Denmark, France, Germany, Federal Republic of Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, German Democratic Republic, Hungary, Malawi, Mongolia, Poland, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Resolution E — Implementation of the recommendations and decisions of the tenth special session 43

Adopted without a vote

Resolution F — Report of the Disarmament Commission 45

Adopted without a vote

Resolution G — Paragraph 125 of the Final Document 47

Adopted by a recorded vote of 104 to 19, with 17 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czecho-

slovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire,^c Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Burma, Chile, Fiji, Greece,^c Guatemala, Ireland, Malaysia, Morocco, Niger, Papua New Guinea, Philippines, Samoa, Singapore, Sri Lanka, Sweden, Thailand.

Resolution H — Programme of research and studies on disarmament 396

Adopted without a vote

Resolution I — World Disarmament Campaign 430

Adopted by a recorded vote of 128 to none, with 17 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, Canada, Colombia, France, Gabon, Germany, Fed-

^c The delegation of Greece subsequently informed the Secretariat that it wished to have its vote recorded as having been against the resolution. The delegations of Togo and Zaire advised the Secretariat that they had intended to abstain.

eral Republic of, Ghana, Greece, Israel, Luxembourg, Netherlands, Portugal, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Resolution J — Report of the Committee on Disarmament

49

Adopted by a recorded vote of 132 to none, with 13 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Israel, Lao People's Democratic Republic, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

- 35/153 United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects 324

Adopted without a vote

- 35/154 Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons 176

Adopted by a recorded vote of 110 to 2, with 31 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guyana, Honduras, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua

New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Albania, United States of America.

Abstaining: Australia, Austria, Belgium, Bhutan, Burma, Canada, Central African Republic, Denmark, France, Germany, Federal Republic of, Greece, Guatemala, Haiti, Iceland, India, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Niger, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Zaire.

- 35/155 Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons 178

Adopted by a recorded vote of 121 to none, with 24 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Bhutan, Central African Republic, Denmark, France, Germany, Federal Republic of, Greece, Grenada, Iceland, India, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

- 35/156 General and complete disarmament

Resolution A — Study on conventional disarmament

351

Adopted by a recorded vote of 101 to 14, with 27 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bolivia, Burma, Burundi, Canada, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Cyprus, Democratic Kampu-

chea, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Greece, Grenada, Guyana, Haiti, Honduras, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Zaire, Zambia, Zimbabwe.

Against: Afghanistan, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, India, Lao People's Democratic Republic, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Algeria, Bahrain, Benin, Bhutan, Cape Verde, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Ghana, Guatemala, Guinea, Iran, Iraq, Ivory Coast, Jordan, Mozambique, Nicaragua, Oman, Qatar, Sao Tome and Principe, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen, Yugoslavia.

Resolution B — Confidence-building measures

411

Adopted without a vote

Resolution C — Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present

122

Adopted by a recorded vote of 95 votes to 18, with 27 abstentions,^d as follows:

In favour: Afghanistan, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, Colombia, Comoros, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Grenada, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriyah, Madagascar, Malawi, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Somalia, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, France, Germany, Fed-

^d The delegation of Mali subsequently informed the Secretariat that it wished to have its vote recorded as an abstention. The delegation of Japan subsequently informed the Secretariat that it wished to have its vote recorded as having been against the resolution.

eral Republic of, Greece, Iceland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Algeria, Austria, Brazil, Burma, Central African Republic, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Gabon, Ghana, Guatemala, Ireland, Israel, Japan, Morocco, Niger, Pakistan, Peru, Samoa, Senegal, Singapore, Sudan, Sweden, Upper Volta, Yugoslavia, Zaire.

Resolution D — Study on all the aspects of regional disarmament 402

Adopted without a vote

Resolution E — Study on the relationship between disarmament and international security 414

Adopted without a vote

Resolution F — Study on nuclear weapons 405

Adopted by a recorded vote of 126 to none, with 19 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Italy, Lao People's Democratic Republic, Luxembourg, Mongolia, Poland, Portugal, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Resolution G — Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons 294

Adopted without a vote

Resolution H — Prohibition of the production of fissionable material for weapons purposes 115

Adopted by a recorded vote of 125 to 11, with 8 abstentions, as follows:

In favour: Algeria, Angola, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Burma, Burundi, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique,^f Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Afghanistan, Argentina, Bhutan, Brazil, Cuba, France, India, United Kingdom of Great Britain and Northern Ireland.

Resolution I — Report of the Committee on Disarmament

23

Adopted by a recorded vote of 135 to none, with 10 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

^f The delegation of Mozambique subsequently informed the Secretariat that it wished to have its vote recorded as an abstention.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Resolution J — Disarmament and international security

24

Adopted without a vote

Resolution K — Strategic arms limitation talks

123

Adopted without a vote

35/157 Israeli nuclear armament

412

Adopted by a recorded vote of 99 to 6, with 38 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Denmark, Iceland, Israel, Netherlands, Norway, United States of America.

Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Burma, Canada, Central African Republic, Chile, Colombia, Costa Rica, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Honduras, Ireland, Italy, Ivory Coast, Japan, Liberia, Luxembourg, Malawi, Nepal, New Zealand, Papua New Guinea, Paraguay, Portugal, Saint Lucia, Samoa, Spain, Swaziland, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland.

Decisions

35/417 Summary records of meetings of the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament

41

Adopted without a vote

The General Assembly agreed to the reconsideration of the list of exceptions in paragraph 2 of its resolution 35/10 B of 3 November 1980 and decided to add to that list the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament.

- 35/430 Second Session of the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament 41

Adopted without a vote

The General Assembly decided that, notwithstanding the provisions of paragraphs 24 and 34 of its decision 34/401 of 25 October 1979 and paragraph 4 of its resolution 35/10 A of 3 November 1980, the Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament would hold its second substantive session from 5 to 16 October 1981.

- 35/431 Strengthening of the security of non-nuclear-weapon States 173

The General Assembly took note of the statement made by the Rapporteur of the First Committee that no report on the item entitled "Strengthening of the security of non-nuclear-weapon States" had been submitted by the Committee.

- 35/432 Urgent measures for reducing the danger of war 25

The General Assembly took note of the statement made by the Rapporteur of the First Committee that no report on the item entitled "Urgent measures for reducing the danger of war" had been submitted by the Committee.

Resolutions on related questions

- 35/8 Historical responsibility of States for the preservation of nature for present and future generations 25

Adopted by a recorded vote of 68 to none, with 47 abstentions, as follows:

In favour: Afghanistan, Algeria, Bahrain, Bangladesh, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iraq, Jamaica, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritius, Mexico, Mongolia, Mozambique, Niger, Nigeria, Panama, Papua New Guinea, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Singapore, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: None.

Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Canada, Central African Republic, Chad, Chile, Colombia, Denmark, Dominican Republic, Ecuador, Egypt, France, Germany, Federal Republic of, Ghana, Greece, Guyana, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Liberia, Luxembourg, Malawi, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Peru, Portugal, Saudi Arabia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Zaire.

- 35/12 Effects of atomic radiation

Adopted without a vote

- 35/17 Report of the International Atomic Energy Agency 212
Adopted without a vote
- 35/56 International development strategy for the Third United Nations Development Decade
Adopted without a vote .
- 35/112 Peaceful use of nuclear energy for economic and social development 218
Adopted without a vote
- 35/158 Implementation of the Declaration on the Strengthening of International Security 26
Adopted by a recorded vote of 120 to none, with 24 abstentions, as follows:
- In favour:* Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.
- Against:* None.
- Abstaining:* Australia, Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.
- 35/159 Non-interference in the internal affairs of States 26
Adopted by a recorded vote of 120 to none, with 25 abstentions, as follows:
- In favour:* Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guate-

mala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Comoros, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

35/206 Policies of *apartheid* of the Government of South Africa

Resolution B — Military and nuclear collaboration with South Africa

Adopted by a recorded vote of 127 to 4, with 13 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, Canada, Dominican Republic,^f Greece, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Portugal, Spain, Uruguay.

^f The delegation of the Dominican Republic subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the resolution.

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