

COMMITTEE ON DISARMAMENT

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REPORT OF THE COMMITTEE ON DISARMAMENT

APPENDIX III

VOLUME VI

Index of Statements by Country and Subject
and Verbatim Records of the Committee on Disarmament
in 1981

COMMITTEE ON DISARMAMENT

CD/FV.137
14 July 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND THIRTY-SEVENTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 14 July 1981, at 10.30 a.m.

Chairman:

Mr. A.P. VENKATESWARAN

(India)

PRESENT AT THE TABLE

Algeria: Mr. M. MATI

Argentina: Mr. C. CARASALES
Mr. J.M. OTEGUI

Australia: Mr. R. STEELE

Belgium: Mr. A. ONKELINX
Mr. J.M. NOIRFALISSE

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

Bulgaria: Mr. P. VOUTOV
Mr. I. SOTIROV
Mr. P. POPTCHEV

Burma: U SAW HLAING
U NGWE WIN
U AUNG THAN

Canada: Mr. G. SKINNER

China: Mr. YU Peiwen
Mr. LI Changhe
Mr. YANG Mingliang
Mr. WANG Zhiyun

Cuba: Mr. P.N. MOSQUERA

Czechoslovakia: Mr. P. LUKES

Egypt: Mr. A. EL REEDY
Mr. I.A. HASSAN
Miss W. BASSIM

Ethiopia:

Mr. T. TERREFE
Mr. F. YOHANNES

France:

Mr. F. DE LA GORCE
Mr. J. DE BEAUSSE
Mr. B. D'ABOVILLE

German Democratic Republic:

Mr. G. HERDER
Mr. H. THIELICKE
Mrs. H. HOPPE

Germany, Federal Republic of:

Mr. G. PFEIFFER
Mr. N. KLINGER
Mr. H. MULLER

Hungary:

Mr. I. KOMIVES
Mr. F. GAJDA
Mr. C. GYORFFY
Mr. E. SEBOK

India:

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

Indonesia:

Mr. S. DARUSMAN
Mr. F.M. SIDIK
Mr. E. SOEPRAPTO
Mr. HARYOMATARAM
Mr. ACHDIAT

Iran:

Mr. J. ZAHIRNIA

Italy:

Mr. V. CORDERO DI MONTEZEMOLO
Mr. A. CIARRAPICO
Mr. B. CABRAS
Mr. E. DI GIOVANNI

Japan:

Mr. YOSHIO OKAWA
Mr. M. TAKAHASHI
Mr. K. TANAKA

Kenya:

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

Mongolia: Mr. D. ERDEMBILEG
Mr. S.O. BOLD

Morocco: Mr. M. CHRAIBI
Mr. M. ARRASSEN

Netherlands: Mr. H. WAGENMAKERS

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

Pakistan: Mr. M. AHMAD
Mr. M. AKRAM

Peru: Mr. THORNBERRY

Poland: Mr. B. SUJKA
Mr. J. CIALOWICZ

Romania: Mr. T. MELESCANU

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

Sweden: Mrs. I. THORSSON
Mr. C. LIDCARD
Mr. L. NORBERT
Mr. G. EKHOLM
Mr. J. LUNDIN
Mr. H. BERGLUND
Mr. S. ERIKSSON
Mr. G. ANDERSSON

Union of Soviet Socialist Republics: Mr. V.L. ISSRAELYAN
Mr. V.F. PRYAKHIN
Mr. M.H. IPPOLITOV
Mr. T.F. DMITRICHEV
Mrs. L.V. GRACHIKOVA
Mr. V.F. KULESHOV
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Mr. V.M. TCHEREDNICHENKOV

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Mr. B. NOBLE
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United States of America: Mr. C. FLOWERREE
Mr. F.P. DESIMONE
Miss K. CRITTENBERGER
Mr. R. SCOTT
Mr. J. MISKEL
Mr. R. MIKULAK
Mr. M. SANCHEZ
Mr. S. FITZGERALD

Venezuela: Mr. RODRIGUEZ NAVARRO
Mr. O.A. ACUILAR
Mr. H. ARTEAGA

Yugoslavia: Mr. M. VRHUNEC
Mr. M. RADOTIC

Zaire: Mr. L.B. NDAGA
Mr. O. GNOK

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

Deputy Secretary of the Committee: Mr. V. BERASATECUI

NON-MEMBER REPRESENTATIVE

Switzerland: Mr. PICTET

The CHAIRMAN: Distinguished delegates, the Committee starts today its consideration of item 4 of the agenda, "Chemical weapons", but of course members wishing to do so may make statements on any subject relevant to the work of the Committee, in accordance with rule 30 of the rules of procedure. This is particularly relevant today since, as we all know, four members very kindly agreed last Thursday to make their statements today, in view of the long list of speakers inscribed on that occasion.

Mr. LUKES (Czechoslovakia): Mr. Chairman, my intention today is to deal briefly with item 5 of our agenda. I would like to touch on agenda items 1 and 2 as well.

But let me first of all, Mr. Chairman, express the satisfaction of my delegation in seeing you so skilfully presiding over our work during this month. . . Another reason for our satisfaction lies in the traditionally friendly relations between our peoples, one eloquent expression of which was the visit of Jawaharlal Nehru with his daughter Indira Ghandi to Prague not long before the outbreak of the Second World War.

On this occasion, I would also like to thank your predecessor, Comrade Komives, the distinguished Ambassador of Hungary, for the efforts whereby he enabled us to start substantial work at our summer session without unnecessary delay. We also welcome the new representatives in this Committee, Ambassador Carasales of Argentina, Ambassador Ahmad Jalali of Iran, Ambassador Tissa Jayakoddy of Sri Lanka and Ambassador Rodríguez Navarro of Venezuela.

Since our Committee is working this year in the atmosphere of the continuing arms race, especially in the field of nuclear weapons, it was our expectation that we would tackle the problem of halting the nuclear arms race at the summer part of our session within working groups on a comprehensive test ban and nuclear disarmament. Unfortunately, the negative attitude of some delegations has made it impossible to establish these working groups.

My delegation considers that the exchange of views which took place at informal consultations on agenda items 1 and 2 during the spring session has proved useful. It is therefore our firm belief that working groups on these items could pave the way towards serious negotiations on them. The Committee on Disarmament is without any doubt in a position to deal with the problem of nuclear disarmament effectively, since all nuclear-weapon States are represented in it. It seems to us that what is lacking most is the political will and readiness on the part of some nuclear-weapon States to engage effectively in such negotiations.

In the view of my delegation it is regrettable that our present troublesome international scene has witnessed only one nuclear-weapon State, namely, the Soviet Union, repeatedly stressing at the highest level, in the decisions of the 26th Congress of the Communist Party of the Soviet Union and in numerous statements made by President L.I. Brezhnev, as well as in the proposals submitted within our Committee, its full preparedness to negotiate on such a crucial problem of the world today as nuclear disarmament. As the President of the Czechoslovak Socialist Republic, Gustav Husák, stressed at the 16th Congress of the Communist Party of Czechoslovakia, my country welcomes and fully supports all peaceful initiatives and proposals of the USSR aimed at halting the nuclear arms race and nuclear disarmament.

(Mr. Lukes, Czechoslovakia)

On the basis of the above-mentioned situation existing within our Committee on both agenda items, my delegation:

Calls for an early resumption of the trilateral negotiations suspended for reasons not depending on the Soviet Union;

Recalls the previous initiatives made by socialist countries, including Czechoslovakia, dealing with nuclear disarmament and contained in document CD/4;

Supports the proposal of the Group of 21 for the creation of ad hoc working groups with the understanding that all five nuclear-weapon States will take an active part in them;

Supports the proposal made by the distinguished Ambassador of the German Democratic Republic during his statement last Thursday which was issued as an official document (CD/193) and in which the delegation of the German Democratic Republic proposed, among other things "that the Chairman of the CD hold consultations on the further proceeding of this Committee concerning item 2. Those consultations should in particular be held with the delegations of the nuclear-weapon States, individually or together. In this connection, those nuclear-weapon States rejecting the creation of an ad hoc working group on item 2 could come out with proposals they deem essential to further the work of the CD in the field of the cessation of the nuclear arms race and nuclear disarmament. After these consultations, the Chairman could report his conclusions to the Committee to allow a formal decision on its further proceedings." The support of my delegation also goes to document CD/194 which was distributed today, "Statement of a group of socialist countries concerning a nuclear test ban".

May I now turn to agenda item 5, that is, to the question of a convention prohibiting radiological weapons.

The Czechoslovak delegation highly appreciates the work of the Ad Hoc Working Group on Radiological Weapons, which is chaired with admirable skill by Ambassador Komives. The elaboration of a treaty prohibiting the development, production and use of radiological weapons was urgently asked for in a number of resolutions of the United Nations General Assembly as well as in the Final Document of the first special session of the General Assembly devoted to disarmament. Our delegation is convinced that this task should be fulfilled without any unnecessary delay.

In the view of the Czechoslovak delegation the radiological weapons treaty will be a rather important result of the activity of the Committee on Disarmament.

When the four main categories of weapons of mass destruction were identified in the United Nations in 1948, radiological weapons were included for their evident potential complementary importance with regard to nuclear weapons. Since that time, the main military technical development has been aimed at the improvement of nuclear weapons, and radiological weapons have remained only potential. Nevertheless, their important complementary position in the nuclear-weapons area has remained unchanged.

(Mr. Lukes, Czechoslovakia)

One can be sure that if they were not prohibited they would be developed in future for a real military deployment. With this in mind, our delegation considers the elaboration of the treaty an actual and sufficiently important task which is fully in accord with the fundamental role of the United Nations in the area of protecting mankind from the disastrous consequences of the use of weapons of mass destruction.

Another highly positive effect of such a treaty which may be assumed with assurance is its influence on peaceful co-operation in the use of radio-active materials and the relevant technology on the basis of principles to be agreed on.

The third point indicating the importance of a treaty on radiological weapons is the fact that the treaty should serve as a concrete contribution by the Committee on Disarmament to the second special session of the General Assembly devoted to disarmament. Several delegations have already emphasized this aspect, and we share their opinion that concrete results will become the most important criterion by which the authority and prestige of the Committee will be judged, inside as well as outside the United Nations.

For all these reasons, the Czechoslovak delegation is ready to make all possible efforts to make the negotiation of the draft treaty concrete and effective, and to achieve the goal in the reasonably near future.

We share the concern of the Swedish delegation as regards the importance of the protection of civilian nuclear facilities. This problem is not new, and the concern of many countries has already been reflected in the 1977 Additional Protocol to the Geneva Conventions of 12 August 1949, as well as in several other documents of international law. Experience has shown, however, that it would be desirable to enforce the existing measures and to enhance their effectiveness.

We have some doubts, however, whether the convention prohibiting radiological weapons would be the right place for solving this problem. Several serious obstacles can be envisaged. We already had an opportunity to explain our views in the statement presented during the spring session of the Committee on Disarmament. Briefly summarized, there seem to be three important factors which must be taken into account:

1. The fact of the very concrete mandate which the Committee has for elaborating a convention prohibiting specifically radiological weapons;

2. The fact that any new treaty dealing with questions already covered by other instruments of international law would have a number of serious implications in areas of international law lying clearly outside the competence of the Committee on Disarmament;

3. The fact that the character of measures effectively protecting nuclear facilities, measures which could be realized in practice, remains rather unclear, at least with respect to the situation in industrially developed countries, with nuclear facilities becoming more and more an integral part of large industrial centres.

With all this in mind we tend, like several other delegations, to be in favour of finding a way of dealing with this very complicated and very specific problem of the enforcement of the existing rules for the protection of nuclear facilities separately from the radiological weapons treaty.

(Mr. Lukes, Czechoslovakia)

The radiological weapons treaty is being negotiated as one specific part of a more complex item of our agenda, devoted to new types of weapons of mass destruction and new systems of such weapons, and is so far the first step of the Committee in this area. In the view of the Czechoslovak delegation, the problem of new weapons should not be underestimated. We sometimes hear the argument that there is not time for discussing new weapons while the problem of the prohibition of already existing weapons has not yet been solved.

The over-all experience of the last several decades clearly shows the profound influence scientific progress can have on the life of society. We have, however, also been repeatedly surprised by the unexpected negative consequences of such progress, as well as by its serious misuse. There are many such examples in all parts of the world and nearly all areas of human activity.

We have learnt, therefore, that much serious effort must be spent on timely analyses of scientific and technological trends and on prognoses of all possible consequences, including the misuse of discoveries for the purposes of the arms race. Without doing this we frequently face new and unexpected problems which can often be treated only with enormous difficulty -- if a successful solution is even possible.

For these reasons we support the proposal on establishing a group of qualified governmental experts which would meet periodically and would elaborate for the Committee surveys of discoveries and trends important with respect to the possible development of new weapons of mass destruction. This would help in the timely discovery of new important areas of negotiation; in any case, it would at least contribute to the provision of the Committee on Disarmament with objective information and to ensuring that no new important item had been missed in the Committee's programme.

Mr. MELESCANU (Romania) (translated from French): My statement today will be devoted to the subject of new types of weapons of mass destruction and new systems of such weapons, to which the Romanian delegation attaches particular importance. Of the five stages in the creation of a weapons system (namely, research, development, testing, updating and improvement, and the training of personnel in their use), the most important from the point of view of prohibition are research, development and testing. Any disarmament programme that allowed such research to continue would be imperilled and would halt the arms race only superficially and temporarily. Measures aimed at prohibiting research, development and testing, on the other hand, offer the advantage of preventing the extension of the arms race to new areas that become increasingly complex and difficult to control, and the acceleration of the competition already taking place. We need only imagine what the world would be like today and what the priority concerns of our Committee would be if the proposals for the prohibition of nuclear weapons that were made by the United States and the Soviet Union in the 1950s could have been embodied in agreements having effective legal value.

Science, in the broad sense of the word, which includes also new technologies, has contributed since the earliest times to the development of weapons. The relationship between science and weapons has developed from one of accidental implications to the present stage of symbiosis. We have thus reached the situation today, in which science bears a heavy responsibility for the most destructive means of waging war. It can therefore be said that science and technology are today the

(Mr. Helescanu, Romania)

driving force behind the improvement of existing weapons and the development of new weapons and systems of weapons. Science is advancing at an unprecedented speed. As a contemporary scientist has put it, "the most certain way of being wrong in the scientific sphere is to say that something is impossible". In the 1960s, a book by Nigel Calder entitled, Unless peace comes - a scientific forecast of new weapons, circulated among the members of the negotiating bodies that preceded this Committee. Many representatives discounted the book on the grounds that it was unrealistic and in order to avoid Utopian temptations. Rereading that book today, we are forced to recognize that what seemed in those days to be a remote hypothesis -- "smart" bombs, capable of finding their targets unaided -- has become a reality in today's arsenals, with the gravest possible implications for negotiations on nuclear disarmament.

The effects of the relationship between science and the arms race are fairly well known:

1. First, military research is a source of instability. Despite the fact that 40 per cent of the world's financial resources for research and development are spent in the military field, the security of States has not increased; on the contrary, in fact, it has diminished, and the vulnerability of States has grown. The action/reaction mechanism due to the very long period of time that it takes to develop modern weapons -- about 10 years, according to SIPRI -- increases the dangers of destabilization. At the same time, the new weapons based on very advanced research are more likely to be the cause of a catastrophe through error, miscalculation or accident.
2. Secondly, military research is a source of illusions. The alchemists of old promised the "philosopher's stone"; today's alchemists promise the "absolute weapon". The technical miracles developed at great cost in military laboratories merely keep alive the idea of superiority and of the possibility of using force for political ends. In a world concerned to ensure equality and reduce differences, it is inconceivable that science and technology, which belong to all mankind, should be used as a means of domination and a widening of the gaps by those who have the necessary resources.
3. The last but not the least important aspect of military research is that it obstructs peaceful development. If the militarization of science were halted, science would be able to recover its normal organization, style and values. The removal of the obstacles and barriers which prevent the transfer of technology in many fields, especially that of nuclear energy and the reallocation of major human and material resources to the solving of problems such as the discovery of new sources of energy, the continuous harvesting of the products of photosynthesis, the synthetic production of foodstuffs from new substances and the prevention of pollution and desertification, would release the development potential of science and technology, at present used for destructive purposes. The 1979 Vienna Conference on Science and Technology for Development showed clearly that the developing countries' legitimate demand for access to modern technologies cannot be met so long as science and technology continue to be dominated by military interests.

It is for these reasons of principle that the Romanian delegation is among those which have consistently argued that the Committee, without prejudice to the priorities established by the General Assembly, should devote the necessary attention to the question of new types of weapons of mass destruction and new systems of such weapons. We consider that a prohibition in this field would offer the further advantage of facilitating the reconversion to peaceful ends of military research facilities which are more and more oriented towards the most advanced areas of the basic sciences as compared with arms production plants. It is far easier to convert a laboratory than it is to convert a factory.

(Mr. Melescanu, Romania)

The adoption at the suggestion of the Hungarian delegation, of the decision to hold informal meetings of the Committee on the subject of new types and systems of weapons of mass destruction represents a positive advance, and we ought to consider and think out what should be done at these meetings. In my delegation's view, the following elements should be taken into consideration in the planning of these informal meetings:

1. The definite advantages to be derived from negotiating a comprehensive prohibition of all military research aimed at the development of new types of weapons of mass destruction and new systems of such weapons. This should include an analysis of the difficulties inherent in such an undertaking, with a view to finding ways and means of overcoming them. We have in mind, particularly, the difficulties that may arise with respect to basic research, which cannot be prohibited, although its results could be used for military purposes, and also problems connected with the verification of such a comprehensive agreement.

2. A second element in the work of the informal meetings could, we believe, be the devising of a system for the periodic examination of developments in scientific research which could be used in order to produce new weapons and systems of such weapons, in accordance with the provisions of paragraph 77 of the Final Document of the first special session of the General Assembly devoted to disarmament.

3. A third element could be the consideration of certain specific fields in which the adoption of measures for the prohibition of technological escalation might help towards the curbing of the armaments race or preventing it from spreading to new, hitherto unknown areas. I am thinking of subjects that have already been well explored, like that of a nuclear test ban -- a central and essential element in any effort aimed at halting the development of nuclear weapons, the importance of which was emphasized by the head of the Brazilian delegation, Ambassador de Souza e Silva, when he presented the statement of the Group of 21 (document CD/192, of 8 July 1981), which my delegation firmly supports. We could also discuss certain aspects of the negotiations on the prohibition of radiological weapons, particle-beam weapons, anti-satellite weapons, missile-launching space platforms, cruise missiles, manoeuvrable re-entry vehicles (MARV), weapons with enhanced radiation effect, precision weapons, the military use of lasers, the use of environmental modification techniques, infrasonic weapons, electromagnetic weapons, etc.

4. A further question that might be discussed is the possibility for the adoption of unilateral measures at the national level by the countries most active in military research and development with a view to freezing such activities pending the conclusion of a comprehensive agreement in that field.

5. Finally, the last subject on which we should concentrate our attention is the proposal by the USSR delegation for the establishment, under the auspices of the Committee on Disarmament, of an ad hoc group of governmental scientific experts on questions of new types of weapons of mass destruction and new systems of such weapons.

Those are the preliminary comments my delegation wished to make at this stage of our work.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): During discussions of the question of new types of weapons of mass destruction in the Committee on Disarmament, the Soviet delegation has repeatedly stressed the need for more intensive work on the elaboration of preventive measures prohibiting the use of scientific and technological advances for the development of such weapons.

While being in favour of a comprehensive agreement on the prohibition of new types and systems of weapons of mass destruction, the Soviet Union, as you know, also accepts the idea of the conclusion of special agreements for the prohibition of individual new types of such weapons. This position of ours is reflected both in the additional draft agreement on the prohibition of new types and systems of weapons of mass destruction submitted by the USSR delegation to the Conference of the Committee on Disarmament in 1977 and in our participation in the negotiations on the prohibition of radiological weapons.

I should like to express the hope that the meetings of the Committee with the participation of experts planned for the end of July will enable Committee members to form a clearer picture of the wide range of questions connected with the possible emergence of weapons of mass destruction. We also hope that these meetings will help to break the deadlock on the question of the establishment under the auspices of the Committee on Disarmament of an ad hoc group of experts to prepare a draft comprehensive agreement and to consider the question of concluding special agreements on individual new types and systems of weapons of mass destruction. A proposal for the establishment of such a group was submitted to the Committee by the USSR delegation on 15 July 1980.

We are firmly convinced that such a group of experts could become a most effective international body which could prepare for the Committee's use informal working materials on the subject of new types of weapons of mass destruction. The Committee would thus have at its disposal an important additional means for the regular monitoring of developments in the matter of potentially dangerous trends that might give rise to new types of weapons of mass destruction.

The fourth round of negotiations on the preparation of the text of a treaty on the prohibition of radiological weapons has now been going on in the Committee on Disarmament for almost a month.

We are expected -- and have been expected for some time past -- to produce an agreed text of a treaty. Such expectations were confirmed recently in the course of the work of the Preparatory Committee for the second special session of the General Assembly devoted to disarmament and in that of the United Nations Disarmament Commission. Our current session is, in fact, the last full round of negotiations on the elaboration of a treaty prohibiting radiological weapons before the convening of the second special session of the General Assembly devoted to disarmament. Taking into account the present state of affairs in other areas of negotiations on the limitation of the arms race and disarmament, the completion of the preparation of a radiological weapons treaty would not only be a real contribution to the solution of the problems that exist in that sphere, but also have great moral and symbolic significance as a solid step in a positive direction, which is particularly important in today's exacerbated world situation. The

(Mr. Issraelyan, USSR)

importance of the completion of our work on a radiological weapons treaty to the successful holding of the second special session on disarmament is also perfectly obvious. Neither can there be any doubt that the achievement of agreement on radiological weapons would enhance still further the authority of our Committee as the only negotiating body in the sphere of disarmament that is at present functioning.

What, then, is the position as regards the preparation of a radiological weapons treaty after a whole month of work at the summer part of our Committee's session?

As you know, as a result of the previous round the Ad Hoc Working Group has before it, in addition to the Soviet-United States text, an alternative text by the Chairman. Apart from certain small points, we fail to see any elements in the Chairman's text that would substantially improve the Soviet-United States text. However, in view of the not unimportant fact that the alternative text takes account of the amendments proposed by many delegations and commands a considerable degree of agreement among them, the Soviet delegation is also prepared to work towards agreed decisions on the basis of the Chairman's consolidated text.

At the same time, the situation in the Committee on the question of the prohibition of radiological weapons is practically one of deadlock. There are delegations that would like to solve a number of pressing problems relating to the limitation of the arms race, international humanitarian law and other fields. We have the highest esteem for such noble intentions.

It would, of course, be an excellent thing if together with the prohibition of radiological weapons we could also solve the problem of a general and complete prohibition of nuclear weapons under effective international control and many other disarmament problems as well. But, alas, that is unrealistic. It would be equally unrealistic to try to solve the problem of prohibiting attacks on peaceful nuclear installations within the framework of a radiological weapons treaty. Undoubtedly, Israel's barbarous attack on a nuclear reactor near Baghdad raises a number of important issues.

We sympathize with the idea underlying the proposal by the Swedish delegation concerning the need to protect civilian nuclear installations against attack. However, the inclusion of this proposal in the text of a radiological weapons treaty involves considerable difficulties. In the course of the discussions various delegations have pointed out not only the complexity of the problem as such but also the serious legal, technical and political implications, the careful study of which would take time.

We continue to feel that the solution of this serious and difficult problem should be sought within the framework of other international agreements. The discussion of this matter in the Committee has shown that many other delegations, too, hold similar views.

Now that, after two years of intensive work, a large number of States members of the Committee are willing to assume obligations in connection with the prohibition of the development, production, stockpiling and use of radiological

(Mr. Issraclyan, USSR)

weapons on the basis of the Chairman's text, attempts to question the very preparation of a radiological weapons treaty, which is specified in our mandate and in the relevant decisions adopted by the General Assembly at its session on this question -- decisions adopted, moreover, by consensus -- can only cause bewilderment. We are firmly convinced that the speediest possible conclusion of work on a radiological weapons treaty will be a perhaps small but important contribution to the general goal of limiting the arms race. No one can doubt that even a small step in that direction, especially against the background of the present international situation, would be better than the absence of any progress at all. We believe in the formula: a little is better than nothing. Others seem to think that the worse things are the better that is.

Considerable difficulties remain also in connection with the final drafting of the treaty's articles on definition, scope of prohibition, and peaceful uses. There are some other difficulties as well.

Thus the situation which has arisen in the course of negotiations is not simple. On the one hand, there are a number of countries for which the text of the treaty prepared by the Chairman could be acceptable. On the other hand, there is a group of States which would like to link the treaty on the prohibition of radiological weapons with a number of international problems that are important but bear no relation to the prohibition of radiological weapons.

We consider that the interests of the cause require us to show the necessary realism, to make optimum use of the time available to us and, by making additional efforts both individually and collectively, to complete the preparation of the text of a treaty on the prohibition of radiological weapons in the very near future.

Mr. WAGENMAKERS (Netherlands): Mr. Chairman, as you observed last Thursday, there was a large number of speakers at the 136th meeting of the Committee on Disarmament. At the end of that meeting the leader of the Netherlands delegation, Ambassador Fein, consented to defer his statement scheduled for delivery on 9 July until today. Unfortunately, Ambassador Fein is prevented from being with us today. In his absence I have been instructed to deliver his statement now.

It is a matter of satisfaction for my delegation to see you preside over the work of this Committee in the month of July. My delegation feels inspired by the fact that during this important period of the work of the Committee, it will be steered by your outstanding competence, diplomatic skill and dedication to the cause of peace and disarmament. We are convinced that your great gifts of spirit and of mind will stimulate the Committee to make substantial progress in this vital phase of its summer session. Needless to say, my delegation will be only too happy to contribute to the success of your chairmanship. Our appreciation goes to your distinguished predecessor, Ambassador Komives of Hungary, for the very competent and business-like manner in which he set the Committee to work in the month of June. We cordially welcome into this Committee the distinguished Ambassador Carasales of Argentina, Ambassador Jalali of Iran, Ambassador Jayakoddy of Sri Lanka and Ambassador Rodríguez Navarro of Venezuela.

Today I wish to make a statement on radiological weapons and radiological warfare. In this statement I shall make some proposals which I hope will be helpful in advancing our negotiations on these matters. I shall not, however, on this

(Mr. Wagenmakers, Netherlands)

occasion, talk about new weapons of mass destruction in general except to remind you that it was the Netherlands that originally proposed, in our statement of 5 August 1980 (at the Committee's 97th meeting), the holding annually, during specially designated periods of time, of informal meetings on new weapons of mass destruction, with the assistance of qualified experts. We are pleased that at the initiative of Ambassador Komives of Hungary the Committee decided to do this, and as far as we are concerned that takes care of this problem.

Speaking about radiological weapons, I should in the first place recall the statement I made a year ago, at the formal meeting of the Committee of 9 April 1980. In that statement we commented in detail on the text of the draft convention submitted to this Committee jointly by the United States and the Soviet Union in July 1979.

Since then, during our discussions of this subject last year and also this year, many proposals have been made to improve on that draft text. Some of those proposals were interesting and they merit further discussion. As a result of those proposals there is now a Chairman's working paper with a consolidated text for a radiological weapons convention (CD/RW/WP.20 of 21 April 1981).

At this moment the most important outstanding difference of opinion, which stands in the way of an early agreement, concerns the scope and the definition of a radiological weapons convention. In the Ad Hoc Working Group on Radiological Weapons, on 26 June of this year, Sweden proposed certain interesting amendments to the text. That proposal, viz., to extend the definition of the scope of the radiological weapons convention in order to include the prohibition of attacks on civilian nuclear installations in the scope, deserves special attention. The background to that proposal was expounded in the Swedish intervention in the Committee on 7 April 1981.

The Netherlands is, in principle, sympathetically inclined to the Swedish proposal, which seems to be based on a thorough investigation of their own. We are therefore prepared to examine that proposal seriously, both nationally and internationally, in order to evaluate all its political and technical implications. Our very preliminary findings have led us to the following conclusions.

As we said in our intervention of last year, to which I referred at the beginning of this statement, the Netherlands shares the view that for purely technical reasons the development of specific radiological weapons is highly unlikely. We have always held the view that it is unlikely that such weapons can be developed. Moreover such weapons, even if they did ever come to exist, would be of little military value. The draft convention on radiological weapons as submitted to the Committee on Disarmament in July 1979 is therefore not a very interesting one from the point of view of arms control and disarmament. It is against this background that we in the Netherlands have looked at the Swedish proposal under discussion, because the launching of an attack on nuclear installations in an opponent's territory does constitute one of the few feasible and effective methods of waging radiological warfare. This is, unfortunately, not an inconceivable event.

It is our view that, since the United States/USSR draft convention provides in article III not only for a prohibition of radiological weapons as such but also for a general prohibition of radiological warfare, there is sufficient ground to try to include in a constructive manner, acceptable to all, at least the essence of the Swedish proposal.

(Mr. Wagenmakers, Netherlands)

In order to contribute to the process of deliberation that is now under way in this Committee concerning this proposition, which surely is not an academic one, but on the other hand also taking into account the objections that in fact have been made to attempts to regulate these important matters in the radiological weapons convention, we would put forward the suggestion not to pursue -- at least in this particular context -- the formula proposed by Sweden, which reads: "never, under any circumstances, to attack or deliberately damage any civilian nuclear energy generating reactor, reprocessing plant or spent fuel storage facility on the territory of a State party to the treaty". In the context of a radiological weapons convention, one could rather envisage -- and this is what we propose in place of the Swedish formulation -- that it should be prohibited "to attack any civilian nuclear energy generating reactor, reprocessing plant or spent fuel storage facility on the territory of a State party to the treaty, if such attack may lead to the effective release of radio-active material causing, by its dissemination, destruction, damage or injury by means of the radiation produced by the decay of such material".

Allow me now to substantiate that proposal with the following considerations. Let us consider, first, attacks on nuclear installations that have the specific objective of releasing radio-active material in order to inflict destruction, damage or injury on the enemy: such attacks obviously do fall within the scope of a radiological weapons convention. On the other hand, any military action against nuclear installations that is not specifically designed to use released radiation, is admissible. An example would be the capturing of such installations with a view to halting the production of energy. In this connection, we are reminded that the Swedish proposal would be covered by articles 51 and 56 of Additional Protocol I to the Geneva Convention of 1949. The Netherlands, however, shares the view that those provisions are more restricted than the Swedish proposal under discussion, and they are also more restricted than what we have in mind ourselves, our own Dutch views. In the first place, article 56 of Additional Protocol I only refers to "nuclear electrical generating stations"; it does not refer to other nuclear installations with large quantities of radio-active material. In the second place, article 56 only offers protection to the civilian population in the vicinity of the installations. Moreover that protection is neither provided for if these installations happen to supply electrical energy on a regular basis for substantial and direct support to military operations, nor in a situation in which such an attack is the only practical way of putting an end to that military support role.

We do believe, however, that in the radiological weapons convention there should be, in one way or another, e.g. in the preamble, a reference to Additional Protocol I in order to establish a link between the two instruments. In this connection, we would also wish to draw attention to article 56, subparagraph 6, of Additional Protocol I, which reads: "The high contracting parties and the parties to the conflict are urged to conclude further agreements among themselves to provide additional protection for objects containing dangerous forces". This also serves to bring out and underline the complementary nature of such a provision in a radiological weapons convention. These are the observations I wish to make to underpin our suggested text alternatives.

I now wish to refer to the new Swedish proposal to distinguish between civilian and military nuclear installations and subsequently to mark this difference, as is suggested as a possibility in article 56, subparagraph 7, of Additional Protocol I in reference to, inter alia, nuclear electrical generating stations. We in the Netherlands, are, however, of the opinion that it would be legally unsound and from a military point of view undesirable to change the nature of that provision in the Protocol, which is in fact no more than a recommendation, into a treaty obligation in the convention on radiological weapons. Moreover, such a

(Mr. Wagenmakers, Netherlands)

change into a treaty obligation would include reprocessing plants and spent fuel storage facilities. The Netherlands is of the opinion, as also suggested by Sweden, that the data published by IAEA concerning civilian nuclear installations should be sufficient to allow identification by military commanders of the civilian or military nature of a nuclear installation.

If the proposal to incorporate in the radiological weapons convention a prohibition of attacks on nuclear installations, as amended by us, in the text formulation I proposed just now, is accepted, thereby taking into account the remarks made from several sides, then we would, in our opinion, have achieved a significant advantage. The convention would gain significantly in value. Especially in heavily populated areas with a developed nuclear energy capacity, such a treaty would be well received, for the convention would include a prohibition of attacks on nuclear installations specifically intended to release massive radio-active contamination.

A few final remarks. As to the definition of radiological weapons, the Netherlands has no problems with the text proposed in the draft convention as submitted by the United States and the Soviet Union in July 1979. We do, however, consider an improvement of the prohibitions (articles I through III) of the radiological weapons convention desirable, as we stated in our intervention of 9 April 1980. The definition of radiological weapons should leave no ambiguity whatsoever: the convention relates exclusively to radiological warfare aimed at spreading radiological material other than by means of a nuclear explosion. I should remind you in this connection of the Netherlands proposal, in our intervention of 9 April 1980, for the redrafting of article II, subparagraph 2, and article III in that sense. I then proposed the redrafting of article II, subparagraph 2, to read as follows: "Any radio-active material specifically designed for employment, by its dissemination independently of nuclear explosions, to cause destruction, damage or injury by means of the radiation produced by the decay of such material". With the same objective in mind, article III should read: "Each State party to the Treaty also undertakes not to employ deliberately, by its dissemination independently of nuclear explosions, any radio-active material not defined as a radiological weapon in article II, subparagraph 2, to cause destruction, damage or injury by means of the radiation produced by the decay of such material".

By accepting these two texts we would do two things that make sense. We would create a link with the term "radio-active material weapons" as used in the definition of weapons of mass destruction by the Commission for Conventional Armaments of 12 August 1948. At the same time the Netherlands proposal regarding a qualified prohibition of attacks on nuclear installations, which I put to you earlier on, would also link up with article III of the convention.

My last remark on this matter is that we would appreciate it if a formula along the lines suggested by us could be incorporated in the definition as contained in the excellent Australian working paper of 1 July 1981 (CD/RW/WP.22).

I shall wind up my statement by addressing the vital question of the prevention of loss or diversion to radiological weapons of radio-active materials. This matter is dealt with in article IV of the consolidated text of the Chairman of the

(Mr. Wagenmakers, Netherlands)

Ad Hoc Working Group on Radiological Weapons (CD/RW/WP.20). In this context it seems useful to recall the pertinent paragraph of the Netherlands statement at the 76th plenary meeting of the Committee, on 9 April 1980:

"I now come to the article which deals with the physical protection of radio-active materials. Within the IAEA, an expert group has in the past made recommendations on the physical protection of fissionable materials (IAEA document INF/CIRC 225/Rev.1). These recommendations are implemented by many countries. Moreover, a Convention was recently concluded in Vienna on the Physical Protection of Nuclear Materials, particularly during transport. Both these recommendations and the Convention cover fissionable materials, either irradiated or not, but do not cover radio-active materials in which no fissionable material is present. If we accept the idea, as reflected in this article of the RW draft, that this category of materials must also be protected, parties must try to achieve common standards with respect to the level of protection. This could be done by amending the said Convention; but this does seem to be a somewhat cumbersome approach. Although my delegation certainly would not like to exclude the possibility of amending the Convention in the future, the most practical approach seems to be to ask IAEA to reconvene the expert group with a view to expanding the already existing recommendations so as to cover radio-active materials as well. Consequently, I propose to invite the Director-General of IAEA to present his views on this matter as soon as possible."

In the meantime, on 3 July 1981, the Netherlands delegation has submitted a proposal to the Ad Hoc Working Group on Radiological Weapons that the Director-General of the International Atomic Energy Agency be invited to present his views, preferably in writing on the relationship between article IV of the draft convention on radiological weapons and the Vienna Convention on the Physical Protection of Nuclear Material, as well as the guidelines for physical protection of nuclear material. This proposal is simple, constructive and without any implications of, for example, a military nature. Our sole aim is to try to establish maximum congruence between the work done in various forums, in casu located in Geneva and Vienna respectively, where new instruments of international law are being created. It goes without saying that the possible future advice of the Director-General of IAEA will in no way prejudice the decision the Ad Hoc Working Group will finally take as regards the wording of article IV of the consolidated text. The Ad Hoc Working Group works under the mandate given to it by the Committee on Disarmament, and this Committee is, of course, the only instance which de jure is empowered to draw up the radiological weapons convention. All the same, we deem it the duty of all States to see to it that agreements dealing with the handling of radio-active materials -- be these texts drawn up in Geneva or in Vienna -- form, between them, a formidable and coherent obstacle to unauthorized or illegal use of these dangerous materials.

Mr. ARRASSEN (Morocco) (translated from French): Our ancestors, who were not sparing of their time, invented the handshake, a symbolic gesture with three purposes: first, to gauge the potential striking power of the other; secondly, to check that not the smallest morsel of flint was lurking in his hand, and thirdly, to show him warmth or friendliness.

Since the vocation of our Committee is precisely that of disarmament, it ought, I think, to observe this ancestral tradition. It is, therefore, with real pleasure that I extend a warm handshake to you, Mr. Chairman, and through you, to India, which is not only a friendly country but also a potential Power, a setter of examples -- examples of peace and of democracy. India has also with bare hands scaled the highest peaks of science and technology currently on record.

The world is more than ever in need of exemplars of this stature, for this world seems set on a dangerously reckless course: it is a world where the most powerful set us an example rather of primitive egotism, extorting exorbitant concessions from those who are weaker, or condemning them to agonizing renunciations, a world where everything seems ineluctably to be slipping from man's control, beginning with those very elements on which man's future and his survival depend -- I am thinking in particular of armaments, with the exception perhaps of one category, and that is solely because it does not yet exist. I am, of course, referring to radiological weapons, on the subject of which I should like, with your permission, to say a few words.

From the military standpoint a radiological weapon is, as some put it, a nuclear weapon without the noise, or, if you like, one third of a nuclear weapon, for of the threefold effects of an explosive nuclear weapon, namely, mechanical effects, thermal effects and radiation effects, it has only the latter. These weapons, which are essentially based on the use, without any nuclear explosion, of radio-active material and waste from nuclear reactors -- whatever the form they may take -- can be used to inflict injury and damage on human beings, animals and plants through contamination.

Contrary to what is generally believed, this contamination may be caused by the firing of shells or rockets or the release of bombs containing radio-active agents or by-products; or by the direct dispersal of such radio-active elements from radiation-proof helicopters or pilotless craft.

In view of the development and spectacular progress of the electro-nuclear domain, the manufacture of radiological weapons is within the grasp of any country possessing the industry, however rudimentary, necessary for the production of the requisite materials. For the rest, there will always be other ways -- many of them questionable, politically or commercially, or even constituting outright violations of the law -- by which they can obtain fissionable materials or actual radiological weapons.

Since they are made from waste products, and are therefore within the reach of small budgets, radiological weapons, should they appear, might lead to a certain vulgarization of atomic weapons, a vulgarization the main consequence of which would be the birth of a new language of deterrence. For it must be realized that radiological weapons are of marginal importance only as regards the nuclear-weapon Powers or countries with large-scale conventional operational forces. For other countries, and especially developing countries, a power of deterrence based on radiological weapons -- provided it is credible -- could have a definite strategic value.

Clearly, only a complete and immediate prohibition of radiological weapons could obviate the risks that might result from such a situation.

(Mr. Arrassen, Morocco)

The negotiations on the prohibition of radiological weapons which were initiated on the urging of the United States and the Soviet Union have been going on in the Committee on Disarmament since 1979 with a view to the conclusion, in the words of paragraph 76 of the Final Document of the first special session of the General Assembly on disarmament, of a convention "prohibiting the development, production, stockpiling and use of radiological weapons".

In this matter, the Committee on Disarmament has taken a twofold decision: to set up an ad hoc working group, and to consider as a valid working base for negotiations the "Agreed joint United States-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons", in spite of the fact that, on the one hand the proposal contains a juridically unacceptable mixture of the laws of war and disarmament measures, while on the other hand it is totally silent on the subject of what is nevertheless an extremely important problem, that of radiological warfare.

Many delegations, including Morocco, consider that this question of radiological warfare should be at the centre of the discussions of the Ad Hoc Working Group on Radiological Weapons. There are, moreover, in this connection, serious divergences of views between, on the one hand, the two authors of the joint proposal and their respective allies, who would like to confine the prohibition in the convention to radiological weapons as such, and, on the other, the non-aligned and neutral countries whose views on the matter are less restrictive and who would therefore wish to broaden the scope of the future convention in such a way that the prohibition would cover not only all means of warfare producing radiation and including what are known as particle-beam weapons but also all forms of attack on civilian nuclear installations including power stations, laboratories and research centres, other installations concerned with the nuclear fuel cycle and all other installations containing large quantities of radio-active materials, even if such attacks are also strictly prohibited under article 56 of Additional Protocol I to the Geneva Conventions of 1949.

The position adopted by the former is untenable: it is not possible to clamour for the adoption of a convention intended to preserve mankind from the dangers of the use of radio-active materials otherwise than in the form of explosive nuclear devices, and at the same time to try to confine the prohibition to certain aspects of radiological warfare only, particularly in view of the ease with which peaceful nuclear facilities can be used to serve hostile purposes without substantial conversion. This much having been said, a compromise solution could rapidly be found if the two sides agreed to make reciprocal concessions: the non-aligned countries by not insisting on the maintenance of their suggestion on the prohibition of particle-beam weapons, and the others by agreeing to take the idea of radiological warfare into consideration.

The idea of radiological warfare is, in our view crucial, for we see no point in going on learnedly discussing whether or not it would be advisable to prohibit radiological weapons, which at present, everyone agrees, lie in the realm of fiction; what we ought rather to do is to tackle without further delay the problem of this terrifying new form of warfare.

In other words, what we ought to concern ourselves with in the first instance, and well ahead of the question of banning the use of radiological weapons, is the prohibition and prevention of radiological warfare.

My delegation wishes solemnly to declare that it intends henceforward to act and to assume its responsibilities in this spirit and with this goal in mind, in accordance with the statement of the Group of 21 of 17 June 1981, with the sole concern of ensuring the best possible protection for innocent civilian populations against radiological warfare.

(Mr. Arrassen, Morocco)

Before concluding, I should like very briefly to refer to the question of control and verification with regard to which the Working Group will certainly come up against some difficulties.

For the solution of any problems that may arise in relation to the objectives of the proposed treaty or its application, the agreed joint USSR-United States proposal provides in its article VIII that the parties will undertake to consult one another both directly and through a consultative committee of experts. The article further provides that any State party to the treaty which has reasons to believe that any other State party is acting in breach of obligations deriving from the proposed treaty on radiological weapons is free to lodge a complaint with the Security Council of the United Nations, which is equally free to decide whether or not to initiate an investigation into the matter.

Faithful to their practice of undertaking nothing in disarmament matters which could harm their Great Power interests, the United States and the USSR have proposed a totally emasculated verification and control body. The consultative committee of experts, according to the annex to the draft treaty, "shall undertake to make appropriate findings of fact" and "shall decide procedural questions relative to the organization of its work". However, the annex adds, "there shall be no voting on matters of substance" -- nothing less. As for the provisions of the joint proposal concerning the procedure for complaints, they are completely inadequate as regards violations of the prohibition to be embodied in the future convention. In view of all this, is it possible for our Committee to adopt such paltry provisions? As far as the Moroccan delegation is concerned, the answer is no!

It is, all the same, astonishing that when so many instruments have been adopted in the field of disarmament it has still not been possible, in the matter of control and verification, to devise a basic formula applicable to any category of non-conventional weapons, while allowing, of course, for certain modifications of the formula to take account of the specific characteristics of particular situations.

It is still more distressing to observe that the Committee on Disarmament has taken no steps to co-ordinate the work of the two working groups on chemical weapons and on radiological weapons as regards this aspect common to both.

In conclusion, the Moroccan delegation wishes to stress that if the regulation now under way of the question of radiological weapons does not take into consideration the essential question of the protection of civilian nuclear installations against all forms of attack and sabotage, the result is likely to appear to an impatient and eager international public opinion as nothing but a giant hoax deliberately designed to distract the attention of the world's population from the most important of the disarmament problems, and the one on which its survival depends: the prohibition of nuclear weapons and nuclear disarmament.

The world would be justified in considering that setting up a Working Group on radiological weapons -- potential weapons, whose role at the military level may be regarded at the present time as negligible -- and deliberately leaving aside the question of the nuclear weapons which constitute the gravest threat to mankind and to the survival of our civilization, is in truth sacrificing the essential to the secondary, and at the same time putting off till later the solution of a question which the world at large and the international bodies nevertheless consider as being of the highest priority.

(Mr. Arrassen, Morocco)

But let us be realistic and patient, and recognize that if radiological disarmament were achieved, in keeping with the legitimate concerns worthy of the interest of all of us, i.e., of the entire international community, it would have at least two advantages: it would rid the Committee on Disarmament of one "chore" and it would introduce greater rigour and clarity into the classification of non-conventional weapons. We should then have a new classification into two categories: on the one hand, the trilogy of weapons of mass destruction the use and also the production of which are prohibited, i.e., chemical, biological and radiological weapons, and on the other hand the category of the unclassified, awaiting regulation, that of the weapons of the apocalypse, for which the term "weapons of mass destruction" is something of a euphemism -- that is, nuclear weapons.

Mr. DARUSMAN (Indonesia): Mr. Chairman, at this stage of our work it is an irony that, while negotiations on the prohibition of weapons which do not exist as yet, namely, radiological weapons, are progressing, disarmament negotiations on the existing most destructive weapons which pose the greatest danger to mankind and civilization have not even been started in this body, even though they were considered as one of the priorities in the Final Document of the first special-session of the General Assembly devoted to disarmament (para.45).

Faced with such a situation, one may well raise the question whether it is really useful to spend our precious time and energy, which could be saved for other purposes, to continue our exercise in dealing with something which does not even exist at present. Irrespective of the fact that radiological weapons do not yet actually exist, and even though disarmament negotiations on weapons which have existed for more than 35 years and which pose the threat of total annihilation to mankind have not even commenced, my delegation has always been prepared to participate in a constructive manner in the negotiations which have been conducted and still continue to take place in the Ad Hoc Working Group concerned. We have done so for the following reasons:

- (a) We were requested by the Final Document (para.76) and by subsequent General Assembly resolutions to conduct such negotiations in this Committee;
- (b) The weapons that would be the subject of prohibition may well be developed and manufactured in the future. It would be appropriate, therefore, to take preventive measures before such weapons, which may have a mass destruction capability, actually come into being;
- (c) We believe that the possible conclusion of an international instrument prohibiting such weapons would contribute to the strengthening of international peace and security;
- (d) We expect, not too unrealistically, I hope, that tangible progress in negotiations on radiological weapons would give impetus to the disarmament negotiations in other areas, and particularly to the commencement of the negotiations relating to a nuclear test ban and the cessation of the nuclear arms race and nuclear disarmament, which remain our main concern.

In my statement of 25 June, I touched very succinctly upon three important issues relating to the convention on the prohibition of radiological weapons that this Committee was requested by the General Assembly to draft. The first relates to the definition of the weapons to be banned. To avoid possible different interpretations, the definition of radiological weapons should be clear, formulated for the purpose of the convention concerned only and, as has been stated by a number

(Mr. Darusman, Indonesia)

of delegations, should not legitimize nuclear weapons. Among the suggestions and proposals that have been so far submitted, my delegation considers that the Yugoslav and Australian proposals, contained respectively in documents CD/RW/WP.15/Add.3 and CD/RW/WP.22 deserve careful consideration. The second question I referred to in my previous statement relates to the scope of the prohibition. As we are all aware, to cope with the increasing need of or in the efforts to diversify energy resources, the number of countries possessing nuclear reactors has increased, including those situated in non-nuclear-weapon and developing nations. Nuclear facilities for peaceful purposes should not, therefore, be the subject of an attack. As I said in my earlier statement, the Israeli air attack on the Tammuz civilian nuclear facilities renders all the more pertinent the inclusion of a provision for that purpose in the future radiological weapons convention. A recurrence of attacks on civilian nuclear facilities placed under IAEA safeguards systems cannot be tolerated and must be prevented. The third issue I mentioned in my earlier statement was the question of the peaceful uses of radio-active materials. A convention to thwart the possible emergence and use of radiological weapons should not affect the inalienable right of all States to develop research, production and use of radio-active materials for peaceful purposes. All States parties to the future convention should also undertake to enhance international co-operation for the further development of the application of such materials for peaceful purposes and the needs of the developing non-nuclear-weapon nations should be duly taken into consideration.

As in the case of other international instruments of the same nature, one other question of crucial importance is the system of verification of compliance, to ensure that the provisions of the future convention are observed in good faith by all the parties to the instrument and that the objectives of the convention are attained. The systems set out in other existing international instruments of the same character could naturally be taken into consideration for comparative purposes. This should not, however, necessarily lead to the adoption of the same system in the proposed instrument on radiological weapons. What is essential in the system to be worked out is that it should be workable and that all the parties to the future convention should have the same obligations to make the system work. In the case of alleged non-compliance with the instrument, the mechanism relating to the examination of the question and the search for its solution should ensure that the matter can be dealt with in a speedy manner, considering the serious consequences that may occur as a result of such a situation. In order that the system should be workable, all States parties to the future convention should have the same right to participate in the consideration of the matter.

These were the general lines of the views of my delegation on some aspects of the proposed convention prohibiting radiological weapons. My delegation will continue to participate constructively in the work of the Ad Hoc Working Group concerned. In conclusion, I should like to reiterate that, while we are willing to continue our participation in the efforts to advance the work of the Ad Hoc Working Group with a view to eventually arriving at an agreed text on the prohibition of radiological weapons, even though such weapons are still non-existent, as I stated earlier, the already existing weapons of mass destruction, nuclear weapons in particular, continue to be our primary preoccupation. My delegation deeply regrets to note that no possibility seems to exist for negotiations to be commenced on this subject in the remaining time of this summer session of our Committee.

The CHAIRMAN: In accordance with the decision taken by the Committee at its 104th plenary meeting, I now have special pleasure in giving the floor to the distinguished representative of Switzerland, Ambassador Pictet.

Mr. PICTET (Switzerland) (translated from French): Mr. Chairman, I should first like to thank you, and through you the members of the Committee on Disarmament for giving me the opportunity to speak today on the subject of chemical weapons. Allow me to add that it is a particular pleasure for me to make this statement under your chairmanship.

The Swiss authorities are keenly interested in this subject, as was shown in their brief statement before the Committee on 26 April 1979 as well as in the address by the Swiss delegation at the Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological Weapons and on Their Destruction, which, under article XII of the Convention was required to review the situation as regards the prohibition of chemical weapons.

Thus the Swiss authorities are following with great attention the work being done on this subject by the Committee on Disarmament and in particular by its Ad Hoc Working Group on Chemical Weapons, in which Switzerland has been permitted to take part for the second consecutive session. I should like to place on record here my Government's satisfaction at the progress accomplished by this Working Group under the chairmanship of Ambassadors Okawa and Lidgard.

Chemical weapons at present constitute the most dangerous threat, together with nuclear weapons. This threat is all the more serious in that, unlike the latter, the technology of chemical weapons is relatively simple and cheap, so that it would be possible for many States to provide themselves with such weapons without too much difficulty.

For its part, my country has a highly developed private chemical industry. That industry produces no chemical weapons and will not produce them under any circumstances. The Confederation in turn produces no chemical weapons for military purposes in its own facilities. Switzerland has not acquired chemical weapons from abroad. My country therefore possesses no stockpiles of such weapons and retains none on its territory. The equipment possessed by the army is intended solely to protect combatants against the effects of toxic chemical substances in the event of conflict. Army training is confined to the proper use of the available means of defence. The organization of civil defence measures is designed to ensure that the civilian population is protected, in the event of a conflict, against the effects of chemical weapons and other means of mass destruction.

In the legal sphere, Switzerland was among the first signatories of the Geneva Protocol of 17 June 1925, which it ratified on 12 July 1932. It is also a party to the Convention on the Prohibition of Bacteriological Weapons of 10 April 1972, which it ratified on 4 May 1976.

The Geneva Protocol is still completely valid. It is therefore important for all States to accede to it, so that its sphere of application may be truly universal. The Protocol would then serve — pending the adoption of a better instrument — as a general prohibition of first use of a very broad range of chemical weapons.

Additional Protocol I to the Geneva Conventions, of 1977, in its article 35, as you know prohibits the use of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury, as well as the use of methods or means of warfare which are intended or may be expected to cause widespread, long-term and severe damage to the natural environment.

(Mr. Pictet, Switzerland)

Switzerland has signed that Protocol. The ratification procedure is at present under way in the Federal Chambers. The Swiss authorities consider that chemical weapons fall under the prohibition provided in article 35 because of their excessively cruel nature. Furthermore, by reason of the indiscriminate effects of such weapons on combatants and the civilian population alike, their large-scale use is contrary to article 51 of that Protocol, relating to the protection of the civilian population.

Necessary though they may be, these international instruments on the prohibition of use are not sufficient to eliminate the danger of recourse to chemical weapons in the event of armed conflict.

Owing to the present state of science and the possibilities for the development of technology in this sphere, these weapons represent a potential for suffering and death which can only be truly eliminated by the adoption of disarmament measures providing for the pure and simple abolition of this category of weapons and the destruction of existing stockpiles.

I should now like briefly to express the Swiss Government's present views — which are not yet final — with respect to certain elements which they consider particularly important in a multilateral convention on the total prohibition of chemical weapons, which are under discussion in your Committee and its Ad Hoc Working Group.

We believe that a convention in this sphere should prohibit the development, production and stockpiling of chemical weapons, and provide for the destruction of existing stockpiles. It should also provide for the prohibition of the acquisition, retention or transfer of such weapons, or the provision of any kind of assistance to third States in this sphere. On the other hand, we question whether it is wise to seek also to prohibit planning, organization or training for the use of such weapons, mainly because of the virtual impossibility of devising effective measures for monitoring such activities.

The idea of including in the convention a reaffirmation of the prohibition of the use of such weapons is one which merits consideration. The Swiss authorities would see an advantage in it, particularly if its inclusion meant that international verification measures could be applied in the event of allegations of the use of chemical weapons. For the 1925 Geneva Protocol does not provide for any machinery for the verification of the veracity of such allegations. This unfortunate gap, which resulted from the conception of international law prevailing at the time, would thus be closed. It is important, however, that a reaffirmation of that kind should not lead to a weakening of the Protocol, whose validity must remain intact.

The definitions proposed by the Ad Hoc Working Group on Chemical Weapons contain data on toxicity which coincide with our information. We therefore suggest that chemical warfare agents should be defined as chemical substances which alone or together with other chemical substances have direct toxic effects on man, animals or plants, i.e., chemical substances which are actually used or intended to be used in chemical weapons. According to their degree of toxicity they may be supertoxic or toxic warfare agents, which should in any case be prohibited by the proposed convention. On the other hand, the Swiss authorities believe that all means used for police purposes or for riot control should be excluded from a convention on the prohibition of chemical weapons.

(Mr. Pictet, Switzerland)

It is difficult to find a satisfactory definition of the precursors used for the synthesis of substances employed for peaceful purposes or for the manufacture of chemical warfare agents. Failing an acceptable definition, it is practically impossible to establish verification and control measures.

Switzerland attaches cardinal importance to the establishment of an effective system for verification of the application of the convention. This is not a matter of an attitude of excessive mistrust; it is, rather, a legitimate security demand.

There is, unfortunately, a very real risk of recourse to chemical weapons. The States parties to a convention on the prohibition of chemical weapons, and particularly the small States which do not possess and do not intend to possess such weapons, are entitled to expect all the guarantees that can reasonably be provided to ensure that they are not exposed to an attack by such weapons. In the absence of such guarantees, it is hard to see how they could forgo costly defence measures. The situation as regards chemical weapons is thus very different from that prevailing in the matter of bacteriological weapons, the use of which is infinitely less likely. The importance of adequate control measures is so great that, given the complexity of the problem involved, it would justify the protraction of the negotiations in order to secure a prohibition of chemical weapons that is accompanied by satisfactory guarantees on this fundamental aspect.

An effective verification system cannot be based on purely national measures. Such measures are necessary but they must be complemented by international procedures the application of which should be entrusted to an impartial international authority possessing adequate powers. The Swiss authorities believe that a combination of national and international measures is possible without endangering the legitimate interests of the chemical industry that pursues peaceful purposes. We believe in the possibility of reconciling the needs of national economic interests with those of international security. New technologies, as yet in their first stages, may open up promising possibilities in this connection in the near future.

In particular, the Swiss authorities wonder whether the extremely important question of the verification of the destruction of stockpiles could not be resolved by setting up multinational destruction facilities placed under the control of an international authority.

Confidence-building measures would certainly help to create a favourable climate for the negotiation and, later, implementation of the convention. They would also facilitate the subsequent verification measures provided for in the convention. A number of these measures could be adopted at once. The Swiss authorities find the ideas mentioned in this regard in the Progress Report of the Chairman of the Ad Hoc Working Group on Chemical Weapons (CD/179, of 23 April 1981) particularly interesting, for example, unilateral declarations of non-possession of toxic gases for use in the exchange of information on methods of destruction, including the study of the possibilities of creating multinational destruction facilities, the exchange of information on military manoeuvres which could include elements related to the use of chemical weapons, or again, the exchange of invitations to attend such manoeuvres. Switzerland is ready to take part in such studies, if its participation is desired.

The CHAIRMAN: I thank the distinguished representative of Switzerland, which is our host country, for his statement. That concludes the list of speakers for today. Before we pass on to other business, I would like to convey my deep appreciation to all those delegations which have today expressed kind sentiments towards my country and to me personally. I now put before the Committee for decision the proposal in document CD/180, containing a statement by the Group of 21 on item 2 of the agenda of

(The Chairman)

the Committee on Disarmament entitled "Cessation of the nuclear arms race and nuclear disarmament". In that document, the Group of 21 proposed the establishment of an ad hoc working group with the mandate to elaborate on paragraph 50 of the Final Document and to identify substantive issues for multilateral negotiations. Is there any objection to the proposal in CD/180?

Mr. SUMNERHAYES (United Kingdom): The subject of nuclear weapons is one which weighs on the minds of all countries, and real concern on this issue is felt just as much by the Governments of the countries which possess nuclear weapons as by those of the countries which do not. For this reason my delegation has played a full part in the discussion of nuclear matters during the spring session of our Committee. We have made it clear that, if it is the general wish, we are ready to continue the examination of all these questions. And we have said that we will take part in any consultations which you, Mr. Chairman, may hold on how we should proceed in our future handling of this subject.

Meanwhile, we have a proposal to establish a working group on this subject. But as we have said before, it seems to us that in the first place progress on nuclear disarmament will have to be made by the States with the preponderant nuclear armouries. For this reason my Government has welcomed the preliminary steps with a view to negotiations on theatre nuclear forces in Europe; and we look forward to a resumption by the United State and the Soviet Union of their negotiations on strategic arms limitation.

In the light of this it does not seem to my delegation that we have reached the stage at which negotiations could usefully be held in the Committee. We believe that the establishment of a working group is the right step to take when there is at least the prospect of working on a text or texts which, if agreed, would involve the assumption of obligations by the participating States.

Mr. de la GORCE (France) (translated from French): Mr. Chairman, as I am taking the floor at a plenary meeting for the first time since you became Chairman, I wish to offer you my very warm and very friendly congratulations, as well as my most sincere wishes that the period of your chairmanship may continue and conclude in the satisfactory manner in which it has proceeded up to now. I should also like to mention the friendly feelings of my delegation for the delegation of India — feelings which faithfully reflect the bonds of friendship that unite our two countries.

As regards the question put to us, I merely wish to recall that my delegation has already stated its position on the question of the establishment of a working group on the nuclear arms race and nuclear disarmament, and we have explained the reasons why it seemed to us preferable that the substantive consideration of the issues involved should be carried out by other means, and in particular through discussions we can have at informal meetings of the Committee itself. I should like at the same time to reiterate my delegation's intention of engaging in this discussion with all the seriousness called for by the gravity of the problems involved and in accordance with whatever procedures the Committee may decide to adopt for this purpose.

Mr. FLOWERREE (United States of America): My delegation is aware of the intense interest in item 2 of our agenda, "Cessation of the nuclear arms race and nuclear disarmament". Unlike item 1, this agenda item embraces a broad spectrum of issues and measures, any one of which poses enormously complex negotiating problems. Two proposals have been put before the Committee for working groups in this area.

One of these proposals, that contained in CD/180, also attempts to cover the whole spectrum of problems in dealing with agenda item 2, and in so doing loses all sense of focus. The four items suggested for inclusion in the mandate are already under consideration in other working groups in this Committee, or do not need the creation of yet another working group for their consideration.

This being said, we are ready to co-operate in finding alternative ways in which some of the proposed topics -- those which are not being considered already in other groups -- can be handled.

Mr. ISSRAELIAN (Union of Soviet Socialist Republics) (translated from Russian): Mr. Chairman, the Soviet Union's position on the question of the prohibition of nuclear-weapon tests has been stated repeatedly but, in view of the question you have raised, I feel I must state it once more. We consider that the Committee on Disarmament should play an active role in the solution of the task of a complete and general prohibition of nuclear-weapon tests; we favour the establishment of an ad hoc working group of the Committee on this question, with the participation of all nuclear-weapon Powers. The task of such a group should be to consider the problem of nuclear-weapon tests in all its aspects with a view to the speediest possible conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests with the participation of all nuclear-weapon Powers, which should assume appropriate obligations under the treaty. At the same time the Soviet Union continues, as in the past, to attach great importance to the trilateral negotiations between the Soviet Union, the United States of America and the United Kingdom on the question of a complete and general prohibition of nuclear-weapon tests and, being interested in the achievement of a constructive agreement in this regard, is prepared immediately to resume those negotiations.

The Soviet Union's position is reflected, in particular, in document CD/194, which has been distributed to Committee members. However, I should like to draw the secretariat's attention to the fact that in the Russian text of the document half of the concluding part of document CD/194 has been left out. I should like to request the secretariat to rectify this omission.

The CHAIRMAN: I thank the distinguished representative of the USSR for his statement. I am assured by Ambassador Jaipal that this question will be looked into. I would also like to point out that the statement of the distinguished representative of the USSR relates to the item which will follow, in substance, but I am sure that his views will be noted by all members.

Having heard the statements made today I am sure that members will agree with the Chair that there is no consensus at present for adoption of the proposal in document CD/180. We proceed now to CD/181, containing a statement by the Group of 21 on item 1 of the agenda of the Committee on Disarmament entitled "Nuclear test ban". The Group of 21 recommends, in that document, the establishment of an ad hoc working group and suggests a mandate for the proposed subsidiary body. As in the previous case, may I ask if there is any objection to the proposal contained in document CD/181?

Mr. FLOWERREE (United States of America): Mr. Chairman, the review of United States policy concerning nuclear testing, including the question of CTB negotiations, has not yet been completed.

This question, which has security implications of the most fundamental nature, is related to the whole complex of issues concerning strategic and theatre nuclear weapons on which decisions are pending. Because of the difficult issues and basic security concerns involved, rapid completion of this review has not been possible. In these circumstances, my Government is not in a position to agree to the establishment of a working group on a comprehensive test ban.

I would also like to take advantage of this opportunity to address myself to a related aspect of the question of the formation of a CTB working group.

In his statement in plenary meeting on 2 July, the distinguished representative of Mexico stated that the two nuclear-weapon States which had not agreed to the establishment of a working group on CTB, meaning the United States and the United Kingdom, were guilty of treating the United Nations with mockery and contempt. My delegation does not accept the notion that the expression of honest differences on matters that we regard as affecting our vital national interests should be characterized as a mark of disrespect for the world community.

The Mexican representative cited in support of his charges three United Nations General Assembly resolutions in three successive years that called on the trilateral negotiators working on a comprehensive test ban to conclude their negotiations speedily and to submit the results to the Committee on Disarmament by a specified time. The resolutions cited were 32/78 of 12 December 1977, 33/60 of 14 December 1978 and 34/73 of 11 December 1979. My Government supported all three of these resolutions in good faith because we agreed with the major content of the resolutions. However, in every instance we made it clear that we did not, and in fact could not, accept a deadline for completion of these negotiations. As an example, I would like to quote from the United States explanation of vote on resolution 34/73:

"It is the conviction of the United States that the negotiation of effective measures of verification is an indispensable requirement for the successful conclusion of a comprehensive test-ban treaty. We are working hard in Geneva to reach agreement on such measures, as well as on other remaining issues in the negotiations. But we would not wish to imply by voting for the draft resolution that we would be prepared to conclude the negotiations with any particular provisions, or by any particular deadline or target-date, regardless of the progress that had been achieved in resolving these critical matters."

The representative of Mexico did not mention in his intervention the two resolutions on a comprehensive test ban that were voted on at the 1980 session of the General Assembly (resolutions 35/145 A and 35/145 B). The United States voted against resolution 35/145 A and we joined with the other trilateral negotiating parties in abstaining on resolution 35/145 B, spelling out our reasons fully.

(Mr. Flowerree, United States)

We have been no less straightforward in making our point of view known in the Committee on Disarmament. Last summer, the United States delegation favoured the submission of a candid report on the state of the trilateral negotiations early in the summer session, but as I said at the time, in this instance it took three to tango. Reaching trilateral agreement is never an easy task, especially on such a complex subject. At the same time, we made no secret of the fact that we did not think it wise in the existing state of trilateral negotiations to bring the subject into the CD for negotiation. Nor did our two negotiating partners, both of whom subscribed to the statement that they thought the best way to proceed was through the trilateral negotiations (CD/130). Now, of course, with all aspects of a comprehensive test ban under review, the United States is in a different position and would not be able to participate in a working group if one were in existence. When the United States review is completed we will, of course, make our views known. Meanwhile, we have sought to co-operate in finding alternative ways for the Committee to undertake active consideration of this issue.

This is a record of honest dealing with the world community. One does not need to read any fine print or between the lines in our statements to understand fully where we stand. We are acutely aware of the extreme impatience with which most countries have awaited the emergence of an agreement that could form the basis for a multilateral comprehensive nuclear test ban. We are also aware that there is disagreement among us on many substantive aspects of the problem. To have such disagreements is not unprecedented in the history of the United Nations or of this body, and we expect delegations to take vigorous exception to our point of view if that is their conviction. But we do object to a characterization of our honest differences as constituting disrespect or mockery of the United Nations.

Mr. SUMMERHAYES (United Kingdom): My delegation fully agrees with those who want to see progress in the negotiation of an effective nuclear test ban. We consider this to be a most desirable aim, and we have pursued it by contributing actively to the tripartite negotiations. Members of the Committee know from the report on the subject delivered by the three negotiating States at the end of July 1980 the extent of the progress made in these negotiations. We equally understand the views of those who believe that the establishment of a working group in the Committee on Disarmament would make a contribution to this end. But, as we have made clear in the informal discussions which have been held on this subject both during this session and during our spring session, my Government believes that the confidential tripartite forum offers the most realistic way forward on a comprehensive test ban.

Mr. GARCIA ROBLES (Mexico) (translated from Spanish): Mr. Chairman, my delegation has listened, with the attention they always deserve, to the statements just made by the distinguished representatives of the United States and the United Kingdom. If this were an issue which was as old as the Committee on Disarmament, if it dated from 1979, that is, or if it dated back to the days of the Conference of the Committee on Disarmament, or even, if you like, to the time of the first negotiating body of which the three countries in question were members -- the Eighteen-Nation Committee on Disarmament, which held its first meeting here in Geneva in 1962, I would be prepared to consider the arguments put forward with the utmost attention and see whether I might change my mind and go along with one or other of the views that have been expressed today. But this subject is one which has been under discussion in the United Nations General Assembly for more than 25 years: the Secretary-General of the United Nations himself, speaking here in 1972 at the opening meeting of the session of the CCD for that year, said that no other disarmament issue had been so fully explored in all its aspects as the

(Mr. García Robles, Mexico)

question of a nuclear test ban. He added that the only thing lacking was political will. And lest anyone should think that although the Secretary-General said that in 1972, he might well have changed his mind since then, let me remind you that, in the foreword to the study by experts which was circulated to us last year, the Secretary-General stated categorically that he still thought the same. That is why I hope that the distinguished representatives who have spoken will consider as what Ambassador Flowerree called an "honest difference of opinion" the fact that my delegation -- which purposely did not mention resolutions where any of the delegations participating in the trilateral negotiations voted against or abstained, but only those where these three Powers voted in favour -- continues to believe what I expressed here on 2 July in the following words:

"To have adopted thrice in a row this position which appears so positive and then, after completely disregarding in practice the three resolutions for which they were partly responsible, to refuse openly, as they have been doing, let us not say to transmit to the Committee on Disarmament the results of their negotiations that have been going on for four years now, or to reply to the concrete questions of the Group of 21, but even to allow the Committee on Disarmament to carry out its duty as the 'single multilateral disarmament negotiating forum', and that with respect to no less a matter than the item which has the highest priority on its agenda, constitutes not merely disrespect for but mockery of the body that is the most representative of the international community, namely, the General Assembly of the United Nations."

My delegation, as a member of the Group of 21, naturally supports the views expressed in document CD/192. The penultimate paragraph of this document reads as follows:

"If, contrary to what could reasonably be expected, it were not possible to reach a positive decision, the Group believes that it would be necessary to examine what further steps should be taken by the Committee to ensure that its Rules of Procedure are not used in such a way as to prevent the Committee from taking procedural decisions enabling it to conduct negotiations on the items included on its annual agenda."

In the light of what has happened here this morning, I believe that we should begin to give active consideration to what is suggested in this paragraph.

The CHAIRMAN: If there are no more speakers, it is clear that in respect of the proposal contained in document CD/181, as in the previous case, there is at present no consensus. Let us all earnestly hope that the human species does not become extinct through honest differences of opinion.

(The Chairman)

Distinguished delegates, may I now turn to Working Paper No.43/Rev.1, 1/ containing a draft decision by the Committee to invite the World Health Organization and UNEP to nominate representatives to attend certain meetings of the Ad Hoc Working Group on Chemical Weapons for the purpose of providing technical information, when necessary. Is the Committee in agreement on the text of the draft decision? If so, the draft decision is adopted.

It was so decided.

The CHAIRMAN: The next plenary meeting of the Committee on Disarmament will be held on Thursday, 16 July at 10.30 a.m. This meeting is concluded.

The meeting rose at 1.20 p.m.

1/ In response to the request of the Chairman of the Ad Hoc Working Group on Chemical Weapons, the Committee decides to invite the Director-General of the World Health Organization and the Director of the Regional Office for Europe of the United Nations Environment Programme to nominate representatives to attend certain meetings of the Ad Hoc Working Group on Chemical Weapons for the purpose of providing technical information, when it is deemed necessary, in respect of establishing toxicities of chemicals and the international register of potential toxic chemicals.

COMMITTEE ON DISARMAMENT

CD/PV.138
16 July 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND THIRTY-EIGHTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 16 July 1981, at 10.30 a.m.

Chairman: Mr. A.P. VENKATESWARAN (India)

PRESENT AT THE TABLE

Algeria: Mr. A. SALAH-BEY

Argentina: Mr. J.C. CARASALES
Mr. J.M. OTEGUI

Australia: Mr. R. STEELE

Belgium: Mr. A. ONKELINX
Mr. J.-M. NOIRFALISSE

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

Bulgaria: Mr. P. VOUTOV
Mr. I. SOTIROV
Mr. P. POPCHEV

Burma: U SAW HLAING
U NGWE WIN
U THAN HTUN

Canada: Mr. D.S. McPHAIL
Mr. G.R. SKINNER

China: Mr. YU Peiwen
Mr. YU Mengjia
Mr. LI Changhe
Mr. LI Weimin

Cuba:

Czechoslovakia: Mr. P. LUKES

Egypt: Mr. EL S.A.R. EL REEDY
Mr. I.A. HASSAN
Mr. M.N. FAHMY
Mr. W. BASSI

Ethiopia:
Mr. T. PERRERE
Mr. F. YOHANNES

France:
Mr. J. DE BEAUSSE
Mr. B. D'ARBOVILLE

German Democratic Republic:
Mr. G. HERDER
Mr. H. THIELICKE
Mr. M. KAULEFUS
Mrs. H. HOPPE

Germany, Federal Republic of:
Mr. G. PFEIFFER
Mr. N. KLINGLER
Mr. H. MULLER

Hungary:
Mr. I. KOMIVES
Mr. A. LAKTOS

India:
Mr. A.P. VENKATESWARAN
Mr. S. SARAN

Indonesia:
Mr. Ch.i. SANI
Mr. S. DARUSMAN
Mr. M. SIDIK
Mr. E. SOEPRAPTO

Iran:
Mr. A. JALALI
Mr. M. DABIRI

Italy:
Mr. A. CIARRAPICO
Mr. B. CABRAS
Mr. M. BARENGHI
Mr. E. DI GIOVANNI

Japan:
Mr. Y. OKAMA
Mr. H. TAKAHASHI
Mr. K. TANAKA
Mr. K. SHIMADA

Kenya:

Mexico:

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

Mongolia:

Mr. D. ERDEMBILEG
Mr. S.-O. BOLD

Morocco:

Mr. M. CHERAÏBI
Mr. M. ARRASSEFI

Netherlands:

Mr. H. WAGENMAKERS
Mr. A.J.J. OOMS

Nigeria:

Mr. W.O. AKINSAMIYA
Mr. T. AGUIYI-IRONSI

Pakistan:

Mr. M. AHMAD
Mr. M. AKRAM

Peru:

Mr. A. THORNBERRY

Poland:

Mr. B. SUJKI
Mr. J. CIALOWICZ

Romania:

Mr. M. MALITA
Mr. O. IONESCU
Mr. T. MELBESCANU

Sri Lanka:Sweden:

Mr. C. LIDGARD
Mr. C.-E. HYLLENIUS
Mr. H. BERGLUND
Mr. J. LUHDIN

Union of Soviet Socialist
Republics:

Mr. V.L. ISSRAELIAN
Mr. L.A. NAUMOV
Mr. V.M. GANJA
Mr. M.M. IPPOLITOV
Mr. V.F. PRYAKHIN

United Kingdom:

Mr. D.M. SUMMERLAYES

Mrs. J.I. LINK

United States of America:

Mr. C.C.

Mr. F.P. DESIMONE

Mr. J.A. HILSKEL

Mr. R.F. SCOTT

Mr. R. HILKULAK

Venezuela:

Mr. R.R. NAVARRO

Yugoslavia:

Mr. M. VRHUNEC

Mr. M. RADOTIC

Zaire:

Mr. B.A. NZENGEYA

Secretary of the Committee
and Personal Representative
of the Secretary-General:

Mr. R. JAIPAL

Deputy-Secretary of the Committee:

Mr. V. BERLISATEGUI

The CHAIRMAN: The Committee continues today its consideration of item 4 of its agenda, "Chemical weapons". Members wishing to make statements on any other subject relevant to the work of the Committee are at liberty to do so in conformity with rule 30 of the rules of procedure.

Mr. McPHAIL (Canada): Mr. Chairman, let me begin, since this is my first intervention in the Committee this month by paying tribute to you on taking over the chairmanship, as well as to your predecessor. It is customary to pay such tribute, but the warmth and sincerity behind them are no less real simply because they are customary. I do want to pay tribute to you and to Ambassador Kömives for helping the Committee to push forward in these two months. It had been my intention to speak to the Committee a few days ago when we were devoting time to items 1 and 2 of our agenda, but as the speakers' list was indeed lengthy, it is my intention today to avail myself of the privilege under rule 30, to put before the Committee the profound concern of my Government over nuclear disarmament and the sense of urgency it attaches to this issue. Most recently, the Canadian Government's views were expressed by Prime Minister Trudeau in our Parliament in mid-June and I quote from his statement then:

"Putting an end to the nuclear arms race involves tremendous difficulties. However, the Government of Canada still believes that, as discouraging as these difficulties might be and as small as any immediate chance of progress might seem, the Superpowers must be urged to reflect with all due gravity on the consequences of the resumption of nuclear escalation".

A cessation and reversal of the arms race remains an essential focus of the world community of which this Committee is indeed representative. For any true progress to be realized, however, a balance of security interests must be sought. Thereafter, increasingly lower levels of armaments may be negotiated.

I have argued that in our informal discussions of these matters in recent months, we have failed to contribute to forward movement. However, in these discussions we may at least have come to understand better the reasons for the existence of the situation in which we find ourselves. Without such knowledge, there is a tendency to act blindly, to resort to emotion, to confront unnecessarily and, without doubt, unproductively. There exists a number of forums for deliberations; but this one, the Committee on Disarmament, has been set apart for negotiations and we should proceed with negotiations on nuclear matters with the priority they demand.

Let me quote again from the Canadian House of Commons Debate I mentioned a moment ago, in which the Secretary of State for External Affairs said the following:

"When it was clear that the collective arrangements for peace provided for under the United Nations Charter were not going to be allowed to work, it became imperative to make other security arrangements. Canada joined with others in creating the North Atlantic Alliance in 1949 and has since contributed to the collective deterrence and defence capacity of NATO".

This is precisely the sort of regional arrangement for dealing with matters relating to the maintenance of international peace and security that is foreseen under Article 52 of the United Nations Charter. Those of us who form such an alliance do so on a purely voluntary basis because we share a common view of the threat to peace and security of our region and are prepared to take joint action to deter such a threat.

(Mr. McPhail, Canada)

But for the Canadian Government, alongside the appropriate defence capacity, our security also requires the search for arms control and disarmament agreements. If the armaments spiral is ever to be broken, verifiable arms control and disarmament agreements must be concluded. Arms control and disarmament are obviously the pursuit of undiminished security at lower levels of armaments and expenditure. The step-by-step approach to neutralizing arms competition in equal security terms and proceeding thence to dismantling the vast arsenals of nuclear and conventional weapons systems takes time. It begins with the mutual perception of security balances which can lead to agreements to limit arms and to control their development and deployment. Contrary to what is sometimes advocated, only then, once arms competition is contained, can efforts be focused on reductions, always reflecting that same appropriate security balance.

This is a discussion about nuclear disarmament; but I want to make it clear that in this context our concern is not simply with regions where nuclear arms are already part of the arms competition, as is in the case in Europe. It is not possible to attempt to differentiate between nuclear and conventional weapons disarmament. Conversely, a number of the crisis spots in other parts of the world are not yet cast entirely in ideological terms as is the case between East and West. The vast majority of disputes, particularly in the third world, are regional in scope and often reflect deep-seated and historical quarrels in relation to local issues. But this does not make the arms control and disarmament problems, including nuclear problems, in such regions any less important in the qualitative sense. Thus, whatever the region, it is indeed in the process of peacemaking in general that real disarmament progress is likely to be registered. The Canadian Government has not been content to limit itself to general observations on this subject. Instead, on the nuclear weapons issue my country has advanced an integrated arms control concept based, we believe, on the realities of both the international security situation facing the world and existing strategic nuclear arms competition. This concept has come to be called the "strategy of suffocation". It consists of four closely interrelated multilateral measures: bans on both the testing of nuclear warheads and new strategic delivery vehicles, a ban on the production of fissionable material for weapons purposes in order to strengthen the NPT régime; and an agreement to limit and then progressively to reduce military spending on new strategic weapons systems. When the strategy was first proposed in 1978, none of the individual measures was in fact new to the arms control debate: what was innovative was the proposed interaction of the measures, i.e. their mutually reinforcing nature, designed to prevent the proliferation of nuclear weapons among heretofore non-nuclear-weapon States and the nuclear-weapon States themselves; that is to say, both the vertical and horizontal aspects of nuclear-weapon proliferation.

These were advanced as matters for negotiation, not appeals for unilateral action; they offered and they continue to offer opportunities for adequate although varying degrees of intrusive verification and thus have the potential of contributing to an interlocking process of confidence-building; they are matters which, while central to the security concerns of those States possessing such weapons, are precisely the issues on which significant progress must be sought.

Our assessment has not changed in the three intervening years. Unfortunately, prospects for concluding arms control and disarmament agreements along the lines mentioned have continued to be limited, for reasons known to all of us. Nevertheless, as the Canadian Minister of External Affairs stated in the debate already cited:

(Mr. McPhail, Canada)

"The strategy of suffocation remains valid: and the Government takes every opportunity to reaffirm the importance it attaches to the continuation of the SALT process and to the realization of a verifiable comprehensive test-ban treaty" -- and these, of course, are particularly relevant elements in the integrated strategy we espouse.

Both horizontal and vertical proliferation, therefore, are at the heart of our concern, and today I should like to comment on the critical problem of nuclear proliferation in both these respects and their relationship to other issues. In so doing, I intend to place emphasis on certain aspects which others have left aside in this discussion.

Non-proliferation in both its vertical and horizontal aspects cannot be isolated from international security considerations. Indeed, it seems to my delegation that much of our debate has been about the degree to which the possession of nuclear weapons (and -- but unfortunately much less so -- the possession of nuclear weapons potential) contributes to or detracts from international security. We are all aware of the global strategic situation in which it might well be asked, "How much is enough?" We all agree that there are too many nuclear weapons in areas where they are now deployed; what we do not agree on is how to go about reducing their number and eventually eliminating them. Nor do we all agree on how to go about ensuring that nuclear weapons do not spread to other regions where we would have to start asking the same question; we also argue about the principles behind the implementation and strengthening of the régime established to prevent the proliferation of nuclear weapons where they already exist or where they seem likely to appear.

I would like, therefore, to talk briefly about three aspects of the total non-proliferation régime which are essential to its functioning: balance, reciprocity and, of course, verifiability.

Balance: Of these, balance is the essential prerequisite to international stability. I shall not dwell on our concerns over nuclear disequilibrium in Europe, but it is clear that a selective freezing of the present and growing disequilibrium offers no solution at all. Nevertheless, we look forward to the forthcoming talks as the best means by which the further proliferation of long-range theatre nuclear weapons can be brought under some control in Europe. But Europe is only one regional example in which the principle of balance, and hence stability, applies. If some of the present non-nuclear-weapon States insist on keeping their option open to develop nuclear weapons, whether they call the necessary testing peaceful or not, this inevitably causes concern on the part of their neighbours; and this -- as everyone hastens to point out as regards Europe -- increases the likelihood and scale of consequences arising from the possible use of force in areas of tension. The emergence of States with nuclear weapons potential, or presumed nuclear weapons potential, vastly complicates and destabilizes regional military balances, far exceeding the impact of modernized nuclear weapons systems in areas where they already exist. Our problem, then, is to encourage the creation of stable and balanced conditions of international security in which nations will regard the NPT as an adequate régime under which both to anticipate a degree of military stability as well as to satisfy technological needs in the nuclear field.

(Mr. McPhail, Canada)

Reciprocity: Thus, agreements must be reciprocal and not one-sided. That is also why proposals for moratoria which favour the security interests of one side, such as the proposal for a freeze on European theatre nuclear forces, are unacceptable. The NPT is no exception to this rule either. A number of countries have criticized the NPT as imposing unequal obligations on the respective parties and as being discriminatory against non-nuclear-weapon States. Canada, too, has urged the nuclear-weapon States to exert greater efforts in the fulfilment of their obligations under article VI of the Treaty. But dissatisfaction about the pace of those negotiations, which deal with what is one of the most complex security relationships in history, in terms of nuclear and conventional forces, is not a legitimate excuse for the failure of non-nuclear-weapon Powers to recognize their own self-interest in accepting obligations under the same régime. Both aspects of proliferation are of equal importance to stability in the over-all régime. Failure in either case would be tragic and possibly catastrophic. Thus, reciprocity of vertical and horizontal non-proliferation obligations under the Treaty remains, we believe, in the mutual interests of all States.

Verification: Canada has always advocated and stressed the importance of adequate verification as an essential part of successful arms control and disarmament policies. We are frankly distressed when we listen to those who claim that verification has been employed as a means of delaying or side-tracking important negotiations in this field. When we speak of verification, we are not asking others to do anything more than we ourselves are prepared to do. It is an exercise of the principle of which we were just speaking: reciprocity. We are not infringing upon sovereignty, but rather exercising it, in the same manner as we do by entering into any international treaty. Of course, in a world of sovereign, independent States, verification cannot be 100 per cent certain. It is unrealistic to expect, in the real world, individual Governments in pursuit of the legitimate goal of the security of their people, to open every secret to the scrutiny of potentially hostile forces. That is why we speak of "adequate" means of verification; and adequacy as a political concept varies in relation to a number of complex factors which may be present in relation to different arms control proposals. It is thus not a monolithic condition. Members of the Committee will be familiar with Canadian efforts over the past year or so to explain carefully and to document, in a non-partisan manner, some of the ideas we have in this area. We believe any unintentional misunderstandings can be dispelled through this process.

Verification, we believe, builds confidence; and arguments against adequate verification, or the underestimation of its role or importance do not, for us, inspire confidence. Thus it is a fact of political life that, if a proposed treaty is to impinge upon military options which may be available to a particular State in pursuit of national security, the treaty must win the support of the Government and, where the constitution so provides, as in the case of Canada, the democratically elected representatives of the people ultimately affected. It is not, therefore, practical to propose the conclusion of arms control and disarmament agreements that do not meet this imperative: that is, the treaty itself must provide the means for maintaining the necessary confidence concerning compliance with its terms that mere promises -- particularly those which are contradicted by actions -- are simply incapable of doing.

(Mr. McPhail, Canada)

In the past few weeks, as the Committee on Disarmament has considered these and other matters of nuclear arms control, the question of the setting up of two working groups, one on a comprehensive test ban and the other on nuclear disarmament, has been addressed. Canada continues to favour a CTB working group; we believe it could play a useful role in support of the trilateral negotiations and not in competition with them. Our objective, however, is the achievement of a comprehensive test-ban treaty and not the establishment of a working group per se: and our support for a working group rests on our belief that it could assist in this direction; that is to say, the working group should be viewed as a means to an end and not the end in itself. Thus the working group will not by itself guarantee a treaty text. Even so, pending the establishment of such a working group, there could be merit in exploring whether alternatives exist by which we could advance this cause. Let us not permit debates on this issue to become bogged down in symbolism to the detriment of the actual matter at hand — the achievement of a CTB treaty.

As for the establishment of a working group on nuclear disarmament, I should like to refer back to what I said earlier in the context of non-proliferation. A proposal has been advanced that the terms of reference of such a working group be drawn from paragraph 50 of the Final Document adopted by the General Assembly at its first special session devoted to disarmament. That paragraph, which incidentally embodies much of the same dynamic as is contained in the strategy of suffocation, deals with vertical proliferation. However, nuclear disarmament and arms control, as I have attempted to demonstrate today, are a much broader issue than that. The NPT recognizes this. Also, the Final Document in paragraphs 65, 66, 67 and 68, and other paragraphs as well, also deals with the issue of nuclear disarmament or related subjects, but in the context of horizontal proliferation. Of course it is the special responsibility of the nuclear-weapon States, which have undertaken to do so, to get on with the "negotiation in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament". We do not agree, however, that it is advisable for this Committee to attempt to divorce the aspect, for example, of horizontal proliferation from that of vertical proliferation. The problem of nuclear proliferation is universal, and this Committee should not be drawn into a process which can only undermine the credibility of its approach to nuclear disarmament by ignoring the full measure of the problem. In expressing the full measure of this, let me illustrate by quoting to you the three foundations of peace which guide Canada. First, the deterrence of war through collective security arrangements in conformity with the United Nations Charter; secondly, verifiable arms control and disarmament agreements, and finally, mechanisms and arrangements for the peaceful settlement of disputes.

Occasionally, solemn, sincere and moral arguments have been raised in this Committee against nuclear weapons per se. While we, too, have a healthy respect, indeed fear, of the power of these awesome weapons, we find a number of difficulties with such an approach to nuclear disarmament. Let me mention just two: it is not entirely clear to us why such arguments are applicable only to those States which possess nuclear weapons and not those who retain the option to produce them, and secondly, we see no evidence that this approach is likely to move us forward. We are here to negotiate treaties and agreements, not to discuss moral concepts; let us not be diverted from this task.

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

Mr. OKAWA (Japan): Mr. Chairman, I address to you the customary congratulations on your assumption of the Chair for this month, to which I wish to add an expression of my pleasure at seeing in your person the first of a succession of chairmen coming from the continent of Asia. You have the pledge of the fullest co-operation from the Japanese delegation. To the outgoing chairman, Ambassador Kónives of Hungary, my delegation owes its grateful thanks for his painstaking and successful efforts to get us back to work after the one month interruption in May.

May I also welcome amongst us the presence of our new colleague from Venezuela, Ambassador Rodríguez Navarro.

On 9 April 1981, I made a statement in this Committee on the subject of chemical weapons, and I have little to add to what I then said on matters of substance, since three months is such a short period in the context of disarmament negotiations. Nevertheless, I am obliged to repeat, and I consider I am justified in repeating, two points that I mentioned in my April statement.

First, I have to reiterate my Government's hope that the Soviet Union and the United States will find it possible to re-open their bilateral negotiations on the prohibition of chemical weapons without much further delay. In theory our Committee does not have to wait for the bilateral negotiations to be re-opened before the Committee itself can conduct multilateral negotiations, but in practice we have to acknowledge that meaningful progress in this Committee does depend to a great extent on progress being made in those bilateral negotiations. My Government therefore urges the Governments concerned to try to overcome their difficulties and return to the negotiating table in the very near future.

In the second place, I must repeat the strong hope of my delegation and of my Government that, by the time of the second special session of the General Assembly devoted to disarmament that will be meeting next year, this Committee will be in a position to report some substantive and meaningful progress in multilateral negotiations for a chemical weapons convention. A comprehensive programme of disarmament will be a very important element that we may rightfully hope will emerge from the special session. An agreement on the text of a radiological weapons convention would also be useful, if not essential. However, my Government considers that progress towards a comprehensive test-ban treaty and a chemical weapons convention is essential for a successful second special session. It is from that point of view that my delegation has expressed itself in favour of a new mandate for the Ad Hoc Working Group on Chemical Weapons and, while recognizing that at this stage a consensus still does not exist in the Committee for a new mandate, my delegation regrets that even what would appear to us as a comparatively innocuous interpretative statement by the Chairman or an understanding of the Committee that could be announced by the Chairman has run into difficulties.

Judging from the discussions in the Ad Hoc Working Group on Chemical Weapons in the past year and a half, we can say that some progress has been achieved in identifying issues on which a general convergence of views exists and those on which there is as yet no convergence of views. I think it can be correctly said that a convergence of views has been reached on a fairly wide range of concepts, for instance, regarding the scope of the prohibition. It is not the intention of any State, I am sure, to

(Mr. Okawa, Japan)

prohibit under a future convention the development, production, etc., of chemicals for civilian and for certain non-hostile military purposes. Further, I believe it is generally understood that the present stockpiles of chemical weapons and the means of their production should be destroyed or converted to peaceful purposes. In the field of verification the general view of the Working Group would seem to be that verification measures should be commensurate with the scope of the prohibition and other aspects of a convention and that a verification system should comprise both national and international verification measures.

Having said this, I have no intention of stressing only those areas on which a convergence of views has emerged. We all know that there are many other issues, and important ones, on which opinions still differ and on which further efforts are still needed in order to narrow the divergence of views before we can move further ahead. We must try to move ahead on all fronts at the same time, but recognize that differing stages of progress on different matters are going to be unavoidable. On some matters we may eventually move into the drafting phase at an early stage, while on others we must persevere in trying to narrow the divergence of views until the issue can be defined by a convergence of views. I do wish to emphasize, therefore, that our efforts in the remaining period of the present session should be devoted, on the one hand, to consolidating, or trying to elaborate, those elements on which a convergence of views does exist, and on the other hand, to trying further to harmonize views on issues regarding which there are still divergent opinions. By so doing, I feel that the Committee on Disarmament will be able to claim that it has tried to make a meaningful if modest contribution to the success of the coming second special session of the General Assembly on disarmament.

In order to ensure the effectiveness of the proposed convention, it is generally acknowledged that verification is an essential element. In connection with verification, some meaningful steps which have been taken recently deserve our attention.

On 3 July, the Ministry of Foreign Affairs of Finland organized a workshop on verification of chemical warfare agents in which more than 50 representatives from 17 countries participated. Two Japanese representatives had the privilege of attending, and my delegation wishes to thank the organizers of the workshop for their invitation and for the kind hospitality they accorded to the participants. On behalf of my Government, I wish to express its appreciation to the Government of Finland for the very positive efforts they have been making for the prohibition of chemical weapons, in particular their valuable efforts in the field of verification.

The new Blue Book published recently and entitled "Trace Analysis of Chemical Warfare Agents", the fourth in a series, contains useful data on supertoxic lethal chemicals, and my delegation hopes that the Government of Finland will continue to publish such highly important and valuable data in the future.

The informal consultations held last week under the chairmanship of Dr. Lundin of Sweden constituted the first step towards concrete work on toxicity determinations -- which will be helpful in determining the scope of prohibition under a chemical weapons convention and in facilitating verification. Ever since the presentation of the Japanese draft convention in 1974, Japanese experts have been engaged in work in the field of toxicity criteria and they will continue their efforts on the items contained in the recommendations emanating from last week's consultations, as contained in the report presented yesterday by Dr. Lundin to the Ad Hoc Working Group on Chemical Weapons.

(Mr. Okawa, Japan)

Before concluding, I wish to pay tribute to Ambassador Lidgard of Sweden, the Chairman of the Chemical Weapons Working Group, for the dynamic manner in which he is leading us in the concrete discussions on draft elements of a chemical weapons convention. We are confident that he is taking us one step forward -- indeed several steps forward -- on the long road leading to the prohibition of chemical weapons. In the view of the Japanese delegation, it is the speedy destruction of existing arsenals of chemical weapons that is the most important and the most urgent task to be achieved under a chemical weapons convention. The elaboration of such a convention is proving to be far from easy, and, if a period of up to 10 years is really going to be required for the destruction or diversion of declared stocks, as stated in the USSR-United States Joint Report that was presented to the Committee a year ago in document CD/112, my delegation cannot but reiterate its strong hope that the convention can be elaborated and put into force at the earliest possible date in order that these abominable weapons can disappear from this planet.

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

Mr. VRHUNEC (Yugoslavia): Mr. Chairman, the importance that Yugoslavia attaches to the concluding of an international convention on chemical weapons is well known and has on various occasions been expressed in our Committee as well as other forums. At this juncture, we would like to point out that the next most important step in the negotiations on chemical weapons is the concertation of the mandate of the Working Group with the degree of progress made in the negotiations. In other words, it is the opinion of my delegation that the existing mandate of the Working Group has already largely been exhausted, which warrants a most urgent decision on the creation of a new mandate that would enable the Working Group to initiate concrete negotiations about the wording of the international convention. In this connection, we fully support the work and proposals of the Swedish Ambassador Lidgard, Chairman of this Working Group.

Wishing to contribute as specifically as possible to the further substantive consideration of the problem of chemical weapons and with the aim of making the negotiations as active as possible, the Yugoslav delegation has the pleasure to submit a paper (which has just been passed around in the Committee as document CD/195) on incapacitating agents. The reason we are doing this is that it has been mentioned several times in the Committee on Disarmament and the working groups that the future convention on the prohibition of chemical weapons should also encompass incapacitating agents, with the exception of those agents that would only serve internal security needs. In order to avoid misunderstanding, the working paper expresses our position with regard to the classification of incapacitating agents as well as the opinion (under certain conditions) as to which of these agents should be permitted to be used in the country of a user. It is our desire, by giving some expert data, to indicate exactly the "advantages and deficiencies" of incapacitating agents with respect to their effects on humans.

It is understandable in itself that our working paper does not speak about the incapacitating effects of highly toxic lethal and other lethal warfare agents, as we consider that a total prohibition is envisaged for these agents. Our intention in this paper was to give impetus to the further substantive discussion on incapacitating agents, that is, clearly to define their role, place and permitted manner of use, for the benefit of the future convention. The Yugoslav delegation and its experts are, as always, available for additional explanations and will actively take part in the elaboration of these questions.

Mr. SUMMERHAYES (United Kingdom): Mr. Chairman, before speaking today on item 4 of our agenda -- chemical weapons -- I want to make this my opportunity to welcome you into the Chair for this central month of July. It is a real pleasure for me to do so; my country so greatly values the close and longstanding ties with India that have shaped our history just as much as yours, and we cherish the Commonwealth link that binds us together even when our views may differ. I also want to record my warm thanks to Ambassador Kōmives for his contribution as Chairman last month and to give a warm welcome to Ambassador Carasales of Argentina, Ambassador Ahmad Jalali of Iran, Ambassador Tissa Jayakoddy of Sri Lanka and Ambassador Rodríguez Navarro of Venezuela.

I have already given my delegation's views on some of the key issues to be dealt with in the drafting of a chemical weapons convention in the statement I made to the Committee on 2 April, and so I need not go into detail on the British position today. Instead I want to comment on the current position in the Chemical Weapons Working Group, and on the week of consultations with technical experts on which the working group Chairman gave his report yesterday afternoon.

We are especially grateful to Ambassador Lidgard for his unflagging efforts to ensure that the Working Group has before it detailed and substantive work aimed at the eventual drafting of a convention. In particular, the draft elements which he has prepared for consideration during this session, built as they are on the efforts of Ambassador Okawa last year and upon the work carried out under his own chairmanship in the spring session, are proving a very helpful focus for discussion. My delegation feels that the Working Group has concentrated in a more detailed and precise manner on the issues to be dealt with in negotiating a chemical weapons convention than has ever been the case before in the Committee or its predecessor bodies. We believe that a clear picture is emerging of the areas where a broad measure of agreement exists, and perhaps more importantly of the areas where serious differences of opinion remain to be resolved. We hope that by the end of this session this task of identification will be more or less completed. We shall then have a very solid achievement in this field for the Committee to present to the General Assembly at its second special session on disarmament next year.

I know of the understandable impatience which is felt by some delegations to begin the actual drafting of a treaty. For our own part, my delegation does not consider that we need become involved with the problem of refining language at present. In our view, our current work comprises an intermediate stage in the preparation of a treaty. For many years now the general issues involved have been discussed in a rather inconclusive and imprecise manner. We are now bringing more precision to bear upon these issues, so that we know exactly where further work needs to be done before a treaty can be drawn up. It seems clear to me that in the areas where an underlying agreement on the principles concerned is emerging, the appropriate language for the treaty will not be hard to find, and that in areas where differences have been shown to exist by the work carried out in the Ad Hoc Working Group we shall need a great deal more discussion of the concepts involved before we can begin to consider exact language. But the preparation of a detailed set of elements will be of immense value at the next stage of our work.

Now turning briefly to a question of detail, I would say that there is one vital area of the future convention where it is clear that a lot more work has to be done before we shall be ready to begin drafting texts. This is the question of defining a satisfactory verification regime. In my speech of 2 April, I outlined at length the verification measures which the United Kingdom considers to be necessary for a chemical weapons convention to give an adequate feeling of confidence that the provisions of the convention are being faithfully followed. My delegation has also been active in discussing these measures in the Working Group. We were therefore a little disappointed

(Mr. Summerhayes, United Kingdom)

to find that Ambassador Lidgard's draft elements did not contain a clear and sufficiently detailed picture of the verification regime, particularly as far as international measures of verification are concerned. My delegation has put forward some detailed proposals on this question in the Working Group, and in particular on the role which will be played by international inspection in a chemical weapons convention and the role of a consultative committee. We hope that in revising his paper, the Chairman will take full account of these comments. Obviously we cannot insist on a 100 per cent verifiable treaty. We acknowledge that it is not possible to monitor full time the civilian chemical industries of the world. What we must aim for is a practical treaty which achieves the two key objects of the verified destruction of existing stockpiles of chemical weapons and the provision of a real sense of security that no chemical weapons will be developed and produced in the future. To fulfil these objectives, we shall need to commit ourselves to measures of verification, including provision for on-site inspections, in order to provide that reasonable degree of confidence for all parties.

In connection with the question of verification, I should like to say how much my delegation appreciates the sterling work done on this subject by the Canadian delegation, both in a general way with its conceptual papers and in its particular papers on verification of a chemical weapons convention. These will all provide a very useful basis for our further work.

Turning to another specific aspect of the convention, namely, that which has recently been dealt with in depth by the visiting experts who came at Ambassador Lidgard's suggestion to consider the question of toxicity criteria and the standardization of testing methods, I should like to say that in the view of my delegation the recent discussions were perhaps the most useful that the experts have held. We are aware that the issue with which they were dealing was one of the less controversial aspects of a future convention, upon which a wide body of knowledge already exists in other scientific circles. Nevertheless we felt that last week's work was most useful, particularly since for the first time an attempt was made to hammer out agreed views in the shape of a report to the Working Group. This has, in our view, provided a concrete contribution to the drafting of a convention. My delegation would like to congratulate all the participants, and in particular Dr. Lundin of the Swedish delegation, who chaired the meeting with great skill.

In closing, I would make one general remark about the work we have in hand in our preparation of a chemical weapons convention. We can, I think, be moderately pleased with the progress we have made this year, which can be added to what has already been worked out previously in this Committee and its predecessor. But as we prepare to tackle the remaining difficulties we must be careful not to become too bogged down in a wealth of detail. There is a tendency, in my view, for the Working Group to try to embrace every conceivable aspect of the question of chemical weapons and their prohibition. The field with which we are dealing is already very complex. We should avoid becoming too involved with provisions aimed at perfection or near perfection, for example with the legal ramifications of the relationship of a future convention to the Geneva Protocol, or in trying to enlarge the scope of the treaty to cover all possible aspects of chemical warfare. Our aim must be a workable treaty which will engender widespread adherence and the confidence that the world has finally rid itself of these weapons.

The CHAIRMAN: I thank the distinguished representative of the United Kingdom for his statement and for the kind words he addressed to the Chair.

Mr. PFEIFFER (Federal Republic of Germany): Mr. Chairman, permit me to express to you the sincere congratulations of my delegation on your assumption of the post of Chairman of the Committee on Disarmament for the month of July. Your good experience in diplomacy, as well as your sense of humour, of which you have already given ample proof during the first part of your office, will continue to help you guide the Committee's work during the weeks to come. My delegation continues to have an open and a sympathetic ear for the proposals coming from the Chair, currently the Ambassador of India, a country with which my country enjoys especially friendly relations. I should like to use the occasion also to thank your distinguished predecessor, Ambassador Kömives of Hungary, who was instrumental in giving the Committee a good start from the very beginning of this summer's session. Through his kind but at the same time firm guidance of the Committee, he brought into life the substantive work of the various organs almost immediately. My delegation is grateful for this. At the same time I wish to welcome our new distinguished colleagues in the Committee on Disarmament, Ambassador Julio Carasales of Argentina, Ambassador Jalali of Iran, Ambassador Jayakoddy of Sri Lanka and Ambassador Rodríguez Navarro of Venezuela. I pledge to them and to their delegations, the continued co-operation of my delegation.

I shall be speaking today on item 4 of our agenda, namely, the issue of chemical weapons.

Since my last intervention on this matter on 26 March 1981, the Ad Hoc Working Group on Chemical Weapons has, under the experienced guidance of Ambassador Lidgard of Sweden, done further useful work aimed at the clarification of issues and the narrowing of existing gaps between the opinions of delegations. The existing mandate has proved quite sufficient as a basis for this important and necessary task. If it is the opinion of some delegations that this basis can be enhanced by a common understanding on what it entitles the Working Group to do, my delegation will certainly not stand in the way of such a procedure.

The presence of experts who had a particularly useful exchange on toxicity determinations -- some even spoke of "toxicity week" -- will facilitate our task in connection with these technical questions to a considerable degree. It has been shown that concentrated sessions of this kind can lead to significant results even where complex issues are involved. It is in this context that my delegation welcomes the initiative taken by the Chair to set aside a number of informal meetings of the Committee in order to consider views expressed by members concerning the improved and effective functioning of the Committee. The views expressed so far during the first informal meeting of this kind have shown the broad and active interest of members in this very important matter. My delegation will continue to take part in this debate. I am convinced that on the basis of the common experience gained in the Committee during the last years there is a good chance to work out a common approach to the better organizing of the work entrusted to us.

Now I come back to the chemical weapons question. The elements put forward by the Chairman provide the Working Group with a valuable starting point for its substantive considerations. Care should be taken in the Group's work to concentrate on the issues under discussion rather than on the exact wording of these elements. At the present stage of negotiations, it would, in the opinion of my delegation, be too early to dwell at length on the precise language of specific texts.

(Mr. Pfeiffer, Federal Republic of Germany)

There has been some discussion within the Group on whether we should concentrate on those issues on which there is as yet no convergence of views or whether we should focus on issues on the evaluation of which some such convergence has been reached. I should, in this connection, like to suggest a third approach.

While it is obviously futile to repeat in our work positions which all delegations agree on, it may still be useful to recall, once in a while, the common basis which we have already reached. And while it is perhaps not the best use of the time available to us to dwell on those issues where it is evident that agreement will be impossible for some time, it is of course necessary to concentrate our work on points on which there is some disagreement, because otherwise serious negotiation on a convention would be indefinitely delayed.

My proposal, therefore, is to focus our work on issues where a convergence of views is possible. That might lead us to progress in some crucial areas of a future convention, while avoiding the repetition of well-known positions on matters where, as of now, no agreement seems within reach. Clarification of further issues may lead to the recognition that divergences are, after all, not quite as important as they seemed initially.

If this approach is applied to the current proceedings in the Working Group, it would mean ceasing, for a while, the discussion on whether to include the use of chemical weapons in the scope of a future convention. On this matter in particular, all the arguments have been put forward and repeated time and again, and it seems hardly possible to narrow the various points of view now. There is, however, hope that agreement will be easier at a later stage of our discussion. In the final analysis, the two opposing views result from one and the same aim: to achieve an effective prohibition of the development, production, stockpiling and use of chemical weapons. It may well be that, given an understanding on further issues concerning a future convention, disagreement will not appear as marked as it does now.

One of the issues on which it would be useful to seek further clarification is that of verification. My delegation cannot share the view which was expressed by one delegation in yesterday's Working Group meeting, namely, that positions on verification are so far apart that one should not even try to reconcile them. To reconcile various points of views is exactly what we are expected to do in our Committee. A narrowing or, hopefully, even bridging of the existing gap in this field might also facilitate agreement on the scope of the prohibition. My delegation, in its intervention on 26 March 1981, put forward a proposal as to how the link between the 1925 Geneva Protocol and a future chemical weapons convention could be established through a verification procedure applicable to both agreements. By this we do not intend any modification of the Geneva Protocol. We want, however, to make sure that the possible use of supertoxic agents even in peace-time does not go unnoticed. Any such use would indicate a violation of the obligation under a chemical weapons convention on the non-production, non-transfer and complete destruction of stocks.

Before embarking upon the subject of verification, I should like to pay tribute to the Government of Finland for the chemical weapons verification workshop which took place in Helsinki from 2 to 4 July 1981. The excellent preparation, the exact timing and the usefulness of the demonstrated results have filled us with admiration. My delegation took particular interest in the demonstration of the chemical reconnaissance vehicle which gave proof of the possibility of verifying whether an environment had been contaminated with supertoxic agents.

During the visit to the Neste plant my delegation found its view confirmed that supertoxic agents cannot be produced in militarily relevant quantities without the existence of easily visible protective means. Once more it became evident that it is possible adequately to verify a ban on the production of chemical weapons with reasonable means and without prejudice to the commercial interests of the chemical industry.

(Mr. Pfeiffer, Federal Republic of Germany)

I should like to express again my gratitude to the Government of Finland for having made possible this successful seminar, and I add the expression of my hope that other States will follow and, in time, go ahead with similar exercises.

The position of my delegation with regard to verification has been set out at some length in plenary on 26 March 1981, and in the Ad Hoc Working Group on Chemical Weapons on 1 April 1981. I do not intend to repeat this well-known position, but I shall offer a few remarks to explain some details which have, perhaps, not been quite understood by all.

My Government is convinced that only international verification measures can give States a credible assurance that a ban on chemical weapons is indeed being observed by all parties. To be effective, however, such measures must include mandatory on-site inspections which are indispensable if the international verification body is to satisfy itself as to the non-existence of activities contrary to a convention. Already in its report to the Committee last year, the Ad Hoc Working Group on chemical weapons stated that there was a convergence of views that on-site inspection under certain conditions and procedures should be included in the convention.

Some may have misunderstood this to mean that my Government favours continued controls of all chemical production facilities in the world. It is obvious that this would be quite impossible. Neither is it necessary. Therefore, we would propose to exempt the inclusion of multi-purpose agents in the verification objectives. It would be sufficient reasonably to deter any possible violation of the convention within the range of the most important chemical agents if checks were carried out following a certain schedule under which the international verification body would from time to time decide where to carry out inspections.

This approach has three major advantages:

Firstly, it does not cause excessive cost, but allows verification at a reasonable expense; the "army of inspectors" which has been referred to by some would in fact hardly deserve that name.

Secondly, it implies the risk of immediate detection for every potential violator of the convention; no State would know, until very shortly before the inspection is to take place, if and where installations on its territory would be subject to a control.

Thirdly, verification on this basis can take place in a business-like and co-operative atmosphere; no State would have to feel victimized because an inspection was taking place on its territory.

That is the approach we favour, and we feel that it is entirely in consonance with international efforts aimed at building and strengthening confidence among States and furthering international co-operation. We fail to understand how this view could be interpreted as being based on a "concept of distrust". We feel that international verification is a necessity if the confidence which is required if States are to come to further and more far-reaching agreements is to be created and enhanced. This was admirably put by the distinguished representative of Venezuela, Ambassador Taylhardat, at the 121st plenary meeting of the Committee on 3 April 1981. He said, with reference to the verification system of a future chemical weapons convention: "If we start from the assumption that all States are fulfilling the obligations they have assumed, no State party should feel offended if the control authority which it would, by its own sovereign will, have agreed to set up, were to request permission to carry out an inspection in order to confirm or verify that an obligation had been or was being discharged. That is how we see the mutual trust that should prevail between the States parties to the convention."

That concludes the quotation and, at the same time, my statement.

Mr. FLOWERREE (United States of America): Mr. Chairman, this is not my first intervention this month but it is the first occasion on which I have had the luxury of sufficient time to permit me to say that it has not escaped the notice of my delegation that the occupancy of the Chair has changed since June turned into July. Indeed, who could have failed to note your unique style, including your occasional editorial comments? I cannot resist recalling your now well-known remark in your opening statement about the prospects for an Indian summer in July. In this connection, I would like to point out that the term "Indian summer" originated in North America as a description of the return of warm weather after the first frost of autumn. If an Indian summer can indeed occur here in July under your chairmanship, then you would have made a historic contribution to the work of this Committee. We wish you all success. I would also like to express our appreciation of the tireless efforts of your genial predecessor, Ambassador Komives, who bore the double burden of chairing our Committee and the Ad Hoc Working Group on Radiological Weapons. That he is sitting there now, at your right, apparently in good health, is a tribute to his stamina. That the Committee, despite the wide gulf in our views on both substance and procedure, still managed to get off to a fast start on its substantial work is a tribute to his effectiveness. May I also take this opportunity to welcome my new neighbour on my left, Ambassador Rodríguez Navarro of Venezuela.

This morning I would like to comment briefly on the Committee's work on the prohibition of chemical weapons.

My delegation has been pleased to participate actively in the Ad Hoc Working Group on Chemical Weapons. We have found it to be a very practical and useful body for conducting a careful examination of the issues which must be considered in the negotiation of a chemical weapons convention, and for determining where there is a convergence of views and where there are significant divergencies. Under the very able leadership of its first two chairmen, Ambassador Okawa of Japan and Ambassador Lidgard of Sweden, the Group has made significant progress. As work has proceeded the focus has steadily sharpened in a number of areas from broad generalities to specific issues that will determine the final shape of a chemical weapons convention.

A fresh example of the useful and important work being carried out by the Ad Hoc Working Group is contained in the report of the Chairman on the consultations with experts regarding toxicity determinations.

My delegation considers these consultations to have been highly successful and to provide a good model for future consultations with experts. The work was carefully focused on a specific technical topic which is closely connected with the structure and implementation of an eventual treaty. In our view, the broad participation in these highly technical discussions demonstrated the value delegations attached to finding a common approach. Altogether, 31 experts from 24 countries took part. The happy result is a very substantive report containing specific conclusions and a series of recommendations concerning future work.

I wish it could be said that the Working Group has been equally successful in certain other aspects of its work, although, as I noted earlier, much useful work is being done. Unfortunately the Working Group does not seem to be coming to grips with

(Mr. Flowerree, United States)

the verification-related issues which represent the key obstacle to success. The Working Group has so far not defined the specific issues in this area which must be discussed and resolved during negotiations on a convention. So our consideration of verification has not advanced beyond the discussion of general formulas which conceal rather than define the issues to be confronted.

Probably all delegations can agree that verification is important and should be based on a combination of national and international measures. But, frankly, that does not get us very far toward a practical, effective system of verification which will provide adequate assurance that States parties are fulfilling their obligations. For that purpose we need to establish a detailed complex of different provisions carefully tailored to specific activities and obligations. One general formula will not suffice for everything. What is adequate for one aspect will not necessarily be adequate for another.

It seems to us that what must be done now is to outline what it is that needs to be verified and the possible approaches for each case. In this connection the Canadian working paper CD/167, of 26 March 1981, can be a very useful guide. Certainly there will be different views expressed both on what to verify and how to do it. Perhaps there will be agreement on some points and disagreement on others. But that should not trouble us at this stage.

Only by patiently and systematically identifying specific objectives and the political and technical means for accomplishing them in practical terms will we move ahead in the important area of verification.

It might be argued that it is premature to consider verification in detail until the scope of the prohibition has been fully agreed. But in view of the close interrelationship between the scope and the means of verification, such an approach would, in my delegation's view, not be sound either in principle or in practice. Rather, the Working Group should repeatedly consider each aspect in turn, steadily refining and making more concrete the approaches to scope and verification until they form a well-integrated, internally consistent whole.

I cannot over-emphasize the importance of dealing in concrete, practical terms with the multitude of questions involved in prohibiting chemical weapons. It bears repeating once again that chemical weapons exist in large quantities because some States have considered them important for their national security. A chemical weapons convention will not come into force, or long survive, unless those States are convinced that it protects and improves their national security. States must believe not only that the convention is based on sound principles but also that these principles can be put into practice effectively.

There is clearly a lot of work ahead. In the area of verification, which is of fundamental importance to an effective prohibition, work on the framework -- the underlying concepts -- has barely begun. And before a convention is completed, agreement will be necessary on extremely detailed matters. The Protocol to the United States-Soviet Treaty on Underground Nuclear Explosions for Peaceful Purposes provides a good illustration of the kinds of important details that must be specified to make verification effective.

My delegation strongly hopes that in the remaining time this summer we will take advantage of the opportunity we still have to face squarely the issues which need to be resolved if the objective of the effective prohibition of chemical weapons is to be achieved.

The CHAIRMAN: I thank the distinguished representative of the United States of America for his statement and for the kind words he addressed to the Chair. The Chair is particularly pleased to hear the definition of the term "Indian summer" and devoutly hopes that a similar turn in the atmosphere in the Committee on Disarmament will take place before long.

Mr. SUJKA (Poland): Mr. Chairman, first of all, I should like to say how pleased my delegation and I are to see you in the chair this month, guiding the work of the Committee on Disarmament. Your country, linked with Poland by ties of friendly co-operation, is well known for its attachment and valuable contribution to the policy of peaceful co-operation and détente. The diplomacy of your country, guided by the traditional philosophy of moderation and restraint, has more than once contributed to relieving tensions on the international scene and helped to pave the way to agreements. In your person we see an excellent representative of this particular school of diplomacy. I wish you full satisfaction in performing the duties of the Chairman of our Committee this month and I am certain that the satisfaction will also be ours.

I also wish to renew my congratulations to your predecessor, Ambassador Kőmives who, with a great deal of personal dedication, ably chaired the Committee in June.

It is with great pleasure that I welcome the distinguished representative of Venezuela, Ambassador Rodríguez Navarro, while expressing our hope for a continuation of the fruitful co-operation that the delegations of both our countries shared with his predecessor.

I should like to devote my intervention today exclusively to the problem of chemical weapons. It is with full awareness that I have chosen only one aspect out of the immense wealth of issues which have been worked out by the Committee and for another consecutive year, by its Working Group. As a result of the very effective leadership of this group, we have been able to note for the last two years a systematic progress in our negotiations on one of the most complex problems of the disarmament talks. However, this progress is still too slow if compared with the scale of expectations which accompany us in our work. There are objective as well as subjective reasons for this and we are all well aware of them. In this intervention, I do not wish to present in detail the position of my delegation on this subject. I wish to focus on the problem of the scope of the prohibition.

As is known, we have not reached agreement on what, in fact, should be encompassed by the prohibition in the future convention. In our view, it is the key problem of the convention on which the contents and shape of its further provisions depend. One can even say, I believe, that the further pace and even the fate of our negotiations will depend on the answer to the question of if and when we shall manage to reach an agreement on this subject. Up till now, we have not come to an understanding either on the totality of chemical products which are to come under the ban or on the very definition of the term "chemical weapons". Neither have we agreed on our position in regard to the new proposals concerning the sphere of activity which is to be encompassed by the prohibition. In addition, these difficulties have been made worse by the demands of some delegations to include in the prohibition also the problem of the use of chemical weapons.

One can ask whether the existing difficulties are not the result of our aiming at an excessively broad scope of prohibition of means and activities, which may lead to hampering the progress of chemical industries for peaceful purposes? And, whether we are not just weakening the very purpose-criterion, the priority significance of which is surely doubtless?

(Mr. Sujka, Poland)

For it is our conviction that the complete prohibition should concern chemical weapons including supertoxic lethal agents, products exclusively designed for military purposes such as Vx, sarin, soman, tabun, yperite and their precursors which constitute, inter alia, the basis for the development of binary weapons, whereas, taking as a basis the clear division into categories of chemical agents as agreed upon in document CD/112, the prohibition should also cover the chemical agents classified into groups of lower toxicity such as "other lethal" and "other harmful" if they are exclusively appropriated for military purposes, such as "B.Z." One cannot talk, we believe, of an absolute range of chemical agents, sometimes defined as "dual-purpose agents" which, after all, are broadly employed for peaceful purposes such as hydrogen cyanide or phosgene. A solution could be sought along the line of prohibiting the implantation of these agents inside munitions meant for chemical warfare. The same concerns irritants whose production should also be subordinated to the general purpose criterion.

On the other hand, prohibition should cover the implanting of these chemical agents in such delivery means as are obviously not meant for internal use as, for example, artillery missiles, aircraft bombs, etc. As for herbicides, we are of the view that they should be entirely excluded from the sphere of the prohibition.

The process of reaching an understanding would no doubt be facilitated if we could agree upon the definitions of the terms which are used in our negotiations and which will serve in the wording of the convention itself. Up till now, for example, we do not know whether we all understand the same when using, in the context of the convention, such terms as "precursors" or "means of production".

Our reaching agreement on the range of the prohibition is additionally complicated by demands to include in the prohibition planning, organization and training for chemical warfare. We are convinced that this sphere will be solved automatically when the provisions of the convention are realized in the part concerning the destruction of stockpiles of chemical weapons.

In the context of the problems I have touched upon so far, I should like to say that we support a rational approach which would guarantee fast progress in the work on the draft of the convention.

Our negotiations on the draft of the convention have also been complicated by the tendency of some delegations to include in the scope of the prohibition the use of chemical weapons. We listened with attention to the arguments for and against. We also had, more than once, opportunities to present substantially our position on this matter. During the spring part of the session my Deputy Minister, Mr. Wiejacz, expressed himself on the issue. Today, I should like to add a few remarks. I shall recall that we are decisively against the inclusion of the prohibition of use in the scope of prohibition of the future convention. What consequences would such an inclusion entail? The character of the convention itself would be changed. Right from the beginning of the work on the draft, we here, within the Geneva organ for multilateral negotiations, have been working on the basis of the consensus that the convention is to be a treaty on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction, and we have been instructed by our Governments solely in this respect. All the resolutions of the General Assembly adopted up till now, starting from the first one which contained recommendations for

(Mr. Sujka, Poland)

the then CCD, likewise have been using these terms. The aim was, therefore, to draw up a convention which would provide for the complete elimination of chemical weapons, initiated by developed forms of customary international law, later on formulated into treaties in the Hague Conventions of 1907, the Geneva Protocol of 1925 and the additional Protocols of 1977 to the Geneva Conventions of 1949 constituting a prohibition of the use of these weapons in warfare and thus protecting the civilian population. Both the number of the participants in those treaties as well as the fact that among them are all the States of significant military potential testify to a general approval of the norm of prohibition of use as a binding norm of international law. Life itself has confirmed this approval. The demands for its formulation all over again must be interpreted as attempts to throw doubt upon it. The attempts to formulate it in the draft of the convention we are working on would mean in practice changing the character and the essence of the future convention. My delegation has not been authorized by its Government to negotiate a convention other than the one which has up to now been clearly defined, among others in the mandate of the Committee on Disarmament and its auxiliary organ. Nor is it a secret that other delegations participating in the work of the Committee have also found themselves in the same situation.

Fully justified therefore is the question: what purposes should be served by the introduction of the prohibition of chemical weapons into the future convention?

Concretely, is this a matter of supplementing the sphere of the ban with a prohibition of chemical agents not known in the 1920s? Or rather, as the promoters of this motion argue, a matter of strengthening the Geneva Protocol?

As for the first question, I should only like to recall that the various interpretations of the Geneva Protocol that have been presented in the course of the whole history of its legal validity -- i.e., still at the time of the League of Nations, during the debates of the Conference on Disarmament at the beginning of the 1930s, as well as throughout the post-war period within the framework of the United Nations, to mention only the last document on this subject of the General Assembly, that is, resolution 2162 B (XXI), of 5 December 1966 -- indicate that the Geneva Protocol incorporating the prohibition of use covers all the chemical agents employed in chemical warfare. An interesting contribution to these considerations is provided by reading the Hearings before the Committee on Foreign Relations of the United States Senate of March 1971, on the occasion of the motion to the Senate for the ratification by the United States of the Geneva Protocol. The widely known SIPRI also occupied itself with this problem. The interesting conclusion drawn from the examination of this problem states that even if the International Court of Justice were asked to give a legal interpretation of the scope of the prohibition included in the Geneva Protocol, its opinion would be univocal i.e. extensive (vide The problem of chemical and biological warfare, vol. V, p. 64, published by SIPRI).

We draw from the above the simple conclusion that there is no need to extend the scope of the prohibition of the use of chemical weapons in the convention in preparation. It is sufficiently extensive.

Is it, therefore, really a question of strengthening the prohibition?

I think that this is a rather complex problem. I do not want to repeat and develop all over again those arguments which have already been pronounced on the subject and which we fully share. We have heard them in the statements of many delegations, among others, of the USSR, France, Mongolia, Italy and Bulgaria, both in Geneva and in New York. The essence of the argumentation is that, while aiming

(Mr. Sujka, Poland)

with the best of intentions at strengthening this important instrument of international law which is the Geneva Protocol, we should be careful not to weaken it instead. Poland, as one of the first States to have ratified the Protocol (4 February 1929) considers itself particularly authorized to defend it. It is our considered view that the best form of strengthening the Geneva Protocol would be the early conclusion and implementation, with as full a list of States parties as possible, of a convention -- let me emphasize it again -- on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction. This important instrument, in addition to the similar Convention on bacteriological (biological) weapons, of 16 December 1971, would thus constitute the complete elimination of these dangerous weapons of mass destruction the prohibition of the use of which is covered by the Geneva Protocol.

An important and interesting position for the cause of strengthening the Geneva Protocol was expressed by Ireland. In connection with its participation in the Convention on the Prohibition of Bacteriological (Biological) Weapons, Ireland stated that it considers that the Convention could be undermined if reservations made by the parties to the 1925 Geneva Protocol were allowed to stand, as the prohibition of possession is incompatible with the right to retaliate, and that there should be an absolute and universal prohibition of the use of the weapons in question. Ireland notified the depositary Government for the Geneva Protocol of the withdrawal of its reservations to the Protocol, made at the time of its accession in 1930.

However, the most complicated aspect of introducing into our future convention the prohibition of the use of chemical weapons is linked with the legal consequences that could be entailed by the realization of this measure. In that case a question would arise as to what is the relationship between these two instruments of international law, that is, whether and to what extent the Protocol preserves its *raison d'être*. It is also worthwhile mentioning that raising anew the question of the prohibition of the use of chemical weapons could start a dangerous practice of undermining -- by way of a new regulation -- existing international treaties and of obligations accepted once and for all by the States parties to the treaties, if they happen to become politically inconvenient. This might entail analogous actions in other fields in regard to other treaties, for instance, concerning arms limitation or humanitarian law.

In the discussions so far, the question has been raised of the lack, in the Geneva Protocol, of a mechanism for verification of the prohibition of the use of chemical weapons and, on this ground, of the need to introduce into the draft of the future convention an appropriate mechanism for such a verification. This problem is equally if not even more complicated. It is more complicated in the first place because the effectiveness of such an instrument which would be contained in the future convention and would concern another instrument of international law, in this case the Geneva Protocol, could only be ensured if all the participants in the Geneva Protocol became parties to the convention. Who would be able to guarantee this? In such a situation there would follow a division of the States parties to the Geneva Protocol into two categories: one category that is, the participants in the convention who were at the same time participants in the Protocol, would be obliged to submit to the mechanism for verification, whereas the other category, being parties to the Protocol but not parties to the convention, would not be subject to the mechanism for verification. Is this at all conceivable within a group of equal and sovereign States?

(Mr. Sujka, Poland)

We are convinced that the only realistic solution to this problem, the efficiency of which has been proved in the course of history, is the contents of the reservations which normally accompany the ratification and accession documents of the States parties to the Geneva Protocol. These contain statements on the right to retaliation against those States which do not comply with the prohibition of the use of chemical weapons contained in the Protocol. It is, we believe, the only realistic solution to the problem of sanctions as long as in the arsenals of States there are still chemical weapons, that is, until the provisions of the convention which contain the obligation to destroy those stockpiles have been fulfilled.

I wish to conclude my intervention by expressing our conviction that the attempts at an extension of the substance of the future convention are bound to create an atmosphere of doubt as to the effectiveness of the Geneva Protocol and will only increase the already considerable objective difficulties which we encounter in the process of the negotiations. This will surely not favour an acceleration of our work on the draft of the convention. Therefore, my delegation is of the opinion that in our negotiations we should keep moving within the so far accepted sphere of problems.

The CHAIRMAN: I thank Ambassador Sujka for his statement and for the kind words he addressed to the Chair. Now, in accordance with the decision taken by the Committee at its 104th plenary meeting, I have pleasure in giving the floor to the distinguished representative of Finland, Minister Keisalo.

Mr. KEISALO (Finland): Mr. Chairman, I wish to thank you and the members of the Committee on Disarmament for giving me this possibility to take the floor and to report briefly on a chemical weapons workshop recently held in Helsinki upon the invitation of the Government of Finland. I would also like to introduce the most recent working paper concerning the Finnish research project on the role of instrumental analysis of chemical weapons agents and their verification. Upon the request of my delegation, that report has been distributed to the members of the Committee on Disarmament with a covering letter. I would be very grateful if this letter could be issued as an official document of the Committee.

The question of banning chemical weapons has for years been a priority item on the international disarmament agenda. Despite efforts and the exhortation of all Governments, all efforts have so far been doomed to failure. The situation is frustrating, but it should not discourage the CD from further concerted action. Since 1972, the Government of Finland has carried out a research project with the purpose of creating a chemical weapons verification capacity to be used in connection with a chemical weapons convention. The project reflects the desire of my Government to contribute in a practical manner to the solution of verification problems. As members of this Committee recall, the progress achieved in the project has been described annually in working papers submitted by Finland to the Committee and to its predecessor.

The purpose of the workshop which was held in Finland from 2 to 4 July was to inform the participants on the origin, goals and organization of the Finnish project, and to demonstrate the analytical systems developed within it, including the relevant equipment.

(Mr. Keisalo, Finland)

I would like to express the appreciation of my Government for the broad response to the invitation that my delegation extended to the members of the CD, five non-members and representatives of the Secretariat. About 30 experts from 16 countries and the United Nations Secretariat were represented at the workshop.

The workshop provided us with a most welcome opportunity for an informal discussion on problems related to the project. The views expressed were valuable from the point of view of both the scientific structure of the project and its over-all orientations. The comments we received during and after the workshop have convinced my authorities that it would be in the interest of our joint efforts towards a chemical weapons convention that Finland should continue its project. We shall do so, and we shall, as hitherto, report on its results to the CD in the form of these "blue books" and/or workshops, as appropriate.

A summary of the results of the workshop is contained in my letter, to which I have already referred.

I would like to conclude my remarks with a few words of introduction concerning the latest blue book.

The goal of investigation presented in the fourth Finnish report on "methodology and instrumentation for sampling and analysis in the verification of chemical disarmament" was to design methodology for the environmental monitoring of nerve agents. As such it constitutes a first step toward adaptation of the system of microanalytical methods proposed earlier to real world samples.

After our first report on chemical and instrumental verification in 1977, we prepared two reports on the systematic identification of agents and their degradation products (1979 and 1980). Although the plans call for a series of reports on identification, particularly of non-phosphorous warfare agents and components of binary weapons, we are planning to begin the study of more detailed procedures for ultra-sensitive trace analysis of new agents.

Instructions for sample collection and the description of dedicated monitoring instrumentation and a mobile unit, presently under development, will be additional topics for future annual reports.

The report presents selected simple sampling and sample preparation methods for environmental monitoring of nerve agents. It also describes certain important improvements in the analytical methodology proposed in our earlier reports for the study of sample concentrates. Two of the most significant improvements are a new simple technique for measurement of cholinesterase inhibition spectra from suspected sample components and automation of the chemical detection and identification of known nerve agents by high resolution gas chromatography.

The following requirements were put for the basic procedure developed for the environmental monitoring of chemical warfare agents:

1. The procedure must permit the unambiguous detection and identification of agents. Quantitative accuracy and precision are desirable but are not as important as qualitative aspects.
2. The procedure should be highly sensitive in the detection of agents.

(Mr. Neisalo, Finland)

3. The different stages of the procedure should be as simple as possible without risking the above requirements. The procedure should be rapid to carry out.
4. It should be applicable in a not too heavy mobile laboratory.
5. It should not rely on overly expensive instrumentation.
6. The procedure should be suitable for automatization in the future.
7. The basic procedure should be complemented with effective confirmatory methods and methods for further investigation in a central laboratory.

Without going into the details of the monitoring procedure developed, it can be stated that it fulfils the above requirements for air, water and sandy soil samples which were considered most important matrices in our preliminary experiments. Biological samples require more complex techniques and will be investigated later. The monitoring procedure was developed using sarin and soman as model agents. Other nerve agents and most important non-phosphorous agents will come later.

Optimization of the procedure for all important chemical warfare agents and its complete automatization will still take some years.

We would be very grateful for comments and assistance from experts and laboratories interested in developing these procedures. On this occasion, I wish to thank the distinguished representatives of Japan, the United Kingdom, the Federal Republic of Germany and the United States for their encouraging words concerning the Finnish contribution to our common work.

The CHAIRMAN: I thank the distinguished representative of Finland for his statement. I would also like to express thanks from the Chair to the Government of Finland for having organized the chemical weapons verification workshop in Helsinki, which was attended by many members of the Committee on Disarmament.

Mr. VOUTOV (Bulgaria): Mr. Chairman, we listened today to very interesting statements on one of the most important questions, that of chemical weapons, which has a priority recognized by many documents. We also have one question which always has a very high priority, even the highest priority, and that is the question of nuclear disarmament and, connected with it, the question of a comprehensive test ban. On 2 July, the distinguished Ambassador of the German Democratic Republic made a statement on the question of item 2 of our agenda, in which he promised to submit a document. Some delegates commented on this, saying that they were expecting with great interest the document which the delegation of the German Democratic Republic intended to submit. On 9 July, the delegation of the German Democratic Republic submitted such a document, CD/193, in which it proposed that the Chairman organize consultations, especially with the delegations of the nuclear-weapon States, either individually or together. It further stated that the question of setting up an ad hoc working group on item 2 could be discussed at the same time, as well as other ways and means of exploring the preparation of negotiations on this item. In the statement of the German Democratic Republic, it was pointed out that it was an urgent matter to start substantive work on this question, as well as the fact that we are flexible in our proposal to organize an ad hoc working group or a contact group, to structure informal meetings or other forms of meetings. One week later, on 13 July, a group of socialist countries submitted, in connection with the two questions concerned, but especially with the question of a CTB, a document, CD/194,

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which says that the socialist States recommend that the tripartite negotiators jointly elaborate answers to the questions raised by the Group of 21 in document CD/181. Therefore, Mr. Chairman, on behalf of my delegation, I would propose that you be so kind as to arrange that discussions of this proposal, made by the socialist group, including the German Democratic Republic, be considered at our next meeting, on Tuesday, 21 July.

The CHAIRMAN: I would like to clarify that the matter which you have raised is engaging the attention of the Chair night and day. I can assure you that full satisfaction will be given to all concerned in the near future. May I also point out that it was only at the last plenary meeting, that decisions were taken on the setting up of the ad hoc working groups on items 1 and 2. As it is presently not on the table, it is only subsequently that one could take up the proposal put forward by the distinguished representative of the German Democratic Republic. I hope that satisfies your inquiry? Thank you Sir.

The Secretariat is circulating today, at my request, a time-table for meetings to be held by the Committee and its subsidiary bodies during the week of 20-24 July. The allocation of time is basically the same as in previous weeks with the addition of one meeting on Monday, the 20th, at 10.30 a.m., for the Ad Hoc Working Group on Radiological Weapons. At the request of the Chairman of the Ad Hoc Working Group on Radiological Weapons, and after consultations with the Chairman of other working groups, who expressed agreement with the suggestion made by Ambassador Kómives, we are including an additional meeting in our time-table. As usual, the time-table is indicative and subject to change if the need arises. If there is no objection, I will consider that the Committee accepts the time-table. I see no objections.

It was so decided.

The CHAIRMAN: The representative of Finland has requested to speak at our next plenary meeting, scheduled for Tuesday. May I invite delegations wishing to take the floor on that occasion to inscribe their names as soon as possible so that we may fully utilize the time available to us. The next plenary meeting of the Committee on Disarmament will be held on Tuesday, 21 July, at 10.30 a.m. This meeting stands adjourned.

The meeting rose at 12.55 p.m.

COMMITTEE ON DISARMAMENT

CD/PV.139
21 July 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND THIRTY-NINTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 21 July 1981, at 10.30 a.m.

Chairman:

Mr. A.P. Venkateswaran

(India)

PRESENT AT THE TABLE

Algeria: Mr. M. MATI
Mr. A. BENYAMINA

Argentina: Mr. J.C. CARASALES

Australia: Mr. R. STEELE

Belgium: Mr. A. ONKELINX
Mr. J.-M. NOIRFALISSE

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

Bulgaria: Mr. P. VOUTOV
Mr. I. SOTIROV
Mr. K. PRAMOV
Mr. R. DEYANOV
Mr. P. POPCHEV

Burma: U SAW HLAING
U NGWE WIN
U THAN HIFUN

Canada: Mr. D.S. McPHAIL
Mr. G.R. SKINNER

China: Mr. YU Mengjia
Mr. LI Changhe
Mr. SA Benyang
Mr. PAN Jusheng

Cuba:

Czechoslovakia: Mr. P. LUKES
Mr. J. FRANEK

Egypt: Mr. EL S.A.R. EL REEDY
Mr. I.A. HASSAN
Mr. M.N. FAHMY
Mr. W. BASSIM

Ethiopia: Mr. F. YOHANNES

France: Mr. F. DE LA CORCE
Mr. J. DE BEAUSSE
Mr. H. COUTHURES

German Democratic Republic: Mr. C. HERDER
Mr. H. THIELICKE
Mr. M. KAULFUSS
Mrs. H. HOPPE

Germany, Federal Republic of: Mr. G. PFEIFFER
Mr. W. KLINGLER
Mr. H. MULLER

Hungary: Mr. I. KOMIVES
Mr. A. LAKATOS

India: Mr. A.P. VENKATESWARAN
Mr. S. SARAN

Indonesia: Mr. M. SIDIK
Mr. HARYONATARAM
Mr. FAUZY QASIM
Mr. ACHDIAK

Iran: Mr. J. ZAHIRNIA

Italy: Mr. A. CIARRAPICO
Mr. B. CABRAS
Mr. M. BARENGHI
Mr. E. DI GIOVANNI

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

Kenya:

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

Mongolia : Mr. D. ERDLIBILEG
Mr. S-O. BOLD

Morocco : Mr. M. CITRAIBI

Netherlands : Mr. H. WAGENMAKERS

Nigeria : Mr. M.B. BRIMAH
Mr. W.O. AKINSANJYA
Mr. T. AGUIYI-IRONSI

Pakistan : Mr. H. AHMAD
Mr. T. ALTAF

Peru : Mr. F. VALDIVIESO
Mr. A. DE SOTO
Mr. A. THORNBERRY

Poland : Mr. B. SUJKA
Mr. J. CIALOVICZ

Romania : Mr. T. MELESCANU
Mr. H. BICHER

Sri Lanka :

Sweden : Mr. C. LIDGARD
Mr. H. BERGLUND
Mr. J. LUNDIN
Mr. S. EKICIN

Union of Soviet Socialist
Republics : Mr. V.L. ISSRAELYAN
Mr. V.H. GANJA
Mr. M.M. IPPOLITOV
Mr. V.F. PRYAKHIN
Mr. V.A. SEMIONOV
Mrs. L.V. GRACHIKOVA

United Kingdom:

Mr. D.H. SUMMERHAYES

Mrs. J.I. LINK

Mrs. C.A. BOOTS

United States of America:

Mr. C.C. FLOWERREE

Mr. F.P. DESIMONE

Mr. J.A. MISKEL

Mr. R.F. SCOTT

Mr. W. HECKROLLE

Mr. J.E. TRENTON

Ms K. CRITTENBERGER

Venezuela:

Mr. R. RODRIGUEZ NAVARRO

Yugoslavia:

Mr. M. VRHUNEC

Mr. D. BRANKOVIC

Zaire:

Mr. B.A. NZENGEYA

Secretary of the Committee
and Personal Representative
of the Secretary-General:

Mr. R. JAIPAL

Deputy Secretary of the
Committee:

Mr. V. BERASATEGUI

The CHAIRMAN: The Committee starts today its consideration of item 6 of its agenda, "Comprehensive programme of disarmament". As usual, members wishing to make statements on any other subject relevant to the work of the Committee are at liberty to do so in accordance with rule 30 of the rules of procedure.

Mr. VOUTOV (Bulgaria): Mr. Chairman, before I proceed to the main subject about which I am going to make some remarks today as head of the Bulgarian delegation, I would like to make a short statement in my capacity as co-ordinator of the group of socialist countries for the month of July. I would like to raise the question which I raised at our last meeting in connection with document CD/194. This document contains a statement of the group of socialist countries on the question of the cessation of nuclear-weapon tests, and highlights the particular importance that our group attributes to this problem, its attachment to the idea of the earliest possible elaboration of a treaty on a complete and general prohibition of nuclear-weapon tests aimed at the cessation of the testing of nuclear weapons by all States in all environments for all time. The socialist countries have actively and consistently spoken in favour of an active role of the Committee in efforts to solve the problem of a complete and general prohibition of nuclear-weapon tests and in favour of the creation of an ad hoc working group on this item on the condition that all five nuclear-weapon States take an active part in it. The document also underlines the fact that the socialist countries have invariably attributed and continue to attribute special significance to the trilateral negotiations between the USSR, the United States of America and the United Kingdom, and appeal to the participants in these negotiations for their early resumption and successful conclusion. As noted in the statement, we are in favour of joint answers by the participants in the trilateral negotiations to the questions posed by the Group of 21 in their document CD/181.

At the same time, the socialist countries expect the two other nuclear-weapon States, which are not participating in the trilateral negotiations, to present in a more definite manner their attitude towards the creation of an ad hoc working group on this item and to state their readiness to participate in the negotiations on the future treaty and to undertake the relevant obligations under it.

The group of socialist countries expects answers to these questions and attaches great importance to them, and so we ask the representatives of the two nuclear-weapon States to provide concrete answers on their attitude and their intention as regards a nuclear test ban.

Allow me now, in the spirit of the business-like atmosphere which has been prevailing in the Committee in the month of July, to proceed to my statement on the comprehensive programme of disarmament, the subject of this week's discussion.

(Mr. Voutov, Bulgaria)

While preparing my statement, I perceived that at the present stage of the work of the Committee on Disarmament the issue of the comprehensive programme of disarmament poses before us a number of importunate requirements and also provides a ground for reflection along certain practical lines. First, this item is the only one on the agenda bound up with a fixed term. This fact increases the significance and the responsibility of the Ad Hoc Working Group on a Comprehensive Programme of Disarmament. Secondly, the fulfilment of the mandate of the Working Group, i.e. the elaboration of the CPD before the second special session of the General Assembly devoted to disarmament, will be a test of the effectiveness of the Committee on Disarmament in general -- a problem whose actuality and validity have lately been underlined by a series of delegations, and above all by the delegation of the Soviet Union. Thirdly, it is becoming increasingly compelling to pay the necessary attention to the historic responsibility which falls upon the Committee as the basic collective drafter of the first whole and complete text of a CPD. Regardless of the fact that by its very nature the CPD will not have the same binding character as that inherent in the treaties now in preparation, to prohibit, for example, radiological or chemical weapons, the CPD in its political importance surpasses a number of other items in the work of this Committee.

The position of the People's Republic of Bulgaria on some of "the main parameters of the future CPD" has already been presented in the statement of the Bulgarian delegation of 12 March (CD/PV.114). Today, I would like to offer to the attention of my distinguished colleagues in the Committee some considerations of a more substantial character.

The preamble of a CPD, being an introduction to an international document with a long-term validity, should reflect the most important, ground-laying ideas which will guide States in the process of disarmament. It is necessary that the preamble should incorporate the thought that the continuation of the arms race, and particularly the nuclear arms race, is a growing danger not only to peace and security but also to the very survival of mankind. The stepping-up of the arms race has a negative effect on development programmes, the restructuring of international economic relations on a democratic and equitable basis and the solution of other world problems of paramount significance. It is important that we adopt in the preamble the idea of a correlation between disarmament and détente and of the objective necessity for these two processes to supplement each other.

On item 2 of the CPD -- "Objectives" -- quite a lot remains to be done in order to come to a generally acceptable text.

The Bulgarian delegation supports the document submitted on this subject by the delegation of Czechoslovakia. The document in question incorporates the addition proposed by the Bulgarian delegation (CD/CPD/WP.35) containing

(Mr. Voutov, Bulgaria)

the notion that all the negotiations in the field of disarmament which have been initiated in recent years in various forums and on a bilateral basis and which at the present time have been interrupted or deferred, should be resumed and continued, and initiatives should be taken to open new disarmament negotiations aimed at further promoting détente, strengthening world peace and security and achieving effective measures for disarmament. In the Working Group on a CPD no one has expressed a difference of principle in regard to document WP.35. Reservations have been made as far as its actual place in the CPD is concerned. The exact place of the Bulgarian proposal is, of course, subject to further discussion in the Working Group, but my delegation firmly believes that this text should find its place in one of the first four sections of the CPD, because the resumption of the suspended disarmament negotiations and the opening of new ones is a sine qua non for the implementation of a programme as comprehensive and long-term as the CPD.

The co-ordination of the texts in section 3, "Principles", is a highly important task. Finding the most accurate and purposeful formulations in this section to a large extent predetermines the practicability of the measures agreed to in the CPD.

As we have already pointed out, the Charter of the United Nations and the Final Document of the first special session of the General Assembly devoted to disarmament offer a broad methodological basis for determining the principles of the future CPD. At this stage the delegation of Bulgaria does not make it its aim to suggest a detailed picture of how section 3 should look, neither is it trying to arrange the principles according to their importance, but it is our opinion that three principles deserve special attention: (a) the principle of undiminished security for all parties to an agreement; (b) the principle that the participants in disarmament negotiations should not aim at obtaining military superiority; (c) all possible measures should be taken to secure the adoption and development of the principle of the non-use of force in international relations. We believe that the principle of the non-use of force in international relations should find more specific expression when we agree on the measures for disarmament, especially in regard to the paragraphs of section 5 concerning nuclear disarmament.

In regard to section 4 of the CPD -- "Priorities", my delegation supports the stand of a number of other delegations to the effect that the relevant part of the Final Document offers a satisfactory basis for coming to an agreement on the final version of this item.

Undoubtedly, the greatest efforts will be required for the drawing up of section 5 of the CPD -- "Measures". The distinguished Chairman of the Ad Hoc Working Group on a CPD, Ambassador García Robles, has done exactly the right thing by concentrating the activity of the Group on the section "Measures", which in fact is the heart of the CPD. In the discussions of this problem my delegation is endeavouring to contribute constructively

(Mr. Voutov, Bulgaria)

to the progress of our joint work, taking into consideration the positions of the delegations of the three main groups represented in the Committee.

The measures in a CPD should be stimulating and orienting the process of disarmament. The actual language which is to be applied in formulating the measures should, I believe, be balanced and concise; in regard to separate measures, the draft could allow more detailed elucidations or annotations but only in cases where these elucidations would have the nature of an integral part and the measure would otherwise lose its meaning. With some delegations there is a preference for giving in detail, or decoding, as it were, the substance of the separate measures. In the opinion of my delegation, such an approach would alter the nature of the CPD, which should be a co-ordinated, framework document "encompassing all measures thought to be advisable" and not a set of instructions. Moreover, while the CPD will be drafted as a uniform, comprehensive document on disarmament, its implementation will not be automatic but rather the result of bilateral, trilateral and multilateral negotiations, that is, in every single case (in implementing a measure embodied in the CPD) a certain period of time will be necessary as well as a co-ordination of areas and issues in which the political wills of two or more States should coincide.

In close connection with section 5, "Measures", is section 6, "Stages of implementation". On this issue the position of my delegation was made clear a long time ago. We are for the setting of tentative time-frames for the implementation of the relevant agreements, and for the specification of the terms to be accomplished according to the scope and nature of the measures we succeed in agreeing upon.

In reference to the last section of the CPD, "Machinery and procedure", my delegation considers that the States should use all channels for the respective negotiations and should discuss the implementation of disarmament measures both in the United Nations and in other forums. In this respect the socialist countries, and above all the Soviet Union, have given a good example with their initiatives and proposals, and they will continue to do so. Consultations among States should be held, in our view, at all levels, and particularly fruitful are the meetings and consultations at the highest level. My delegation shares the views as to the prime responsibility of the United Nations for the implementation of the CPD and the importance of the special sessions of the General Assembly devoted to disarmament.

The convening of a world disarmament conference would of course, have a unique influence on the solution of the disarmament problem. Dwelling on the section "Machinery and procedure", allow me to express once again my appreciation and full support for the substantive and purposeful proposals on enhancing the effectiveness of the Committee made by the distinguished representative of the Soviet Union, Ambassador Issraelyan. There is no doubt that making these proposals the basis for taking a decision on this matter would offer new perspectives before the Committee, particularly in the matter of creating the best machinery and procedure for implementing the CPD.

(Mr. Voutov, Bulgaria)

My delegation considers it appropriate to refer also to certain questions connected with the organization of the work of the Working Group on a CPD. My delegation is of the opinion that the activities of this Working Group are marked by efficiency and thoroughness stimulated by the competent chairmanship of Ambassador García Robles. We have no doubt that unless acts of obstructionism on the part of any delegation are manifested, the Working Group will manage to fulfil its mandate and to draft, at the latest by April 1982, the text of a CPD which, after adoption by the Committee, will be presented to the second special session of the General Assembly on disarmament. To this end, regardless of the energetic style of work applied by the Working Group on a CPD, my delegation proposes that even before the end of this month the Committee should take a decision that a reserve of a minimum of four additional weeks is to be foreseen -- a reserve to be used at the discretion of the Chairman of the Working Group in consultation with the co-ordinators of the three groups and during a period suitable to all. Taking such a decision will create conditions for the normal completion of the work of the Working Group, in case such a need arises.

In conclusion, I would like to express the opinion that apart from being a framework, a basis, for disarmament negotiations, the CPD will be in a way a mirror of contemporary international relations in their entire diversity and complexity. That is why my delegation believes that from us, the drafters of the CPD, a true statesmanship and realism are required so that our "mirror" can reflect above all the most important, the lasting and at the same time the long-term tendencies in international affairs. Such an approach would put the work of the Working Group on a still more realistic and more effective basis and would secure the successful implementation of its mandate.

In this regard the delegation of the People's Republic of Bulgaria is ready to contribute in every appropriate way. For us the elaboration of the CPD is not just a task in the framework of our participation in the Committee on Disarmament, but an activity which falls entirely within the mainstream of the strategy of our foreign policy. This idea has been expressed in a most eloquent manner by the President of the State Council of the People's Republic of Bulgaria, Mr. Todor Zhivkov, who stated at the international meeting-dialogue on détente, held in Sofia in May of this year:

"The strategy of real socialism is aimed at preserving and promoting détente, at peaceful co-existence with the capitalist States, at halting the arms race and at disarmament -- in conditions of military parity and equal security of the East and the West and at an open and sincere dialogue on all controversial issues in international relations."

Mr. VALDIVIESO (Peru) (translated from Spanish): Mr. Chairman, since this is my first statement at a formal meeting of the Committee on Disarmament, I should like to express my appreciation of the productive work the Committee has been doing under your guidance during July. India's peaceful, non-aligned policy is constantly reaffirmed in the statements made by its delegation in the Committee, and this is a source of particular satisfaction to countries like mine which have adopted the same position. I should also like to thank your distinguished predecessor, Mr. Komives, the Ambassador of Hungary, for his unflagging efforts to advance the work of the Committee. Lastly, this being the first opportunity I have had to do so publicly, I should like to welcome the distinguished colleagues who have joined the Committee at its summer session. The Ambassadors of Argentina, Iran, Sri Lanka and Venezuela may be assured of all possible co-operation from my delegation.

I should like now to refer first to the exchange of opinions which took place in this Committee last week on documents CD/180 and CD/181, which were submitted by the Group of 21. In that discussion as in others on the subject of the cessation of the nuclear arms race and nuclear disarmament, we heard frequent references to the doctrine of deterrence. My delegation wishes to dwell briefly on this matter since this doctrine not only forms the basis of the position of a number of delegations with respect to nuclear weapons but is also, indirectly or even directly, reflected in their approach to all the other items on our agenda.

We have been told that the policy of deterrence has been effective in recent decades in preventing the outbreak of a nuclear war. If that was the only way of doing so, we cannot but express our concern at the fact that the security of the international community should depend exclusively on the fear of reprisals. It seems to us that in that case the international system is suffering from chronic structural insecurity, and that all nations would do well to try to find a basis for a sounder system of security.

In the name of deterrence a nuclear arsenal has been built up that is capable of destroying the entire planet on which we live several times over. We must realize the absurdity of continuing to spend huge sums of money on war material which will never be used, for if the nuclear weapon Powers used only half their arsenals, they would do away with all forms of life on earth, including their own. In our view this fact constitutes a theoretical limit to the doctrine of deterrence and requires those Powers, once this point has been reached to establish a different system of political relations. As has already been said in this Committee, the policy of deterrence is subject to the law of diminishing returns that is referred to in economics, and thus the negotiation of measures of nuclear disarmament is a matter of pure political pragmatism.

The delegations which have argued that nuclear deterrence has prevented an atomic war have, however, failed to observe that, owing to the persistent antagonism among the great Powers, the policy of deterrence has replaced a possible total confrontation by a series of conflicts localized on the territory of third countries. The systems of alliances and the control of geographical points considered to be strategic are as important elements in the policy of deterrence as the accumulation of a war potential, and this has meant that the Powers which have been deterred use third countries to give rein to confrontations in favour of their own interests, bringing with them destruction and war and amounting, on occasions, to more or less open interference in the internal and external affairs of other countries. This situation, in turn, is a source of potential serious crises. The contemporary international scene abounds in examples of what I have just described, and the numerous explosive centres of tension thus created are in no way a guarantee of world peace.

(Mr. Valdivieso, Peru)

This is the obvious result of the policy of deterrence, and those who find it acceptable are only demonstrating once again how little respect they have for the life and welfare of others. Many States, including non-nuclear-weapon States and developing countries, will suffer serious harm whether deterrence succeeds or whether it fails and there is a nuclear holocaust. Consequently, these countries have a direct legitimate interest in promoting the cessation of the nuclear arms race and the discrediting of its ideological basis, the doctrine of deterrence. We shall continue to insist on this point, at the risk of seeming impertinent, because it is of vital importance in order to create a new international impetus that may lead to peace among all nations.

The presence in this Committee of a number of States which do not possess nuclear weapons and are not members of military alliances, in accordance with the specific intention of the United Nations General Assembly, is undeniable proof, we believe, of their right to participate in all matters which are within the competence of the Committee on Disarmament and especially in the negotiations towards "general and complete disarmament". This is basically why the delegation of Peru has, in the context of the Group of 21, encouraged the setting up of ad hoc working groups, on the terms set forth in documents CD/180 and CD/181. We cannot conceal our disappointment at the refusal of some States to agree to this proposal and make a start on concrete work in this area, particularly as the urgent need to reach agreement on these topics makes it unwise to continue a useless and ever preliminary exchange of ideas. What we ought rather to do, if we want to achieve tangible results within a reasonable period of time, is to embark on detailed negotiations in a sincere spirit of compromise.

Other delegations have already indicated very clearly the contradiction between the fact that the items on nuclear topics were included in the Committee's agenda by unanimous decision of the United Nations General Assembly, and the statements of the delegations which are now opposed to negotiations on these items. The reasons those delegations have given for opposing all forms of serious negotiation on nuclear weapons within this Committee appear to us inconsistent and although it may be unnecessary at this moment to make an exhaustive analysis of their arguments I should nevertheless like to point out that it is not the security of one or two nations alone that is at stake, that if these items appear on the agenda of the "single multilateral disarmament negotiating forum", that is obviously so that they can be negotiated, and that if they are on the Committee's agenda for the present session, that is because our delegations ought to concern themselves with them during that period. I do not know whether the wasting of time that is now being imposed on us with respect to the most important items on our work programme is a mere inconsistency on the part of certain Governments or an indication of their lack of will to negotiate, but my delegation is convinced that the work of this Committee will not be effective until substantive negotiation takes place on the nuclear topics which are rightly said to have priority a number of times over in the Final Document of the first special session of the United Nations General Assembly devoted to disarmament.

In these circumstances, we should like to express our hope that the Ad Hoc Working Group on a Comprehensive Programme of Disarmament will be able at least in part to meet our concern about the nuclear arms race. Although this Ad Hoc Group is working at a different level, we shall feel relieved if the General Assembly can have before it at its second special session on disarmament a comprehensive programme of disarmament. This hope, which we feel is justified, is accompanied

(Mr. Valdivieso, Peru)

by our recognition and appreciation of the work that is being done by the Chairman of the Ad Hoc Working Group, the distinguished Ambassador García Robles of Mexico. The progress made so far in the work of the Group has been due to his skill, and this seems to augur a successful and timely conclusion, of the Group's work, in spite of the many obstacles that lie in its path.

Since we have been speaking of nuclear topics and the CPD, we should also like to express our support for working paper CD/CPD/WP.36, which contains a proposal by the Group of 21 on this subject. If in this context too the nuclear-weapon Powers fail to give a palpable demonstration of their good faith as regards negotiations on nuclear disarmament, they will block what appears to be our only possibility of coming to the second special session of the General Assembly devoted to disarmament with some pragmatic and concrete results. The failure of this Committee will be absolute and final unless the nuclear-weapon States adopt a more constructive attitude in this regard.

The importance of the comprehensive programme of disarmament lies above all in the fact that it will establish precise objectives for each stage. This will allow us to have a clear idea of the priorities and the extent to which real progress is being made towards the attainment of the goals set. Thus the comprehensive programme should give us a complete list of the measures that are to be taken, and an approximate indication of when. This said, it should be recalled that the greatest danger facing mankind is that of a nuclear war. Although this expression has become almost a cliché, its validity has constantly increased. This is why we think that in the comprehensive programme of disarmament the highest priority should be given to nuclear disarmament. Otherwise the Programme will be meaningless.

It should be added that a State cannot be required to adopt a measure of either nuclear or conventional disarmament if the prevailing logic suggests that more arms mean greater security. All States are concerned with their own security, their territorial integrity and their political independence. If this were egoism, it would at any rate be healthy egoism. This was fully taken into account by the General Assembly when it drew up a mandate for the Committee on Disarmament with a very specific purpose. Here, however, there is no contradiction, because the measures for disarmament and the security measures are not mutually exclusive. They merely mean the development of a new concept of security. The Charter of the United Nations several decades ago prohibited the use and the threat of use of force in international relations and established a forum for multilateral negotiations, thus supplementing bilateral dialogue. But it is difficult to believe that an extremely well-armed State that is in the process of increasing its arsenals really intends to adhere to the principles laid down in the Charter, and this naturally makes the solution of international problems more difficult. The system set up by the United Nations obviously requires a theoretical and practical complement, which is urgently needed at the present time so that the controversies between States may be settled in a peaceful and permanent manner.

In these circumstances, the effort required of the distinguished members of this Committee is immense, and must be based on imagination and good faith. The work of the Committee is regarded by many sectors of public opinion as in the realm of utopia, and yet indispensable. This is a heavy responsibility, and those States with the greatest war potential bear the largest share of it, for if only the small States were to carry out disarmament measures, the perilous situation in which we find ourselves would not have changed very much.

(Mr. Valdivieso, Peru)

In conclusion, allow me to remind you of the obvious truth which has been pointed out by all nations that the survival of mankind depends on the avoidance of war, especially nuclear war, and the achievement of general and complete disarmament. And in these difficult matters, the responsibility lies with this Committee.

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

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): Mr. Chairman, today, the Soviet delegation would like to dwell on agenda items 4 and 6.

The elaboration of a comprehensive programme of disarmament is, as is well known, an important task of the Committee on Disarmament. A draft programme should be submitted for consideration by the United Nations General Assembly at its second special session devoted to disarmament which is scheduled to be held in 1982. There are good reasons to expect that this document will occupy a major place in the work of the special session.

The elaboration of a comprehensive programme of disarmament is proceeding at a time when the world is facing a threat of being overwhelmed by a new gigantic wave in the arms race and the further growth of military expenditures. The adoption of a comprehensive programme of disarmament will, therefore, in our view, contribute to the restraining of the arms race and to disarmament, and will serve as a sharp denunciation of those forces and circles that rely on military force and hinder the process of disarmament. The programme as conceived should express the political will of those who are parties to it to do their utmost to bring about real progress in the sphere of disarmament and to achieve the programme's ultimate objective -- general and complete disarmament under effective international control.

The Ad Hoc Working Group of the Committee which is responsible for the elaboration of a comprehensive programme under the energetic and able guidance of its Chairman, Ambassador García Robles, is working very strenuously to draw up a programme. A general outline of a comprehensive programme of disarmament is already taking shape, although, to be frank, rather obscurely. But it has to be said that there is still a long way to go to the finishing line. On many an issue raised by various delegations it has not so far, unfortunately, been possible to reach a consensus.

Nevertheless, a good and constructive foundation exists for working out a comprehensive programme of disarmament. This foundation consists of three principal documents drawn up and adopted by consensus by the States Members of the United Nations. I am referring, of course, to the following documents, which are well known to all delegations: the Final Document of the first special session of the United Nations General Assembly devoted to disarmament, the report of the United Nations Disarmament Commission, and the Declaration of the 1980s as the Second Disarmament Decade. These documents reflect a carefully established balance of the genuine interests of States, and any attempts to disrupt this balance are certainly counterproductive.

(Mr. Issraelyan, USSR)

The delegation of the USSR, like the delegations of many other countries represented in the Committee, believes that measures aimed at the cessation of the nuclear arms race and at nuclear disarmament should occupy first place in the programme. Indeed, it is precisely nuclear weapons that pose the gravest threat to mankind. It is for this reason, therefore, that this issue should be given top priority. The Soviet Union, as you know, has spoken and continues to speak firmly in favour of the initiation without delay of negotiations on the cessation of the production of all types of nuclear weapons and the gradual reduction of stockpiles of such weapons until they are completely eliminated. It goes without saying that the implementation of nuclear disarmament measures should also be backed up by a parallel strengthening of political and international legal guarantees for the security of States.

Certainly, the programme should include other disarmament measures, too, such as, for instance, the prohibition of the development and production of new types and new systems of weapons of mass destruction, the reduction and elimination of conventional weapons and armed forces, the reduction of military budgets, measures for building confidence in the relations between States, a link between disarmament and development, etc. All these issues are not simple at all, but we must face up to them if we really want the disarmament programme to be comprehensive.

A comprehensive programme of disarmament will be viable with one indispensable condition, namely, that its implementation should at no stage prejudice the security of any party. In other words, the principle of equality and equal security -- a generally recognized and fundamental principle of international law -- should be strictly and absolutely observed.

In considering the nature of a comprehensive programme of disarmament the delegation of the USSR proceeds from the belief that the programme must not turn out to be merely another volume to be kept in the archives of the United Nations. The comprehensive programme should be a serious large-scale instrument which would pave the way for real advances in the sphere of disarmament and would serve as a means of bringing pressure to bear upon those forces in the contemporary world which worship the god of war.

We are coming nearer and nearer to the date of the second special session of the United Nations General Assembly devoted to disarmament, and there is still a great deal of work to be done on the comprehensive programme of disarmament. The Soviet delegation is ready to work on the preparation of the programme as much as is necessary.

We propose consideration of the question of extending the period of work of the relevant Working Group. This could be done in particular by arranging for it to resume its work at any time agreeable to the members of the Committee, but during the current year. It is essential that the Committee should complete the task assigned to it and that a draft comprehensive programme of disarmament should be ready by the time of the second United Nations General Assembly special session. This is the clear duty of the Committee, and one that should be fulfilled. For its part, the Soviet delegation will do everything in its power to facilitate the earliest possible elaboration of a programme.

(Mr. Issraelyan, USSR)

Permit me now to make some comments on behalf of the Soviet delegation with respect to agenda item 4.

At the summer part of the current session of the Committee considerable attention has been given to the question of the prohibition of chemical weapons, which is one of the most urgent tasks in the sphere of the limitation of armaments and disarmament. In the first place we should like to note the intense and vigorous activity of the Ad Hoc Working Group under the able guidance of Ambassador Curt Lidgard of Sweden. The Group has held a considerable number of formal and informal meetings, and there have in addition been numerous bilateral and multilateral working meetings. The informal consultations of toxicologists, in which experts from 24 countries took part, were characterized by a business-like and constructive spirit. Many countries accepted the invitation of Finland to take part in a seminar held in Helsinki to discuss issues related to the problem of verification. The seminar was attended by Soviet experts as well.

All this attests to the great interest of States members of the Committee -- and others, too -- in the speediest possible prohibition of chemical weapons -- an extremely dangerous type of weapon of mass destruction. The Soviet delegation has no intention at this stage of summing up the results of this multi-faceted and laborious work. We would like to underline only one point, a decisive one, in our view. The consultations, discussions and negotiations themselves with the participation of a wide range of States have accentuated once again the extreme complexity of the problem of prohibiting chemical weapons. They have confirmed that the solution of this problem is very different from similar tasks in other areas of the limitation of armaments and disarmament. This is due, first and foremost, to the particular nature of chemical weapons, that is to say that this type of weapon, unlike any other, is in many ways closely, inextricably linked with the peaceful branches of the economies of States. We have more than once spoken of how difficult it is to draw a dividing line between chemicals intended for peaceful uses and those intended for the manufacture of chemical weapons, between ordinary military production and military production of chemical weapons. Furthermore, present-day realities demonstrate that this interlinkage is tending to become more and more complex. Let us take, for instance, binary weapons. It is well known that in some countries special emphasis is being laid precisely on this most dangerous type of chemical weapons, and that these countries are planning to allocate tremendous resources to their production. However, the components of this weapon are chemical substances which are widely used in the economy and which very often are not themselves highly toxic. There is every justification for affirming that the adoption of this type of weapon will erect new and very great difficulties in the way of the prohibition of chemical weapons. Can we ignore these facts?

Unfortunately, in addition to the objective difficulties in the matter of prohibiting chemical weapons, our negotiations have met with and are continuing to meet with contrived and artificial difficulties as well. When the negotiations started in this Committee, they were to pursue a clear-cut and explicit objective -- the prohibition of the development, production and accumulation of chemical weapons and the destruction of stockpiles of them. In the course of the negotiations there has appeared an intention on the part of some delegations to go beyond the bounds

(Mr. Issraelyan, USSR)

of these tasks -- quite far beyond them, moreover -- and attempt, for instance, to prohibit certain types of activity which cannot be separated from general questions relating to the organization of defence, such as military planning, the training of personnel, and so on. Furthermore, there are some who wish to review the already operative -- and perfectly effective -- 1925 Geneva Protocol prohibiting the use of chemical weapons. Needless to say, all this can only further complicate a problem that is difficult enough in itself.

The question then is how nevertheless to move forward in these circumstances? It seems to us that the answer to this question is unequivocal, namely: it is necessary first of all to reach a clear-cut and explicit agreement on the key, fundamental issues -- the subject and the scope of the prohibition. This is not to say that it is necessary to agree on all the full stops and commas in the specific formulations on these issues, but we firmly insist that a common understanding on them should be worked out, failing which, we believe, it is impossible to work seriously on other provisions of the convention, no matter how important they may be.

The Soviet delegation has already explained its views concerning the most useful methods of work on issues related to the convention within the framework of the Committee on Disarmament. These views are based on the conviction that it is necessary in the first place to reach a common understanding on the subject and the scope of the prohibition. It is for this reason and this reason only that we wish to focus attention on these cardinal issues. It is, therefore, this same approach that is reflected in the draft text of a new mandate which we have proposed for adoption at this session -- and we regret that this issue has not yet been resolved. We are convinced that our approach is the right one, and we are ready to continue to defend it.

In the statements of some delegations at our last meeting, particular emphasis was laid on questions of verification. In doing so some representatives tried, although in a veiled way, to distort the position of the Soviet Union on these questions. We have no intention of allowing ourselves to be drawn into a discussion on this matter at the present time. The viewpoint of the Soviet delegation was stated at the plenary meeting of the Committee on Disarmament on 31 March 1981. The only thing we would like to do is to reiterate that the Soviet Union attaches no less importance than any other country whatsoever to verification issues, and that at an appropriate time, when the participants in the negotiations know definitely what is to be prohibited under the convention, what types of activity, what categories of chemical substances, and to what extent, we will be ready to participate most actively in the detailed examination of other questions involved in the convention.

Although it is too early to take a final inventory, even now it is evident that at this part of the Committee's current session the Ad Hoc Working Group has accomplished useful work. We call upon delegations, in preparing for the next round of our negotiations, to give serious thought to the questions arising at the present stage of the negotiations and to answer first and foremost the principal, crucial question: what should constitute the subject of the prohibition?

Mr. MELESCANU (Romania) (translated from French): Mr. Chairman, the concentration of the Committee's work in recent weeks on the subject of chemical weapons has shown how concrete and even, it must be said, specialized are our negotiations. The Working Group, under the chairmanship of Ambassador Curt Lidgard, whose work everyone appreciates, the meetings of experts on toxicity criteria, and also the seminar organized in Helsinki by the Finnish Government, all demonstrate this concrete approach.

Wishing to make a modest contribution to our discussions, the Romanian delegation has submitted working paper CD/197, on definitions and criteria for evaluating chemical warfare agents, which I have the honour to introduce today.

In the definition of chemical agents my delegation is guided by the aim of a complete prohibition of chemical weapons, both those that now exist in the military arsenals of States and those that are planned for the future, such as binary chemical munitions and the results of current attempts to synthesize natural poisons having special toxicity and efficacy against persons. We have also included the herbicides and defoliants which can be used for military purposes, with secondary effects on personnel and well-known effects on vegetation.

As regards the criteria for evaluating chemical warfare agents, the Romanian delegation believes that the first thing to be taken into account is the purpose of the production of chemical substances having toxic effects on human beings, animals and plants.

Special attention must be paid to chemical agents which can be used not only for military purposes but also for peaceful ones (dual-purpose agents).

In this context we are thinking of the large-scale use in industry, agriculture, medicine and scientific research of highly toxic chemical substances such as hydrocyanic acid and certain of its salts, the halogen cyanides, chlorine and other chemical substances with a high level of toxicity, which can also be used for military purposes as chemical warfare agents. Information on the quantities of these substances produced, what stocks of them exist and their intended purpose, would be an evaluation factor of great importance.

Another criterion, of similar importance, is that of the toxicity of chemical substances. The discussions which took place in the informal meetings with the participation of chemical experts brought out the importance of this criterion in the definition of chemical warfare agents (document CD/CW/WP.22). Likewise, the classification of chemical agents into super-toxic lethal chemical agents and lethal and non-lethal chemical warfare agents, as is done in the joint Soviet-American report (document CD/112), represents, in our view, an excellent basis for our current negotiations.

As is stated in our working paper, the definition of chemical warfare agents should take into consideration other criteria such as those relating to chemical structure, volatility, effectiveness and so on.

These, in outline, are the main ideas contained in the working paper presented by my delegation. I should like to take this opportunity of assuring you of our desire to continue to contribute to the conclusion, as soon as possible, of a convention prohibiting chemical weapons.

Mr. McPHAIL (Canada): Mr. Chairman, I would like, as several others have done this morning, to offer some brief reflections of my delegation on the discussion that we have had over the past week or two when the agenda of the Committee focused on chemical weapons and the eventual elaboration of a chemical weapons treaty. First of all, I wish to join others in expressing appreciation for the valuable role played by the consultations held in the presence of chemical weapons experts in the furtherance of our common goal. The achievement of just such a treaty, the results of these consultations as contained in the report of the Chairman of the Ad Hoc Working Group on Chemical Weapons on toxicity determinations has moved us ahead. In our view it is this kind of technical activity which is invaluable in the eventual elaboration of the treaty, and we look forward to further consultations on the basis of what has already been achieved.

At the same time, I would like to compliment the Government of Finland for the successful chemical weapons workshop which was held at Helsinki on 4-6 July. The Government of Finland has our thanks.

It is not my intention today to raise the question of the mandate of the Working Group on Chemical Weapons, or to discuss in any detail the precise nature of the documents which the Working Group is now addressing. It is demonstrable that valuable work can be done -- and is being done -- on the basis of the existing mandate, and we are anxious that this work should continue. We also note that the texts before the Working Group (particularly documents CD/CW/WP.20 and WP.21) are clearly designated as elements to be considered in an eventual chemical weapons treaty, and not the text of a treaty itself. We therefore agree with those speakers who have argued that in identifying these elements we should not fall into the trap of seeking to develop exact treaty language, a drafting exercise which can be taken up later.

With this in mind, I wish to draw attention to the interconnected problems of scope and verification. If we are successfully to conclude our consideration of "elements", these elements must be balanced and in correct proportion to each other. Some have suggested that it is not possible to deal with verification in any substantive way until the scope of a treaty has been adequately defined. Others have suggested that questions of scope and definition, interrelated as they are, need to be examined simultaneously with the problem of verification so that in this fashion a balanced text will emerge as a natural outcome of the process of discussion. We share this latter view.

In the meantime, however, it is clear that the discussions on verification within the Chemical Weapons Working Group have been superficial and inadequate. This same inadequacy is inevitably reflected in element VII in working paper 21. This, of course, is no fault of the Chairman, but simply represents the highest common denominator the Working Group has been able to achieve so far. We therefore intend to develop wording on this matter which we hope would be acceptable to all in terms of the verification régime required and the methods necessary to achieve it. In this regard, we are encouraged by the number of statements which have remarked favourably upon the Canadian working paper, document CD/167, on "verification and control requirements for a chemical arms control treaty based on an analysis of activities". Bearing in mind the comments of a number of delegations, we propose to develop wording which would deal with problems of concept, responsibility, organization and national/international arrangements in a chemical weapons verification régime. This wording, of course, would be suitable for consideration under element VII of the text now before the Working Group.

Mr. CARASALES (Argentina) (translated from Spanish): Mr. Chairman, I should like, today, to speak about the agenda item on chemical weapons. I intend to do so in some detail as my delegation did not have the opportunity of stating its position in this connection during the spring part of the Committee's session.

In the first place, I should like to mention my country's satisfaction at the progress being achieved in the Ad Hoc Working Group on Chemical Weapons, under the energetic chairmanship of Ambassador Lidgard. The stage reached by the Working Group makes it desirable -- as we said in our general statement in plenary meeting -- that its mandate should be widened, and we regret that this has not been possible, and also that so many difficulties are arising in connection with the preparation of an "agreement" which would meet with general acceptance and could provide new impetus to the work being done in the Working Group.

I shall go on to discuss a number of basic principles that my Government considers should be taken into account in an international agreement designed to bring about the elimination of chemical weapons. Although the majority of these principles have already been enunciated earlier, and especially since the setting up of the Ad Hoc Working Group in 1980, we believe it is not superfluous to reiterate and develop them, for we believe that the adoption of clear and definite positions on the various aspects of disarmament constitutes the best way of gradually achieving a convergence of views which would make it possible to attain the objectives for which this Committee was set up.

It should be borne in mind that negotiating a convention on chemical weapons is, in view of the ease of technological access to such weapons, one of the most complex and difficult problems of disarmament. For this reason we must try to ensure that the convention that emerges from our work is the best one possible, so that the security of the States parties is strengthened and that new vulnerabilities are not indirectly created as a result of the different degrees of development of the countries concerned.

Definition of chemical weapons

The Argentine Government considers that the definition of chemical weapons should include prohibited chemical substances, binary weapons and all vectors, devices or equipment in any way connected with their delivery or storage.

Precursors ought in general to be prohibited, with the exception of those capable of being used for peaceful purposes, in which case conditions of production and transfer must be established in such a way as to permit a clear indication of their purpose.

Scope of the convention

With regard to the scope of the Convention, the prohibition should be complete, covering in their totality the development, production, acquisition, stockpiling, use and transfer of chemical weapons.

I should like to emphasize once again the need to include explicitly the prohibition of the use of chemical weapons, although it is referred to in the 1925 Geneva Protocol, both in order to allow for verification, which was not provided for in that agreement, and to extend its scope to hostile situations not considered as casus belli or provided for in the 1925 text.

(Mr. Carasales, Argentina)

Criteria to be employed in the convention

The Argentine Government considers that the principal criterion on which the convention should be based is that of "general purpose". But at the same time, consideration should be given to a number of additional criteria which would facilitate the classification of substances as well as the implementation of a system of verification, including toxicity and perhaps "chemical structure" and "quantity".

We recently received a very interesting report on the consultations held by a group of experts during the week from 6 to 10 July. I should like to take this opportunity of expressing my delegation's satisfaction at the work done by the group, in which an Argentinian expert participated. No small part in the usefulness of the work done by the group was played by the skilful chairmanship of Dr. Lundin, of the Swedish delegation, whom we should especially like to congratulate.

We believe that the work of such experts, which should certainly continue, would be facilitated and made more valuable if their meetings were planned further in advance, if the specific subjects of their work were clearly fixed beforehand, and if continuity were maintained through the participation of the same experts.

The following may be mentioned by way of example. The last meeting of experts led to a proposal to define and specify the conditions for selecting and systematizing testing methods which could be used internationally to determine levels of toxicity. In this connection we believe that in view of the particular nature of the work the experts co-operating with the Ad Hoc Working Group should begin the selection of those methods as soon as possible.

If the experts have a clearly defined framework and period within which to find solutions to the problems put before them, they can make contact with other scientists or national and international research institutes in order to complete the collection and consideration of information. In this way the experts will be able to carry out, in their respective countries, useful preparatory work for the tasks to be accomplished at their next meeting.

Annually, or more frequently if necessary, a meeting could be held for an evaluation of the progress made and it would also permit the co-ordination and guidance of the experts' efforts. At the same time, the Disarmament Committee, through the relevant Ad Hoc Working Group, would be able to appraise the results achieved in relation to the targets fixed. In this way I believe that the experts would become a valuable source of scientific assistance during the period of the drafting of the convention.

Among the supplementary criteria, we would point out that the "quantity" criterion will help to facilitate decisions in doubtful situations. The criterion of "basic chemical structure" would make it possible to classify substances in the case of groups or components whose toxic action on man is not clearly known. We are, of course, aware of the disadvantages of the fact that the same basic chemical structure can correspond to toxic substances and, at the same time, with certain minor differences, to substances intended for peaceful uses. The criterion can, however, be particularly useful in the first instance for the examination of the new substances which are constantly being developed or discovered.

(Mr. Carasales, Argentina)

Moreover, this scientific and technological development makes it essential for the clauses of the convention to be drafted in such a way as to permit the speedy incorporation of all specific new elements that are relevant to its purpose.

Prohibitions and exceptions

In this connection, we are in general in favour of the criterion used as the basis of the classification of toxic substances proposed in paragraph 2 of document CD/112, a document of great value for the progress of discussion on chemical weapons.

At the same time we support the right of each State party to retain substances which are classified as prohibited toxic agents if it intends to use them for non-hostile purposes, but in reasonable quantities, specified and declared in order to facilitate international control where necessary.

By non-hostile purposes we mean purposes directly connected with industrial, agricultural, scientific or research activities, or purposes specifically related to measures of protection and defence against chemical weapons. We also consider that, with reference to the classification of substances proposed by the World Health Organization (based on the effect produced by certain chemical agents), Governments should be allowed to use the agents termed "irritants" or "short-term incapacitants" for the maintenance of order and the enforcement of the internal law of States.

Verification

It has been repeated often enough in this forum that a convention on chemical weapons must include a complaints procedure and a verification system adequate to ensure the implementation of the terms of the convention.

However, we are convinced that the primary element on which the agreement should be built is a genuine commitment by States parties never in any circumstances to use or possess chemical weapons. On this basis, verification would represent only a mutual reassurance for States and not a complex and all-embracing system which, because of its breadth and detail, would be resisted by a large number of countries and would therefore fail to win the necessary consensus.

To this end the verification system ought to have certain characteristics that would render it adequate to meet the interests of the international community. In our view, these are as follows.

(a) The system should be both national and international in character. The national bodies which are organized or selected for the application of the system in each State party, in accordance with its own legislation and internal structure, will be the key components of the system, co-ordinating with similar bodies in other States and with the relevant international bodies.

The international character of the system will be assured by the presence within the system of an independent element, made up of experts in the fields involved in chemical weapons. The organic and functional characteristics of this

(Mr. Carasales, Argentina)

element, which we could agree to call a consultative committee, should be discussed in the Ad Hoc Working Group, but we should like to emphasize that it would be advisable for the committee to consist of a fairly small group of experts on the subject. It would then be able to act quickly and effectively in its own field, without becoming involved in aspects having nothing to do with the technical and scientific content of the matters it should deal with.

(b) The system should employ simple methods, accepted and recognized by the States parties, of a kind to ensure a thorough study of any problems that may arise and the securing of rapid and conclusive results.

(c) It should use verification procedures appropriate to the circumstances of the case in question. In this context, random, non-routine visits to the installations or premises of the different States parties, following co-ordination with them, will help to build mutual confidence and reinforce the fulfilment of the convention.

(d) The system should permit the prompt and thorough investigation of any complaints that may be made of non-compliance with the convention.

(e) It should permit the settlement of disputes at the level of bilateral agreements.

Confidence-building measures

These include measures which will have to be taken in implementation of the terms of the agreement and which it may be appropriate to carry out before the agreement comes into force in order to confirm the commitment never to use chemical weapons, a commitment to which I referred earlier.

Basically, the "confidence-building measures" should be designed to ensure internationally the freezing and limitation of the development, stockpiling and production of chemical weapons. Among possible measures of this kind, we should like to mention:

(a) The declaration of stocks and production facilities;

(b) The programmed destruction of stocks, in the presence of invited international commissions;

(c) The dismantling of production facilities or possibly their conversion to other purposes, also in the presence of invited international commissions;

(d) The exchange of information between States in the sphere of chemical weapons and related matters.

Preamble and other matters

We believe that the preamble to the convention should refer solely to the content of its constituent articles, avoiding additions which go beyond its normative framework or are not relevant to the purpose of the prohibition.

(Mr. Carasales, Argentina)

Among the other matters which should be included in the convention on chemical weapons, we consider that the provisions relating to scope of application, signature, ratification, entry into force, amendments, etc., could be drafted along the same lines as the comparable provisions in the "Convention on prohibitions or restrictions of use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects".

The recent conclusion of the above-mentioned Convention in the field of disarmament makes it appropriate that it should be taken into consideration in the present case, with certain adaptations as required by the difference in the type of weapons to be controlled.

These are the comments my delegation wished to make at this stage of the work in progress in the field of chemical weapons. The time is ripe for the Committee on Disarmament to intensify its efforts towards the drawing up of a draft convention. The sooner this is done, the greater will be its success in a field which is of major concern to the international community.

Mr. SARAN (India): Mr. Chairman, my delegation listened with considerable interest to the intervention made by Ambassador McPhail of Canada in the Committee on 16 July 1981. With your permission, I would like to comment on some of the observations made by the distinguished Ambassador.

The halt of the arms race, in the Canadian perspective, "begins with the mutual perception of security balances which can lead to agreements to limit arms and to control their development and deployment. Contrary to what is sometimes advocated, only then, once arms competition is contained, can efforts be focused on reductions, always reflecting that same appropriate security balance". At another point the Ambassador argued that "it is clear that a selective freezing of the present and growing disequilibrium offers no solution at all".

Let me recall that in 1964, the United States presented a proposal to the Eighteen-Nation Disarmament Committee for a freeze on strategic delivery vehicles, based on what was then called "a common general philosophy" of arms control and disarmament. Expounding this "common philosophy", the then United States representative, Mr. Foster, stated: "This philosophy is that a logical first step is to freeze things where they are and thereby remove future obstacles to disarmament."

The representative of Canada, in a statement to the ENDC on the subject of the freeze, said: "Between the phase of building up armaments and the hoped-for phase of reducing armaments, there has to be a point of time at which you stop -- like changing the movement of a motor-car from forward to backward." On the same question, the Italian representative stated on 28 January 1964: "In order to achieve disarmament, the first step must be to put a stop to the armaments race. That is self-evident." All this was being heard at a time when, in the words of the United States representative himself, "There have been claims by both sides to superiority in strategic nuclear forces". The United States representative went on to say: "Regardless of which side is ahead, these are the weapons which appear most threatening to all countries."

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I might add that in 1964 it was the United States which wanted a working group of the ENDC to be set up to undertake multilateral negotiations on this proposal, and several delegations, including Canada, supported this proposal.

If the "security balance" which the distinguished Ambassador of Canada spoke of was a relatively stable one, then his proposition would be perhaps arguable. In fact, historical experience indicates that the notion of balance is inherently unstable, subject to changes in subjective perceptions, technological developments, miscalculations or even an adventurous decision. As we see it, the search for disarmament consists not only in searching for means to reduce and finally eliminate existing arsenals; we must also ensure that our task does not grow while we are busily engaged in looking for a solution. Would the distinguished representative of Canada deny that in the 30 or more years that we have been looking for solutions to the problem of nuclear disarmament, the problem itself has grown into what he has chosen to call "one of the most complex security relationships in history, in terms of nuclear and conventional forces"?

And what, after all, is the balance we seem so fond of referring to? Is it the balance between the two major Powers, the United States and the USSR, which is crucial to international security? Or is it the maintenance of balance among the five nuclear-weapon States? What about the balance between the nuclear-weapon States on the one hand and the non-nuclear-weapon States on the other? Too often the peace and security of the world are identified narrowly in terms of the equation between the United States and the USSR or between NATO and the Warsaw Treaty Organization. In the perception of some countries this may perhaps seem valid. To us, who deliberately choose to remain aloof from the rivalry and confrontation between the great Powers and their respective allies, the impact of these equations on international peace and security seems less than benign. The extension of great Power rivalry into our own region of South Asia and the Indian Ocean, which has serious and adverse consequences on our security, makes us feel less than enthusiastic about the so-called "balance" argument.

We do not, of course, question the right of any other country to pursue its security interests in a manner that it deems appropriate. All that we wish to say is that the pursuit of one's security interests should not be done in a manner that disregards, or even worse, jeopardizes the security interests of others. And, as we have had occasion to point out earlier, the very existence of nuclear weapons threatens our survival. The espousal of doctrines of nuclear deterrence, which are predicated on the use of nuclear weapons, directly and fundamentally jeopardizes our security interests. These are our clear perceptions which, we are convinced, reflect the reality of today.

The second point made by the distinguished Ambassador of Canada was that "it is not possible to attempt to differentiate between nuclear and conventional weapons disarmament". We do not accept this proposition. Nuclear weapons are weapons of mass destruction. Enough has been said in this Committee to underline the fact that atomic weapons have introduced a totally new and unprecedentedly destructive dimension to the concept of warfare. How can we speak of nuclear and conventional weapons in the same breath? It is another matter that some States have chosen to rely on nuclear weapons, or so-called nuclear deterrence, in order to avoid the

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political and social consequences of maintaining or augmenting their conventional armed forces. For them, nuclear weapons appear to be a cheaper alternative. It is no coincidence that four-fifths of the world's armaments expenditures are spent on conventional armed forces and weapons and only one-fifth on nuclear. And yet that one-fifth is more than enough to destroy all life on earth several times over.

Much has also been said about the "regrettable" situation existing in Europe, which we are asked to accept as an unfortunate reality. Let us not forget that this regrettable situation was the result of conscious political decisions on the part of the leaders of the countries concerned. Nuclear weapons did not just fall into their laps and then, without anyone realizing it, became part and parcel of a "balance". Nuclear weapons were made part of the so-called balance through a series of conscious decisions -- decisions to forego expenditure on building up conventional forces in favour of a cheaper, more destructive, alternative. Those who did not acquire their own independent nuclear weapons felt strengthened, if that is the word to use, from collective nuclear security arrangements under military pacts headed by the rival major Powers.

I must confess that it is rather strange for us to hear from those who warn us against the proliferation of nuclear weapons that nuclear and conventional arms have to be considered together in one package. The whole logic of the horizontal non-proliferation of nuclear weapons resides in their unique and destructive character, their ability to spread death and destruction beyond national boundaries, in short, their nature as global means of destruction. And yet with respect to certain environments, certain special theatres, this judgement is suspended. Worse, this argument is stood on its head. The possession of nuclear weapons and the option to use such weapons are deemed essential to keep the peace and prevent a war.

We do not wish to minimize the importance of conventional disarmament. But let us not forget that even in respect of conventional arms, it is the very same nuclear-weapon States which possess the most important arsenals. But those who are so zealous about the maintenance of "balance" and the careful weighing of relative military power with their perceived adversaries should perhaps pay a little more attention to the grave imbalance which already exists between them, either as nuclear-weapon States or allies of such States, and the non-nuclear rest of the world, made up mostly of developing countries whose security interests are continually sacrificed in the "interests" of East-West or bipolar equilibrium. Those who say that a "selective freezing of the present and growing disequilibrium" offers no solution at all to the problem of international stability do not think twice in preaching the same "selective freezing" with respect to the yawning gap between nuclear-weapon States on the one hand and non-nuclear-weapon States on the other. Quite to the contrary, an impression is created that the non-nuclear-weapon States could somehow assist the process of nuclear disarmament by agreeing to reduce their conventional forces, as if these forces were a threat to nuclear-weapon States and their allies.

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This brings us to another observation made by the distinguished Ambassador of Canada. He said that "a number of the crisis spots in other parts of the world are not yet cast entirely in ideological terms as is the case between East and West. The vast majority of disputes, particularly in the third world, are regional in scope and often reflect deep-seated and historical quarrels in relation to local issues." We are not quite sure what is meant by this assertion. Is the conflict between East and West cast entirely in ideological terms? Are there no deep-seated and historical quarrels in relation to local issues which are manifest in Europe too? And is an ideological confrontation somehow of a higher and more noble order than disputes of the kind which the distinguished Canadian representative witnesses in the third world? True disarmament must involve all nations, all regions of the world. But there is no escape from the fact that the two major Powers deploy the overwhelming proportion of the world's armaments, both nuclear and conventional. There is no escape from the fact that Europe has the heaviest concentration of armaments, both nuclear and conventional. Whether in a qualitative or in a quantitative sense, how can all other regions of the world be put on the same footing? And even if we wish to focus attention on disputes in the developing world, "which are regional in scope" and "which reflect deep-seated and historical quarrels in relation to local issues", let us not forget that many such disputes are often encouraged and exacerbated by outside powers, also in the interest of the so-called "balance of power".

We were indeed glad to see that the distinguished Canadian representative recognized the reciprocal relationship between horizontal and vertical proliferation of nuclear weapons. In fact, the "strategy of suffocation" that he outlined in his statement is one which we would certainly be ready to explore with some changes in the elements of the package. However, there are some assertions which were made in this respect which we find difficult to accept.

Firstly, we question the seeming equation he sought to establish between the possession of nuclear weapons and the possession of a nuclear weapons potential. There are several nations today which have the technology and materials necessary to become nuclear-weapon States, if they so decided. And as time goes by, more and more nations will join the ranks of those who have the capability to manufacture nuclear weapons. This is bound to happen since nuclear technology will spread to more and more countries, despite attempts to erect barriers against the flow of technology from the rich industrialized countries to the developing world. Nuclear technology, like any other technology, is neutral. It can be put to peaceful uses or to military uses. In the case of another field, chemicals, there is a similar problem. A large number of toxic chemicals have peaceful uses but can also be used for making chemical warfare agents. Nobody seriously suggests that, therefore, developing countries should not develop their chemical industries or be permitted access to toxic chemicals. The effort should be to evolve a

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universally acceptable and verifiable political commitment from all countries of the world to ensure that whether it is chemistry or atomic science, they are used solely for peaceful purposes.

India has had the necessary capacity to move into the nuclear-weapons field for several years now. But it has deliberately and, we believe, wisely chosen to decide to exploit nuclear energy for peaceful purposes only. There are several other countries in the same category. We cannot accept that just because these countries, like India, possess the capability to manufacture nuclear weapons, this detracts from international security.

Capability is not the crucial issue here, but intention. We would agree that the demonstration of intention on the part of a non-nuclear-weapon State to become a nuclear-weapon Power would have a damaging impact on the perceptions of its neighbours and on international security as such. But if we are asked to believe that the only way a country can demonstrate that it does not retain what we call the "option" to develop nuclear weapons is by accepting discriminatory obligations and safeguards that are applied inequitably, then, of course, our paths diverge. India is committed to the goal of non-proliferation, both vertical and horizontal. It was India which, in 1964, inscribed this item on the agenda of the United Nations General Assembly and brought international attention to focus on it. But we cannot accept a so-called non-proliferation régime which endorses and indeed perpetuates the unequal division between nuclear-weapon States and non-nuclear-weapon States. Adherence to this point of principle cannot be equated to a country wishing to retain its "option" to develop nuclear weapons.

And if we wish to speak of keeping options open, what about countries which are members of nuclear alliances? They might have signed the non-proliferation Treaty, yet participate quite enthusiastically in security arrangements that call for the collective deployment and use of nuclear weapons. Some of the same NPT members have nuclear weapons deployed on their territories and, we are told, would share in any decision to use them. What kind of option might this be? Allies of nuclear-weapon States may have given up the option to produce and acquire their own nuclear weapons. They certainly have not given up the option to have nuclear weapons used for their defence.

There is another concept which the distinguished Ambassador of Canada used, with which also we cannot agree. He stated that "the emergence of States with nuclear weapons potential, or presumed nuclear weapons potential, vastly complicates and destabilizes regional military balances, far exceeding the impact of modernized nuclear weapons systems in areas where they already exist". It is not quite clear in which sense Ambassador McPhail is using the term "nuclear weapons potential". As I have pointed out earlier, the acquisition and development of nuclear technology and know-how can be turned to peaceful as well as military uses. The mere acquisition of nuclear know-how cannot be equated

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to an intent to make nuclear weapons. But leaving this question aside, the Canadian Ambassador appears to argue that the emergence of an additional nuclear-weapon State or potential nuclear-weapon State (whatever that might mean) would have far more dangerous consequences than the continued accumulation and refinement of nuclear weapons by the existing nuclear-weapon States. Thus, despite his acceptance of the principle of a reciprocal link between vertical and horizontal proliferation, the distinguished Ambassador of Canada has in fact asserted what has become a fashionable apology for the continuing nuclear arms race among the nuclear-weapon States. If we are to accept his logic, horizontal proliferation is fraught with greater danger than vertical proliferation. It is only a small step from this to the theory that existing arsenals of nuclear weapons may continue to grow in quantity and quality without much impact on global security, and that all attention needs to be focused on the prevention of the emergence of an additional nuclear-weapon Power or potential nuclear-weapon Power. And it is also a small step to the theory that the present division of the world between a handful of nuclear-weapon States possessing the means of global destructive power and the rest of the world, consisting of nuclear have-nots, can be permitted to continue indefinitely, provided the nuclear club remains as exclusive as it is today. We could hardly be expected to accept such a reasoning. The main threat to peace and security today is the continuing arms race, especially in its nuclear aspect. The danger of a nuclear war, which may wipe out human civilization, emanates from those who possess nuclear weapons and not those who may be perceived to possess the potential of acquiring such weapons.

Lastly, our arguments against nuclear weapons are not merely applicable only to those States which possess them. We would like to negotiate measures which would apply equally and in a non-discriminatory manner to all States. Thus we suggest a multilateral agreement prohibiting the use of nuclear weapons by all States. We recommend and support a test-ban treaty which would commit all States to the prohibition of the testing of nuclear weapons in all environments for all time to come. We recommend measures for the cessation of the production of nuclear weapons and the prohibition of the production of fissionable materials, with appropriate measures of verification and compliance that would be applied to all States in an equitable manner and on a non-discriminatory basis. It is not our intention to ask the nuclear-weapon States to stop nuclear-weapon testing while we retain the "option" to continue such tests. We do not ask the nuclear-weapon States to accept safeguards on all their nuclear facilities while we refuse to accept such safeguards on our own facilities. Certainly not. Just as the distinguished Ambassador said, in respect of verification, "We are not asking others to do anything more than we ourselves are prepared to do".

U SAW HLAING (Burma): Mr. Chairman, as a representative whose country has the privilege of maintaining long-standing relations of friendship and good neighbourliness with India, I am most happy to see you presiding over the work of the Committee on Disarmament during this crucial part of its annual session. I have witnessed the success of your leadership in the past two weeks and I am sure your diplomatic skill and wealth of experience will undoubtedly bring concrete results to this Committee.

May I also associate myself with the speakers before me in expressing the deep gratitude of my delegation to Ambassador Komives of Hungary whose contribution to the work of the Committee in June was invaluable.

I would also like to extend a warm welcome to the leaders of delegations, Ambassador Carasales of Argentina, Ambassador Ahmad Jalali of Iran, Ambassador Tissa Jayakoddy of Sri Lanka and Ambassador Navarro of Venezuela, who have joined this Committee recently. I am confident that their experience will be a great asset in the work of this Committee.

On 12 March 1981, at the 114th plenary meeting of the Committee on Disarmament, I made a statement in which I put forward the considered views of my delegation on the subject of a comprehensive programme of disarmament. I do not have much to add to what I said then. However, I would like to reiterate here that we have a set time-frame on this subject, which the international community has entrusted to us, namely, to submit a report to the second special session of the General Assembly devoted to disarmament, which is to be held during the first half of 1982. As far as the progress of work in the Ad Hoc Working Group on a Comprehensive Programme of Disarmament is concerned, my delegation is satisfied that, under the leadership of Ambassador García Robles of Mexico, it has established a working method aimed at accomplishing maximum results within the remaining weeks of July and August. My delegation together with other members of the Group of 21 have submitted concrete proposals in working papers CD/CPD/WP.36 and 36/Add.1 setting out the maximum common basis of approach for consideration by the Ad Hoc Working Group. It is the earnest hope of my delegation that the specific proposals of the Group of 21 will generate an added impetus to the work of the Committee on this subject, and that it will be possible to move forward towards a consensual conclusion before the second special session. My delegation, both individually and jointly with the rest of the members of the Group of 21, will contribute to achieving this objective.

At the risk of repetition, may I be allowed to say a few words on the principles on which a comprehensive programme of disarmament should be based. In the considered view of my delegation, a CPD must in all aspects transcend the limits of mere formal expressions of political intent to achieve general and complete disarmament under effective international control. Rather it must embrace genuine political commitments of the highest degree by all States, especially by those with the largest military arsenals, to implement in good faith all the disarmament measures within a reasonable and realistic time-frame.

A comprehensive programme of disarmament without adequate provisions on questions of nuclear disarmament will suffer a serious lack of content that can finally negate its value as a composite disarmament measure. It is our belief and commitment that the questions of a nuclear test ban, the cessation of the nuclear arms race and nuclear disarmament are entitled to the highest priority place and the most urgent consideration in the CPD we are trying to evolve. My delegation feels sure that with patients, mutual understanding and a large measure of conciliation on all sides the Committee will be able to proceed with a mutually acceptable text of a CPD that would truly reflect the consensus and hopes of the international community.

(U Saw Hlaing, Burma)

Exercising the right contained in article VIII, paragraph 30, of the rules of procedure of the Committee, I would like to put forward brief comments as to the current state of negotiations on two of the agenda items to which my delegation attaches the highest priority and importance -- that is a complete ban on nuclear testing in all environments on the one hand, and the cessation of the nuclear arms race and nuclear disarmament on the other. Since I set out the principles of my delegation on the two crucial disarmament questions in my statement on 24 February 1981, I need hardly add any new thoughts. Many other delegations have also put forward concrete proposals on this matter. Despite all these the continuing lack of political will on the part of certain major Powers has rendered this Committee powerless. My delegation is unhappy about this failure to fulfil the basic and fundamental responsibilities of the Committee.

My delegation's commitment is firmly embedded in the belief that the only realistic and productive machinery available for effective and efficacious negotiations under the present circumstances are the modalities we have adopted in the form of ad hoc working groups. This modus operandi is the result of our careful negotiations. Frankly speaking, it is becoming hard to believe that any modality other than those in current use by the Committee on Disarmament would lead us to any fruitful conclusion of our basic and fundamental tasks. Rather we may be led into a diffused and directionless series of debates of the kind which have burdened this Committee for so long. In the opinion of my delegation, we have exhausted all possible theoretical and academic dissertations with regard to nuclear disarmament. What remains to be done is to establish a firm step forward.

Time and again my delegation, either with the members of the Group of 21 or individually, has appealed to the good sense of the members of this Committee so that a decisive step can be taken for the commencement of meaningful negotiations on nuclear disarmament. We in the Group of 21 deeply regret that our urgent and sometimes pathetic calls, appeals and supplications so often meet with a negative response from certain major negotiating Powers whose reticence and hesitation have prevented us from accomplishing effective work on these items. My delegation has joined the other members of the Group of 21 in an attempt to break this icy attitude by presenting concrete and positive proposals. Documents CD/180 and CD/181 are two of the long list of such constructive suggestions. These two proposals spelt out in no ambiguous terms specific measures to break the impasse and commence an effective dialogue in a structured formal setting.

To our dismay and profound regret, the proposals of the Group of 21 tabled before the Committee on 14 July 1981 were confronted once again with the same obstinate opposition. My delegation shares the views aired in this chamber casting doubts upon the viability of the political authority of this single multilateral negotiating body if even such a fundamental question as the formation of procedural machinery could not be resolved in the three years of its existence. Perseverance, mutual understanding and accommodation and a determination to reconcile differences with sincerity will be needed if we are to prevent the erosion of the Committee's negotiating authority. My delegation will continue to endeavour in a most insistent manner to work for the achievement of the lofty objectives set before the Committee.

Let me state the views of my delegation on the current state of negotiations in the ad hoc working groups on what are informally referred to as chemical weapons, security assurances and radiological weapons.

(U Saw Hlaing, Burma)

I shall speak first of all on the question of chemical weapons — item 4 of our agenda. Before doing so, allow me to express our deep gratitude to Ambassador Okawa of Japan, whose diligent, dynamic and skilful handling of this complex matter in 1980 paved the way for the present structure of negotiations under the energetic leadership of Ambassador Lidgard of Sweden. His resourcefulness and deep commitment to this question have inspired us and made us more determined to achieve positive conclusions.

The question of banning chemical weapons, a priority item on the international disarmament agenda, has a long and difficult past. Despite the well-meaning efforts and endeavours of the international community to bring this matter to the focal attention of various disarmament negotiating forums, it continues to elude a negotiated comprehensive solution. The Final Document of the first special session of the General Assembly devoted to disarmament, in paragraph 75, emphatically points out the urgent need for a chemical weapons convention. Unlike nuclear weapons, which need a very high degree of technology and sophistication in production and delivery systems, chemical weapons are low-cost weapons of mass destruction which are fairly easy to acquire and to utilize with devastating effects. Moreover, the rapid development of science and technology has substantially made it possible to increase many times the lethality and injurious capabilities of chemical weapons. Binary chemical weapons technology, as it has emerged, would enable practically all innocent-looking general and industrial production facilities to fabricate, in greater secrecy and ease, chemical warfare agents of mass destruction. Taking into consideration the real danger and overwhelming potential threat of the possibility of causing untold death, injury or harm to human beings, animals and plant life, my delegation feels the urgency of concluding an international convention to completely ban chemical weapons.

The Ad Hoc Working Group on Chemical Weapons has, since February 1981, made perceptible progress in its deliberations to resolve numerous issues that are involved in the elaboration of an international chemical weapons convention. My delegation is heartened to note that a convergence of views on a fairly large range of conceptual approaches has emerged and that efforts are being made to narrow the area of divergence. It is my delegation's sincere belief that this positive trend in the Working Group will continue to gain momentum and accelerate towards the final achievement of concluding a convention on chemical weapons. However, such an objective will remain illusory if we cannot resolve certain fundamental principles and if we fail to set a well-defined and purposeful direction. Indeed, it will be of paramount importance to reach political decisions on major issues such as the scope of the convention, the declaration and destruction of stocks and facilities, the system of verification and compliance, measures for protection and confidence-building, etc. But my delegation wonders whether such political decisions, important and fundamental as they are, can be effectively and realistically taken in the absence of a clear-cut and specific mandate that will allow the Working Group to proceed with the task of actually negotiating a chemical weapons convention. My delegation accordingly considers it necessary to revise the present mandate of the Ad Hoc Working Group in order faithfully to reflect and correspond to the goals it has been entrusted with. However, my delegation is satisfied with the progress being achieved under the present method of work and intends actively to participate to produce more concrete results. My delegation hopes that Ambassador Lidgard's consultations will yield positive results and provide us with a timely opportunity to inject vigour and vitality into the work of the Working Group under a fresh mandate.

(U Saw Hlaing, Burma)

One issue on which considerably divergent views persist is that of the scope of the convention and another is verification and compliance. These two issues will be pivotal in the elaboration for consideration of a draft chemical weapons convention and consequently a serious and in-depth examination of all proposals relating to these central issues should be made with a view to finding a mutually acceptable formula. As for my delegation, we would like to see the scope of the convention as comprehensive as possible, encompassing a complete ban on the development, production, stockpiling, acquisition, retention, assistance and transfer of all chemical weapons and on their destruction.

The question of verification will play a decisive role for a successful chemical weapons convention. As we are all aware, a system of measures designed to ensure faithful compliance with the provisions of the chemical weapons convention is a complex and sensitive issue that would need to be addressed with the utmost care. It would be an ideal achievement if we could all agree on a 100 per cent foolproof verification procedure, but in this imperfect world of ours we must all be realistic and practical in our approach. My delegation would be happy to see a balanced combination of national and international control systems which would involve the minimum element of intrusion.

My delegation highly appreciates the contribution of the Government of Finland in providing this Committee with an opportunity to acquaint itself with the Finnish project on the role of instrumental analysis of chemical warfare agents and their verification. I am sure that the workshop held in Helsinki in June was a practical approach to this complex problem. I also wish to take this opportunity to express our satisfaction with the results of the meeting of chemical experts on toxicity determination concluded under the chairmanship of Dr. Lundin of Sweden. My delegation feels sure that such expertise on the technical aspects of certain problems could help clarify a number of complicated problems. My delegation earnestly looks forward to the increased participation and contribution of technical experts in the future.

We have all agreed that only nuclear disarmament and the complete elimination of nuclear weapons can offer truly effective guarantees against the danger of nuclear war and the use of nuclear weapons. Paragraph 56 of the Final Document of the first special session of the General Assembly devoted to disarmament clearly confirmed this fact. Pending the accomplishment of this long-term disarmament objective, all non-nuclear-weapon States are entitled to a categorical and unconditional guarantee that they will not be the object either of attacks or of threats of attacks with such weapons. In all the statements of principle I have heard so far, the reaffirmation of this fact is almost universal. In this regard, the international community has called on the nuclear-weapon States to take effective steps to transform their commitment into reality. The General Assembly, in paragraph 59 of the Final Document of its first special session, pointed out:

"... the nuclear-weapon States are called upon to take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. The General Assembly notes the declarations made by the nuclear-weapon States and urges them 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."

(U Saw Hlaing, Burma)

Since the adoption of this consensus document in 1978, a number of proposals have been tabled in this Committee and other international forums. Different approaches have been submitted for consideration, and divergent views continue to persist with regard to basic principles and perceptions.

My delegation accepts the views expressed in this Committee that the Ad Hoc Working Group on Security Assurances should concentrate on reaching agreement on a common approach which should be included in a future international instrument. In an effort to find such a common formula or approach, the Ad Hoc Working Group, under the chairmanship of Minister Ciarrapico of Italy, has mobilized all its negotiating power to reconcile different formulations into a cohesive one that would be acceptable to all. A number of alternatives lay before the Ad Hoc Working Group -- eight of them, I believe. Some contained categorical and unconditional guarantees which my delegation could accept without hesitation, while others contradict the objective of our exercise. However, my delegation is of the opinion that the adoption of a common formula for security assurances containing such elements as may be reached in the negotiation in the Committee, and agreed to by all concerned, leaves ample negotiating room for our future work. My delegation considers that whatever common formula we may be able to devise should not be an end in itself. Rather it must be a dynamic vehicle to bring about improvement in the present state of negotiations in the Working Group. The discussions in the Working Group have demonstrated that there is a tendency towards priority-setting with regard to the security of nuclear-weapon States and their allies. The security interests of non-nuclear-weapon States outside the two military alliance systems do not seem to enjoy the same level of importance and seriousness. This tendency contradicts the very objective we are trying to realize and is therefore hardly acceptable to all non-nuclear-weapon States, including my own.

My delegation's position on prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons is derived from the basic tenet enshrined in the Final Document of the first special session which stipulates, inter alia, that qualitative and quantitative disarmament measures are both important for halting the arms race and that 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 means of warfare. Paragraph 77 of the Final Document elaborates further as to the need for specific agreements to prohibit particular types of new weapons of mass destruction which may be identified. Paragraph 76 of the Final Document and subsequent General Assembly resolutions instruct this Committee to conduct negotiations for the conclusion of a convention that would prohibit the development, production, stockpiling and use of radiological weapons.

In response to these specific calls of the international community my delegation has all along unswervingly supported proposals to foreclose the application of new scientific and technological discoveries for military purposes, including the prohibition of radiological weapons.

My delegation is quite satisfied with the business-like atmosphere of the negotiations now in progress in the Ad Hoc Working Group on Radiological Weapons chaired by our veteran negotiator, Ambassador Komives of Hungary. I am confident that his dynamic leadership will bring added impetus to the work of the Working Group.

(U Saw Hlaing, Burma)

Discussions in the Committee and in the Ad Hoc Working Group have demonstrated the existence of fundamental differences of approach to the questions of the definition of radiological weapons and the scope of a future convention. The Group of 21 has submitted concrete proposals to the Working Group. My delegation hopes that the Group's substantive proposals will contribute positively to the successful conclusion of a radiological weapons convention. Controversial questions relating to an exclusion clause which may either implicitly or explicitly legitimize nuclear weapons, the concept of radiological warfare, complaint and verification procedures, attacks against nuclear facilities and the relationship of the proposed convention to other disarmament measures and agreements are a few of the complex problems that should be addressed with a high degree of flexibility and mutual accommodation. The question of the peaceful use of radio-active materials and sources of radiation will also be another area of high sensitivity. Circumspection, patience and mutual accommodation will no doubt be required as additional elements to the normal diplomatic skills for negotiation.

The CHAIRMAN: I thank Ambassador U Saw Hlaing for his statement and for the kind words he addressed to the Chair. Owing to the lateness of the hour, the distinguished representative of Finland has kindly agreed to defer his statement to the next plenary meeting.

Mr. McPHAIL (Canada): I would like simply to thank Mr. Saran for having examined our text so carefully: a 12-page response on only the points on which we diverged is not bad. Although he found some convergences, he was of course treating the divergences which our Governments have experienced on these questions before. I want only to make one very brief point, and will not attempt to make any response in detail at the present time. I would, however, not want to leave with the Committee any idea that we make an apology or construct a so-called fashionable "apologia" for the continuing nuclear arms race. The reason I point to that is simply because at that point in his text the representative of India began to extrapolate, and to talk about things which are not our policy. It is, of course, his right to extrapolate, but it would be wrong to leave the Committee with any impression that certain of the points he thereafter discussed were representative of the policy of my Government. I will study his text with the care which he obviously has given in studying ours and then come back to the question, if that appears appropriate, at a later time.

The CHAIRMAN: I thank Ambassador McPhail for his statement and I am sure we all look forward to his response subsequently. If there are no other speakers, the next plenary meeting of the Committee on Disarmament will be held on Thursday, 23 July 1981, at 10.30 a.m. This meeting is adjourned.

The meeting rose at 1.20 p.m.

COMMITTEE ON DISARMAMENT

CD/PV.140
25 July 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND FORTIETH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 23 July 1981, at 10.30 a.m.

Chairman: Mr. A.P. VENKATESWARAN (India)

PRESENT AT THE TABLE

Algeria: Mr. M. MATI
Mr. A. HELLAL

Argentina: Mr. J.C. CARASALES
Mr. J.F. GOMENSORO

Australia: Mr. R. STEELE

Belgium: Mr. A. ONKELINX
Mr. J.-M. NOIRFALISSE

Brazil: Mr. C.A. de SOUZA e SILVA
Mr. S. de QUEIROZ DUARTE

Bulgaria: Mr. P. VOUTOV
Mr. I. SOTIROV
Mr. K. PRAMOV
Mr. R. DEYANOV

Burma: U SAW HLAING
U NGWE WIN
U THAN HPUN

Canada: Mr. G.R. SKINNER

China: Mr. YU Mengjia
Mr. LI Changhe
Mr. SA Benwang

Cuba: Mr. F.O. RODRIGUEZ

Czechoslovakia: Mr. P. LUKEŠ
Mr. J. FRANEK

Egypt: Mr. I.A. HASSAN

Ethiopia: Mr. F. YOHANNES

France: Mr. F. de la GORCE
Mr. M. COUTHURES

German Democratic Republic: Mr. G. HEINER
Mr. H. THIELICKE
Mr. M. KAULFUSS
Mrs. H. HOPPE

Germany, Federal Republic of: Mr. G. PFEIFFER
Mr. H. KLINGLER
Mr. W. RÖHR

Hungary: Mr. I. KÓMIVES
Mr. A. LAKATOS

India: Mr. A.P. VENKATESWARAN
Mr. S. SARAN

Indonesia: Mr. M. SIDIK
Mr. HARYOMATARAM
Mr. F. QASIM
Mr. W. ACHDIAK
Mr. E. SOEPRAPTO

Iran: Mr. J. ZAHIRIJA

Italy: Mr. A. CIARRAPICO
Mr. B. CABRAS
Mr. M. BARENGHI
Mr. E. di GIOVANNI

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

Kenya:

Mexico: Mr. A. GARCIA ROBLES
Mrs. Z. GONZALEZ y REYNERO

Mongolia: Mr. D. ERDETBILEG
Mr. S-O. BOLD

Morocco: Mr. M. ARRASSEN
Mr. M. CHRAIBI

Netherlands: Mr. H. WAGENMAKERS

Nigeria: Mr. W.O. AKINSANYA

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

Peru: Mr. A. THORNBERRY

Poland: Mr. B. SUJKA
Mr. J. CIALOWICZ

Romania: Mr. T. MELESCANU
Mr. S. ARCADIE

Sri Lanka: Mr. T. JAYAKODDY

Sweden: Mr. C. LIDGARD
Mr. H. BERGLUND
Mr. C-M. HYLTENIUS

Union of Soviet Socialist Republics: Mr. V.L. ISSRAELYAN
Mr. V.M. GANJA
Mr. M.M. IPPOLITOV
Mr. V.F. PRYAKHIN
Mr. B.P. PROKOFIEV
Mr. V.E. BELASHOV

United Kingdom: Mrs. J.I. LINK
Mrs. C.A. BOOTS

United States of America:

Mr. C.C. FLOWERREE
Mr. F.P. DESIMONE
Ms. K. CRITTENBERGER
Mr. R.F. SCOTT
Mr. W. HECKROTTE
Mr. J.E. TRENTON
Mr. S. FITZGERALD

Venezuela:

Mr. R. RODRIGUEZ NAVARRO
Mr. H. ARTEAGA

Yugoslavia:

Mr. B. BRANKOVIĆ

Zaire:

Mr. B.A. NZENGEYA

Secretary of the Committee and
Personal Representative of the
Secretary-General:

Mr. R. JAIPAL

Deputy Secretary of the Committee:

Mr. V. BERASATEGUI

NON-MEMBERS

Finland:

Mr. P. KEISALO

The CHAIRMAN: The Committee continues today its consideration of item 6 of its agenda entitled "Comprehensive programme of disarmament". Of course, members wishing to make statements on any other subject relevant to the work of the Committee may do so in accordance with rule 30 of the rules of procedure.

Before turning to the list of speakers for today, I would like to inform the Committee that I had received a request from the representative of Bulgaria, Ambassador Voutov, on behalf of a group of Socialist countries, that the Committee discuss the matters referred to in documents CD/193 and CD/194 at our previous 139th plenary meeting, which was held last Tuesday.

Members of the Committee will recall that, because of the long list of speakers last Tuesday, we could not at that time take up documents CD/193 and CD/194. The matter was therefore left pending for today. Ambassador Voutov has now requested that the Committee take up those documents as the first order of business today, since he will be leaving later this morning in connection with the untimely death of Madame Lyudmila Zhivkova, daughter of the President Todor Zhivkov and Minister of Culture.

May I in this context express to Ambassador Voutov, and through him to his Government, my condolences and sympathies to the bereaved family.

In view of the special request of Ambassador Voutov we may, if there is no objection, start this plenary meeting with the consideration of documents CD/193 and CD/194. Thereafter we shall hear the statements from the speakers on the list for today. I see no objection.

It was so decided.

The CHAIRMAN: We shall therefore proceed accordingly. Members will recall that the representative of the German Democratic Republic in document CD/193 had proposed that the Chairman of the Committee on Disarmament hold consultations on the further proceeding of this Committee concerning item 2 of our agenda. I had raised this matter at one of our informal meetings and various views were expressed then; and I said that I would bear them in mind. I have subsequently held informal consultations with the representatives of the United Kingdom and the United States. I found that their positions concerning item 2 had not changed. They are not in a position at present to agree to the establishment of an ad hoc working group on item 2. However, they are ready to co-operate in finding alternative ways in which to deal with item 2. For example, they have said that they may be willing to consider the setting up of a contact group to deal with the questions raised in document CD/180 presented by the Group of 21.

As members are aware, the Socialist group favours the consideration of its proposals in document CD/4 in a working group or in any other subsidiary body, but there is no consensus for it. Similarly, the proposal of the Group of 21 to establish a working group also does not have consensus.

Unfortunately I have not been able in the limited time to consult all the members of the Committee. In the circumstances, and in view of the very limited time now available for further discussion of item 2 during the rest of the current session, I am of the opinion that further consultations on this matter may be deferred till the beginning of the next annual session. Meanwhile, I would express the hope that interested delegations would informally exchange views with one another on how the Committee on Disarmament might proceed further during the next session. I trust the Committee agrees. I see no objection.

It was so decided.

The CHAIRMAN: At our 138th plenary meeting, the representative of Bulgaria drew attention to document CD/194 presented by a group of Socialist countries concerning a nuclear test ban. That document favours the establishment of a working group on condition that all nuclear-weapon States take part in it. As members know, I had to put to the Committee earlier the proposal of the Group of 21 to establish a working group under item 1 and there was no consensus in favour of it. I would assume therefore that there is also absence of consensus at present for the establishment of the working group suggested in CD/194.

Document CD/194 also raises two other questions: (1) an appeal to the participants in the ~~trilateral~~ negotiations to resume their negotiations immediately, and (2) a recommendation to the tripartite negotiators that they jointly elaborate answers to the questions raised by the Group of 21 in document CD/181.

I do not know whether the participants in the tripartite negotiations are ready and willing to respond at present to the appeal for resumption of negotiations and to the recommendation that they jointly elaborate answers to the questions raised by the Group of 21.

I see no reaction from the trilateral negotiators. Does any delegation wish to comment on what I have said just now on these papers?

Mr. VOUTOV (Bulgaria): Mr. Chairman, first of all, I should like to express our deep gratitude to you for having today informed the Committee of the death of Madame Zhivkova and for expressing condolences to the President of the Republic and to our people on this very sad news.

Madame Zhivkova was not only Minister of Culture, but she was a member of the Politburo of the Communist Party and was very well known for her activities in dealing with international matters, especially those concerning problems in the United Nations, where she was Head of the Bulgarian delegation in the General Assembly. She was also one of the organizers and, in fact, the Chairman of the international body which organized the United Nations International Year of the Child, under the auspices of the Secretary-General and UNESCO, which took place in 1979, as well as this year. A very big monument was built in Bulgaria on this occasion, representing the fight for peace, disarmament and security, creating an atmosphere of security for our children. This international monument was raised in my country, and now symbolically shows that many countries, 56 or 60, have sent a small bell from their nations. These bells are to remind children and their elders that they want peace and disarmament. The death of Madame Zhivkova is therefore a great loss to the movement for peace, disarmament and security.

Further, I should also like to express my gratitude to you, Mr. Chairman, for agreeing to my request -- as I will unfortunately be unable to stay for the whole of the meeting today -- for a discussion on the questions which I have raised recently on two occasions, concerning documents CD/193 and CD/194. I should like to express our gratitude for the information in the statement you made and for the endeavours you have made in respect of our request. You mentioned document CD/4, which we consider as a basis, although wide and, I would emphasize, flexible, which could however be widened and deepened to form a basis for any proposals on ways and means of starting negotiations on the two main problems -- i.e. nuclear disarmament and a comprehensive test ban.

The Socialist countries, including the Soviet Union, Bulgaria and others, are, as I am sure all of you are, eager to start negotiations as soon as possible on these

(Mr. Voutov, Bulgaria)

two very important matters. It was in this connection that we mentioned these two documents, one circulated by the German Democratic Republic and the other on behalf of the Socialist delegations present here.

I would just add that we are ready for discussions at any time -- either during the session, at the end of the session, during the recess, during the General Assembly or, as you have proposed, Mr. Chairman, at the beginning of the next session. We have both shown and proved this. As you said, Mr. Chairman, that you are doing everything possible in this field, I should like to emphasize that the Socialist countries -- our Governments, our people and Parties -- are looking for ways and means to find a basis for negotiations on this most important and urgent priority. That is why we will accept any proposal, even for a future date, although we are ready to continue at this moment.

On this occasion I would especially wish to appeal to the five countries possessing nuclear weapons. I have already said that I am speaking on behalf of the Soviet delegation and would emphasize that at the last meeting the Head of the Soviet delegation, Ambassador Issraelyan, said that his delegation is in the forefront and ready not only to answer any questions, but to participate in any negotiations in this very important field.

Mr. de SOUZA e SILVA (Brazil): My delegation deeply regrets that the Committee on Disarmament finds itself in the awkward position of being unable to fulfil the mandate entrusted to it by the United Nations -- namely, to negotiate on the priority questions of disarmament. The efforts of many delegations, especially those in the Group of 21, to find an acceptable procedural framework in which to conduct multilateral negotiations on the nuclear test ban and on the cessation of the nuclear arms race and nuclear disarmament have unfortunately failed because of the intransigent attitude of some delegations.

In those circumstances, it seems that for the current session the Committee has exhausted the possibilities for arriving at an agreement on how to organize meaningful negotiations on items 1 and 2 of its agenda. For us, nothing remains to be said on this issue. We can only hope that the Governments concerned will live up to the commitments they have entered into before the international community.

The views expressed by the majority of members of this Committee on the negotiation of the priority items should be duly taken into account when the representatives of the nuclear weapon Powers come back to Geneva for the next session of the Committee on Disarmament.

The Brazilian delegation considers that the security perceptions of the nuclear-weapon Powers, especially the two Superpowers, lie at the root of the present situation in the multilateral negotiating body. It is our view that the international community, represented at the United Nations General Assembly, should be made aware of the difficulties encountered by the Committee on Disarmament. Both at the next General Assembly and in the deliberative body -- the United Nations Disarmament Commission -- we should explore all available possibilities to break the current deadlock so as to enable the machinery created by the consensus will of all nations to fulfil the expectations that were placed on it. We are convinced that the United Nations system still offers the best possible alternative to policies based on great Power rivalry.

Mr. HERDER (German Democratic Republic): Mr. Chairman, may I also avail myself of this opportunity to express our heartfelt condolences to the delegation of the People's Republic of Bulgaria on the untimely death of Comrade Lyudmila Zhivkova, who worked so energetically for the good of her country.

With regard to the two drafts we have before us, I should like to express our deep regret that the Committee seems not to be in a position to take up one of the most important items of our agenda, an item of utmost priority, the question of halting the nuclear arms race, and the question of the cessation of nuclear-weapon tests. We are deeply concerned by the attitude of certain countries -- States which bear the highest responsibility for the solution of the task the Committee is facing but are not in a position to present any concrete alternatives on how to deal with this question.

Your suggestion to defer this matter until the next session means that the nuclear arms race will continue, without the Committee on Disarmament -- the only multilateral negotiating body on disarmament -- even considering this question.

I should therefore like to appeal once again to all members of the Committee, particularly the nuclear-weapon States, to change their attitude and to show political responsibility and political will in submitting concrete alternatives on how to tackle this matter. I think the role of the Chairman of this Committee could be a very important one in organizing and selecting the possible views on that question, so that this matter could be taken up in a more structured manner.

The CHAIRMAN: Members will recall that, at our last plenary meeting, the representative of Finland was unable to speak, as the list of speakers was a long one. I am convinced that the Committee members will agree with me that it would be only proper and in the tradition of hospitality to call, first of all, on our guest speaker. I see no objection. Therefore, in accordance with the decision taken by the Committee at its 104th plenary meeting, I call on the representative of Finland, Minister Keisalo.

Mr. KEISALO (Finland): Thank you very much, Mr. Chairman. I wish to thank you and the members of the Committee for giving me the possibility of taking the floor as the first speaker, because I have seen from the list that, had I been the last speaker, I would not have been able to speak today either.

I wish to speak on the item "Comprehensive programme of disarmament" and, at the same time to present some views concerning the work of the Committee on Disarmament.

The present situation is marked by a virtual standstill in disarmament negotiations. In the course of the years following the first special session devoted to disarmament some limited progress has been achieved but efforts to halt and reverse the arms race have not succeeded. On the contrary, the arms race is accelerating and assuming new dimensions geographically, technologically and conceptually. Scarce resources that should be available for economic and social development continue to be diverted to military ends on a massive scale.

(Mr. Keisalo, Finland)

The tense international situation and the stagnation of disarmament negotiations only add to the significance of the second special session devoted to disarmament next year. Its function is to review the existing situation as well as to strengthen and broaden the foundations of an international disarmament strategy for future years. The comprehensive programme of disarmament will have an integral role in that strategy.

Consideration and approval of the comprehensive programme of disarmament will be a central task of the second special session devoted to disarmament. It is therefore of extreme importance that the Committee on Disarmament, and its Working Group under the efficient Chairmanship of Ambassador García Robles, make every effort to ensure that the draft programme they are producing is based on a consensus which takes account of different views expressed. That is why we have asked this opportunity to put forward our ideas at this stage.

As has been noted, there are a number of agreed documents on which the comprehensive programme of disarmament can draw. These documents contain a consensus concerning the priorities according to which the international community has decided to chart its way towards the ultimate goal of all disarmament endeavours. The function of the comprehensive programme of disarmament could be characterized as providing a frame of reference for the work of the disarmament machinery and of its component bodies. The Final Document of the first special session devoted to disarmament enumerates the specific tasks to be undertaken over the coming years and it should therefore be, to the greatest extent possible, the basis for a comprehensive programme of disarmament. While the programme should contain specific concrete targets, rigid deadlines for the completion of negotiations would hardly be a fruitful approach, as the dynamics of negotiations are contingent on political and other developments that do not lend themselves to accurate advance appraisal. The lack of dates or deadlines would not diminish the urgency of agreed priorities. Neither would it lessen the authoritative and comprehensive character of the programme; rather, on the contrary.

As has been suggested, subsequent special sessions or other meetings, as agreed, could provide the international community with a forum for reviewing the implementation of agreed targets.

Nuclear disarmament is obviously the most urgent task. Nevertheless, the conventional arms race, both qualitative and quantitative, which constitutes the bulk of military expenditure in the world and a major burden to national economies, is at the regional level a most immediate threat to security. Consequently, both must have their place in the comprehensive programme of disarmament in a balanced way. That would be in keeping with the principle that disarmament measures should ensure, in an equitable and balanced manner, the right of all States to security, and that all States and groups should obtain equal advantage at every stage.

While the nuclear-weapon States, and especially the two with the greatest nuclear arsenals, bear a special responsibility for achieving nuclear disarmament,

(Mr. Keisalo, Finland)

nuclear weapons pose a threat to the security of all nations. We believe that the question of a comprehensive test ban treaty should be treated with more urgency and in the way most conducive to the desired results. At present a good many types of nuclear weapons are not subject to negotiation. Arms technology is rapidly advancing, producing arms of increased sophistication and destructive power and thus creating new problems for regional stability and global security. It is necessary to bring also these weapons within reach of active arms control and disarmament efforts.

Pending nuclear disarmament, effective international arrangements should be devised to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. The best solution would be an international convention through which the nuclear-weapon States would bind themselves unconditionally not to use or threaten to use these weapons against the non-nuclear-weapon States. If a convention at this time were to be an unrealistic target, we would at least expect that this undertaking by the nuclear-weapon States could be recorded in an appropriate Security Council resolution.

The establishment of nuclear-weapon-free zones has already proved its viability. Nuclear-weapon-free zones are a contribution to the security of the zonal States and to international peace and security in general. They should be based on arrangements freely arrived at among the States of the region concerned and should involve commitments by the nuclear-weapon States not to use or threaten to use nuclear weapons against the States of the zone and to respect the status of the zone. The consideration of the establishment of such zones should continue to benefit from the comprehensive study of the question of nuclear-weapon-free zones in all its aspects, the United Nations study completed in 1975.

Finland has supported the idea of nuclear-weapon-free zones and has in 1963 proposed the establishment of such a zone in the Nordic area. In 1978, developing the proposal further and suggesting the elaboration of a Nordic arms control arrangement, the President of Finland emphasized inter alia that the initiative for negotiations must come from the States in the region, that they must themselves conduct the negotiations in good faith without coercion or pressure, that they alone were qualified to interpret their respective security needs and that the necessary arrangements could be made within the framework of the existing security policy solutions. In the view of my Government, a major element of stability in the Nordic region is the absence of nuclear weapons in the Nordic countries. The value of this has been repeatedly stressed by all Nordic Governments.

The possibility of the spread of nuclear weapons to more countries poses a great danger to the security of all States. We believe that there should be no new owners of nuclear weapons, no new types of nuclear weapons should be developed and no new deployment or introduction of nuclear weapons should be undertaken in areas where they so far have not existed. The comprehensive programme of disarmament should support and strengthen the non-proliferation régime, thus

(Mr. Keisalo, Finland)

contributing to the elimination of impediments to a wider international co-operation in the peaceful uses of nuclear energy. The comprehensive programme of disarmament should in addition give more impetus to the negotiations on the prohibition of other weapons of mass destruction. A treaty on chemical weapons is already overdue. The discussions in the CW Working Group demonstrate that all elements of the treaty have already been fully explored and that the Group should be authorized to move to the next stage in its work, as its Chairman, whose performance we greatly admire, has proposed.

Similarly, we regret that the treaty on radiological weapons is still on the negotiating table. In this connection, my delegation would like to commend and support the Swedish proposal for banning military attacks on civilian nuclear facilities, which proposal deserves the most careful consideration. Moreover, the emergence and development of new types of weapons of mass destruction based on new scientific principles and achievements should be prevented and appropriate arrangements should be sought for this purpose.

In concluding, I would like to say some words about the regional approach. Arms limitation and disarmament measures of both nuclear and conventional arms at a regional level should to our mind be sought where such an approach is viable. This has been tested and found successful in the case of nuclear-weapon-free zones and demilitarized zones and areas. There are negotiations under way at a regional level and a number of proposals are under consideration. Further evidence supporting this view can be found in the report on the study of all aspects of regional disarmament, carried out by a group of Governmental experts (document A/35/416). For our part, we welcome this constructive and objective study which provides for a wide range of measures for States of a region wishing to promote regional disarmament.

The possibilities for outlining broad-based efforts for regional measures in each region should be examined on the basis of the initiative and co-operation of the States in the region and taking into account conditions prevailing there. In this connection I would like to recall the Finnish initiative made in 1979 on a special disarmament programme for Europe. This initiative aims at outlining a comprehensive framework for disarmament negotiations concerning Europe, or parts of Europe, on the basis of all relevant initiatives and suggestions and through appropriate consultations and negotiations.

This short statement obviously does not cover the whole subject of the comprehensive programme of disarmament. But these were the issues we consider as the most important.

May I, Mr. Chairman, avail myself of this opportunity to thank the many speakers who have commented favourably on the CW workshop organized recently by Finland.

Mr. ARRASSEN (Morocco) (translated from French): Mr. Chairman, I should like first of all on behalf of the Moroccan delegation, to express my sincere condolences to Ambassador Voutov in connection with the tragic event which has just struck Bulgaria, a country that is a friend of Morocco. I should also like to add, with regard to the International Year of the Child organized on the initiative of Bulgaria, that the Moroccan delegation made a proposal at the United Nations Conference on Conventional Weapons for increasing the protection of children against the effects of hostilities and of mines and booby traps -- a proposal that was adopted unanimously by the Conference.

With your permission, Mr. Chairman, I should now like to make a statement on chemical weapons.

With the exception of hypothetical techniques for modifying the environment for military purposes, chemical and bacteriological weapons have since 1925, when the Geneva Protocol for the Prohibition of the Use of Asphyxiating Gases and of Bacteriological Methods of Warfare was adopted, been the only weapons of mass destruction for which specific regulations exist.

Biological and chemical weapons, or biochemical weapons, which are closely linked from the legal standpoint, in State practice and doctrine, in the relevant resolutions adopted by the United Nations General Assembly and by the International Conferences of the Red Cross, in the military training manuals of most countries, in the draft disarmament treaties proposed prior to 1971, and also in the minds of the public and the awareness of peoples, form a special category among existing means of warfare.

The link between them is based on the fact that they have a large number of points in common with respect both to the technical and military characteristics of their production and use, and to their mode of action: they can be disseminated by the same delivery systems. Protection against these two categories of weapons is impossible or illusory; and their effects, which are exercised exclusively on living matter -- pathogenic effects in the case of B weapons, and toxic and physiological effects in the case of C weapons -- are unforeseeable and the civilian population is even more vulnerable to them than the military.

After adopting the Convention on the prohibition of the production and possession of biological weapons in 1971, the Geneva Committee is now preparing to do the same for chemical weapons. The creation by the Committee on Disarmament in 1980 of an Ad hoc Working Group on Chemical Weapons is a decisive step towards the conclusion of an agreement on effective measures to prohibit the development, production and stockpiling of this category of weapons.

However, the efforts made by the international community over more than half a century to improve the regulation of unconventional weapons have, so to speak, focused above all on their "qualitative" aspects, and B and C weapons, which are still the only two types of mass destruction weapons to have been regulated, are henceforth to be the subject of an additional legal régime. The prohibition on their use under the existing rules of international law applicable in armed conflicts (I) is to be supplemented by disarmament measures relating to the prohibition of their production and possession (II).

(Mr. Arrassen, Morocco)

I - Biochemical weapons and rules of international law applicable in armed conflicts

Of the various instruments of international law which are applicable in times of armed conflict and regulate the use of biochemical weapons, the 1925 Geneva Protocol was the first and the only one to contain a clear cut prohibition of any use of B and C weapons in war. Thanks to that Protocol, the international community has never again experienced the horrors of the chemical warfare of 1914-1918, even if it must at the same time be acknowledged that the prohibition in the Protocol has been disregarded on numerous occasions. The Geneva Protocol plays this outstandingly positive role of preventing biochemical warfare of any kind, despite the imprecise nature of the content of the prohibition it affirms (A) and the uncertainty regarding the exact scope of the prohibition (B).

A. Content

In the preamble, it is stated that the prohibition of the use of the weapons which are the subject of the Protocol is derived from two sources. The material source is referred to in the first and last preambular paragraphs, which mention respectively "the general opinion of the civilized world" and "the conscience and the practice of nations".

The formal source is described as follows, without further details in the second preambular paragraph "treaties to which the majority of Powers of the world are Parties". The treaties particularly concerned are the 1868 Declaration of St. Petersburg prohibiting "the use of weapons which uselessly aggravate the sufferings of men put hors de combat, or render their death inevitable", the 1899 Declaration of The Hague prohibiting "the use of projectiles the only object of which is the diffusion of asphyxiating or deleterious gases", the Peace Treaty with Germany (article 171) signed at Versailles on 28 June 1919, and the unratified Treaty of Washington dated 6 February 1922, concerning the use of submarines and asphyxiating gases in war-time (article 5).

The wording of the Protocol was in fact copied from that of article 5 of the above-mentioned Treaty of Washington, with some important changes in substance and form.

Paragraphs 1 and 2 (first sentence) were used as a basis for drafting the preamble to the Protocol, and the two remaining sentences for drafting its operative part, in which they provide the context for the provision containing the prohibition of bacteriological weapons.

Lastly, in order to take account of the changes which had occurred in the international community, the plenipotentiaries replaced the expressions in the above-mentioned article 5 which appeared to be out of date, narrow in meaning or rather too strong. For example, the word "general" was substituted for "universal" in the phrase "universal opinion of the civilized world"; the expression "civilized Powers", was replaced by "Powers of the world", and the words "civilized nations" were replaced by "States".

(Mr. Arrassen, Morocco)

The result of this series of changes was that article 5 was converted from the status of a single and particular treaty provision into that of a genuine and independent legal instrument of general scope.

However, the plenipotentiaries who drafted the Protocol, were concerned with the formal promotion of this instrument which was to prohibit absolutely the use of biochemical weapons as a means of warfare, whatever the method of use, in a cloud, or by projectile or in any other way; and with their eyes fixed on the 1914-18 war, they were far from suspecting the difficulties which the few imperfections in their text -- imperfections inherent, moreover, in any codification exercise -- would subsequently cause in the application of the Protocol.

B. Validity and scope of the Protocol

The provisions of the Geneva Protocol were respected during the last World War, but much less so during the Viet Nam conflict which was the scene of the greatest chemical war in history and the first ecological war of all time. Fortunately, the victims on that occasion were not human beings but above all forests and crops.

The risk of such situations occurring again will persist until such time as a convention prohibiting the production and stockpiling of chemical weapons puts an end to the controversies which have arisen from the contradictory interpretations of the essential provisions of the Protocol (1) and removes the grounds for the reservations (expressed by some 40 States when they acceded to the legal régime established by the Protocol.

(1) Controversies regarding the interpretation of the Protocol

There are serious differences of opinion regarding the scope of the terms used in the preamble to the Geneva Protocol for prohibiting the use in war of "asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices" and concerning the scope of the provision extending that prohibition to the use of "bacteriological methods of warfare". In view of the use in recent conflicts of chemical herbicides and also lacrymogenic and other harassing agents, ("tear gas", "riot-control agents"), this problem of interpretation assumes particular importance.

The drafters of the Convention on biological weapons, by placing the word in brackets "biological" immediately after the word "bacteriological", clearly established that the Protocol was indeed referring to biological methods of warfare considered as a whole, when it used the unfortunate expression "bacteriological methods of warfare".

All controversy concerning biological weapons has thus been removed: but the many difficulties arising from the existence of two contradictory views concerning the scope of the prohibition of chemical weapons still remain.

(Mr. Arrassen, Morocco)

In general, some consider that the prohibition in the Protocol is absolute and covers all chemical weapons and agents, even those which are not toxic: this is an extensive interpretation (a) based on the English title of the Protocol. Others maintain, however, that it is lawful to use gases -- such as police gases -- whose sole purpose is to incapacitate military personnel or put them temporarily hors de combat, without causing death or lasting damage to physical integrity or health; this is the restrictive interpretation (b), based on the French text.

The supporters of each of these two interpretations advance and develop numerous and varied arguments in support of their respective views.

(a) Extensive interpretation

The supporters of the first view consider that the Protocol should be understood as covering all gases without exception by virtue of the wording -- intentionally very comprehensive -- of the prohibition in the Protocol.

When the States signatories concluded the Protocol, they were already aware of the existence of non-toxic gases, such as tear gases, and could have explicitly excluded them from the prohibition. If they did not do so, it was because they wished to give the prohibition as wide a scope as possible, bearing in mind all the dangers of abuse which might arise if the smallest loophole were left open.

In their explanation of the text of the Protocol, the supporters of this view point out that the addition of the words "ou similaires" makes sense only if it is intended to extend the enumeration of products prohibited by the Protocol to include those which are not asphyxiating or toxic. It is clear from the English text -- which is equally authentic -- that such was indeed the intention of those who drafted the phrase, in which the French words "ou similaires" are rendered as "other gases". The addition of these latter two words is designed to cover any chemical product used as a weapon, which in normal circumstances is unlikely to be harmful to health or to cause death.

The supporters of the extensive interpretation then proceed to invoke the existence of a customary rule based upon a universal consensus prohibiting the use in war of "asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices". For them, there is no doubt at all that this customary rule, whose existence has been recognized on three very important occasions (at Versailles in 1919, at Washington in 1922 and at Geneva in 1925), also prohibits the use of incapacitating gases, tear gas and harassing gases.

In support of their arguments they also quote many resolutions adopted by the General Assembly in which the existence of a rule of customary international law prohibiting the use of all biochemical weapons in war is recognized.

In this field, the United Nations is simply, in effect, following in the footsteps of the League of Nations whose Assembly, as long ago as 1938, adopted a resolution affirming that the use of chemical or bacteriological means of warfare was contrary to international law.

(Mr. Arrassen, Morocco)

Instruments and declarations by States are also quoted when they support an extensive interpretation of the Protocol. Thus, in the first instance, the note from the French Government -- depositary of the Protocol and the first to ratify it -- and the United Kingdom memorandum submitted to the 1932 Disarmament Conference deserve special attention. It is quite clear from those two documents that, in the opinion of France and of the United Kingdom, the Geneva Protocol applies to the use of all gases, including tear gas and harassing gases.

This interpretation was supported by many States and encountered no opposition, except that the United States of America expressed an oral reservation concerning the use of tear gas for police purposes. In the report of the Special Committee to the 1932 Conference, which was adopted unanimously, the prohibition was defined as including lacrymogenic, harassing and blistering substances, and as applying not only to substances harmful to human beings but also to chemical substances in general.

More recently, various States have, in connection with certain recent armed conflicts, declared that they energetically condemned the use of toxic substances in general. Also, in the discussions in the General Assembly on the many abovementioned resolutions concerning biochemical weapons, several States have made similar declarations.

Again, in the United Nations framework, we may add in support of the first argument that, the Secretary-General, in his foreword to the expert report on chemical and bacteriological weapons, requested the members of the United Nations to "make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents) which now exist or which may be developed in the future".

(b) Restrictive interpretation

The supporters of the second theory take quite a different view -- namely, that the use in war of tear gases and other harassing agents, as well as herbicides, is not covered by the prohibition in the Protocol. Furthermore, they go so far as to ask whether the use against the enemy of means of chemical warfare which do not involve any serious danger for health might not in fact be more humanitarian than the use of many other methods. Furthermore, they say they cannot see why it is necessary to prohibit the use of means such as police gases (tear gas and other gases) against enemy combatants when the use of such methods against nationals at home is perfectly acceptable.

Basing themselves next on the practice of States, where they find their best arguments, the defenders of the restrictive view point out, on the one hand, that a very large number of Governments have for long permitted, within their frontiers, the use of tear gas for civilian riot-control or of herbicides for economic purposes and, on the other hand, that these two latter categories of chemical agents were extensively used by the United States in Indo-China. The United States has since ended its 50 years of legal "dissent", and has acceded to the Protocol, but with certain reservations concerning chemical agents used for civilian riot-control (tear

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gases and mild incapacitants) and herbicides. In this matter the United States has at least been consistent with itself throughout. In its view, there is no doubt that, since 1925, States have recognized the ambiguity of the Protocol concerning the prohibition of the use of means of riot-control. The history of international negotiations up to and including the signature of the Protocol convinced it that such means were not covered by the Protocol. Moreover, herbicides, which were unknown in 1925, could not have been envisaged therein.

Lastly, the volte-face by the United Kingdom Government -- which, after long supporting the extensive interpretation of the Protocol, has had to revise its position -- is likely to provide grist to the mill for those who support the restrictive view. The following statement illustrates this cautious move of the United Kingdom from the first to the second interpretation: "Modern technology has developed CS smoke, which, unlike the tear gases available in 1930, is considered to be not significantly harmful to man in other than wholly exceptional circumstances; and we regard CS and other such gases accordingly as being outside the scope of the Geneva Protocol. CS is in fact less toxic than the screening smokes which the 1930 statement explicitly excluded".

This statement is quoted from Parliamentary Debates (House of Commons), vol. 795 (1970), col. 18 (Written answers to questions).

In the light of all these elements, the supporters of this view proclaim that only those means of chemical warfare which are already covered by the customary prohibition of poisons may be considered as unequivocally prohibited by the Protocol. Consequently, incapacitating and harassing agents to which should be added plant poisons, do not fall within the scope of this prohibition; those who drafted the Protocol never had any intention of prohibiting the latter, for the simple reason that they did not constitute a real problem at the time when the instrument was adopted.

For our part, we have serious reservations regarding the various arguments set forth above in favour of a restrictive interpretation of the prohibition in the Protocol, in spite of their coherence.

Tear gas and harassing gases are, of course, used as riot-control weapons at the national level. That fact, however, does not constitute any argument whatsoever in favour of legitimizing their use in an armed conflict of an international character, even if it is true that considerable efforts have been made in recent years to develop chemical agents whose purpose is not to kill but to weaken a man's capacity to fight.

In addition, in an armed conflict, where the circumstances are considerably different from those in which police gases are used in the case of domestic riots, it is not possible to distinguish easily between what is toxic and what is not.

(Mr. Arrassen, Morocco)

In view of the danger of abuse, and the risk of using gases likely to cause serious damage to the human body, is it not necessary to exercise extreme caution in this field? Is it not true in fact that, while an attack by means of a particular lethal agent will not have fatal consequences for all people, an attack with incapacitating agents may, when these are used in high concentrations, kill a large number of people who are weakened by malnutrition, disease or wounds? This is quite contrary to the spirit of the Geneva Conventions which provide that special respect should be given to the victims of armed conflicts, not to mention the fact that in one case as in another, as soon as such agents begin to be used, a serious danger of escalation will exist, not only in the use of the same type of weapons, but also in the number of different categories of weapons used, not excluding the use of increasingly toxic chemical means.

This demonstrates how dangerous it would be to introduce distinctions in the use of chemical weapons -- distinctions which were certainly never envisaged by the plenipotentiaries who met at Geneva when they solemnly decided to condemn the use in war of "asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices".

What can be done in these circumstances to reconcile, or to transcend, the two contradictory interpretations of the prohibition in the Protocol? Convene a diplomatic conference to review the Protocol? Or take the opportunity offered by the negotiations in the Committee on Disarmament to elaborate a convention on chemical weapons which would include a general and total prohibition of the use of all chemical weapons? These are the two possibilities which appear, at first sight, to offer prospects of solving the problem under discussion.

The first alternative, even if it constitutes the ideal solution for finally removing all the uncertainties and ambiguities in the Protocol, is impractical for at least two reasons. First, the Protocol makes no provision for a review procedure; and secondly, and most important, there is a very real risk that the fruits of more than 50 years of efforts to achieve a total prohibition of the use of chemical weapons might be destroyed.

The practical advantages of the second solution are so obvious that it is unnecessary to elaborate on them. Nevertheless, it is to be feared that those members of the Committee on Disarmament who make a veritable dogma of the distinction between international law applicable in armed conflicts and disarmament law may not support the inclusion of the provision envisaged above.

In any case, the essential aspect of the matter is that, in one case as in the other, it must be realized that, in order to eliminate the risk of a chemical war, it is essential to have a precise definition of chemical weapons which will stand the test of time.

Countless draft definitions have been submitted, both in the Conference of the Committee on Disarmament and in the Committee on Disarmament, since the United Nations first took up the question of chemical weapons.

(Mr. Arrassen, Morocco)

But none of the definitions proposed seems wide enough to cover the anti-ecological effects, as well as the military characteristics and anti-personnel effects, of this category of weapons of mass destruction.

In order to remedy this shortcoming and to introduce greater precision in the future definition of chemical weapons, the Moroccan delegation in the Committee on Disarmament put forward its own definition in 1980, as follows:

"'Chemical weapons' means systems of weapons based on solid, liquid or gaseous components designed or likely to cause:

"Death, serious injury or physical or mental illness to people;

"Extensive, lasting and serious damage to the natural environment".

The Moroccan definition covers, as can be seen, all means of chemical warfare, including phytotoxic means (herbicides and defoliants). But, at the same time, it displays flexibility by meeting the concerns of certain States which have explicitly stated that they will not be the first to use chemical herbicides but have nevertheless reserved the right to use them for peaceful purposes in order to control vegetation inside the military bases and installations of their armed forces and around their immediate defensive perimeters.

Whatever wording is finally adopted for the definition of chemical weapons, it will be incomplete without a definition of the chemical agents themselves and their precursors, based upon indisputable and universally recognized scientific criteria.

The double definition envisaged --- which might, if necessary, be based on a list of chemical agents, prohibited or authorized --- would enable the Committee on Disarmament to put an end to a controversy as old as the Geneva Protocol itself and, at the same time, to remove the grounds for the reservations which seriously undermine the authority of the sole instrument of international law applicable in armed conflicts prohibiting the use of two categories of weapons of mass destruction.

(Mr. Arrassen, Morocco)

(2) Reservations to the Protocol

When on 9 May 1926 France, as the depositary State, became the first country to ratify the Geneva Protocol, it expressed the following reservations:

"1. The said Protocol is only binding on the Government of the French Republic 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 the French Republic in regard to any enemy State whose armed forces or whose Allies fail to respect the prohibitions laid down in the Protocol".

The French formulation has been taken as a model by other States that have expressed reservations -- i.e. about 40 out of the 100 or so States (1), including Morocco (2), which have acceded to the Protocol.

I should like to say in this respect that, according to information supplied by the French Government, there are at present more than a hundred States Parties to this Protocol. That is the first point. The second point I should like to mention is that the Kingdom of Morocco did not make any reservation when it acceded to the Geneva Protocol; that is clear from Dahir No. 1-70-107 of 23 Jumada I 1390, year of the Hegira, which corresponds to 27 July 1970. All details are to be found in the Bulletin Official, p. 1236.

The above-mentioned reservations are tantamount to adding a reciprocity clause to the provisions of the Protocol and limiting the scope of the prohibition contained in it.

The need for the first clause is not obvious since it duplicates the terms of the operative part of the Protocol. Although they were perfectly aware of its superfluous nature, the States which expressed reservations insisted, nevertheless, on including it in order to stress clearly the relative nature of their legal commitment.

On the contrary, the effects of the second clause are much more fraught with consequences: it constitutes an open door to every kind of abuse. It enables the State Party invoking it to circumvent at any time the legal régime instituted by the Protocol. For this purpose, it is sufficient to prove that the armed forces of an enemy State or those of its allies have not respected the prohibitions contained in the Protocol, and then one can oneself resort to the use of the same biochemical means, regardless of any obligation under the Protocol.

This riposte is not, as in the case of reprisals, "a prohibited act authorized in exceptional circumstances" but simply an act which has ceased to be prohibited by the Protocol from the moment the reservation is invoked.

(Mr. Arrassen, Morocco)

The second reservation therefore goes further than the right of reprisal -- which authorizes the commission of an act contrary to the law in retaliation for a first illicit act though the law itself of course remains valid -- but it does not go as far as the "si omnes" clause which simply suspends the application of a treaty as soon as a State not party to the treaty appears among the belligerents.

In an extreme case, strict application of the second reservation could result in an anomalous situation: a State which had expressed the reservation might, for example, use biochemical means prohibited by the Protocol against a State not party to the Protocol and might consider itself released from any obligation under the Protocol vis-à-vis all its enemies -- including those which had acceded to the Protocol -- if that State responded with identical means.

The confusion concerning the legal régime applicable to the use of chemical weapons will be ended only with the adoption of the convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

In any case, when this happens, it will then be proven that, for the more effective application of the rules of international law applicable in armed conflicts (rules regarding limitations on the use of means of warfare, i.e. weapons), these rules must sometimes be supplemented by disarmament law.

II - Biochemical weapons and disarmament

Contrary to the aspirations of the great majority of States and the positions adopted by the General Assembly, biochemical disarmament, which is the first important step towards general and complete disarmament under effective international control, has not been accomplished in a single stage.

The representatives of the Western group in the Geneva Committee, referring to the great difficulties which would be raised by a global prohibition of biochemical weapons, maintained and finally succeeded in imposing the view that it was more practical to prohibit biological weapons first.

With the adoption in 1971 of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) Weapons and Toxins and on their Destruction, disarmament had its first success and moved from the era of speeches to that of actual achievements.

Despite its title, the afore-mentioned Convention refers also to chemical weapons. One of the preambular paragraphs recognizes that the agreement on B weapons represents the first possible stage towards the achievement of agreement on effective measures also for the prohibition of chemical weapons.

Also, under article IX of the Convention, each State Party undertakes to continue negotiations in good faith with a view to achieving an early and complete prohibition of chemical weapons.

(Mr. Arrassen, Morocco)

Obviously, the indissociable links between biological disarmament (A) and chemical disarmament (B) could not be more clearly or more solemnly re-affirmed.

A. Biological disarmament

Drafted by the Conference of the Committee on Disarmament after long years of negotiation, the Convention on biological weapons is an instrument in which the Contracting Parties have juridically committed themselves to taking a number of precise measures of biological disarmament.

To dispel once for all time the spectre of a terrifying war by eradicating biological weapons -- this is the ambitious objective which the Convention on biological weapons aims to achieve through its preambular paragraphs and the 15 articles of its operative part.

For lack of time, we shall not here enumerate and analyse these provisions, which the Committee on Disarmament apparently wishes to take as a basis for the formulation of the future convention on C weapons. However, in order to protect ourselves in our role as assistants of the international legislator against a possible recurrence of the mistakes made in the drafting of the above-mentioned instrument, we believe it is essential to consider the Final Document of the first Review Conference on the afore-mentioned Convention, held at Geneva in 1980.

The States Parties to the Convention on B weapons met at Geneva from 3 to 21 March 1980, in accordance with 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 were being realized.

At the end of that Conference, at which all the provisions of the Convention were reviewed, the participants adopted a final declaration in which they 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. In addition, they reaffirmed their strong support for the Convention, their continued dedication to its principles and objectives, and their commitment to implement effectively its provisions.

But we must not deceive ourselves. All those fine phrases are designed solely to mask the profound differences which dominated the discussions at that Conference. Apart from the gulf which exists between two schools of thought, there is the whole problem of the role that such conferences should play. It seems that, in every instrument of international law applicable in armed conflicts or disarmament law, provision for such conferences is henceforward to be made in a formal clause. There is therefore the whole problem, the whole question, of these conferences and the role they should play. Should they be regarded as an effective method of ascertaining first whether the treaty under consideration is responding properly to changes in the international situation and in the concerns and interests of the different parties, and then of introducing the necessary additional details, or remedying omissions in the light of the raison d'être and purpose of the instrument?

(Mr. Arrassen, Morocco)

Or should they be regarded as a mere ritual in which the representatives of the States Parties can at regular intervals engage in learned discussions of the various aspects of the instrument, and then depart after reaching agreement on the only decision which is likely to command a consensus in such a case -- namely the fixing of the date of the next meeting?

The discussions on article VI, more than those on any other provision, show how a mockery can be made of an institution of this kind, and at the same time how a "machine" as well oiled as an international conference held under the auspices of the United Nations can, as happened here, be forced to keep running in neutral without ever moving forward.

At the outset, it must indeed be recognized that the above-mentioned provision carried within it the seeds of discord, by reason of its discriminatory and unfair nature: it leaves all decisions to the permanent members of the Security Council -- those States which in another organ created in another age, an organ whose journal de marche is very frequently drafted with rocket heads, have an arbitrary right of veto.

To put an end to this shocking inequality of treatment institutionalized by article VI, Sweden, with the support of several other non-aligned and Western delegations, proposed an amendment designed to improve the existing complaints procedure. According to this amendment, the existing procedure was to be preceded by a preliminary collection of factual data, in order to save unnecessary political confrontations.

Under the terms of the proposal, the task would have been entrusted to a consultative committee, duly mandated and having the necessary means to carry out an effective enquiry with the mandatory assistance of all parties. And it was only when all those remedies were exhausted that the case would be brought before the Security Council. In that way, the verification procedure would have been made less discriminatory since a very clear distinction would have been established between the material facts and the political decision of the Council.

Not surprisingly, the Swedish proposal raised a veritable outcry from the three Depositaries who, anxious above all to maintain the status quo, and supported by their respective allies, strongly opposed any change in the Convention on the grounds that the introduction of any amendment whatsoever, far from strengthening the Convention, might on the contrary undermine its very foundations.

Systematic opposition by the depositary States to the introduction of the smallest change, and also the lack of imagination and combativity of the representatives of the non-aligned and neutral countries, were the reasons for the insignificant results attained by the Conference. A single decision on a purely procedural question -- namely, the convening of a second Review Conference between 1985 and 1990 -- and the few recommendations mentioned below which are devoid of any practical significance: such are the meagre results of the first Review Conference on the Convention on biological weapons.

(Mr. Arrassen, Morocco)

In the first recommendation, the Conference "invites the States Parties which have found it necessary to enact specific legislation or to take other regulatory measures" relevant to article IV to make them available to the United Nations Centre for Disarmament, for the purposes of consultation.

The striking feature of this recommendation is the vagueness with which it was drafted. The use of the words "found it necessary to enact" -- when it is known quite well that article IV specifies without the least ambiguity that each Party "shall take" in accordance with its constitutional processes appropriate internal measures to prohibit any production or stock-piling of biological agents, weapons and systems -- was clearly an attempt to introduce doubt and confusion where none existed. It was also, indirectly, an attempt to deprive of its substance a fundamental rule for the total elimination of biological weapons. The manoeuvre is so crude that it must be vigorously denounced here.

In its second recommendation the Conference, after 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", without any further details.

In a third recommendation, the Conference urges all the members of the Committee on Disarmament to contribute towards the fulfilment of the mandate of the Ad hoc Working Group, established in 1980 -- namely, the preparation of a Convention on chemical weapons.

In its fourth recommendation, the Conference requests the Secretary-General of the United Nations to include information on the implementation of article X (international co-operation for the use of biological agents for peaceful purposes) in the background material to be prepared for the second Review Conference.

Finally, in its last recommendation, the Conference invites the United Nations Centre for Disarmament to communicate regularly to the signatories information relating to new scientific and technological developments relevant to the Convention supplied by States Parties which have carried out such developments.

Because of its lack of strength, the medicine prescribed by the Conference cannot of itself cure the ills of the Convention on biological weapons, ills which only the depositaries and some of their allies persist in regarding as imaginary. No-one can overlook the absence of any definition of biological weapons or the lack of a reference to any sanction which might be incurred by a State contravening the obligations under the Convention, particularly those deriving from the first three articles.

All these issues, and also the question of the complaints procedure, will be on the agenda of the second Review Conference unless, taking due advantage of the technical and legal links between B and C weapons, we seize the opportunity offered by the Committee on Disarmament's negotiations on chemical disarmament for solving some of these issues.

(Mr. Arrassen, Morocco)

B. Chemical disarmament

Ever since chemical weapons have existed, countless voices have been raised to denounce the evils thereof and countless draft texts have advocated their elimination pure and simple. But, like the Arlésienne, chemical weapons have so far obstinately refused to come to the rendezvous -- but not for much longer because, with the establishment of an Ad hoc Working Group on chemical weapons, the countdown to the adoption of a convention on the prohibition of chemical weapons and on their destruction has well and truly begun.

This development, whose very great importance must be stressed, will have incalculable effects on the course of future negotiations on other major problems of disarmament, especially if -- as is planned -- the current negotiations culminate in the conclusion of a treaty in good and due form.

Although modest, the results achieved to date by the Ad hoc Group on Chemical Weapons augur fairly well for further negotiations on the issue. In that connection, the adoption of the detailed plan for a convention on chemical weapons, with which the Group started work on its mandate, may be regarded as a point of no return on the way towards the preparation of the future instrument. Before it is elaborated, the negotiators will have to solve the main difficulties involved in the prohibition of this category of weapons -- namely the question of the scope of the prohibition (a) and the verification and control measures (b) necessary for proper application of and compliance with the instrument.

(a) Scope of the prohibition

In the light of the existing provisions in the Convention on biological weapons, it should not be very difficult for the members of the Committee on Disarmament to reach agreement on the activities and means of chemical warfare to be prohibited.

The main categories of activity to be prohibited are research, development, production, and stockpiling, and also acquisition, transfer and assistance. To these could be added the planning and organization of a "chemical warfare capability" and also the training of troops for offensive purposes.

With regard to the means of chemical warfare, the prohibition must cover chemical weapons, munitions and agents, as well as to the specific appliances, equipment and delivery systems required for their use.

And, in order to avoid any misunderstanding, we wish to reaffirm once again that in our view this prohibition must be total and general -- that is to say, it must cover chemical weapons for use against human beings and also those designed to destroy plants and vegetation.

With regard to agents proper and precursors, they must be defined precisely to avoid insurmountable difficulties such as those still arising in the application of the Geneva Protocol. This definition must be based on criteria which are indisputable -- i.e., universally acceptable -- and by means of which it will be possible to establish as clear a distinction as possible between chemical warfare agents and substances unsuitable for military purposes.

(Mr. Arrassen, Morocco)

The general purpose criterion, which recently served as a basis for the prohibition of biological weapons, can in the case of chemical weapons be of value only for single-purpose agents. It therefore needs to be supplemented by one or several more technical and more precise criteria, such as the structure or chemical formula criteria, an efficiency criterion and, in particular, a toxicity criterion. The latter appears to be the most comprehensive means of defining chemical warfare agents, provided that a threshold of toxicity by inhalation and percutaneous penetration is established for each category of agent. In this connection, we note that the first results of the consultations held on issues relating to toxicity determinations, as described in working paper CD/CW/WP.22 of 13 July 1981, constitute an important step forward. We welcome that development and await with impatience the continuation of the studies, particularly those which are to deal with the harmful effects of chemical weapons on plants and vegetation.

If necessary, the definition of chemical agents could be supplemented by a non-restrictive list, based on the United Nations Environment Programme's International Register of Potentially Toxic Chemicals; and, with the help of international experts in chemistry -- particularly from WHO and UNEP -- and in the field of drugs, it would be possible to prepare fairly quickly a list of single-purpose and dual-purpose chemical warfare agents and a list of exempted chemicals designed for protection against chemical warfare. Clearly, these lists must be subject to periodic revision, partly because the agents enumerated therein are simply representative of large families of toxic substances, and also because modern chemical science is constantly producing new agents which, although not previously associated with chemical warfare, nevertheless have toxic properties which would make them highly suitable for that purpose.

The list of chemical warfare agents, combined with a precise definition of such agents, would considerably simplify the establishment of procedures for monitoring and verifying the correct application of, and compliance with, the provisions of the future Convention on chemical weapons.

(b) Monitoring and verification of the prohibition

The members of the Committee on Disarmament are unanimous in considering that a ban on the production and possession of chemical means of warfare, without any means of verifying the strict application of the ban, would be much more dangerous for the safety of States than no ban at all; but they are no longer unanimous when it comes to establishing and defining the procedures for such verification. Two arguments are advanced in this regard.

The first is based on the principle that only on-site inspections, effected under international control, would permit effective verification of the non-production of chemical warfare agents. The second argument rejects this "intrusive" procedure on the grounds that it might violate the sovereign rights of States Parties and lead inevitably to the disclosure of industrial, commercial and military secrets. The proponents of this view argue that, for adequate verification of compliance with obligations assumed under a convention on chemical weapons, it would be preferable to use national means of control, possibly in association with certain international machinery and procedures. This is purely and simply an invitation to copy the system of inspection -- altogether ineffective -- provided for in the Convention on biological weapons.

(Mr. Arrassen, Morocco)

In order to find a compromise between these two approaches which reflect the two principal philosophies that entirely dominate the views and discussions on disarmament matters, the negotiators will have to display much imagination, patience and adroitness. The compromise will, in any case, have to include international verification measures at least as stringent as those entrusted to IAEA under the Non-Proliferation Treaty. Otherwise, with national verification measures alone, we may fall back, as in the case of biological weapons, into the rut of self-inspection machinery, which is so unreliable.

A system of international control of the application of, and compliance with, a Convention on chemical weapons must, of course, be based on appropriate structures. There is unanimous agreement among the members of the Committee on Disarmament on the idea of making provision in the future instrument for a consultative committee on the lines of the one already existing in the Convention on the Environment. All that remains is to define the concrete aspects of its organization, operation and powers.

The very complex nature of chemical weapons, the particularly wide range of agents which can be used to produce them, and also the great variety of the activities to be monitored -- research, development, production, stockpiling, elimination, closing down or reconversion of plant -- might induce the Committee on Disarmament to have big ideas and envisage the establishment of an international agency for disarmament control which might later be entrusted with the monitoring of subsequent disarmament measures, in addition to the ban on chemical weapons.

In elaborating effective and economically unharmed international measures for monitoring and verifying a prohibition on the production of chemical weapons, the Committee on Disarmament would find it very useful, the Moroccan delegation believes, to draw upon the experience of the Federal Republic of Germany which is bound by the Agreements of 23 October 1954 to refrain from producing chemical weapons and to submit to controls by the Agency of the Western European Union established to verify compliance with that obligation.

The controls consist of an assessment of written information supplied on request, and also of visits and on-site inspections on the initiative of the Agency itself. During these inspections, the international inspectors of the Agency obtain information on the organization, operation and production programme of a chemical plant, but visit only the sector in which the decisive phase of the reaction occurs -- the phase which, during the full production process, immediately precedes the completion of the end-item. Thus, the inspections do not cover entire plants, but rather particular "characteristic substances" that are considered to be initial or key products without which prohibited warfare agents cannot be manufactured.

This does not prevent the inspectors from giving special attention to safety precautions which are always visible and, together with the lack of special equipment which is also difficult to conceal, provide the clearest possible indication that no chemical warfare agents are being produced in the plant. Also, by comparing data obtained by built-in measuring instruments with the figures entered in the records of the production unit, the inspectors can check the quantity of precursors used in the production of a substance or end-item. Lastly, in some cases, they may even resort to sampling in order to identify particular substances and to determine whether they are in fact prohibited agents.

(Mr. Arrassen, Morocco)

The Federal Republic of Germany made an even more valuable contribution to the work of the Committee on Disarmament on chemical weapons by organizing an international workshop from 12 to 14 March 1979, following the invitation which the West German Chancellor had addressed to all States Members of the United Nations in May 1978 at the General Assembly's special session devoted to disarmament. In the framework of what must indeed be regarded as a genuine première in the field of negotiations on chemical disarmament, the Federal Republic of Germany was able, by means of practical examples, to demonstrate to an international audience of chemical experts the experience it had acquired from the inspections carried out by WEU -- experience which the members of the Committee on Disarmament, and particularly those who are opposed to the introduction of a system of on-site international inspections into a Convention on chemical weapons, might do well to reflect upon, even if it is derived only from a single disarmament measure limited in space and also imposed on a defeated country.

This exercise, which gave participants an opportunity to get acquainted with the practice of international on-site inspections, was designed principally to demonstrate that:

In the absence of safety precautions, no super-toxic compounds can be manufactured in the production plants at present available to the chemical industry;

The absence of such safety precautions is perceivable in the course of a plant inspection and thus can provide proof of the non-production of warfare agents;

A rapid conversion of available production plants into plants producing warfare agents is not technically possible.

In addition, the exercise amply demonstrated that there was no basis for "the objection occasionally raised to on-site inspections as a means of controlling current production in civilian chemical plants", -- namely, that such inspections "would be intrusive and liable to harm the legitimate interests of producers, since they would involve the disclosure of classified information of a technical and economic nature". Better still, "it is possible for on-site inspections to prove, without disclosing any classified information on the production process", and without interfering with the process, "that chemical warfare agents are not being produced."

Thus, it has been fully demonstrated that on-site inspections -- periodic or unscheduled -- on request, or following a complaint from a State Party or an international organization -- and effected by an international control authority, are the only means of guaranteeing compliance with a ban on the production of chemical weapons.

Inspections of this type are also irreplaceable for monitoring national activities such as the destruction of existing stocks, "moth-balling", reconversion or demolition of plant producing chemical weapons, research and development activities for peaceful and defensive (protection) purposes, and the monitoring of plants producing agents closely related to the organophosphorus compounds (pesticides), not to mention the monitoring of the non-production of new chemical weapons.

(Mr. Arrassen, Morocco)

As a concession to those for whom on-site inspections arouse fears of disclosure of industrial, commercial or military secrets, their degree of "intrusiveness" can be modified during the very early years of operation of the international control system by reducing them simply to summary and superficial visits designed solely to ascertain the absence of safety precautions and devices.

Other forms of international control may supplement but not replace on-site inspections. They consist of a series of quasi-on-site inspections, ranging from remote detection of chemical agents in liquid or gaseous effluents from a suspect plant, using ultra-sensitive detectors installed in satellites or on the ground outside the frontiers of the country subject to the supervision, to statistical control of figures for the production and consumption of raw materials and basic chemical products, and opto-electronic sealing of plants which have stopped all production.

It must be noted that, of the various international methods of control enumerated above, all -- except on-site inspections -- have the same disadvantage: their practical efficiency has never been verified.

Moreover, the absence of positive indications of clandestine production does not provide a definite assurance of non-violation of the prohibition. Nevertheless, one can be almost certain that the mere fact of the application of such measures will have a dissuasive effect and render any attempt at evasion extremely complicated.

Conclusion

In a world in which the extraordinary developments in chemistry and biology have radically changed the basic features of economies and the daily life of individuals, in a world in which the spectacular nature of today's genetic manipulations already affords a glimpse of what biotechnology will enable us to achieve tomorrow, biochemical disarmament, -- interpreted as a refusal to accept scientific progress when its effect is to endanger the life of human beings or cause them bodily harm or diminish the quality of their natural environment -- is, in three respects, a genuine challenge.

To induce all States, large and small, to renounce once and for all the possession, and hence the use in armed conflicts, of weapons as deadly and as cheap as biological and chemical weapons -- is this not a great political endeavour?

To seek to prohibit -- within the wide range of existing biological and chemical products -- only those which are designed for military purposes without at the same time interfering with the normal production of those destined for peaceful uses, when we know quite well, on the one hand, that those products and materials are produced by exactly the same industrial processes and on the other hand that it is becoming increasingly difficult to make a very clear distinction between the civilian and military applications of any discovery, -- this is more than a scientific and technological challenge, it is a veritable "nobelization" of the entire biochemical industry that one is seeking to achieve.

Lastly, effective biochemical disarmament is the precursor of the next disarmament measures -- radiological and nuclear -- for which it may serve as an experiment and a test-bench. It is also a clear challenge to an international order of which the mad race in armaments of mass destruction is only one aspect but may nevertheless lead the world, one day or another, to a genuine catastrophe.

The CHAIRMAN: Distinguished delegates, since it is clear that all the speakers on our list cannot complete their statements today, the Chair has consulted the speakers, and I am glad to inform you that the Federal Republic of Germany, Australia, Indonesia and Mexico have kindly consented to defer their statements to the next plenary meeting.

Mr. LUKES (Czechoslovakia): Mr. Chairman, let me first of all join you most sincerely in expressing the condolences of my delegation to the delegation of the People's Republic of Bulgaria at the untimely death of Madame Lyudmila Zhivkova. My delegation intends today to deal with our agenda items 4 and 6 and also to touch very briefly on agenda item 2.

With the approaching second special session devoted to disarmament the necessity to elaborate the draft text of the comprehensive programme of disarmament becomes more and more urgent. It is a generally shared feeling that the adoption of this document could represent rather an important result of the special session. Our Committee, as the main negotiating organ on disarmament, should therefore attribute due attention to this question. My delegation also believes that, in elaborating the draft comprehensive programme of disarmament, as much work as possible in this respect should be done within the Committee on Disarmament, so that the United Nations General Assembly could be presented next year with a solid document. For this reason the full use of the possibilities of the relevant Working Group, so skilfully presided over by the distinguished Ambassador Garcia Robles of Mexico, should be ensured.

My delegation expressed its basic views concerning the future comprehensive programme of disarmament in several statements last year and also during the spring part of this year's session, as well as in numerous documents submitted in the Working Group. Having listened carefully to the statements of other delegations on this subject, we are satisfied to note that there exists a wide convergence of views on the character of the future programme, its basic goals, principles and priorities as well as measures to be included in it. It is for instance generally required that the main principle of the programme should be the principle of equality and equal security. Thus, the implementation of the programme should at no stage prejudice the security interests of any party. It is also the generally accepted view that measures aimed at the cessation of the nuclear arms race and at nuclear disarmament should be given the highest priority. This requirement comes naturally from the objective fact that nuclear weapons today pose the gravest threat to international peace and security. For the same reason, the steps aimed at achieving nuclear disarmament should also go hand in hand with the strengthening of political and international legal guarantees of the security of States.

If we want the future programme to be comprehensive and aimed at achieving the goal of general and complete disarmament under effective international control, it should obviously cope with many other aspects of disarmament in the nuclear as well as in the so-called conventional weapons field. There are still some differences of views with respect to certain questions. And let it be noted that those differences of views are not always differences of principle. My delegation therefore believes that patient and painstaking work in the relevant Working Group can help us overcome many of the existing divergencies; and the Committee on Disarmament will eventually find itself in a position to agree upon a solid, well-balanced draft text of the programme not later than at the end of the next year's spring session. The results of this year's negotiations in the relevant Working Group testify that progress in the elaboration of the comprehensive programme of disarmament, however slow and difficult, is still possible.

(Mr. Lukes, Czechoslovakia)

From what I have said, it is obvious that my delegation welcomes and fully supports the proposal of the Bulgarian delegation to have additional meetings of the Working Group on the Comprehensive Programme of Disarmament. Given the importance of the question, my delegation is ready to attend those meetings at any time, be it this year or in January next. However, I would like to note that from the practical point of view my delegation considers it most suitable to have several meetings of the Working Group somewhere at the end of August and in September, before the opening of the regular United Nations General Assembly session.

We approach this possibility realistically and we do not expect that a couple of extra meetings of the Group will dramatically change the situation. However, given the nature of the proceedings in the Working Group, a lot of useful drafting could be accomplished with a view to having a comprehensive draft text ready for the second special session devoted to disarmament. I would like to seize this occasion to assure the distinguished Ambassador of Mexico, Mr. García Robles, that he can count on the full support and co-operation of my delegation in his noble effort to have the Working Group on the Comprehensive Programme of Disarmament working as effectively as possible.

Mr. Chairman, with your permission I will now turn to item 4 of our agenda, chemical weapons.

First of all I wish to join other delegations in expressing our appreciation of the expert consultations on toxicity determination held at Geneva a fortnight ago, as well as the preceding workshop held in Helsinki. There is no doubt that very useful information was gained at both meetings which will be fully utilized in the future work of the Committee on Disarmament.

My delegation has been pleased to participate actively in the Ad Hoc Working Group on Chemical Weapons, chaired so skilfully by Ambassador Lidgard of Sweden. We regret that at this stage a consensus could not be achieved with respect to the new mandate of this Working Group. On the other hand, we acknowledge with satisfaction that the Group has succeeded in making substantial progress within the present mandate, considering the basic elements of the treaty.

Only a few meetings of the Group are still to take place during this round of negotiations. It seems therefore appropriate to focus on those items which promise to give most important and definite results.

We share the opinion of delegations which are in favour of concentrating the discussion on the issues where a convergency of views is not only possible but also vitally important for further effective and systematic work in the Group. Here we have in mind especially the scope of the prohibition. There is, of course a close and reverse interrelationship between the scope and other elements, above all the verification régime. Still the clearly defined scope of prohibition is an element playing the determinative role. Also for practical reasons, it would be most useful to come to a consensus on this issue to create a solid starting point for the next round of negotiations.

Some delegations have expressed the view that the scope of the prohibition should be very broad, to cover all substances which could be eventually used as chemical weapons, and all possible activities related to such use.

In the view of my delegation, the treaty has two main goals: to provide for the destruction of existing stocks of chemical weapons, and to prohibit any possibility of their development and production in the future. While the use of chemical weapons was prohibited already by the 1925 Geneva Protocol, the treaty under

(Mr. Lukes, Czechoslovakia)

consideration should provide for the elimination of the material basis of chemical weapons. There is no need to stress that this should be achieved without any limitation of the peaceful chemical industry and without any interference with the interests of States in the field of defense (ensured by other means than chemical weapons).

Our delegation is convinced that with these two documents -- the Geneva Protocol and the chemical weapons treaty -- in force, all other issues such as "chemical warfare capability" or the military misuse of herbicides, etc., would lose all the importance they might seem to have now. The issue of the scope should be, therefore, discussed in rather concrete terms. The link between any element included in the scope, and concrete measures for its realization in practice should be considered carefully.

Among the items attracting attention with regard to the scope are the toxins. They, of course, are fully and definitely covered by the Convention prohibiting biological and toxin weapons. If some delegations tend to reconsider them again in the course of negotiations on the scope of a chemical weapons treaty, one of the reasons might well be a certain under-estimation of the very complex problem of toxins. It seems useful therefore to prepare a working paper on this problem. With your permission, Mr. Chairman, I would like now to introduce such a working paper elaborated by the Czechoslovak delegation. The paper has already been given to the Secretariat; and, being well aware of the Secretariat's excellent ability to serve the Committee on Disarmament, we believe that it will be at the disposal of delegations soon.

The working paper contains a brief compilation of the most important data concerning the chemical and biological characteristic of toxins, which are important with regard to our current negotiations. It shows that toxins constitute a rather specific group of biological products with prominent biological activities. As a group, they cannot be characterized solely on the basis of their chemical structure which is still largely unknown. Their effects on man are often rather complex and subtle, and they should be studied by methods different from those used with regard to poisonous chemical substances.

These questions are discussed in the working paper in some detail, and our delegation believes that the paper could facilitate our work in the Working Group on Chemical Weapons.

In concluding my statement, permit me to touch very briefly on agenda item 2. It was my intention repeatedly to draw your attention to document CD/193, submitted by the delegation of the German Democratic Republic, concerning further proceedings of the Committee on Disarmament on item 2 of its agenda.

In light of your statement today, Mr. Chairman, I should like to thank you for having taken this document into consideration. We can only express our regret that some delegations do not wish to approach the proposals contained in it constructively. However, my delegation still believes that this valuable document deserves not only your further attention, but also that of your successor. Let me therefore quote once again a part of this document which stipulates that:

"The Chairman of the CD hold consultations on the further proceedings of this Committee concerning item 2. Those consultations should in particular be held with the delegations of the nuclear-weapon States, individually or together. In this connection, those nuclear-weapon States rejecting the creation of an ad hoc working group on item 2 could come out with proposals they deem essential to further the work of the CD in the field of the cessation of the nuclear arms race and nuclear disarmament. After these consultations, the Chairman could report its conclusions to the Committee to allow a formal decision on its further proceedings."

Mr. HERDER (German Democratic Republic): Today I would like to dwell upon the two items on our agenda for last week and this week -- the complete prohibition of chemical weapons and a comprehensive programme of disarmament.

My delegation highly appreciates the work done by the Ad hoc Working Group on Chemical Weapons last year and during this session under the able leadership of Ambassador Okawa of Japan and Ambassador Lidgard of Sweden. Valuable results could be achieved in identifying issues to be dealt with in a future convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

In this regard we would also like to thank Mr. Lundin and the toxicological experts for their great efforts to achieve effective toxicity determinations to be applied in the framework of a future convention.

Under present circumstances, when in one major country plans have been initiated to create a new dangerous generation of chemical weapons -- binary weapons -- the conclusion of a CW convention is more urgent than ever before. Therefore, we hope that the United States of America will be ready to resume without delay the bilateral negotiations with the Soviet Union that were interrupted last year. A successful outcome of these negotiations would no doubt promote our work in the Committee on Disarmament, as it did last year when the very valuable report on the bilateral negotiations (CD/112) was tabled.

My delegation would like to see the Working Group on Chemical Weapons speedily proceed to actual drafting. From the beginning of this session we have therefore been in favour of revising the mandate of this Working Group. It was our conviction that in this regard a two-fold approach should be taken. While the Group could go over to drafting work in fields where a convergence of views exists, it should still further try to clarify and harmonize differing views in other fields. Unfortunately, no consensus has been reached up to now. Nevertheless, we have the impression that this approach is now being more and more widely recognized in the Committee on Disarmament. In this regard, we were very much encouraged by recent statements made, for example, by the representatives of Japan and the Federal Republic of Germany on 16 July. We fully agree with Ambassador Okawa who stated that:

"On some matters we may eventually move into the drafting phase at an early stage, while on others we must persevere in trying to narrow the divergence of views until this issue can be defined by a convergence of views."

We hope that from the very beginning of next year's session the Committee on Disarmament will be able to undertake such an approach.

Much has already been achieved in identifying the issues connected with the scope of a future convention. The draft elements tabled by the Chairman of the CW Working Group at the beginning of the second part of the session enabled us to make further headway.

On the other hand, attempts to burden a future convention with issues having no direct connection with its scope as defined in many United Nations documents are likely to complicate, if not postpone, the achievement of a convention. Here we have especially in mind the proposals to include in such a convention the prohibition

(Mr. Herder, German Democratic Republic)

of the use of chemical weapons and the concept of so-called chemical warfare capability. We share the views of the delegations of the USSR, Poland, France, Belgium, the United Kingdom and many others which have advanced weighty arguments against the inclusion of these two concepts in a CW convention.

The delegation of the German Democratic Republic attaches great importance to the question of verification of compliance with a CW convention. We envisage a verification system and a complaints procedure which provide each party to the Convention with the required confidence that its obligations are complied with by the other parties.

It is not my intention now to pursue the question of verification in detail. This should be done when the issues connected with the scope of the prohibition have been clarified.

It seems that for the time being two different concepts concerning verification prevail in the CW field. The first one proceeds from a balanced combination of national and international measures and means of verification. The second one especially emphasizes regular and permanent international inspections while largely neglecting the potential of domestic control measures, of national technical means of verification, and of such international procedures as, for example, verification by challenge. This concept seems to be very much influenced by the idea that the means of verification should determine the scope of prohibition. We cannot agree with such a perception which is in direct contradiction with one of the basic principles of the Final Document of the first special session devoted to disarmament. It would involve us in endless debates on detailed and highly technical aspects of verification and lead to an actual postponement, if not the prevention, of a CW convention.

I cannot but agree with Ambassador Summerhayes of the United Kingdom who stated on 16 July that we must be careful not to become too bogged down in a wealth of detail and that our aim must be a workable treaty. Given the necessary political will and a basic amount of confidence on all sides, the verification problem can be overcome. Of course, from whatever angle one may look at verification, no 100 per cent solution will be found. I think the whole complex of available and possible verification methods, ranging from national control to international inspection by challenge, provides a high degree of assurance that a violation of a CW convention could be detected. It is most doubtful that a militarily important violation could be concealed. Every would-be violator will seriously take into account the political set-backs of such a step. Here by the way, one should ask the question: is it really that certain that a State which has just signed a disarmament agreement will shortly afterwards try to break it?

Concluding my remarks on CW, I would like to thank the Finnish authorities for their persevering efforts to contribute to the solution of the verification issue. We regard as very valuable the recent workshop in Helsinki in which an expert from the German Democratic Republic participated, as well as the document entitled "Trace analysis of chemical warfare agents" tabled last week. We also highly appreciate the endeavour of the Canadian delegation to clarify verification questions. Its recent document CD/167 provides a useful analysis of the pros and cons of several verification measures. This document, in our view, shows the great capability of a system based on national means of control and international verification by challenge.

(Mr. Herder, German Democratic Republic)

One of the main results of the forthcoming second special session of the United Nations General Assembly devoted to disarmament should be the comprehensive programme of disarmament. Under the able Chairmanship of Ambassador Adeniji and Ambassador García Robles our corresponding Ad hoc Working Group has made considerable progress in drafting this programme. But the bulk of the work is still to be done. Therefore, we fully support the proposal made at our last meeting by the Soviet and Bulgarian delegations that the Working Group on the Comprehensive Programme of Disarmament should hold additional meetings after the conclusion of this session so as to ensure a thorough discussion of all sections, and to avoid last-minute efforts under the pressure of time.

The German Democratic Republic regards the comprehensive programme of disarmament as a carefully prepared package of interrelated measures in the field of disarmament confirmed by a solemn undertaking of all States to fulfil the programme. It should serve as a guideline and framework for corresponding negotiations. The measures to be envisaged in the comprehensive programme of disarmament should be specified and agreed upon in bilateral, regional and multi-lateral negotiations and implemented by appropriate international instruments. In this respect we see much merit in carefully defined stages for the implementation of the comprehensive programme. In the last consequence, these stages will gradually lead to the final objective of general and complete disarmament. To initiate this process, it should be the immediate effect of the comprehensive programme of disarmament to encourage the resumption of negotiations in the field of disarmament interrupted during the last years as well as the beginning of new negotiations. Considering the present international situation, this seems to be a very urgent and worthwhile objective. Besides, this objective -- to conduct meaningful and serious negotiations -- has already been included in various existing international instruments. Let us recall paragraph 28 of the Final Document of the first special session devoted to disarmament, which states that:

"All the peoples of the world have a vital interest in the success of disarmament negotiations. Consequently, all States have the duty to contribute to efforts in the field of disarmament".

The practical importance of the comprehensive programme of disarmament will depend upon how it comes to grips with the main problem of our time -- the prevention of a nuclear holocaust, the cessation of the nuclear arms race and nuclear disarmament. Furthermore, effective measures of disarmament in the field of other weapons of mass destruction and conventional weapons should be provided for. This has to be accompanied by the strengthening of international political and legal guarantees for the security of States. At the same time, measures should be envisaged which aim at achieving relaxation of international tension, creating thereby an atmosphere conducive to disarmament. In this regard the dissolution of existing military alliances would be of special importance.

Such a long-lasting programme would, of course, be meaningful only if it is based on the principle of undiminished security for all States. On a reciprocal basis, it should lay down obligations for all nuclear-weapon States in the field of nuclear disarmament, whereas all States should contribute to the various stages leading to general and complete disarmament. My delegation cannot accept a selective approach requiring some States to disarm unilaterally and permitting others to pursue a unilateral arms-drive. This would entail serious dangers for international peace and security and introduce a destabilizing element in the international situation.

(Mr. Herder, German Democratic Republic)

Lastly, a comprehensive programme of disarmament could contain provisions on appropriate machinery for its implementation, taking into account the institutional arrangements set up by the first special session devoted to disarmament only three years ago. A special role should be accorded to the Committee on Disarmament as the single multilateral negotiating forum.

May I express the hope of my delegation that the Working Group on the Comprehensive Programme of Disarmament will use the remaining time to the greatest possible extent to prepare an effective and meaningful draft programme. The Final Document of the first special session devoted to disarmament, as well as other relevant United Nations documents, provide a useful basis in this respect.

The CHAIRMAN: In view of the lateness of the hour, the representative of Italy has also agreed to defer his statement to the next plenary meeting. Accordingly, that concludes my list of speakers for today.

The Secretariat has circulated today, at my request, an informal paper containing a timetable for meetings to be held by the Committee on Disarmament and its subsidiary bodies during the week 27-31 July 1981. That informal paper contains basically the same allocation of time as provided for in previous weeks, with the addition of one meeting on Monday, 27 July, at 10.30 a.m. for the Ad hoc Working Group on a Comprehensive Programme of Disarmament. I understand that there are no difficulties with that addition, which would permit us more fully to utilize the time available. As usual, the timetable is indicative and subject to change if the need arises.

If there is no objection, I will consider that the Committee accepts the timetable.

It was so decided.

The CHAIRMAN: May I note that we have now six speakers for our regular plenary meeting next Tuesday, including the five speakers who have so kindly deferred their statements from today. Any other delegations wishing to speak then are asked kindly to put their names on the list as soon as possible.

Mr. SOTIROV (Bulgaria): On behalf of the Bulgarian delegation, I wish to express our deep gratitude to the representatives of the German Democratic Republic, Morocco and Czechoslovakia for the condolences they expressed on the passing away of Madame Lyudmila Zhivkova. I wish to assure you, Mr. Chairman, that the sympathy expressed at today's meeting will be conveyed to our authorities and personally to President Zhivkov.

The CHAIRMAN: The next plenary meeting of the Committee on Disarmament will be held on Tuesday, 28 July, at 10.30 a.m.

The meeting stands adjourned.

The meeting rose at 1.05 p.m.

COMMITTEE ON DISARMAMENT

CD/PV.141
28 July 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND FORTY-FIRST MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 28 July 1981, at 10.30 a.m.

Chairman: Mr. A.P. VENKATESWARAN (India)

PRESENT AT THE TABLE

Algeria:

Mr. A. SALAH-BEY

Mr. A. HELLAL

Argentina:

Mr. J.C. CARASALES

Mr. J.F. GOMENSORO

Mrs. N. NASCIMBENE

Australia:

Mr. R. STEELE

Belgium:

Mr. A. ONKELINX

Mr. J.M. NOIRFALISSE

Brazil:

Mr. C.A. DE SOUZA E SILVA

Mr. S. DE QUEIROZ DUARTE

Bulgaria:

Mr. P. VOUTOV

Mr. I. SOTIROV

Mr. K. PRAMOV

Mr. R. DEYANOV

Burma:

U SAW HLAING

U NGWE WIN

U THAN HTUN

Canada:

Mr. G.R. SKINNER

China:

Mr. YU Peiwen
Mr. YU Mengjia
Mrs. WANG Zhiyun
Mr. LIN Chen

Cuba:

Mr. F.O. RODRIGUEZ

Czechoslovakia:

Mr. P. LUKES
Mr. J. FRANEK

Egypt:

Mr. EL S.A.R. EL REEDY
Mr. I.A. HASSAN
Mr. M.N. FAHMY

Ethiopia:

Mr. T. TERREFE
Mr. F. YOHANNES

France:

Mr. F. DE LA GORCE
Mr. J. DE BEAUSSE
Mr. M. COUTHURES

German Democratic Republic:

Mr. G. HERDER
Mr. H. THIELICKE
Mr. M. KAULFUSS
Mrs. H. HOPPE

Germany, Federal Republic of:

Mr. G. PFEIFFER
Mr. N. KLINGLER
Mr. W. ROHR

Hungary:

Mr. I. KOMIVES
Mr. A. LAKATOS

India:

Mr. A.P. VENKATESWARAN

Mr. S. SARAN

Indonesia:

Mr. M. SIDIK

Mr. HARYOMATERNI

Mr. F. QASIM

Mr. ACHDIK

Mr. SOEPRAPTO

Iran:

Mr. J. ZAHIRNIA

Italy:

Mr. A. CIARRAPICO

Mr. B. CABRAS

Mr. M. BARENGHI

Mr. E. DI GIOVANNI

Japan:

Mr. Y. OKAWA

Mr. M. TAKAHASHI

Mr. K. TANAKA

Mr. K. SHIMADA

Kenya:

Mexico:

Mr. A. GARCIA ROBLES

Mrs. Z. GONZALEZ Y RENERO

Mongolia:

Mr. D. ERDEMBILEG

Morocco:

Mr. M. ARRASSEN

Mr. M. CHRAIBI

Netherlands:

Mr. R.H. FEIN
Mr. H. WAGENMAKERS

Nigeria:

Mr. M.B. BRIMAH
Mr. W.O. AKINSANYA
Mr. T. AGUIYI-IRONSI

Pakistan:

Mr. M. AHMAD
Mr. M. AKRAM

Peru:

Poland:

Mr. B. SUJKA
Mr. J. CIALOWICZ

Romania:

Mr. M. MALITA
Mr. T. MELESCANU
Mr. S. ARCADIE

Sri Lanka:

Mr. T. JAYAKODDY

Sweden:

Mr. C. LIDGARD
Mr. L. NORBERG
Mr. G. EKHOLM
Mr. J. LUNDIN
Mr. R. ANGSTROM
Mr. H. BERGLUND

Union of Soviet Socialist
Republics:

Mr. B.P. PROKOFIEV
Mr. V.F. PRYAKHIN

United Kingdom:

Mr. D. SUMMERHAYES

United States of America

Mr. F.P. DESIMONE

Ms. K. CRITTENBERGER

Mr. R.F. SCOTT

Mr. W. HECKROTTE

Mr. J.E. TRENTON

Mr. S. FITZGERALD

Venezuela:

Mr. R. RODRIGUEZ NAVARRO

Mr. H. ARTEAGA

Yugoslavia:

Mr. B. BRANKOVIC

Zaire:

Mr. B.A. NZENGEYA

Secretary of the Committee and
Personal Representative of the
Secretary-General:

Mr. R. JAIPAL

Deputy Secretary of the Committee:

Mr. V. BERASATEGUI

The CHAIRMAN: The Committee starts today its consideration of item 3 on its agenda, Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. As usual, members wishing to make statements on any other subject may do so, in conformity with rule 30 of the rules of procedure. You will recall that at our last plenary meeting a number of members kindly agreed to defer their statements until today in view of the long list of speakers inscribed on that day.

Mr. CIARRAPICO (Italy) (translated from French): The subject of my statement today is item 6 of our agenda, "Comprehensive programme of disarmament".

But before I embark on this subject, allow me to reiterate the satisfaction I have already had an opportunity to express at an informal meeting on seeing as Chairman of the Committee the representative of India, a country which has contributed so much to the cause of disarmament in general and to the work of this Committee. Thanks to your qualities, both human and professional, Mr. Chairman, our work has acquired considerable impetus, and I should like to take this opportunity to thank you for that.

At the same time, I should like to thank your predecessor, Ambassador Komives, whose great gifts as a seasoned diplomat were instrumental in launching the Committee on the summer part of its session, and to welcome the distinguished Ambassador Rodríguez Havarro of Venezuela, a country with which Italy maintains friendly and co-operative relations.

The adoption by the international community of a comprehensive programme of disarmament would mark the end of a lengthy undertaking, initiated 12 years ago, when the General Assembly adopted resolution 2602 E (XXIV). This resolution, among other things, requested the Conference of the Committee on Disarmament "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, which would provide the Conference with a guideline to chart the course of its further work".

In expressing today the hope that this work may be completed by the time of the second special session of the General Assembly devoted to Disarmament, which is to take place in 1982, my delegation is merely reiterating what it has felt during all these years of discussion and negotiation.

Our first working paper on the elaboration of a comprehensive programme was document CCD/309 of 19 August 1970. Since that time, we have endeavoured to play an active part in this work: it is our belief that any approach to disarmament must be judged on the basis of the contribution it can make to international peace and security. A comprehensive approach, by its very nature, seems to us to be able to meet two fundamental requirements: that of avoiding any destabilization of the existing balances and that of guaranteeing an undiminished level of security at all times for each and every State.

(Mr. Ciarrapico, Italy)

During the present session the Ad Hoc Working Group on a Comprehensive Programme of Disarmament, through the energetic guidance given it by its Chairman, the distinguished Ambassador García Robles of Mexico, has made noteworthy progress, especially in view of the magnitude of the task entrusted to it.

We are bound to recognize, however, that much remains to be done; moreover, what has been accomplished reflects the limits imposed by its preliminary nature. This was inevitable, from the moment it was decided to put off to a later stage the discussion of certain basic problems upon which the comprehensive programme as a whole depends.

Without an agreement in principle on such important aspects as those of the nature of the programme, the time-frame, the nature and number of stages of implementation, the transition from one stage to the next, the degree of correlation between the various measures, etc., it would be difficult to try to go into matters more deeply.

It was this fact which led my delegation, like a number of others, to express in the Ad Hoc Working Group a preference for discussing first certain substantive aspects of the programme. But, as Mrs. Inga Thorsson, the head of the Swedish delegation, noted on 9 July last, we may be "well advised" to leave the final say on such problems to the General Assembly itself, at its second special session devoted to disarmament.

True, the work remaining to be done so that the Committee can submit a draft programme to the General Assembly at its second special session does not present the same degree of difficulty as regards all the various elements comprising the programme. For some of the seven headings that form the outline of the programme, the basic material already exists in agreed texts such as the Final Document, the "Elements" drawn up by the Disarmament Commission and the Declaration of the 1980s as the Second Disarmament Decade. This is true, in particular, of the sections entitled "Preamble", "Objectives", "Principles" and "Priorities". The section devoted to "Machinery and Procedure" in turn could make use of the conclusions reached by the Group of Experts on institutional arrangements.

However, the sections on "Measures" and "Stages of Implementation" present greater difficulty, as is clear from the current proceedings in the Working Group, especially as regards the drafting of the text relating to the different measures. In this connection, my delegation is convinced that each measure ultimately included in the comprehensive programme should be clearly identified and formulated in a succinct fashion. The introduction of numerous details, even of a quantitative kind, into the description of the various measures would be contrary to the purpose that the comprehensive programme is to serve. The task of those drafting the comprehensive programme is not to take the place of the negotiators or to tell them what should be the results of their efforts. To do that would be to run the risk of dangerously reducing the margin of flexibility and consequently of compromising the chances of success of the negotiations.

(Mr. Ciarrapico, Italy)

The programme we are endeavouring to prepare is essentially -- and this is how we have always seen it -- a programme based on the idea of negotiation. In fact, that was the title by which it was customary to call it at the very beginning: comprehensive programme of negotiations.

That definition at the same time makes it clear what the comprehensive programme of disarmament cannot be: it cannot be a treaty on general and complete disarmament along the lines of the drafts submitted by the United States and the USSR in 1962, nor can it be a simple list of measures like the one we already have in the Final Document. Indeed, the very need for the elaboration of a comprehensive programme stems, on the one hand, from the impossibility of attaining, all at once and immediately the goal of general and complete disarmament and, on the other, from the preference for placing any partial or collateral measure in the framework of a broader set of related measures leading to the final objective of general and complete disarmament under effective international control.

Since the programme would be one which should stimulate and guide all negotiations on arms limitation and disarmament, the undertaking which States would assume with respect to it would necessarily be one at the political level, and would be evidence of their willingness to adopt a course of action which would lead to general and complete disarmament in a gradual and balanced way, without at any time endangering their security. Quite apart from the question of the most appropriate manner in which the General Assembly might mark its adoption of the comprehensive programme of disarmament at its second special session, we are convinced that the best guarantee of its application lies in the programme itself: in the balance of its wording, in its flexibility, in its being both sufficiently ambitious to avoid the dangers of a continued absence of significant progress and sufficiently realistic to take advantage of every possibility of moving forward.

These observations on the nature of the comprehensive programme of disarmament may help us in our consideration of another fundamental problem, that of the time-frames which a number of delegations believe should be applied in the implementation of the various stages of the programme.

The debate on the value of time-frames in the context of a comprehensive programme of disarmament has a fairly long history; it is hardly encouraging to note that the terms of the debate have remained practically unchanged during the last 12 years and that the positions behind it are as divergent now as they were then. Some delegations see the fixing of a predetermined timetable as necessary so that the disarmament negotiations should not be at the mercy of the vagaries of the international situation; others, including my own, consider that the very nature of the negotiating process itself makes it impossible to subject it to time-limits. The necessarily arbitrary nature of such limits would add nothing to the effectiveness of the programme and would ultimately undermine its credibility.

The negotiating process cannot but be one of reaching a consensus, and the technical and political complexity of the questions, the fundamental nature of the interests involved and the impossibility of foreseeing exactly how the situation will develop, both from the strategic and from the technological point of view, mean that it is impossible to determine in advance either a rigid order of priority or precise dates for the conclusion of particular agreements.

(Mr. Ciarrapico, Italy)

If I may be allowed to comment further on a problem that has already been widely discussed, I would like to say that in our view the idea of time-frames belongs to a different context and different conceptual approach: it was fully justified, if not indispensable, when, as in 1962, there was a question of negotiating the draft texts of a treaty on general and complete disarmament the constituent elements in which were the subject of agreement down to their smallest quantitative details; but it has no real merit when, as is the case at present, what we are trying to do is to draft a comprehensive programme based on negotiations that are to take place in the future.

The aim of stabilizing the rhythm of negotiations on disarmament should be pursued by other means than that of fixing a timetable: we see the need for a sustained collective effort to remove the underlying causes of these fluctuations and to create political conditions that are favourable for significant progress to be made.

For this reason we also consider that the so-called collateral measures, designed to promote non-dissimulation and to build confidence, are an important part of the negotiating process. As is stated in paragraph 7 of the Elements approved by the Disarmament Commission, "the comprehensive programme should include, as parallel measures accompanying progress in disarmament, measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means as well as measures necessary to bring about the effective application of the relevant provisions of the Charter of the United Nations".

In fact, disarmament is an integral part of the efforts to base the international order firmly on the principles of the United Nations Charter.

This, in our view, is the real meaning of "the basic commitment" to ensure the implementation of the comprehensive programme of disarmament about which Ambassador Malita, the distinguished representative of Romania, spoke to us on 12 March; it is also the real meaning of the "solemn declaration" to which Ambassador Adeniji of Nigeria referred on 5 March last.

Another controversial concept is that of stages of implementation. This is an important concept because it makes it possible to establish a correlation between and, while providing for the necessary flexibility, an order of succession for the various specific measures. Together with the actual comprehensiveness of the programme, it helps to distinguish the programme from a mere list of measures, of which we already have a number of examples. It is obviously possible to conceptualize the process of disarmament by dividing it into a specific number of stages: the delegation of Pakistan as well as that of Romania have offered us a three-stage model; the delegation of Nigeria has referred to five stages; the Ad Hoc Working Group is working on the hypothesis of a four-stage programme.

This problem constantly arose during the discussions in the 1970s in the Conference of the Committee on Disarmament, where two trends appeared: that of those who thought that the best method was to concentrate on the first stage, leaving a margin of flexibility for subsequent developments, and that of those who thought it better to define first the characteristics and requirements of the final stage, and thereafter to try to determine the course to be followed to attain that final stage.

(Mr. Ciarrapico, Italy)

Experience can serve to guide us. These two approaches, which are not in fact mutually exclusive, both indicate the need to maintain as much flexibility as possible as regards the precise structuring of this intervening space between the point of departure and the point of arrival. Whatever model we may choose, it is important, in our view, to bear in mind this criterion of flexibility, which is moreover inseparable from the idea of negotiation. In this context the review conferences which would periodically assess the situation with regard to the application of the programme and suggest the most appropriate ways in which the process might be continued effectively, could play an important part.

I would like to conclude these remarks on agenda item 6 by stressing, once again, the decisive role of verification in any disarmament agreement and consequently its importance in ensuring the success of the comprehensive programme. The prospect of the adoption of a programme whose ultimate aim is general and complete disarmament should encourage us to consider together more thoroughly and with greater urgency the various aspects of verification, so that we can, if possible, reach a common understanding. For that reason we would like particularly to thank the delegation of Canada which, in distributing this year the last part of a trilogy on verification, has offered for our consideration an extremely valuable and useful contribution on this subject which is one of overriding importance.

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

Mr. PFEIFFER (Federal Republic of Germany): Mr. Chairman, I should like to make a few remarks concerning the comprehensive programme of disarmament, which is on our agenda as item 6. First of all, I want to recall the ideas set forth in my statement in our plenary meeting of 12 March 1981, which my delegation continues to endorse. Since then, the Ad Hoc Working Group whose task it is to negotiate on the programme's contents has, under the very able and dedicated leadership of its Chairman, Ambassador García Nobles of Mexico, made considerable progress. It is now in the second reading of a number of texts dealing with disarmament measures.

However, much remains to be done. In particular, the important issue of how to provide for the continuous review of the implementation of the programme, which is required by paragraph 109 of the Final Document of the first special session of the General Assembly devoted to disarmament, will have to be clarified. In connection with this question, another point -- which is, however, not mentioned in paragraph 109 of the Final Document's programme of action -- namely, that of the stages or phases, will have to be discussed.

Today I wish to add some thoughts to those laid down in the earlier statement which I have mentioned. I can, however, be brief, as our ideas are before the Committee in document CD/205 entitled "Draft Comprehensive Programme of Disarmament", which my delegation has submitted together with the delegations of Australia, Belgium, Japan and the United Kingdom. This document contains positions which are of importance not only for the negotiations in the Ad Hoc Working Group but also for other items on the Committee's agenda. That is why my delegation deems it appropriate to

(Mr. Pfeiffer, Federal Republic of Germany)

give this text -- which has already been issued as document CD/CPD/WP.33 of the Ad Hoc Working Group on the comprehensive programme -- the wider circulation of an official document of the Committee.

Speaking for my own delegation, I should like to stress that this document contains a number of important guidelines which, in the view of my delegation, have to be borne in mind in the programme's elaboration.

The task of the programme is clear: the "Elements" which were adopted by the Disarmament Commission in 1979 state that the programme is to "provide the necessary framework for substantive negotiations in the field of disarmament". This framework is to facilitate negotiations aimed at reaching agreement on questions of arms control or -- if that is more acceptable to some -- arms limitation and disarmament.

One of the fundamental principles which have to be respected during such negotiations is the requirement of the undiminished security of States. In fact, one of the important objectives of the process of disarmament is the achievement of greater security for States. Any negotiations aiming at disarmament measures without taking this into account would be liable to failure. That is why my delegation does not favour the inclusion in the programme, of negotiations aimed at, for example, reducing existing arsenals by a fixed percentage, without taking into account the prevailing situation.

This brings me to a second point of great significance. Negotiations under the programme must, if they are to be successful, avoid any destabilizing effects. That is of particular importance where the situation concerning nuclear and conventional armaments is concerned.

It is appropriate to recall that no progress can be reached in negotiations unless States scrupulously respect the Charter of the United Nations, and in particular the principle of the non-use of force in international relations.

Negotiations should be initiated according to the existing possibilities for reaching agreement on substantive points, be it on a bilateral or regional, a multilateral or a global level. It would be the task of the United Nations to encourage States to participate constructively in negotiations and establish a climate in which such negotiations can be successfully conducted.

The comprehensive programme will have to consist of a number of phases. In the view of my delegation, these phases cannot contain a pre-established set of measures to be negotiated, since such an approach would be too inflexible in view of the changing and unforeseeable international political and security situation. What we should aim at are regular reviews which, inter alia, assess the progress that has been made in negotiations and recommend further negotiation in specific fields. Provision should therefore be made for a review of progress by the international community at regular intervals in whatever form seems appropriate, so that plans for the ensuing phase can be made taking into account the implementation of measures which have been

(Mr. Pfeiffer, Federal Republic of Germany)

agreed upon in preceding stages, the internal progression of current negotiations and external events. These reviews would form the basis for continued progress in the implementation of the programme through entering into negotiations on further measures.

It will be essential for the reviews which I have just mentioned that they can be based on the results of reliable and credible international verification measures. The confidence of States which is to provide the basis for further agreements can only be created and developed if the results of international verification of compliance with and implementation of agreements previously negotiated clearly indicate that all parties to these agreements faithfully observe their obligations. Negotiations on specific disarmament measures should therefore aim at the inclusion of appropriate verification arrangements.

Jointly with appropriate disarmament and arms control measures, collateral and other measures will have to be negotiated and agreed upon. Confidence-building measures in particular, have an important role to play as a prerequisite for the successful outcome of negotiations on more far-reaching issues. They should therefore form an integral part of the comprehensive programme. One of the most important measures in this field is the achievement of greater transparency of military postures which, through the establishment of a standardized and verifiable reporting system for military expenditures, would lead to their comparability and be a first step towards their balanced reduction.

Before I conclude my statement, I should like to touch upon two questions which have already been discussed at some length.

It is evident that, in view of the direct bearing which arms control and disarmament have on the security of States, all States must be in complete control of their involvement in that process during all its stages. They can therefore not be bound in advance to the results of negotiations before they have even started. That is why the comprehensive programme cannot contain a legal obligation for States to participate in, let alone to successfully conclude, negotiations on the complex issues involved.

A similar consideration leads to the conclusion that the elaboration of a fixed timetable for the achievement of concrete results would not be feasible. The changing and unforeseeable conditions for the parallel and successive negotiations of interdependent agreements require a great degree of flexibility in the programme. Equally, the close interrelationship between such negotiations and the international political and security situation renders it evident that the realization of specific disarmament agreements cannot be connected with a given time-frame.

These questions, too, will have to be further discussed in the Ad Hoc Working Group. But given a sense of realism on the part of all delegations, I am sure that we can reach agreement also on these important issues.

Mr. STEELE (Australia): Mr. Chairman, my delegation associates itself with all those who this month have expressed their satisfaction at seeing you in the Chair and their admiration for the way you have conducted our work. Similarly, we wish to congratulate your predecessor, Ambassador Komives of Hungary, for his extremely effective chairmanship in June.

The Australian statement today addresses the subject of a chemical weapons convention and in particular two aspects, the two most difficult issues before the Committee in its endeavours on this subject, namely, scope and verification. The statement will also have as central themes the importance of reassurance and confidence-building in a future ban on chemical weapons.

The Ad Hoc Working Group on Chemical Weapons, under two very active Chairmen in 1980 and 1981, has made rapid progress in bringing together points of agreement, in drawing up some draft elements of a future convention and in identifying the relatively few but complex outstanding differences. The momentum that has been generated in the Working Group has been helped by other favourable developments. Workshops have been set up by different Governments to show how stocks of chemical weapons can be destroyed and how plants can be inspected without prejudicing security or industrial secrets. Earlier this month, a workshop in Helsinki was attended by many members of this Committee to see the latest fruits of Finland's decade of efforts on trace analysis, showing how in due course it should be possible to verify the presence of CW agents by agreed instrumentation and methodology, with a level of precision unimaginable until recently. I should also mention the possibilities suggested by a recent demonstration to the Committee of a high-precision communications system for remote continual verification which is on trial as a monitoring technique in the nuclear safeguards area and which may well also in due course have applications relevant to a chemical weapons convention. The addressing of highly technical issues has become a feature of the Ad Hoc Working Group. Once again recently many delegations were reinforced by the presence of experts, in this case with a particular focus on the difficult issue of determining toxicity criteria; the report submitted on this exercise indicates that real advances were made in reaching a broad consensus on standard methods. In all of this we have come closer to our central purpose and have, I believe, begun a process of building up confidence, both that technical solutions to our problems are possible and that the regime in place after the conclusion of a convention will be a sound one.

The Working Group is at the point of finalizing its first reading of draft elements of a chemical weapons convention and has most recently dealt with the question of verification; we can expect that in the near future there will be a review of work with a return to the question of scope. Scope and verification are, as many delegations assert, closely linked.

There are several matters still to be resolved regarding scope. For the most part these are matters on which the Working Group appears to be close to agreement but on which we have not yet clearly spelt out the area of agreement in the draft elements. On one issue, however, diametrically opposed views have been expressed. That is the question of including in the convention a ban on the use of chemical weapons. The Australian delegation advocates such a ban.

(Mr. Steele, Australia)

On this point my delegation welcomes the statements of those delegations which have said that the ban on use in the 1925 Geneva Protocol is fully comprehensive and that the protocol is fully effective. Australia supports the Protocol and attaches importance to those declarations. If it is the general view that the international community in the 1925 Protocol has already prohibited the use of all chemical weapons in any form of conflict, my delegation believes that this accord should be recorded in the convention. If, on the other hand, any delegation believes that a comprehensive and categorical prohibition of use goes beyond the 1925 Protocol, my delegation believes we should take this step. In either case we would be building on to the 1925 Protocol, and in no way weakening it. We can reaffirm, in the convention, our continuing support for the Protocol. And by incorporating the ban in the new convention we would redress the lack, in the existing prohibition on use, of a verification mechanisms. Far from creating ambiguities about the 1925 Protocol, we would be making sure that no such ambiguity can arise.

The ban on use in the convention would also provide an assurance against any possible ambiguities arising as to the effect of the new convention. That convention will allow potentially harmful chemicals to be made and stockpiled for peaceful purposes. And chemical research for peaceful purposes will also continue -- research that may throw up new chemicals capable of being used as chemical weapons. It would be an additional reassurance to the international community to know that in no circumstances could any chemical be used as a chemical weapon without contravening the convention. In this approach the prohibition on use would be a fall-back, catch-all provision, emphasizing the fully comprehensive nature of the ban, in the new convention, on the acquisition or retention of chemical weapons.

A similar consideration carries over into the field of verification. It should be clearly established that any evidence of the use of chemical weapons would be evidence of a breach of the convention. There should be no room for argument that it is necessary in addition to demonstrate the existence of an illegal factory or stockpile. The inclusion in the convention of a ban on use would ensure that here again there could be no scope for ambiguity.

Verification has been discussed in some detail in the Chemical Weapons Working Group. Last week it was suggested that there are two possibly irreconcilable approaches, one based on the voluntary provision of information and the other on a system of automatic checking. My delegation does not feel

(Mr. Steele, Australia)

these two approaches are irreconcilable and we note that in any case there already exists broad agreement not only for a combination of national and international verification measures but also for the creation of a consultative committee. I would like to say something on verification, from a conceptual point of view, and then outline some ideas my delegation has for the consultative committee.

The reservations expressed about proposed verification activities have been of two kinds. Some have been of a practical nature, concerning such matters as possible interference with the civil chemical industry and possible risks for commercial or military secrets. Without doubt there are legitimate concerns of this nature; in devising the verification provisions of the future convention it will be necessary to take account of such concerns and to seek ways of accommodating them to the extent possible. The other kind of objections to this type of verification measures has been of a philosophical nature. It has been suggested, for instance, that questions of national sovereignty are involved and that we should not be guided by a doctrine of mistrust.

Taking the last point first, it has to be acknowledged that every State has the right and duty to look at its own security and that no nation will disarm unless it believes it can do so safely. If full international confidence reigned, there would be no need for disarmament negotiations. To acknowledge the need for arms control and disarmament agreements is to acknowledge that international confidence is not what it should be in a better world; but paradoxically, there can be no effective arms control or disarmament treaty without a high level of confidence on the part of all parties to the treaty that its provisions will be respected by all concerned and that the general behaviour of nations should be such as to make possible the necessary level of mutual confidence. That is a matter beyond the control of this Committee. But the other requirement is up to us: it is to devise verification measures that will generate that necessary level of mutual confidence. The function of verification is to generate well-founded confidence.

But what of national sovereignty? No nations' sovereignty can in any way be offended by treaties which it enters into freely, in the exercise of that sovereignty. The meticulous discharge of treaty obligations is an honourable manifestation of national sovereignty. Other delegations have already made the point well that in verification there is no infringement of sovereignty but exercise of it.

(Mr. Steele, Australia)

National measures of verification, if they go beyond self-verification, are focused on attempts by one country to detect breaches of the agreement by other countries, e.g. by sending reconnaissance satellites over their territory. But the focus of international measures of verification is on the demonstration of compliance. A country which respects the convention will co-operate voluntarily with international verification arrangements so as to demonstrate its compliance and thus give the international community grounds for confidence. Under an international verification system, each country has within its own sovereign control the ability to refute any unfounded allegations against it by demonstrating its innocence. International verification, including on-site inspections, whether routine or by challenge, is predicated on full recognition of national sovereignty.

The appropriate analogy for international verification procedures is not a policeman searching a suspect. Rather it is the auditors, familiar figures in many countries, who verify the financial affairs of public and private bodies and whose reports are published at regular intervals. Auditors are not called in by the shareholders or the electors to try to catch the managers stealing the money. Rather, the auditors are called in by the managers themselves, in accordance with the applicable laws, to demonstrate to all concerned that the funds in their responsibility have been correctly accounted for. This is the way, I suggest, in which we should think of international verification.

As I have indicated earlier, my delegation believes that in negotiating towards a convention on chemical weapons, the Committee on Disarmament should make every reasonable effort to accommodate practical concerns for the minimizing of interference with the peaceful chemical industry and the protection of industrial or military secrets. For example, when chemical weapons are due to be destroyed, it will be necessary to demonstrate, to the satisfaction of the international community, that inter alia, the material being destroyed actually is the chemical weapon, and not some other substance. In the case of well-known chemical weapons, this can readily be verified by chemically analysing samples of the feedstock of the destruction plant. In the case of secret weapons-related chemicals, there could be alternative arrangements in the future convention for specified chemical tests, less intrusive than full analysis, either of the feedstock or of the degradation products. Of course, any such alternative arrangements would have to be fully effective from a technical point of view and spelt out in appropriate terms in the convention or in an associated document. New technologies possibly applicable to the verification of the convention have, as I mentioned earlier in my statement, been brought to the attention of the Working Group and hold out prospects for the monitoring of many aspects of a chemical plant with a minimum need for actual visits by outsiders.

(Mr. Steele, Australia)

The general approach which my delegation advocates is that, when addressing specific verification provisions, delegations which see difficulties in the verification procedures proposed by others should be willing to explore alternative ways of achieving the intended objective equally well. We would expect all delegations to give serious and constructive attention to proposals for equally effective alternatives.

My delegation has this week circulated a paper outlining various ideas for the consultative committee, whose role in the verification process will be central. We envisage that the consultative committee will have functions providing for exchanges of information between States parties relating to declarations, reports on the production and use for permitted purposes of chemicals which are subject to the convention, information provided by national verification authorities and reports on verification activities. We see the consultative committee as having a continuing role of review of the state of the art, particularly in industrial research: it could consider the need to update lists of prohibited chemicals and methods of toxicity determination. The consultative committee would, of course, have functions for implementing both routine and challenge verification. Our paper, which contains some ideas for the structure and operating methods of the consultative committee, envisages that consideration of related mechanisms will be given detailed consideration in our future negotiating work.

I return to the subject of confidence. The Committee on Disarmament must recognize that the essential purpose of compliance and verification provisions is to ensure a high level of confidence in the operation of the convention. The consultative committee should be a vehicle for building confidence and establishing mechanisms which provide for adequate verification, i.e. adequate to reassure the States parties who have invested something of their national security in the convention that this will not be jeopardized. The consultative committee should be equipped with procedures which will come into operation automatically when a challenge is made. These procedures should be flexible and, to the extent possible, non-intrusive. They should be oriented towards the bilateral solution of any problems between parties and should, so far as consistency with the objectives of the convention permits, accommodate the wishes of the parties involved. They should foster confidence as a basic requisite for the effective implementation of our convention.

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

Mr. SIDIK (Indonesia): Mr. Chairman, like the distinguished speaker who preceded me I shall also address myself today to agenda item 4, namely, chemical weapons, the complete and effective prohibition of which is considered by the Final Document in its paragraph 75 as one of the most urgent measures of disarmament, and which has been the subject of the concern of the United Nations for more than 14 years. But before I come to the substance of my statement allow me to extend, on behalf of my delegation, our sincere appreciation and gratitude to Dr. Lundin for having chaired the consultations held earlier this month on issues relating to toxicity determinations for the purpose of a chemical weapons convention. The recommendations suggested by him on behalf of the group of experts are now under active consideration by my delegation.

In following the negotiations which have been taking place in the Ad Hoc Working Group on Chemical Weapons under the able chairmanship of Ambassador Lidgard, in which my delegation has always been trying to contribute modestly but constructively to the progress of the work entrusted to the Working Group, we observe that the following questions deserve careful attention.

The first question relates to the terms of reference of the Ad Hoc Working Group. We are very well aware that drafting a treaty text should pass through different stages, starting with identification of the issues involved, followed by consideration of various treaty texts that have been submitted as well as proposals and amendments thereon, the drafting of a possible consolidated text and its examination and, finally, the actual drafting of a treaty text in the light of the proposals and amendments on the consolidated text.

As was stated in the intervention of my delegation of 25 June, we think that the existing mandate of the Ad Hoc Working Group has been exhausted and that a new mandate to enable it to embark upon the next stage of its work is required. If we compare with the stage of work of the Ad Hoc Working Group on Radiological Weapons, we observe that the Ad Hoc Working Group on Chemical Weapons has in fact reached the same stage as the former, which has started the exercise of drafting the body of a treaty text, in spite of the fact that divergent views still exist in a number of areas. My delegation regrets, therefore, that a consensus did not emerge in this Committee for the provision of a new mandate to the Ad Hoc Working Group on Chemical Weapons, thus preventing it from moving on to the next stage of its work.

With regard to the substance of the future chemical weapons convention, the definition of the weapons to be prohibited and the scope of the prohibition constitute two of the most essential elements on which very much depends the effectiveness of the future convention.

As to the definition, my delegation wishes to reiterate its views on the importance of the definitions of "chemical agents" and "chemical warfare agents", on which my delegation submitted its suggestion contained in CD/124/Rev.1. It may be interesting to note in this connection that, according to the report of the Secretary-General on "Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use", which was prepared with the assistance of a group of consultant experts and presented to the General Assembly in 1969, "chemical agents" are usually described in terms of their physiological effects, covering agents affecting man and animals as well as plants. Subsequently, resolution 2603A (XXIV) of 16 December 1969 described "chemical warfare agents" as chemical substances, whether gaseous, liquid or solid, which might be employed because of their direct toxic effects on man, animals or plants.

(Mr. Sidik, Indonesia)

By referring to those two old documents, my delegation wishes to draw attention to the fact that, already more than eleven years ago, the community of nations agreed on the elements covered by the terms "chemical agents" or "chemical warfare agents", covering agents having physiological or toxic effects, not only on men and animals, but also on plants. My delegation therefore holds the view that toxicological effects on men and animals, as well as on plants, are elements to be borne in mind in defining "chemical agents" or "chemical warfare agents" in the future convention.

Indonesia, which is a party to the Geneva Protocol of 1925, recognizes the importance of this instrument; it advocates that the principles and objectives of this instrument be strictly observed and that all States adhere to the Protocol as called for in paragraph 72 of the Final Document. The value of the Protocol has never diminished: its principles should be upheld and its objectives should continue to be pursued. But more than 55 years have elapsed since the conclusion of that instrument. New problems have emerged and new developments have taken place. More than twelve years ago, in 1968, in introducing his annual report on the activities of the United Nations, the Secretary-General stated that since the adoption of the Geneva Protocol of 1925, new facts in the scientific and technical fields leading to the improvement of chemical and bacteriological weapons had emerged, creating new situations and problems.

In the view of my delegation, the future convention on chemical weapons should strengthen the already recognized rules embodied in the 1925 Protocol and set out new rules on areas which were not covered by that instrument and which would adequately respond to the present scientific and technical progress relating to chemical weapons systems.

In this context, a question arises whether to include herbicides and dual-purpose chemical agents in the definition. The need for herbicides and dual-purpose agents is continuously growing and consequently the development, production and stockpiling of such products would also greatly increase. What is important, therefore, is to prevent those products being used for non-peaceful purposes, considering that their development, production and stockpiling cannot be prohibited.

The demand of the international community for the banning of chemical weapons results from the fear of the most dangerous consequences if such weapons were used. The great danger that chemical weapons pose to mankind is not the development, production and stockpiling of such weapons as such, but the possible use of those weapons. The possibility of the use of such weapons would naturally increase if their development, production and stockpiling are also increasing. The prohibition and prevention of the use of chemical weapons therefore constitute the core of the problem of the banning of chemical weapons and should therefore be covered by the scope of the future chemical weapons convention. Objections to the proposal to include "use" have been raised for a number of reasons. One of these was the assertion that such a proposal caused the Committee more difficulties than it is already encountering.

(Mr. Sidik, Indonesia)

One of the reasons put forward was that the use of chemical weapons had been prohibited by the 1925 Protocol and that there was no need to include such a prohibition in the future convention; another was that a new convention containing the same rules would weaken the already existing instrument. If the 1925 Protocol itself confirms the rules contained in previous treaties, why should we now object to the inclusion of the use of chemical weapons in the new convention on chemical weapons that this Committee is requested to draft? Allow me to quote the preambular paragraphs of the 1925 Protocol, which read as follows:

"Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world; and

Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations".

I am not aware whether at that time there was a delegation which raised objection to the conclusion of the Protocol because the prohibition of the use of gases, liquids, materials or devices referred to in the Protocol had been the subject of prohibition in other treaties.

In its statement of 24 March my delegation referred to a number of international instruments having identical provisions. We referred to the universally accepted rule on the duty of a master of a ship to render assistance to any person at sea who is in danger of being lost. Provisions to that effect are found in national legislations of various countries. In international instruments, they are stipulated in the Brussels Convention of 1910 on the unification of certain rules relating to the rendering of assistance to persons at sea in the Geneva Convention on the High Seas of 1958, in the Annex to the London Safety of Life (SOLAS) Convention of 1960 and most recently in article 98 of the draft convention on the law of the sea (informal text), document A/CONF.62/WP.10/Rev.3, dated 27 August 1980. I do not think that the 1958 Convention weakened the 1910 Brussels Convention or that the 1960 London SOLAS Convention undermined either the 1958 or the 1910 Conventions or that the future convention would weaken the identical rules contained in those three previous instruments. On the contrary, the latter strengthens the provisions contained in the earlier instruments.

One other reason given for objecting to the inclusion of the use of chemical weapons in the future convention on chemical weapons was that the Final Document and the subsequent General Assembly resolutions requested the Committee on Disarmament to draft a convention relating (only) to the prohibition of development, production and stockpiling and the destruction of chemical weapons, and that no mention was made in those documents of the question of "use".

(Mr. Sidik, Indonesia)

Allow me in this connection to refer to paragraph 21 of the Final Document, which reads as follows:

"Along with these measures, agreements or other effective measures should be adopted to prohibit or prevent the development, production or use of other weapons of mass destruction. In this context, an agreement on elimination of all chemical weapons should be concluded as a matter of high priority".

Paragraph 45 of the Final Document states further that:

"Priorities in disarmament negotiations shall be: nuclear weapons; other weapons of mass destruction, including chemical weapons; conventional weapons ...", etc. etc.

It is evident from these two paragraphs that the prohibition or prevention of the development, production or use of chemical weapons, which are considered as belonging to weapons of mass destruction, is called for by the Final Document.

One may well refer to paragraph 75 of the Final Document, which states:

"The complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represent one of the most urgent measures of disarmament ...", etc. etc.

This paragraph clearly states that the prohibition of the development, production and stockpiling of chemical weapons and their destruction represent (only) one of the most urgent measures to be taken. This means that:

(1) There are other most urgent measures of disarmament; and

(2) The inclusion of the prohibition of the use of chemical weapons in the convention to be concluded should not be prevented, particularly since paragraph 45 considers chemical weapons as belonging to the category of weapons of mass destruction and paragraph 21 calls for the prohibition or prevention, not only of the development or production but also of the use of such weapons. I should like once again to stress that my delegation, being one of several delegations which proposed the inclusion of the prohibition of the use of chemical weapons in the scope of the future chemical weapons convention, has no intention to weaken the 1925 Protocol, to which Indonesia is a party. On the contrary, my delegation believes that the 1925 instrument would only be strengthened if the future convention also contained provisions prohibiting the use of chemical weapons.

To conclude, my delegation has indeed expected that the Ad Hoc Working Group on Chemical Weapons would be able to embark upon the next stage of its work, namely, actually starting to draft a treaty text. We realize that this exercise requires the greatest efforts and would naturally take time. While believing that the long road leading to an agreed draft text is not without end, nevertheless, considering the present circumstances, I realize that during the remaining period of this session no significant progress seems to be in view, even if the number of the Working Group's meetings is increased or the duration of its work is extended.

Mr. GARCIA ROBLES (Mexico) (translated from Spanish): Mr. Chairman, I should like today very briefly to make some comments on three of the items on our agenda. I shall refer first to the comprehensive programme of disarmament, an item on which we have today heard two important statements, one by the distinguished representative of Italy, Minister Ciarrapico, and the other by the distinguished representative of the Federal Republic of Germany, Ambassador Pfeiffer, statements which will undoubtedly be very useful in giving us a better understanding of the main elements of the positions of their respective countries. My purpose in speaking about this item is much more modest, for all I want to do is to emphasize our view on a procedural aspect, that is, that we believe that all delegations should take good account, on the one hand, of the fairly advanced stage reached in the work of the Ad Hoc Working Group responsible for the preparation of the programme -- work which, as you know, was begun more than a year ago -- and, on the other hand, of the need to make the very best use of the small amount of time that remains available. It would, therefore, in my delegation's view, be very desirable for any proposals delegations may wish to submit to be formulated in terms that are as specific as possible and to be directly related to the relevant working documents prepared by the secretariat.

Secondly, with regard to the item, "New types of weapons of mass destruction and new systems of such weapons", I should like to recall what I said last year at the Committee's 79th meeting, on 17 April 1980, namely, that the proposal for the establishment of a group of experts to keep the Committee on Disarmament informed of developments in the international situation with regard to the weapons and systems referred to in the agenda item seemed to us to be a constructive one. I then added, and I would like to repeat that statement today, that the new group of experts to be established would, as we understood it, be one that would work independently, as the Group of Seismic Experts has been doing, and that it would submit reports to the Committee when appropriate. The group as we understand it could, we believe, be of positive value in dispelling the fears which are undoubtedly felt by most peoples and Governments in the world because of their powerlessness and inability to obtain a clear and up-to-date picture -- not based on "science fiction" -- of a topic such as this which can have a decisive influence on the destiny of mankind.

Lastly, I would not like to let this opportunity pass without expressing my delegation's sincere gratitude and great appreciation for the truly extraordinary work done by the distinguished representative of Sweden, Ambassador Curt Lidgard, in his capacity as Chairman of the Working Group on Chemical Weapons. We feel that in view of the obvious progress made, in which his work was a prominent factor, the Committee on Disarmament should no longer delay the amendment of the Working Group's mandate to meet the requirements of the present situation which, in our view, make it extremely desirable that the Group should be allowed to initiate negotiations towards the reaching of an agreement on the content of the future convention as soon as the Committee's 1982 session opens.

Mr. LIDGARD (Sweden): As was agreed at one of our informal meetings last week, I shall now read a statement which can be said to be the result of the negotiations which I was asked to undertake on the question of the revision of the mandate of the Ad Hoc Working Group on Chemical Weapons.

During the spring part and again at the beginning of the summer part of the 1981 session of the Committee on Disarmament, proposals were submitted by certain delegations for a revision of the mandate of the Ad Hoc Working Group on Chemical Weapons with a view to enabling it to commence substantive negotiations on a multilateral convention to prohibit chemical weapons. Although these proposals were strongly supported by a large number of delegations of the Committee, no consensus could be reached to revise the mandate of the Ad Hoc Working Group. However, the general view was expressed in the Committee that despite the absence of agreement on the question of a revised mandate, the Ad Hoc Working Group was making substantive progress in the process of working out the basis for a convention on chemical weapons. The consultations held on the subject have led to the conclusion that in these circumstances the present intensive work of the Ad Hoc Working Group on Chemical Weapons should be continuous. It was also concluded that during the consideration of the report of the Ad Hoc Working Group, the Committee on Disarmament should decide on how best to ensure that the results of this work could make a contribution to the process of negotiating and elaborating, as a matter of high priority, a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

The CHAIRMAN: I thank the Chairman of the Ad Hoc Working Group on Chemical Weapons for his statement. I am sure that all members of the Committee have taken due note of its contents.

Mr. YU Peiwen (China) (translated from Chinese): Mr. Chairman, I listened to the document read out by Ambassador Lidgard of Sweden, that is, the document on the understanding regarding the mandate of the Ad Hoc Working Group on Chemical Weapons. The Chinese delegation agrees to this document in principle, but I would like to state two points. First, if we adopt this document by consensus, it does not mean that we will not continue to discuss the question of the mandate of the Working Group on Chemical Weapons. Secondly, the document read out by Ambassador Lidgard a few minutes ago refers to the scope of the prohibition in a future convention on the prohibition of chemical weapons. It includes the prohibition of their development, production and stockpiling as well as their destruction, but does not include the prohibition of their use. The Chinese delegation considers that since the prohibition of their use has been discussed and negotiated in plenary meetings as well as in the subsidiary body, the Working Group on Chemical Weapons, and in fact working papers have been submitted on the subject, we should continue to include this aspect in future discussions in the plenary meetings and the Working Group. The fact that the views of the various sides are not yet in complete agreement shows that it is all the more necessary to discuss and negotiate on this question -- the prohibition of the use of chemical weapons. The representative of Indonesia and other representatives have also made important statements on this question just a while ago. We express our thanks to them.

The CHAIRMAN: I am sure that members of the Committee have taken note of the clarifications made by the distinguished Ambassador of China, and of the position held by his delegation in the context of the statement made by the Chairman of the Ad Hoc Working Group.

Mr. BRANKOVIC (Yugoslavia): Mr. Chairman, I would like, on behalf of my delegation, to thank the distinguished representative of Sweden as the Chairman of the Ad Hoc Working Group on Chemical Weapons, for his tireless efforts to achieve the statement he has just read out now. I have to say that my delegation accepts such a text in the spirit of compromise in the Committee and as the only possible consensus paper. At the same time, I would like to take this opportunity to express my delegation's dissatisfaction that we were not in a position, during either part of the Committee's session, to establish a new mandate for the Ad Hoc Working Group, on Chemical Weapons, which would allow the Working Group to continue the substantive negotiations on the text of a treaty on chemical weapons. I would further like to say that my delegation does not consider this statement as any kind of substitute for whatever we have to do in the very near future, to exert our efforts in order to change the mandate of the Working Group on Chemical Weapons. We have a feeling, as we have stated several times, that the Working Group has reached the stage where the mandate has to be changed and negotiations in the Committee begin on the treaty itself. At the same time, I express the hope that we shall be able, at the beginning of our next session, hopefully sometime in January or at the beginning of February, to establish a new mandate and to proceed accordingly.

Mr. CARSALES (Argentina) (translated from Spanish): Mr. Chairman, my delegation would simply like to make clear its understanding of the statement read out by the representative of Sweden in his capacity as Chairman of the Ad Hoc Working Group on Chemical Weapons. My delegation sees that statement as one made by him in his capacity as Chairman of that Group, as being connected with the method of working of the Group and as the result of lengthy consultations and negotiations between the Chairman of the Group and various members of the Committee. This is the understanding of my delegation, and we therefore consider it as a statement by the Chairman of the Group and not as a decision by this Committee -- simply a statement by the Chairman of the Working Group. This does not mean that my delegation has any objection to that statement but we would like to point out that, like others, we believe that the use of chemical weapons should be prohibited, and I would also like to pay tribute to the patient efforts made by Ambassador Lidgard in order to reach this modest wording that he read out to us today. As I have said to him more than once, I believe that he could have found a better use for his valuable time than to spend it on the drafting of this modest statement which, in our view, in no way meets the wishes of a large group of countries which were anxious that the Ad Hoc Working Group should receive a new mandate.

Mr. DE SOUZA E SILVA (Brazil): Mr. Chairman, I also should like to thank Ambassador Lidgard very much for his tireless efforts to reach an agreement and a compromise concerning the revision of the mandate of the Working Group on Chemical Weapons. It is also the understanding of my delegation that no action is required by the Committee concerning the statement read to us. In any case, if we have to make further comments on that paper, I think it would be useful if that document were distributed to members of the Committee to facilitate our making any comments we might have on it.

The CHAIRMAN: I understand that if the Chairman of the Ad Hoc Working Group gives his statement to the Secretariat, it will be circulated. Since there are no other speakers for today, I would only announce that the next plenary meeting of the Committee on Disarmament will be held on Thursday, 30 July, at 10.30 a.m. This meeting stands adjourned.

The meeting rose at 12.15 p.m.

COMMITTEE ON DISARMAMENT

CD/PV.142
30 July 1981
ENGLISH

FINAL RECORD OF THE ONE HUNDRED AND FORTY-SECOND MEETING

held at the Palais des Nations, Geneva,
on Thursday, 30 July 1981, at 10.30 a.m.

Chairman: Mr. A.P. VENKATESWARAN (India)

PRESENT AT THE TABLE

Algeria: Mr. M. MATI
Mr. A. HELLAL

Argentina: Mr. J.C. CARASALES
Mr. J.F. GOMENSORO
Ms. N. NASCIBENE

Australia: Mr. R. STEELE

Belgium: Mr. J.M. NOIRFALISSE

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

Bulgaria: Mr. P. VCUTOV
Mr. I. SOTIROV
Mr. K. PRAMOV
Mr. R. DEYANOV

Burma: U NGWE WIN
U THAN HTUN

Canada: Mr. G.R. SKINNER

China: Mr. YU Peiwen
Mr. YU Mengjia
Mrs. WANG Zhiyum
Mr. LIN Chen

Cuba: Mr. F.O. RODRIGUEZ

Czechoslovakia: Mr. P. LUKES
Mr. J. FRANEK
Mr. A. CIMA

Egypt:

Mr. M. EL REEDY
Mr. I.A. HASSAN
Mr. N. FAHMY

Ethiopia:

Mr. T. TERREFE
Mr. F. YOHANNES

France:

Mr. F. DE LA GORCE
Mr. J. DE BEAUSSE
Mr. M. COUTHURES

German Democratic Republic:

Mr. G. HERDER
Mr. H. THIELICKE
Mr. M. KAULFUSS
Mrs. H. HOPPE
Mr. M. NOETZEL

Germany, Federal Republic of:

Mr. G. PFEIFFER
Mr. N. KLINGLER
Mr. W. ROHR

Hungary:

Mr. I. KOMIVES
Mr. A. LAKATOS

India:

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

Indonesia:

Mr. A. SANI
Mr. M. SIDIK
Mr. HARYOMATARAM
Mr. F. QASIM
Mr. W. ACHDIAK

Iran:

Mr. T. AFSAR
Mr. J. ZAHIRNIA

Italy: Mr. A. CIARRAPICO
Mr. B. CABRAS
Mr. M. BARENGHI
Mr. E. DI GIOVANNI

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

Kenya:

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

Mongolia: Mr. D. ERDEMBILEG

Morocco: Mr. M. ARRASSEN
Mr. M. CHRAIBI

Netherlands: Mr. R.H. FEIN
Mr. H. WAGENMAKERS
Mr. A. J.J. OOMS

Nigeria: Mr. W.C. AKINSANYA
Mr. T. AGUIYI-IRONSI

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

Peru:

Poland: Mr. B. SUJKA
Mr. J. CIALOWICZ

Romania: Mr. M. MALITA
Mr. T. MELESCANU

Sri Lanka: Mr. T. JAYAKODDY

Sweden:

Mr. C. LIDGARD
Mr. L. NORBERG
Mr. R. ANGSTROM
Mr. H. BERGLUND
Mr. J. PRAWITZ
Mr. W. ERICSSON

Union of Soviet Socialist
Republics:

Mr. V.L. ISSRAELYAN
Mr. B.P. PROKOFIEV
Mr. V.F. PRYAKHIN
Mr. S.N. RIUKHINE

United Kingdom:

Mr. D. SUMMERHAYES
Mr. N. MARSHALL
Mrs. J. LINK

United States of America:

Mr. C. FLOWERLEE
Mr. F.P. DESIMONE
Ms. K. CRITTENBERGER
Mr. R.F. SCOTT
Mr. W. HECKROTTE
Mr. J.E. TRENTON
Mr. S. FITZGERALD

Venezuela:

Mr. R. RODRIGUEZ NAVARRO
Mr. H. ARTEAGA

Yugoslavia:

Mr. B. BRANKOVIC

Zaire:

Mr. B.A. NZENGEYA

Secretary of the Committee and
Personal Representative of the
Secretary-General:

Mr. R. JAIPAL

Deputy Secretary of the Committee:

Mr. V. BERASATEGUI

Non-Member Representatives:

Austria
Norway

Mr. E. Nettel
Mr. K. Lie

The CHAIRMAN: The Committee continues today its consideration of item 3 of its agenda, "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". Of course, members wishing to make statements on any other subject are at liberty to do so, in accordance with rule 30 of our rules of procedure.

Mr. YU Peiwen (China) (translated from Chinese): Mr. Chairman, today, I wish to make a general statement on some of the important questions under discussion and negotiation during the summer session of the Committee on Disarmament.

At the outset, allow me to congratulate Your Excellency sincerely on your assumption of the chairmanship of our Committee for the month of July. The tasks before us are arduous and complicated. In the period of nearly one month, you have made a valuable contribution to the work of the Committee on Disarmament. I am especially pleased that the relations between the great country, India, that you represent and my country, the People's Republic of China, have undergone a new development. I am confident that the strengthening of friendly relations between our two countries will be of positive significance to the maintenance of world peace.

At the same time, I also wish to avail myself of this opportunity to express our thanks to your predecessor, Ambassador Komives, the representative of Hungary, for the achievements made under his chairmanship during the month of June. I would also like to extend our welcome to Mr. Jalali, the Ambassador of Iran, and Mr. Rodriguez Navarro, the Ambassador of Venezuela, on their participation in the work of the Committee on Disarmament.

During the current session of the Committee on Disarmament, the Chinese delegation has already stated its views on some of the items at the Committee's plenary meetings and, in particular, at the meetings of the working groups. Now I only wish to make some brief comments on some of the items under consideration and negotiation.

Disarmament is a matter of great importance to world peace and the security of all countries. The evolution of the world situation, both regional and global, will certainly influence the progress of disarmament negotiations. It is inconceivable that substantive progress could be made in the disarmament negotiations at a time when the world situation is marked by turmoil and tension and when the security of States and world peace are not adequately ensured. Any acts of foreign aggression, occupation or intervention occurring in any country or any region, such as those presently seen in Kampuchea, Afghanistan and the Middle East, inevitably bring consequences inimical to the disarmament negotiations. However, some people are reluctant to link the disarmament negotiations with the grave problems emerging in the international situation. They even accusingly term such a linkage as a deviation from the disarmament negotiations and a hindrance to the business-like practice in the Committee on Disarmament. We find this hard to understand.

(Mr. Yu Peiwen, China)

We are of the view that disarmament negotiations should not be conducted in an "ivory tower", far from realities. Such a practice is bound to lead them astray and will be criticized by the international community. Consequently, in discussing and negotiating disarmament issues, we must pay attention to their linkage with the realities of the international situation and with the present state of armaments. Only thus will the Committee on Disarmament be able to make substantive progress in its work. At the same time, we must also pay attention to the voice of the peoples of the world calling urgently for disarmament, as this is a positive factor promoting the cause of disarmament.

Both nuclear disarmament and the cessation of nuclear testing are priority items on the agenda of each session of the Committee on Disarmament. The numerous small and medium-sized countries urgently demand the consideration of these two issues because they find that the nuclear arms race between the Superpowers and their nuclear arms expansion have created a serious danger of nuclear war.

The Chinese Government is resolutely opposed to the nuclear arms race and nuclear war. It has consistently stood for the complete prohibition and total destruction of nuclear weapons and demanded that the two Superpowers be the first to substantially reduce their nuclear armaments. As early as the beginning of the 1960s, the Chinese Government put forward specific proposals on nuclear disarmament, including the prohibition of nuclear testing and of the production and use of nuclear weapons, and the reduction and destruction of nuclear weapons. These are interrelated measures. To stress a certain measure alone, such as the banning of nuclear testing, can in no way halt the Superpowers in their nuclear arms expansion, and still less can it reduce their nuclear arsenals. So how can one talk about the cessation of the nuclear arms race or about lessening the danger of nuclear war?

The prohibition of nuclear tests and nuclear disarmament are connected with each other. The prohibition of nuclear tests by itself cannot bring about nuclear disarmament. It can be conducive to the lessening and elimination of the nuclear threat only when it is combined with various other measures of nuclear disarmament.

The numerous small and medium-sized countries demand that the two Superpowers take the lead in reducing armaments. For in terms of both nuclear and conventional armaments, they have far surpassed any other country in the world. They should not advocate universal disarmament while totally disregarding the present state of armaments. In fact, their armaments have far exceeded their defence needs and thus have become tools of aggression and expansion, and tools in their rivalry for hegemony. But the armaments of the numerous small and medium-sized countries are the necessary means for defending their independence and security against foreign aggression. In order to prevent a world war, it is necessary to call on the two Superpowers to be the first to reduce drastically their armaments in a balanced way. Only after progress has been made in this regard, will it then be possible for the other nuclear-weapon States and militarily significant States to join them in a further reduction of armaments according to rational procedures and ratios. As for the peace-loving small and medium-sized countries, their defence capabilities are usually inadequate and therefore they should not be the target countries of disarmament.

(Mr. Yu Peiwen, China)

It is the strong demand of the numerous non-nuclear-weapon States that security assurances be given to them by the nuclear-weapon States. This is fully legitimate and necessary. As for the question of negative security assurances now under discussion in the Committee and in the Working Group concerned, the nuclear-weapon States should undertake binding obligations to provide guarantees to the non-nuclear-weapon States, and they should in no way make unreasonable demands of any kind to the non-nuclear-weapon States. This should be a fundamental principle to be followed by the nuclear-weapon States on this question. To do otherwise would make it difficult to achieve substantive progress in our discussions and negotiations.

The Committee on Disarmament attaches great importance to the elaboration of the "comprehensive programme of disarmament", in preparation for the second special session of the General Assembly devoted to disarmament to be held in 1982. To this end, the Committee and the Ad Hoc Working Group on a CPD have conducted discussions and negotiations over a fairly long period. Certain progress has so far been achieved in negotiations on some substantive questions, such as the principles and measures, the time-limits and stages of disarmament. However, as the contents to be included in the CPD are rather extensive and complicated, further efforts are needed before we can realize the aim we anticipated.

We are confronted with numerous problems in the field of disarmament. The representatives of various groups and countries have already submitted quite a number of documents of a partial or comprehensive nature relating to the CPD in the Committee and the Working Group. Such being the case, it is necessary to define the relations between various questions and to identify priorities. In addition, we feel that it might be desirable to concentrate our efforts first on working out disarmament measures to be included in the first stage of the CPD and then to proceed to the consideration of other stages. The former should be relatively specific while the latter only calls for an indicative outline.

Up to now, various groups and countries have put forward their respective working papers on the CPD. This is helpful in the drafting of the programme, and it can be expected that some more papers will be submitted. In order to facilitate the consideration of the elements of the programme being drafted, we think it may be necessary for the Secretariat to compile a paper incorporating the proposals of the various groups and countries and to distribute it to the delegations as a basis for discussions and negotiations. This will, we believe, facilitate our future discussions and negotiations and accelerate the progress of our work.

The task of disarmament must include the two aspects of conventional and nuclear disarmament. The Superpowers regard their conventional and nuclear armaments as inseparable parts of their military strength. Nuclear weapons are their major deterrents and means of blackmail, while conventional weapons are their tools frequently used for aggression. Therefore, while emphasizing nuclear disarmament, we cannot overlook conventional disarmament. Conventional and nuclear disarmament should be carried out in conjunction. This is necessary for world peace and the

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security of the numerous small and medium-sized countries. Attaching importance to conventional disarmament in no way means ignoring the importance of nuclear disarmament, nor does it imply underestimating the destructive power of nuclear war. Even less would it affect the priority status of nuclear disarmament. Whether or not the Superpowers agree to carry out nuclear and conventional disarmament is the real test of their good faith in promoting disarmament. The Committee on Disarmament has all along concerned itself with the discussion of the issue of nuclear disarmament, but has not discussed the issue of conventional disarmament. This year, at its session in May, the United Nations Disarmament Commission considered the question of conventional disarmament. The Chinese delegation hopes that the Committee on Disarmament will also in the future do likewise, for this will be beneficial to the cause of disarmament as a whole.

Lastly, I turn to the questions of the organization of the work and the efficiency of the Committee on Disarmament. On these questions, the representatives of various countries have engaged in fairly lengthy discussions at informal meetings — a fact which demonstrates the general concern for these matters. During the discussions, they submitted various proposals regarding future progress in the work of the Committee. Quite a few of these proposals are constructive and acceptable to us, and we will also consider the other proposals.

The Committee on Disarmament has failed to make marked progress in its work. We believe that the crux of the matter lies in the lack of sincere readiness for disarmament, and in the discrepancy between words and deeds. This has hindered progress in the negotiation of some of the disarmament items.

Some delegates treat the negotiating organs of the Committee and its working groups as forums for propaganda. They constantly quote from all kinds of speeches, declarations and documents, taking up a great deal of the Committee's time to no avail. If this situation can be changed, the efficiency of the Committee would be enhanced. It is clear that the failure to make the hoped-for progress in our disarmament negotiations is not primarily due to the lack of time. Of course, we can also go along with the idea that we allocate more time to our work if the developments of the negotiations so require.

It seems to us that the question of the composition of the membership of the Committee on Disarmament is either one of maintaining the status quo or of allowing an appropriate increase, and not one of reducing the number of members. We have no difficulty in this regard and are ready to accept a consensus.

With regard to the question of participation by non-member States in the Committee's activities, the Chinese delegation is of the view that all Members of the United Nations and its specialized agencies have the right to participate in some of the CD's activities, provided that such participation does not run counter to the United Nations Charter or the rules and regulations of the specialized agencies concerned. No State or group of States should, for political or other reasons, discriminate against any non-member State or deprive it of its legitimate rights, for this would be contrary to the purposes of the cause of disarmament.

The CHAIRMAN: I thank Ambassador Yu Peiwen for his statement and for the kind words he addressed to the Chair.

Mr. EL REEDY (Egypt) (translated from Arabic): Mr. Chairman, in approaching today the question of negative security guarantees, I wish to begin by reiterating the obvious fact that neither the nuclear-weapon States nor the non-nuclear-weapon States can feel truly secure as long as the present ominous and escalating nuclear arms race continues unabated and as long as there is no agreement prohibiting the use of nuclear weapons -- weapons whose use would be an affront to the whole human civilization and a threat to human survival. Our subject today is clearly linked to this question.

When the international community decided to establish a régime to stop the proliferation of nuclear weapons, the question arose of the need to assure the non-nuclear-weapon States against the possible use of nuclear weapons by the nuclear Powers. The crucial factor in this régime is the undertaking by the vast majority of non-nuclear-weapon States to forgo the nuclear option and to agree to place their facilities for the peaceful uses of nuclear energy under an international system of safeguards and inspection. It was therefore only natural that these States would demand in turn that the nuclear-weapon States undertake not to use such weapons against them. This demand was recognized from the beginning as reasonable, just and legitimate.

The five nuclear weapon States responded to this demand in the declarations they made during and after the tenth special session of the General Assembly. These declarations which were made individually by the nuclear-weapon States were not the subject of prior negotiations undertaken with the non-nuclear-weapon States with regard to their contents. We welcomed these declarations as a positive step along the road of assuring the non-nuclear weapon States. However, along with other non-nuclear-weapon States, we have been aware of the fact that these declarations fail to provide a full assurance. The non-nuclear-weapon States, having given a complete and internationally verifiable undertaking to forgo the nuclear option, are certainly entitled to a full assurance that these weapons will not be used against them. On the other hand, these declarations, with the exception of the Chinese declaration which more closely meets the requirements, contain provisions which allow an escape from the assurance either through reserving to the nuclear-weapon States the power to interpret the conditions in which the assurance would not be applicable, or by merely declaring the intention to negotiate to give assurance to groups of States establishing nuclear-weapon-free zones, a matter which is beyond the power of an

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individual non-nuclear-weapon State. In general, it became clear that these declarations which vary in their nature and in their scope and differ on the conditions of their coming into operation, do not in their totality provide a sufficient assurance to the non-nuclear-weapon States, aside from the ambiguity of their binding legal nature.

Consequently, it became obvious that more effective assurances are needed, that is to say, assurances which would be of a legally binding character, and whose operation would be based clearly on objective criteria. It was with this in mind that the General Assembly requested our Committee 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. The Ad Hoc Working Group on this question was established, and I take this opportunity to express to its current Chairman, Minister Antonio Ciarrapico of the Italian delegation our appreciation of his persistent and excellent efforts, and we also wish to thank the Chairman and all delegations who have contributed to the Group's work through the submission of working drafts and papers.

But we cannot fail to notice that the debate on this question has taken a turn away from its original objective, that is, to assure the non-nuclear-weapon States against the use of nuclear weapons by the nuclear-weapon States. Instead of maintaining this as the goal of our endeavours, a great deal of effort has been spent on matters such as those related to the military and strategic doctrines espoused by the big Powers.

The underlying cause for this, in our view, is the reluctance of most of the nuclear-weapon States to engage themselves in a commitment on the non-use of nuclear weapons against the non-nuclear-weapon States. A readiness to undertake such a commitment is obviously required if we are to have real progress on the road to the provision of assurances for non-nuclear-weapon States. The fundamental question is not in what legal form or instrument the assurance should be given, but rather the existence of the political will on the part of the nuclear Powers to commit themselves, individually or collectively, to giving the unambiguous and clear-cut assurance to which I have just referred. We would not attempt to simplify the question. We know that it is complex. But we believe that an approach involving military doctrines, power politics and big-Power strategies would not help in reaching a solution either. On the contrary, such an approach may further complicate the problem.

We proceed from the belief that there is a supreme interest recognized by all with regard to the absolute necessity of preventing the proliferation of nuclear weapons. In our view, the non-nuclear-weapon States, the majority of which have engaged themselves in legally binding commitments not to acquire nuclear weapons, and have agreed to place their peaceful nuclear facilities under the international

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system of safeguards and verification, and the majority of which also belong to the non-aligned movement, have already done their share in the cause of non-proliferation. The onus is now on the nuclear-weapon States, which have chosen to pursue horizontal non-proliferation while maintaining and even increasing their arsenals of nuclear weapons. It is only reasonable and logical to demand from them an undertaking not to use such weapons against the non-nuclear-weapon States.

We therefore appeal once again to the nuclear-weapon States to respond positively to this just demand, and to demonstrate their readiness to provide the non-nuclear-weapon States with the required guarantees, which should be effective. This would undoubtedly contribute to the creation of an atmosphere of confidence and stability in the relations between the nuclear-weapon States on the one hand and the non-nuclear-weapon States on the other. It would also be a great contribution to the efforts exerted to prevent the proliferation of nuclear weapons.

The CHAIRMAN: I thank Ambassador El Reedy for his statement and for the kind words he addressed to the Chair.

Mr. FEIN (Netherlands): My delegation has already paid its compliments to you, Mr. Chairman, but this being the last day of your chairmanship I do not wish to miss the opportunity of thanking you for the manner in which you have presided over us during the current month.

Today I wish to make a statement of a somewhat technical nature, as a follow-up to my statement of 14 April 1981, concerning negative security assurances. I intend to comment on and -- I hope -- clarify certain aspects of the common formula which we suggested at the end of that statement and which since then has been circulated as document CD/SA/CRP.6. In my comments, today, I shall also take into account some, if not all, of the remarks that have been made since then by various delegations in our discussions on negative security assurances. For the sake of convenience allow me first to read out once again the suggested formula, which, we hope, might serve as a basis for negotiations between the nuclear-weapon Powers, and which eventually might be incorporated in a Security Council resolution as an operative paragraph. This would read:

"The Security Council (and then there would of course be a suitable preamble)

Welcomes the solemn undertaking by the nuclear-weapon States not to use or threaten to use nuclear weapons against any non-nuclear-weapon State that has committed itself not to manufacture or receive nuclear weapons (or other nuclear explosive devices) or to acquire control over them, provided that that State does not undertake, or partake in, an attack upon (the territory or the armed forces of) a nuclear-weapon State or its allies with the support of another nuclear-weapon State."

(Mr. Fein, Netherlands)

Before commenting in detail on the several component parts of this formula I wish to make a few preliminary and general observations, which might be helpful in clarifying the nature of our proposal, thus facilitating the understanding of the meaning of these component parts.

First of all the question has been raised -- and with justification, I should say -- whether and, if so, to what extent, this Committee, the Committee on Disarmament should involve itself in the designing of a Security Council resolution. The answer is, of course, that our competence in this is limited. There are limits to how far we can go.

But neither should the Committee on Disarmament miss an opportunity -- if not an obligation -- that is clearly presented to us. It is true -- we all realize this -- that in the end it is the five nuclear-weapon States, Permanent Members of the Security Council, which are all represented here, that must agree amongst themselves on a "common formula", because the formula is "common" between them. But it is also true that the common formula is obviously of no less interest to non-nuclear-weapon States, and if they wish to have a say in the matter, then it is also evident that the Committee on Disarmament is a proper setting for the discussions and negotiations on the common formula.

A second remark of a general nature that I wish to make is that the common formula that we have suggested as an example, or perhaps even as a basis for discussion does not pretend in any way to represent legally precise treaty language. This should be understood because otherwise we shall be talking at cross-purposes. A Security Council common formula is nothing more but also nothing less than an expression of political intentions enhanced by its setting in a Security Council resolution which in itself is an authoritative international instrument.

If, on the other hand, it were possible to agree on actual treaty language, then we, too, the Netherlands, would argue in favour of the convention format as our immediate goal, instead of the Security Council format which we regard -- that is, the Security Council resolution format -- as an important stepping-stone leading possibly later on to a convention and ultimately, hopefully, to a total dismantling of the nuclear option.

So we do not think it is possible, at this stage of the affair, to design an assurance formula in precise, legal treaty language that would be objectively applicable under all imaginable circumstances. That is in our opinion not realistic, and it is not practical for us to attempt to pursue that road at this time in the process of our negotiations.

I should also like to remark in this connection that the common formula, as an operative paragraph of a Security Council resolution, should not be lifted out of its context; it should be read and interpreted within the over-all context of the resolution and of the scenario of that particular Security Council session as a whole, and that would include as an important element the national statements delivered on that occasion by all concerned, particularly, of course, the nuclear-weapon States which are the ones giving the assurance.

It is therefore no doubt true, as it has been said, that the approach suggested by us does allow, to a certain extent, and given the particular circumstances and events, subjective judgements; as I said, it is not legally precise treaty language that we seek.

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One more final remark of a general nature, before I comment on the component parts of the language we propose. A common formula in a Security Council resolution can by definition only cover the common ground contained in the national statements of the nuclear-weapon States. The formula suggested by us does just that: we have included in our formula that which we found to be common in the national statements; nothing less but nothing more either. And I wish to stress that nothing that is not common can be included in a common formula. In putting together the results of this extraction we have of course formulated it as flexibly as possible. After all, as I have said more than once in this statement, we have attempted to provide the basis for negotiations and not a final, legal text.

Allow me now to refer you to the text of the formula we suggested and to clarify the reasons why -- after due consideration -- we chose to use certain formulations rather than others that have been mentioned, and I am revealing no secret if I tell you that my authorities spent quite a lot of time -- as a matter of fact more than a year -- in trying to develop the suggested formula. It is not something that was "cooked up" on the delegation level overnight and we attach a certain value to the choice of the wording that we are presenting to you.

The first two lines of the formula would not seem to cause any difficulties:

"The Security Council,

Welcomes (alternatives are, of course, possible, such as takes note, or acknowledges; we think welcomes is an appropriate word) the solemn undertaking by the nuclear-weapon States not to use or threaten to use nuclear weapons against any non-nuclear-weapon State..... "

So far, there appear to be no problems. Then follow the conditions upon which the assurances depend, which fall into two categories, which I mentioned at length in my statement of 14 April, and those are the non-nuclear-weapon status, and the non-attack clause. Let us now look at the wording of those two conditions.

The first term that has drawn some comment is the word "committed"; what do we mean by that? What is committed? We intend the word "committed" to mean that there exists with regard to a particular State or group of States a clearly recognizable arrangement of the non-nuclear-weapon status, preferably in a treaty arrangement such as the NPT, the Tlatelolco Treaty or other such, and with the acceptance of full IAEA safeguards or in any other convincing manner, recognized as such by others. That is the word committed.

Then we come to the peaceful nuclear explosions text between brackets: "(or other nuclear explosive devices)". This part we put between brackets because we believe this matter will have to be dealt with in the national statements, to which I referred earlier, on the occasion of the Security Council session. I might add that as far as the Netherlands is concerned, there is no difference between nuclear weapons and peaceful nuclear explosions: a State that develops and uses peaceful nuclear explosions is, as far as we are concerned, a nuclear-weapon State de facto. We would thus, for example, consider a CTB that permits non-nuclear-weapon States to carry out peaceful nuclear explosions undesirable.

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We next come to the word "provided" which has elicited some comments. I must confess that we have some difficulty in understanding what is the supposed rationale of perceiving a difference between "provided something is not done" and "except something is done". We have difficulty in understanding that.

The next component of the formula that might require some comment are the words "undertake, or partake in, an attack". The difference here is that in the first case we are referring to attack (I shall deal with that word separately in a moment) on a country's own initiative, while in the second case it would be an attack at the initiative of a third party. Both possibilities are valid and distinct and should therefore be mentioned explicitly.

In this connection the use of the term "attack" rather than, e.g., "aggression" is relevant. We have preferred the term "attack" because in the context of the subject matter, negative security assurances, it conveys more clearly the real sense of the undertaking of the military operation. An attack could also include a military operation "by means of conventional warfare". But the disengaging clause, freeing the nuclear-weapon Powers from the negative assurance, can only become valid if the attack is supported by a nuclear-weapon State. But I should add that the question whether even in those circumstances the disengaging clause can be invoked will depend on circumstances; it would not be automatic.

In choosing this language we were inspired by the "common ground" which we attempted to identify in our statement of 14 April and particularly the existing assurances given so far by certain nuclear-weapon States. I need not now repeat once again that analysis.

As to the term "aggression" as defined in General Assembly resolution 3314 (XXIX), we are not inclined to advise the use of that term in this context because it is much vaguer than "attack", which in itself is of course the most evident form of aggression. We therefore prefer simply: "attack", and we see no need to embroider on it. In any case, in the Security Council scenario which we have suggested, such matters as an interpretation of the meaning of the terms "attack" and "support" could be dealt with in the national statements accompanying the adoption of the resolution.

A question could be raised concerning the meaning of the words "or its allies". Our answer is that in view of the undeniable existence of alliances, this addition is no more than logical, particularly since the formula deals with attacks "with the support of nuclear-weapon States".

I have now dealt with all those elements of the common formula proposed by us as a basis for negotiation that, as far as I can see, might at this stage require some detailed explanations. If I have not commented on certain other elements that have been mentioned in the course of our discussions, it is because they do not and cannot form part of the proposed common formula; and the reason for that is that they simply are not common to all the existing formulas.

Nevertheless, let me say one more word about a matter which I already discussed at some length in my statement of 14 April. If a nuclear attack were launched from the territory of a non-nuclear-weapon State, then that State would deprive itself of the assurances given by the other nuclear-weapon States. For it is evident that such a non-nuclear weapon State would be "partaking in an attack".

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

Mr. VOUTOV (Bulgaria): Mr. Chairman, today I wish to speak on item 3 of our agenda, which is "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", being the subject of our discussion in plenary this week.

I hardly need reiterate that my country, which is a party to the non-proliferation Treaty, attaches particular importance to this question. As a non-nuclear-weapon State situated at one of the crossroads of Europe -- a continent unfortunately over-loaded with nuclear weapons -- the People's Republic of Bulgaria naturally is deeply interested in safeguarding its national security, as well as that of other non-nuclear-weapon States, against the possible use or threat of use of nuclear weapons. Together with the other socialist countries my Government is anxious to contribute to bringing about the conditions when all nuclear-weapon States would provide effective and hopefully uniform security guarantees that would meet the legitimate expectations of the non-nuclear-weapon States which are not in a position to become sources of nuclear threat.

We believe that in the current state of tense international relations the urgent need to arrive at a widely acceptable solution of that problem without further delay has become even more acute. The distinguished head of the delegation of Nigeria, Ambassador Adeniji, in his statement on 19 March, rightly drew our attention to resolution 35/46 entitled, "Declaration of the 1980s as the Second Disarmament Decade", in which the General Assembly agreed by consensus that:

"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:

.....

(d) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons ...".

It is our hope that by the time of the second special session next year the Committee on Disarmament will be able to report some meaningful progress in its negotiations aimed at further strengthening the security guarantees for non-nuclear-weapon States in the most effective and credible forms.

In my previous statements in plenary on 17 March and 24 April I had the opportunity to set out the general approach of the delegation of Bulgaria to the subject of security guarantees, so today I need not go into too much detail again. Instead, I wish to comment on some aspects of the question as a whole in its relation to the proceedings of the Ad Hoc Working Group on Security Assurances, which already for the third consecutive year is trying to make its way ahead towards a final solution of the intricate problems arising in the context of negative security guarantees.

My delegation appreciates the work done in the Ad Hoc Working Group under the able and enthusiastic chairmanship of Minister Ciarrapico from Italy. The Working Group embarked this year in a more detailed and precise manner on examining primarily

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the substance of the negative security guarantees. To this end it has exhaustively explored various alternatives of evolving a common approach designed to meet the security preoccupations of all States concerned. The extensive discussion held has revealed that almost all of the alternatives suggested under stage two of the Chairman's programme of work has some merits which ought to be borne in mind in our future joint search for a solution acceptable to all.

The proceedings of the Working Group have reinforced the belief that the most effective and credible assurance that nuclear weapons will never be used against non-nuclear-weapon States, and indeed against all nations, is nuclear disarmament up to the complete elimination of all types of nuclear weapons. To set into motion the process that would ultimately lead to this end, the socialist countries, like those from the Group of 21, vigorously advocate an early commencement in the Committee on Disarmament of negotiations on the complex of issues relating to the cessation of the nuclear arms race and to nuclear disarmament. Pending the achievement of this goal, a radical solution of the problem of strengthening the security guarantees for non-nuclear-weapon States would undoubtedly be a complete prohibition of the use of nuclear weapons concurrently with the renunciation of the use of force in international relations. Until this comes about, however, categorical guarantees against the use or the threat of use of nuclear weapons should be given to all States whose territories cannot become a source of nuclear threat. In that context, the discussion held has once again raised the hope that a promising way to achieve progress may be searched for in the direction of evolving a common basis on the substance of the subject which would be acceptable to all. Depending on its merits, such a basis could serve the purposes of an international instrument of a legally binding character or of an appropriate interim arrangement which would constitute a step forward to such an agreement. The debate in the Working Group has also indicated that commitments by means of conventions or bilateral agreements, concluded between nuclear-weapon States and participants in nuclear-weapon-free zones or individual States with nuclear-weapon-free status, could be extremely useful measures in strengthening security guarantees for non-nuclear-weapon States.

In this context, my Government welcomes the recent statement made by President Brezhnev on that aspect of the question. In his interview before the Finnish newspaper "Suomen Sosialidemokraati" on 26 June this year, the Soviet President expressed the readiness of the Soviet Union to assume the legally binding obligation of providing security guarantees to the States of Northern Europe parties to a nuclear-weapon-free zone in this region, or in other words, to those States that renounce the production and acquisition of nuclear weapons and the stationing of them on their territories. President Brezhnev went on to say that such a guarantee on the part of the Soviet Union could be extended either in the form of a multilateral agreement, to which his country would be a party, or through bilateral agreements with each of the States participating in such a zone. My Government considers this statement made at the highest political level as an extremely important contribution to our joint efforts to find effective ways to strengthen the guarantees for the security of non-nuclear-weapon States by all possible means, including the form of newly created nuclear-weapon-free zones. We have been glad to learn that this

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commendable move by the Soviet Union has also been widely welcomed in the States directly concerned. It is to be hoped, therefore, that a similar course of action will soon be followed by all other nuclear-weapon States, which should entail the necessary steps for the implementation of the initiative put forward some time ago by Finland.

Now, turning to the most recent work done in the Ad Hoc Working Group on Security Assurances, I would like to note the constructive spirit prevailing in its proceedings. Several suggestions have been submitted in the Working Group. The delegation of Bulgaria has also presented a paper (CD/SA/CRP.8) offering comments and raising some queries with regard to the formulations put forward and to the direction in which we believe the Working Group should hopefully find a wider basis for an agreement. The debate held has clearly indicated that, if it is to be acceptable to all, such an agreement ought to take into due account the legitimate security interests of all States concerned in a way which would not negate the value of the basic undertaking of the nuclear-weapon States. In this respect, we should like to reiterate several points which we consider as being fundamental to the question of security guarantees.

First, it is essential that the undertaking of the nuclear-weapon States should be formulated in a manner that would not condition the guarantees on events that could be too susceptible to subjective interpretations. This is a point that we believe should guide us in analysing the suggestions made on the substance of the guarantees, some of which, unfortunately, are once again burdened with conditions providing for cases of actual withdrawal from the basic non-use undertaking.

One of these suggestions contains a "withdrawal provision" applicable in cases of an attack by a non-nuclear-weapon State upon a nuclear-weapon State or its allies with the support of another nuclear-weapon State. With regard to this formulation, we share the apprehensions expressed by many delegations to the effect that it is precisely such conditions that may seriously undermine the real value of the negative security guarantees, especially in times of armed conflicts when their unequivocal character would be extremely important. Formulations of that type may, unfortunately, give rise to interpretations seeking an easy recourse to nuclear weapons. The formulation I have specifically referred to provides for withdrawal moves on the part of the nuclear-weapon States in cases of ordinary armed conflicts that by virtue of their scope, means of warfare employed and implications may not be serious enough to justify at all such a drastic action, which would inevitably be considered as preceding use or threat of use of nuclear weapons against non-nuclear-weapon States.

I should like to point out that by possibly including such a type of withdrawal provision in a security guarantee formula, we would be running the risk of legitimizing doctrines that do not particularly seek to value the establishment of a kind of a threshold between conventional threats, being the only ones within the reach of non-nuclear-weapon States, and those that could originate from a nuclear-weapon State. We share the view held by many other delegations that the lack of such

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a threshold would be conducive to increasing the risks of easily extending armed conflicts of a classical type into a devastating nuclear war. My delegation believes, therefore, that an approach acceptable to all should not leave room for diminishing the real value of the security guarantees by including provisions of the kind I have referred to.

It is clear to us that suggestions aimed at creating an illusion of a development by only slightly changing in terms of cosmetics some old formulations could not be regarded as serious attempts to widen the common ground on the substance of security guarantees.

I do not want now to comment in detail on another suggestion which has sought to remedy the shortcomings of other formulations by employing the idea of possibly suspending the guarantee undertaking only in cases of an aggression by a nuclear-weapon State. It seems that there is some reason in looking for acceptable ways of not including in the non-use undertaking those extraordinary circumstances when recourse to nuclear weapons could be thinkable as an extreme means of self-defence against an aggression by another nuclear-weapon State. We remain unconvinced, however, that this should be done by providing for a withdrawal possibility in the guarantee formulation which is expected to offer clear-cut assurances against the use or threat of use of nuclear weapons. It would to put it mildly, be extremely difficult to reconcile such concepts of the possible use of nuclear weapons, as the two I have just referred to, which are almost opposite to each other.

And here I come to our second fundamental point. My delegation believes that it would be much more useful if the efforts to evolve an acceptable approach concentrate primarily on the possibilities of elaborating a formulation of a non-conditional character which would have a substantially lower degree of subjectivity. Such a formulation could clearly stipulate in objective terms the characteristics of the States which, owing to their actual nuclear-weapon-free status in all its aspects, would receive security guarantees against the possible use or threat of use of nuclear weapons.

An example for such a kind of guarantee is the formula suggested by the socialist countries in document CD/23; or the one contained in a clearer form in the guarantee undertaking assumed in 1978 by the Soviet Union. This is a formulation that confines itself to describing the minimal requisites of the States which obviously cannot offer the slightest possible nuclear threat to other States and do, therefore, fully deserve to be guaranteed in the most effective and credible way. It provides for a variety of forms of renouncing the production and acquisition of nuclear weapons, which substantially widens the scope of its application in comparison with the kind of guarantees offered by the United States and the United Kingdom. The formulation put forward by the socialist countries also makes sure that the nuclear-weapon States would not be increasing the nuclear threat

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against non-nuclear-weapon States by using the territory of a State which is guaranteed in preparing a possible aggression. In this respect we do not make any difference between States which may or may not be in alliance with a nuclear-weapon State; not interfering in this way in the choice of a non-nuclear-weapon State to seek an increased security and co-operation within the framework of an alliance. Last but not least, our formula does not provide for whatever conditions which, if present, may seriously question the merits of enjoying a security guarantee.

My third point relates to one of the basic characteristics of the States to be assured which, as we firmly believe, is indispensable if the guarantees are to be of real value. I refer here to the need to secure the absence of all nuclear weapons whatsoever from the territory of these States. By introducing foreign nuclear weapons on its territory a non-nuclear-weapon State is obviously rendering a decisive assistance to a nuclear-weapon State in preparing for a possible aggression. Such an aggression, or even the threat of it, could well be affecting the security of other non-nuclear-weapon States, which would contradict the idea of strengthening the security guarantees for the non-nuclear-weapon States that are not in a position to be sources of a nuclear threat. A system of guarantees failing to take into account this fundamental point would actually be conducive to further increasing the risks arising from the territorial proliferation of nuclear weapons in the possession of nuclear-weapon States and would serve in practice as a way of circumventing the valuable concept of curbing the nuclear weapons proliferation. Such guarantees could encourage nuclear-weapon States to station on and possibly use nuclear weapons primarily from the territories of States which enjoy security guarantees, thus avoiding the risks of being countered in kind. It is a well-known fact that States having nuclear weapons on their territory would, in times of major armed conflicts, have their crucial share in a decision to use these weapons. In doing so such a State would actually become an accomplice in a thinkable aggression on the part of a nuclear-weapon State, which might directly affect the security of a number of non-nuclear-weapon States.

My delegation believes, therefore, that the notion of territorial absence of nuclear weapons should be included among the characteristics of the States to be assured in a solution acceptable to all. Since the problem of arriving at such an agreement has mainly to do with the need for further increasing the security of non-nuclear-weapon States, we definitely think that the search for a common approach should take into due account the fact that the presence of nuclear weapons on the territory of only a few non-nuclear-weapon States, which do not seem to be particularly anxious to be assured against the use or threat of use of nuclear weapons, affects the vital and legitimate security interests of a number of other non-nuclear-weapon States which are entitled to guarantees.

In this respect, my delegation has been impressed by a calculation illustrating the fact that formulas like the one suggested in document CD/23 which is also a

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security guarantee in force for the Soviet Union, cover more than 140-145 non-nuclear-weapon States, while other formulations providing for possible "withdrawals like that offered by the United States, restrict their application to not more than 120 non-nuclear-weapon States, and even this quite modest scope is subject to suspension conditions. I should also like to mention the importance that many countries attach to receiving security assurances irrespective of whether or not they belong to one or another political system or alliance. The powerful voices of quite a number of Governments, as well as of the massive peace movements now in action all over Europe, against the further territorial spread of nuclear weapons only confirm and amplify this important aspect of the problem of negative security guarantees. We believe that it would be a clear expression of political goodwill if all nuclear-weapon States find appropriate ways to widen the scope of their respective security assurances by explicitly employing the concept of not introducing nuclear weapons into the territories of the States to be guaranteed.

As regards the question of the form of negative security guarantees, we consider it indispensable that the final aim of our joint efforts should be an international instrument of a legally binding character, like the draft convention submitted in document CD/23 by the socialist countries. We regard the present work done in the Ad Hoc Working Group on Security Assurances as practical work on article 1 of such a convention, to the idea of which, we are glad to note, there is still no objection in principle in the Committee on Disarmament. The socialist countries have also expressed their readiness to consider other parallel ways of strengthening the security guarantees for non-nuclear-weapon States, including through appropriate interim measures which would give new impetus to the pursuit of the final objective, such as the measure suggested by the General Assembly in its resolution 35/154.

In concluding, I wish to underline once again the urgent need for the international community and, therefore, for the Committee on Disarmament, to find ways and means to arrive at an effective solution of the problem of security guarantees for non-nuclear-weapon States. It seems that there should not be any insurmountable difficulties to achieve this goal in the near future -- no reduction of arms is called for; no difficult problems such as the balance of forces or verification arise; everybody agrees in principle on the need for security guarantees; there is a widespread support for the conclusion of an international convention on the subject. All that is obviously needed is the political will of all nuclear-weapon States to take the necessary steps. We believe that it is high time that this crucial prerequisite of success in all negotiations should ultimately be demonstrated by all States concerned, so that the General Assembly this year, as well as next year at its special session devoted to disarmament, will be able to note with satisfaction the result achieved by the Committee on Disarmament on the subject of our discussion today.

Mr. RODRIGUEZ NAVARRO (Venezuela) (translated from Spanish): The Venezuelan delegation wishes to make a few brief comments on the subject of the "comprehensive programme of disarmament". We have already on previous occasions explained in detail our views about the elaboration of the comprehensive programme and the basic elements which should be included in it, as the instrument designed effectively to promote the goals of general and complete disarmament in the coming years.

The reason why we have decided to make some additional comments is precisely because we wish once more to emphasize the importance we attach to this subject and to the imperative need for us to endeavour to achieve a comprehensive programme that will meet the aspirations of the international community in the matter of disarmament that were basically embodied, by consensus, in the Final Document.

The difficult circumstances that are today creating a highly disturbing world situation, only confirm the urgency of the need to give a decisive impetus to the efforts to bring about disarmament, which is essential if we are to help shape more promising prospects for the future of mankind. The adverse international situation ought rather to prompt us to intensify our efforts in this Committee to achieve concrete disarmament agreements. To do anything else would be to fail to respond to the gravity of the hour in which we live, which is the main cause and also the consequence of the nuclear arms race.

Because there is a general determination not to give way to the every-expanding armaments race, the General Assembly held its first special session devoted to disarmament, and it will shortly hold its second. In 1978, the foundation was laid for the initiation of efforts to achieve disarmament by the most effective and promising methods. The Final Document meant, for all States, a commitment to act in accordance with the letter and the spirit of its provisions, in one of which the General Assembly entrusted to this Committee the task of elaborating a comprehensive programme designed to promote and channel negotiations on disarmament.

The Committee on Disarmament thus has a clear responsibility to carry out to the full the task laid upon it by the General Assembly. And we should never forget this, for we are faced with a basic challenge, to put it in the simplest terms. Our task is obviously not just a matter of agreeing on a significant instrument. As important as elaborating that instrument is the solemn undertaking to respect the principles and provisions agreed on, with the aim of our approaching the goals of general and complete disarmament.

The Group of 21 has made some very constructive proposals with respect to the first phase of the instrument now being negotiated, designed to achieve a comprehensive programme, both practical and substantial, which should constitute an adequate response to the instructions given by the General Assembly at its special session. The working papers presented by the Group of 21 simply put together the essence and the priorities of the Final Document, in clear and transparent language corresponding to the importance of the instrument to be agreed upon. The Final Document stated categorically that since nuclear weapons pose the greatest danger to mankind and to the survival of civilization it is essential, as a matter of first priority, to halt and reverse the nuclear arms race in all its aspects, and it pointed out in this connection the special responsibility of all the nuclear-weapon States, and in particular those which possess the most important nuclear arsenals.

(Mr. Rodriguez Navarro, Venezuela)

Consequently, as has been stated in the course of the discussions, the comprehensive programme cannot imply a going back on anything already embodied in the Final Document, or in the relevant report of the Disarmament Commission and the Declaration of the 1980s as the Second Disarmament Decade.

We are aware that the negotiations on the comprehensive programme have not been and will not be easy. But there is no reason for thinking that the obstacles and difficulties that will certainly arise will necessarily be insuperable, provided that there is, particularly on the part of the great Powers, sufficient political will or, if you like, what amounts essentially to a sincere desire to negotiate with the definite intention of securing tangible results. Moreover, the Ad Hoc Working Group on this subject is fortunate in being under the guidance of Ambassador García Robles, to whom we would like once more to pay a tribute for his sure and tireless efforts in conducting the negotiations.

In view of the fact that the comprehensive programme ought to be ready for consideration by the General Assembly at its next special session, it is logical and reasonable that the Working Group should hold as many meetings as possible from now on so that it may conclude its most important task in time, and that therefore it should start its work at the very beginning of 1982.

The Venezuelan delegation shares the view that the comprehensive programme will be almost the principal document to emerge from the second special session of the General Assembly devoted to disarmament. We say this in the reply which Venezuela will be sending to the Secretary-General concerning the work of the Preparatory Committee, emphasizing in addition the importance of nuclear disarmament measures and of other aspects such as the link between disarmament and development and the strengthening of the role of world public opinion in the promotion of disarmament.

This last point reminds us that the activities of the Committee on Disarmament are followed with the utmost interest by various international circles, which are naturally concerned at the senseless nuclear arms race and earnestly hope that, as a result principally of the work of this negotiating body, the second special session of the General Assembly will in fact prove to be an occasion on which irreversible advances are made in the cause of disarmament.

The Committee on Disarmament cannot and must not disappoint world public opinion. In any event, public opinion is fully aware of what must be done and which countries undoubtedly bear the primary responsibility for acting in a manner consonant with these difficult times and for clearing the way towards genuine progress in the sphere of disarmament.

Mr. SUJKA (Poland): Mr. Chairman, today, I would like to dwell upon two items of our agenda: the effective international guarantees to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, which is inscribed on our agenda for this week, and the comprehensive programme of disarmament.

First of all, let me offer some thoughts of my delegation on the most important and urgent task of our Committee, namely, the elaboration of a comprehensive programme of disarmament. We fully share the general opinion that the Ad Hoc Working Group, under the able and skilful chairmanship of the distinguished representative of Mexico, Ambassador García Robles, is making considerable progress

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in drafting this programme. But as the second special session of the General Assembly on disarmament is approaching very fast, we must do our utmost to finish the drafting work in the shortest possible time. My delegation fully shares and supports the opinions and proposals put forward in this Committee by the delegations of the USSR and Bulgaria, and also by a number of other delegations, that we should provide for additional meetings of the Ad Hoc Working Group on the CPD to be devoted to the elaboration of this programme. There seem to be emerging a convergence of views in our approach to many aspects of the CPD. I welcome warmly this development.

The Ad Hoc Working Group has reached consensus on a number of important issues to be included in the CPD. I would make only one complaint as far as consensus in the Working Group is concerned: it is, perhaps, too eager to reach consensus on putting in square brackets perfectly good formulations on disarmament measures.

But, coming back to the main purpose of my intervention, I would like to express the opinion of my delegation that the CPD should become one of the main means of achieving the final objective of general and complete disarmament under effective international control. We share the view that the programme has to be concrete yet realistic. To meet these requirements it should take due account of the basic development trends in the world today. The first special session of the General Assembly devoted to disarmament has significantly contributed to laying the basis for an international disarmament strategy in which elaboration of the CPD is an important element.

The CPD should centre on the basic goals and requirements of consolidation of international peace and security. In our view, the success of the CPD largely depends on the realization of partial measures leading to general and complete disarmament. Their implementation could proceed by carefully defined stages.

The Polish delegation believes that the central question of the CPD which should focus the main efforts of all Governments and nations is eliminating the threat of war, particularly nuclear war. This immediate objective could be achieved by the effective limitation, gradual reduction and complete liquidation of all types and systems of nuclear weapons. A preliminary agreement banning the production of such weapons should include the following measures: halting the qualitative improvement of nuclear weapons, the cessation of the production of fissionable materials for military purposes, and the gradual reduction of stockpiles of nuclear weapons and their means of delivery. The effectiveness of such agreements calls for all nuclear-weapon States and other States with significant non-nuclear military potential to participate in the negotiations. Checking and reversing the nuclear arms race could be facilitated by the conclusion of agreements on a complete and general nuclear test ban, the prohibition of the development, manufacture and use of neutron weapons, and the prohibition of the development of new types and systems of weapons of mass destruction. Poland would welcome the acceleration of efforts to reach agreement on arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons and strongly supports the idea of establishing nuclear-weapon-free zones in different parts of the world.

In the future disarmament programme, further steps should be envisaged to prevent the spread of nuclear weapons, in conformity with the relevant provisions of the non-proliferation Treaty. The non-proliferation régime could be strengthened by elaborating a convention on the non-introduction of nuclear weapons on the territories of States which have no such weapons at present.

(Mr. Sujka, Poland)

Equally urgent is the need to speed up the ongoing negotiations concerning other weapons of mass destruction, and first of all chemical weapons, an issue of traditional and keen interest to Poland, and to finalize the convention prohibiting the development, production and use of radiological weapons.

At the same time, measures should be undertaken in the field of conventional disarmament. Serious efforts must be made towards the cessation of the conventional arms race, and the reduction of conventional weapons and armed forces must be considered.

In the opinion of my delegation, the CPD should also include such measures as the renunciation of the use of force in international relations and confidence-building measures. We also attach great importance to the interrelationship between disarmament and international security and between disarmament and development.

It is our firm conviction that the CPD should embody certain rules and principles which should be observed in the disarmament negotiations. These include, inter alia, the principles of the undiminished security of all parties at every stage of the disarmament process, the sovereign equality of States and a balance of rights and obligations.

Above all, the CPD must clearly and distinctly convey the idea that in the nuclear age there is no rational alternative to disarmament and the peaceful coexistence of States. This programme should also provide for an effective psychological infrastructure for preparing societies and individuals for life in peace.

I am not going to dwell today upon the subject of the Preparation of Societies for Life in Peace. I have referred to it on a number of occasions and my delegation put forward as recently as 9 July 1981 a working paper, CD/CPD/WP.42, fully devoted to this idea. I only wish to reiterate that the CPD would not be fully comprehensive if it lacked such important measure as the elaboration of a broad programme of action aimed at making international public opinion aware of the problems created by the arms race, including the specific activities of Governments and international organizations within the United Nations system and non-governmental organizations, in accordance with the principles and spirit of the United Nations Declaration on the Preparation of Societies for Life in Peace.

There is another point I would like to make before I change the subject of my intervention. It concerns the problem of verification in the process of disarmament. Sometimes there might appear an impression that there are two schools of thought or two different approaches to this problem. After spending nearly three years in this Committee, I am coming to the conclusion that there is no basic difference of approach to this problem and that there is not a single person in this hall who would not support the idea of verification. What we may differ about are perhaps the methods and means of verification but not the principle itself.

We are of the opinion that the disarmament agreements, like any other agreements, must be implemented, first of all, in good faith. But the disarmament agreements are of a special nature; their implementation involves the vital security interests of States and this implementation must be accompanied by adequate measures of verification. These measures of verification must be acceptable to all

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participating States in order to create the necessary confidence and to ensure their observance by all parties. The forms and conditions of verification provided in any concrete agreement depend on the objectives, scope and nature of that agreement.

Thus, the various disarmament agreements already concluded differ considerably in their verification provisions and procedures, from on-site inspections in the Treaty on Antarctica to inspections by "national technical means" in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.

In confirmation of what I have said about the similarity of approach to the problems of verification, I would like, with your permission, to quote from the working paper introduced by a group of Western countries (document CD/CPD/WP.33 of 17 June 1981) which in its part V, under the heading "Verification", states, among other things, that "the form and modalities of the verification to be provided for in specific agreements depend upon and should be determined by the purposes, scope and nature of the agreement". This is exactly what the socialist countries have been preaching in this Committee for years.

I also wish to say a few words on the subject of effective international arrangements to assure the non-nuclear weapon States against the use or threat of use of nuclear weapons, an item which de facto is inscribed on our agenda for this week.

The delegation of Poland is one of many sharing the legitimate concern of non-nuclear-weapon States facing the alarming course and dimensions of the nuclear arms race. As I have more than once emphasized in this Committee, my delegation is not alone in believing that this concern stems from the most profound dissatisfaction with the concept of international security, based, in the first place, on the precarious balance of fear. Therefore, the desire of the non-nuclear-weapon States to obtain effective assurances in this respect is well founded and should focus the attention of all nuclear-weapon Powers. In our view, already many times pronounced both in the Committee on Disarmament and in the United Nations General Assembly, the most suitable formula for effective security assurances is one that would provide for an international convention-type agreement of a juridically binding nature, under which the nuclear-weapon Powers would commit themselves not to use nuclear weapons or threaten to use them against non-nuclear-weapon States parties to such a convention. The latter, on their part, would assume a corresponding obligation not to produce, acquire or otherwise have such weapons on their territories.

As the Committee knows only too well, we are for the time being very far from such an arrangement. Therefore, the relevant Ad Hoc Working Group, under the able chairmanship of the distinguished representative of Italy, embarked on the consideration of possible alternatives which have been explored in the search for a so-called "common approach" or a "common formula", possibly to be incorporated in a Security Council resolution. Alternative texts of the "common formula" have generated an active exchange of views in the Working Group. However, what is rather unfortunate is the fact that the discussion in the Working Group is usually conducted among the delegations of the non-nuclear-weapon States, with the notable participation in them of the Soviet Union delegation. The delegations of the other nuclear-weapon States remain passive during the substantial discussion and no doubt with this state of affairs there is little prospect of our achieving tangible results. Having said this, I would like none the less, to express the

(Mr. Sujka, Poland)

gratitude of my delegation to many delegations, among others to the delegations of Bulgaria, the Soviet Union, Pakistan and the Netherlands, as well as to the Chairman of the Ad Hoc Working Group, for their unremitting efforts in trying to find a common formula for the said assurances and for their constantly enriching the discussion with new arguments and proposals.

At the same time, I would like to recapitulate the position of my delegation in this important phase of the negotiations conducted in the Working Group: the difficulties on the road to the negotiated convention-type agreement are manifold and diverse. The solution, satisfactory and acceptable to all interested parties, regardless whether we concentrate on alternative "D" or any other formulas proposed by different delegations, will call for flexibility, a spirit of accommodation and a sustained effort by all the members of the Committee and in the first instance by all the nuclear-weapon States. While the convention is not within our immediate reach, we need to devote our energy and goodwill to the elaboration, as an interim arrangement, of a Security Council resolution which would thus give a special status to identical declarations by its five permanent members.

Mr. MIRCEA MALITA (Romania) (translated from French): The security of the non-nuclear-weapon States in a world living under the shadow of a real danger of self-destruction as the result of a thermonuclear conflict is one of the highest priority items on the Committee's agenda.

This priority is due to the fact that, despite the efforts made, the positive guarantees granted to certain non-nuclear-weapon States (Security Council resolution 255 of 1963) function after a nuclear attack, which is rather like an umbrella opening after the rain.

For nearly three years, all participants in the Ad Hoc Working Group set up to negotiate effective international arrangements to guarantee the security of non-nuclear-weapon States, whether they possess nuclear weapons or not, have been able to present their positions and put forward specific proposals in this sphere. Throughout our discussions, however, we have seen the constant erosion of our common objectives.

The negotiations which were intended to lead to the adoption of effective international arrangements guaranteeing the security of the non-nuclear-weapon States have practically abandoned this objective. They are now being directed, especially very recently, towards the adoption of measures of an intermediate kind, such as a Security Council resolution. In the negotiation of such measures the role of the Committee is not very clear and it could be regarded as being merely that of giving an advisory opinion the conclusions of which may or may not be taken into consideration by another body which will take the final decision on the actual substance of the intermediate measures.

These negotiations, which were originally aimed at the preservation of the security of the non-nuclear-weapon States, have, in the course of our debates, turned into a discussion centring on the security of the nuclear-weapon States and on their preoccupations and security perceptions, which, as one might imagine, nuclear weapons occupy a very important place.

(Mr. Mircea Malita, Romania)

Our discussion, which was to have been concerned principally with the adoption of measures aimed at the prohibition of the use or threat of use of nuclear weapons as part of a single deliberate process directed towards the goal of the outlawing of nuclear weapons, has veered towards the idea of there being certain cases which are exceptional, it is true, but nevertheless cases in which nuclear weapons could be used.

All these developments, with which we are all familiar, make it necessary, my delegation believes, for us to consider where exactly these negotiations stand, so that we can define our objectives, both immediate and future.

Until we have done so, the interesting and undoubtedly useful discussions taking place in the Working Group, which is presided over with such selflessness and devotion by the distinguished representative of Italy, Minister Antonio Ciarrapico, will be merely a rhetorical exercise.

That, we believe, is not what is expected from our Committee as its contribution to the success of the special session of the General Assembly to be held in 1982. I should, however, like to stress here that our comments on this situation in no way mean that the Romanian delegation is unaware of the objective reasons which have marked and determined the course of our discussions. On the contrary, fully aware as we are of the situation characterizing the world today, we believe that this is the moment for us to attempt to define together what, in these circumstances, the Committee could do, in concrete and practical terms, for the security of the non-nuclear-weapon States.

The aim of our negotiations, in my delegation's view, is and should continue to be to draw up a formula in which the nuclear-weapon States undertake never under any circumstances to use nuclear weapons or to threaten to use nuclear weapons or force in general against non-nuclear-weapon States.

My country's position in this matter was clearly expressed by the President of the Socialist Republic of Romania, Nicolae Ceausescu, when he said: "Mankind is justifiably concerned at the danger represented by the existence of nuclear weapons. This is why sustained efforts must be made to terminate the nuclear-arms race and liquidate existing stocks; this is the only real way of safeguarding mankind from the threat of a thermonuclear war. The non-proliferation of atomic weapons, the importance of which cannot be denied, should be brought about in such a way that all nations renouncing these weapons are assured that they will never be the victims of an atomic attack or the object of a threat to use nuclear weapons against them. It is the legitimate right of every State which renounces atomic weapons to be sure that it will not be the object of an attack threatening its national independence and sovereignty".

On the basis of this position of principle, my delegation wishes to state that if there is a consensus on the idea of making intermediate arrangements, the adoption of this approach necessitates the following things also:

(a) A decision that the ultimate objective of the Committee's activity remains the negotiation of an effective legal guarantee, in the form of a mandatory international agreement of a formal nature whereby the nuclear-weapon States undertake never under any circumstances to use or threaten to use nuclear weapons against States not possessing such weapons, pending the prohibition of nuclear weapons and the adoption of a set of measures designed to lead to the outlawing of such weapons.

(Mr. Mircea Malita, Romania)

(b) The defining of the form of the intermediate arrangement and, if the idea of a Security Council or General Assembly resolution is widely accepted, the defining of the way in which the results of the Committee's negotiations on this subject will be transmitted to those bodies. We, for our part, consider that the transmission of the text of a draft resolution through a recommendation adopted at next year's special session might be the most appropriate course to follow.

(c) The negotiation of the actual substance of the intermediate arrangement, more specifically of the common formula which should form the basis of any resolution adopted by the Security Council. My delegation considers that the attempts to solve this problem by finding the lowest common denominator of the unilateral declarations of the nuclear-weapon States are doomed to failure. It is therefore necessary to find a formula based on the substance of the unilateral declarations and not on their wording.

At the same time, in the drafting of this common formula, account should also be taken of other pertinent international documents and especially of the Declaration on the prohibition of the use of nuclear and thermonuclear weapons, adopted in General Assembly resolution 1653 (XVI) of 24 November 1961 and the positive security guarantees given in Security Council resolution 255 of 19 June 1968. Such a formula ought also to provide, for the purposes of its practical application, for the international machinery -- that of the United Nations -- that will establish the necessary link between the positive and negative guarantees in place of a subjective interpretation by the nuclear-weapon States.

I should like to stress once again the urgent need for us to achieve concrete results in this sphere before the second special session of the General Assembly devoted to disarmament. All the objective factors argue in favour of such results. The non-nuclear weapon States which have given numerous undertakings to maintain their status and to contribute to non-proliferation find themselves in the situation of not benefiting from the security guarantees which they regarded as an integral part of their status.

In fact, these States see that their position is becoming more and more dangerous for the following reasons.

First, they are still targets in the strategic planning of the nuclear-weapon Powers. Contrary to all requirements of the principles of security and equality, the majority of countries in the world are under the perpetual threat of becoming involved in a nuclear scenario as the victims of a conflict which has nothing to do with them.

Secondly, the territory of these countries is becoming more and more the possible theatre of nuclear conflicts in certain strategic variants. This is particularly so in Europe where the development of nuclear weapons and of doctrines on their use clearly indicate how great is this risk.

Thirdly, the non-nuclear-weapon countries watch helplessly the widening of the areas of risk of a nuclear conflict by error, accident or miscalculation, for they do not possess and are not parties to any multilateral system to ward off the dangers of such a conflict.

It is for these reasons that the demand of the non-nuclear-weapon countries to be freed from the threat of nuclear weapons and the danger of their use is more than legitimate. We believe that the Committee should heed and in its activities respond to the urgent appeals from these countries and their peoples, and in this way discharge the responsibilities which Governments themselves have laid upon it.

Mr. SARAN (India): Mr. Chairman, in accordance with rule 30 of our rules of procedure, my delegation would like to address itself today to the agenda items relating to chemical weapons and negative security guarantees.

During the past several weeks, the Ad Hoc Working Group on Chemical Weapons, under the energetic and skilful leadership of Ambassador Lidgard of Sweden, has given intensive consideration to the draft elements to be included in a future chemical weapons ban. However, there are certain key questions which remain to be resolved, e.g. concerning the scope of the future ban and measures relating to verification. The prospects for the early conclusion of our work will depend greatly on the approach we adopt with respect to these crucial issues.

In the view of our delegation, the Committee must constantly bear in mind the aim of a chemical weapons ban. What we have set out to accomplish is to prohibit the use of chemicals for hostile and military purposes. The aim is not to prohibit toxic or lethal chemicals; rather it is to prevent their use as agents of warfare. Of course, there may be some supertoxic lethal chemicals which may at present have only limited use in peaceful applications. In such cases, by mutual agreement, one could consider setting a ceiling for both production and stockpiling. This, however, is an exception. In general, the prohibition applies to purpose or use, not to the chemicals themselves.

It is important to keep this perspective in focus during the process of negotiation. Technical discussions may be necessary to establish criteria for distinguishing between various categories of toxic and lethal chemicals. However, precision in this area is not as important as evolving mutually agreed criteria that all are familiar with. Toxicity criteria would serve only a limited purpose in the context of the proposed convention.

The aim of the convention is not to ban toxic or lethal chemicals. It is to prohibit the use of such chemicals for military purposes. The identification of criteria for determining toxicity would have been a critical area of concern if our purpose was to prescribe absolute and verifiable limits on the production of certain types of chemicals. During our negotiations so far, it is only with respect to super-toxic lethal chemicals that a quantitative limit has been recommended. If accepted, such a recommendation may involve defining with a fair degree of precision what is meant by super-toxic chemicals. But with respect to other types of chemicals, covering the entire range of toxic, lethal and incapacitating chemical agents, the determination of toxicity criteria will have little relevance since no one has seriously suggested that any quantitative limits be placed on their output. Again, precise toxicity criteria would be required only if we proposed that production facilities for each variety of chemicals throughout the chemical industry in each State party to the future convention should be subject to different procedures of verification. That is, if a different set of verification measures were proposed for toxic lethal chemicals as against other lethal chemicals, then it would perhaps be important to have precise criteria for determining toxicity. Our negotiations so far do not seem to suggest that this is in fact what delegations have in mind with respect to verification procedures. My delegation would therefore submit that our technical discussions be closely related to the actual requirements of the future convention. Otherwise such technical discussions may well become a substitute for engaging in serious political negotiations on a future convention.

(Mr. Saran, India)

The question of verification is, of course, an important issue. However, let us acknowledge frankly that with respect to a chemical weapons ban, there will be large areas where effective verification will not be possible. The chemical industry, involving peaceful applications of a wide range of toxic and lethal chemicals, is already a significant sector in the economies of most advanced countries. In several developing countries, it is one of the most rapidly growing sectors of the national economy. There will be large quantities of toxic and lethal chemicals produced and stockpiled for legitimate and peaceful purposes. To evolve a verification system which would keep a complete account of the production of the entire chemical industry all over the world would, of course, not be feasible. Reference has been made to new methods of verification, involving remote control techniques to detect the presence of so-called chemical warfare agents. However, the problem is that the mere presence of highly toxic or lethal chemicals is no evidence of the presence of chemical weapons. Therefore, let us not waste time in exploring measures of verification that will not, in the final analysis, add to confidence in the implementation of the convention. We must search for methods of verification which verify, not the presence or absence of toxic or lethal chemicals, but rather the diversion of such chemicals for purposes of developing and producing chemical weapons. This is the point of application of verification procedures. For example, let us find out from experts in chemical weapons whether production facilities for chemical weapons differ significantly in their observable characteristics from facilities using toxic and lethal chemicals for peaceful purposes. If the answer is yes, then perhaps we could devise means of verification that take such differences into account. Let us not pursue verification procedures which may be "intrusive" but not necessarily effective in ensuring compliance. There is a tendency in the Working Group to assume that on-site inspection or other intrusive methods of verification necessarily ensure compliance. When we are dealing with as complex a field as chemicals, we cannot be so sure. Our debate should not concentrate merely on whether or not to have on-site inspection. Rather we should try to determine what methods of verification are (i) feasible and (ii) optimal in ensuring compliance.

We agree that with respect to verification of declarations of existing stockpiles, the destruction of such stockpiles, and also the dismantling or conversion of existing facilities for producing chemical weapons on-site inspection may provide a high degree of confidence in compliance. However, with respect to the prohibition of the development and production of chemical weapons, on-site inspection may be only marginally useful, given the size and complexity of the chemical industry all over the world.

Reference has been made in the Working Group to including in the future treaty a provision for national technical means of verification. However, we are all aware that the concept of national technical means of verification evolved in the context of a bilateral arms regulation agreement. We must, therefore, examine carefully how such a concept could be incorporated in a multilateral context. We need to know, first of all, whether information gathered through national technical means will be made available to all States parties to the future convention. What would be the machinery for disseminating such information? Only when such questions have been satisfactorily answered could our delegation consider the inclusion of such a provision in the future treaty.

(Mr. Saran, India)

There are, of course, several other provisions on which my delegation would have liked to express its views, but for the moment we will confine ourselves to these more general observations. We hope that during the next annual session of the Committee, preferably before the second special session of the General Assembly on disarmament, a draft convention will be ready for submission to the international community.

I would now like to turn to the negotiations taking place on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons. Our delegation has made no secret of the fact that in its view, the only credible guarantee against the use or threat of use of nuclear weapons lies in the urgent achievement of nuclear disarmament. Pending nuclear disarmament, all States should agree not to use or threaten to use nuclear weapons under any circumstances.

In the Ad Hoc Working Group on Security Assurances, we have asked representatives of the nuclear-weapon States the following questions:

(i) Given the nature of nuclear weapons as weapons of mass destruction, and given the fact that any use of nuclear weapons would necessarily affect the security and well-being of non-nuclear-weapon States, even if they were not involved in an armed conflict involving the nuclear-weapon States or their allies, what practical benefit would flow to the non-nuclear-weapon States from the selective and partial pledges of the non-use of nuclear weapons contained in the various unilateral undertakings?

(ii) There are well-established principles of international and humanitarian law which prohibit the use of weapons and methods of warfare that would cause indiscriminate killing of innocent civilians, destruction of civilian facilities and severe and long-term damage to the natural environment. How do the nuclear-weapon States reconcile their option to use nuclear weapons with these principles?

We have not received any answers to our questions.

Even if it is argued that selective and conditional pledges of the non-use of nuclear weapons have some political value, a closer examination of some of the unilateral undertakings would yield some interesting results. Most of the pledges of non-use are conditional. To be eligible, a non-nuclear-weapon State should have undertaken international commitments never to acquire or produce nuclear weapons or nuclear explosive devices. During the course of negotiations, several States have clarified that such "international commitments" can be equated to (i) participation in the NPT and/or (ii) acceptance of full-scope safeguards on all nuclear facilities. Countries which do not accept such "international commitments" are consigned to a "grey area" or a no-man's land, because such countries, it is argued, could well acquire nuclear weapons, and should, therefore, be ineligible for guarantees against the use or threat of use of nuclear weapons. It is not enough, therefore, for a State not to possess nuclear weapons. The State must in addition demonstrate that it has no intention of acquiring nuclear weapons. And such disavowal of intention to acquire nuclear weapons can only be credible, to some States at least, if there is ready acceptance of inequitable and discriminatory obligations. The refusal, as a matter of principle, on the part of some States to accept discriminatory obligations is equated with retaining a "nuclear weapons option".

(Mr. Saran, India)

As against this, the second condition which qualifies most of the pledges of non-use is based on a different assumption. A non-nuclear-weapon State is eligible for negative guarantees provided it does not actually participate in an attack on a nuclear-weapon State or its allies in association or alliance with another nuclear-weapon State. Non-nuclear-weapon States which are part of multilateral military pacts are committed through solemn treaty obligations to participate in collective military action involving nuclear-weapon States. Therefore, their intention to participate in such collective military operations is already more than apparent. In fact, it is only in breach of its treaty obligations that a non-nuclear-weapon State allied to a nuclear-weapon State would qualify for negative guarantees, in the event of an armed conflict.

In this particular case, intent is not important. The trip-wire for the withdrawal of a non-use pledge is an actual act of commission, not intention. The intention to participate in collective military action against a nuclear-weapon State or its allies, in association or alliance with another nuclear-weapon State is ignored, so long as the intent is not translated into action. This is in sharp contrast to the condition relating to non-nuclear-weapon status. The first condition is based on demonstration of intention, the second, on commitment of action. It is easy to see that most of the unilateral undertakings are weighted heavily in favour of those non-nuclear-weapon States which are allies of one or another nuclear-weapon State. For the vast majority of non-nuclear-weapon countries, the second condition relating to "alliance" or "association" with a nuclear-weapon State is so vague and subjective as to offer no guarantee at all.

Any common formula based on such assumptions could hardly provide even a modicum of psychological assurance to non-nuclear-weapon States, especially those which are non-aligned or neutral.

We would once again urge the Committee to give serious consideration to the proposal for a total prohibition on the use or threat of use of nuclear weapons. It is our considered view that partial pledges of non-use would only serve to legitimize the pernicious doctrine of nuclear deterrence. And who can doubt that it is this doctrine which lies at the heart of the nuclear arms race and the growing threat of a nuclear war?

Mr. AHMAD (Pakistan): Mr. Chairman, my delegation has requested the floor this morning to make some comments regarding the item on "effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

The Pakistan delegation is most gratified that during the 1981 session of the Committee on Disarmament the question of negative security guarantees has been intensively examined in the Ad Hoc Working Group under the able and wise chairmanship of Minister Ciarrapico of Italy.

The Ad Hoc Working Group has quite rightly focussed on the substance of the assurances to be provided to the non-nuclear-weapon States rather than on the question of the form in which they are to be extended. The central part of this exercise has been to develop a common formula which could be included as a uniform obligation to be undertaken by all the nuclear States in a binding international

(Mr. Ahmad, Pakistan)

instrument. The approach of my delegation to the development of a common formula has been affirmed on several occasions in the past. Pakistan believes that the nuclear-weapon States should undertake not to use or threaten to use nuclear weapons against all non-nuclear-weapon States, without conditions, qualifications, or exceptions. Such an assurance has been provided by only one nuclear-weapon State -- the People's Republic of China.

The other four nuclear-weapon States appear to encounter difficulties in extending such an unconditional and universal assurance. As we see it, their difficulties stem from the existence of military alliances and arrangements to which these nuclear-weapon States and a number of non-nuclear-weapon States are parties and, in the context of which the use of nuclear weapons is kept open as a prime option for defence. The unilateral declarations of these nuclear-weapon States reflect the different nuclear and strategic doctrines of the two opposing military alliances. It is precisely for this reason that it has been found difficult to reconcile these unilateral declarations.

During the current session, a sincere effort was made in the Ad Hoc Working Group by several delegations, including Pakistan, to explore the various possible avenues to overcome these difficulties in the way of a common formula. In this context, the examination in the Working Group of suggestions for the development of a completely new basis for a common formula was an interesting and potentially promising exercise.

In the opinion of the Pakistan delegation there are two possible ways in which the difficulties posed by the prevailing nuclear alliances and doctrines can be overcome. One way of doing so is to clearly identify, on the basis of objective criteria, those non-nuclear-weapon States which are to be included in or excluded from the purview of the security assurances. The unilateral declaration of the Soviet Union, as reflected in document CD/23, adopts this approach. This formulation includes in the scope of assurances those non-nuclear-weapon States which have renounced the acquisition and development of nuclear weapons and "do not have them on their territory". As has been explained by its proponent, the *raison d'être* of this qualification is that a State which has nuclear weapons on its territory can be a source of nuclear threat to a nuclear-weapon State and, therefore, cannot be provided security assurances against nuclear attack. The reasoning is quite valid in so far as it goes. But it does not take into account the other side of the nuclear coin.

There are other non-nuclear-weapon States in alliance with a nuclear-weapon State which, it is claimed, do not have nuclear weapons stationed on their territories. Nevertheless, these States have not given up the right to have the nuclear weapons of their allies used in their defence. Thus, being covered by the "nuclear umbrella", these States are also a part of that region of the world in which the possibility of the use or threat of use of nuclear weapons is considered as a real military option. Another deficiency of the formula in document CD/23 is that it does not take into account the fact that in today's world of mobile missiles and tactical nuclear weapons the situation of those non-nuclear allies of

(Mr. Ahmad, Pakistan)

nuclear-weapon States which may not have nuclear weapons on their territory at present could change in a matter of hours in the event of a crisis.

In my delegation's opinion, any objective formula for security assurances should take account of the totality of the nuclear equation. This is precisely what is proposed in the compromise formula submitted by Pakistan in document CD/10. Under this formula, assurances would be provided to the non-nuclear-weapon States which are not parties to the "nuclear security arrangements" of some nuclear-weapon States. Although this formula may not be perfect, it is the result of years of patient consultations with nuclear-weapon and non-nuclear weapon States. It has been developed on the basis of objective criteria taking into account the current realities. This proposal was endorsed by the General Assembly in resolution 31/189C and again at the Assembly's thirty-second regular session. The discussions in the Ad Hoc Working Group this year have confirmed our belief that this proposal continues to provide the most promising basis for the development of a "common formula" to be included in an international instrument.

At the same time, the Pakistan delegation has demonstrated its willingness to explore alternative approaches to devising a common formula. One such alternative approach could be through the inclusion of a so-called "withdrawal clause" in the common formula. The unilateral declarations of the United Kingdom and the United States contain such a withdrawal clause. However, these formulations contemplate the revocation of the security assurance even in circumstances which would not justify a nuclear threat being held out against an offending non-nuclear-weapon State. To say that nuclear weapons may be used in case of any "attack" by a non-nuclear-weapon State with conventional weapons, merely because that non-nuclear-weapon State has an "alliance" or is in "association" with a nuclear-weapon Power, would seem to provide too wide a scope for the use or threat of use of nuclear weapons against non-nuclear-weapon States. Article 2, paragraph 4, of the Charter of the United Nations says that States "shall refrain in their international relations from the threat or use of force..." -- except, that is, under article 51, in exercise of "the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations". A security assurance which becomes null and void in case of any attack is in fact no more -- and perhaps even less -- than a reiteration of the obligation already assumed by the nuclear-weapon States under the Charter of the United Nations.

A "withdrawal clause" in a common formula for security assurances should become operative only in the most grave and explicit circumstances of a nuclear threat against a nuclear-weapon State. Under present international circumstances, this can happen only when an aggression is launched against a nuclear-weapon State, and/or its allies, by another nuclear-weapon State with the participation of one or more of its non-nuclear-weapon allies. It is only in these circumstances, and against such non-nuclear-weapon States, that the withdrawal clause should be applied. The Pakistan delegation has made an effort, admittedly an imperfect one, to describe such circumstances in one of the formulations which we have presented in the Working Group. This formulation has drawn substantially on the statement

(Mr. Ahmad, Pakistan)

made in 1978 by the President of the USSR, to the effect that the Soviet Union would have recourse to nuclear weapons only in the case of an aggression against it or its allies by a nuclear-weapon Power. As we said previously, this qualification is sufficient to take into account the preoccupations of the other nuclear-weapon States. The formulation which we have suggested could, of course, be improved and refined if there is a desire to develop a common formula through the inclusion of the so-called withdrawal clause. I must reiterate, however, that for my delegation this approach is less preferable than the one of developing a common formula that is susceptible to objective rather than subjective interpretation.

Some nuclear-weapon States and their allies continue to insist that a common formula must contain a reciprocal commitment from the non-nuclear-weapon States regarding their "non-nuclear status". We have already stated our position of principle on this issue. Pakistan supports the objective of nuclear non-proliferation. We have declared that we will not develop or acquire nuclear weapons. We have taken various initiatives, especially in the context of our own region, to promote the objective of non-proliferation. However, my delegation does not consider that the quest of non-nuclear-weapon States for credible security assurances is used to promote non-proliferation. On the contrary, the conclusion of an international instrument on security assurances to non-nuclear-weapon States should be viewed as an indispensable inducement against horizontal nuclear proliferation. In our view, to question, in the context of security assurances, the status of certain non-nuclear-weapon States, whatever their capabilities, will accelerate rather than arrest the enlargement of the "nuclear club".

Whatever approach is adopted to devising a common formula, it is essential that the search for security assurances is conducted within the proper political perspective. The vast majority of the non-aligned and neutral countries conceive of negative security assurances only as a first step towards the complete prohibition of the use of nuclear weapons and as a part of the efforts to achieve nuclear disarmament. This first step will be acceptable to those States only if the nuclear-weapon States simultaneously commit themselves to the broader objectives of achieving nuclear disarmament and the complete prohibition of the use of nuclear weapons.

Despite the extraordinary efforts deployed in the Ad Hoc Working Group, especially by the non-nuclear-weapon States, the prospects for an agreement on the subject of negative security assurances are questionable. The inordinate flexibility and patience demonstrated by the non-nuclear-weapon States has not been reciprocated by most of the nuclear-weapon States. They remain preoccupied with their narrow security perceptions and strategic doctrines. Indeed, at certain stages of the discussions in the Working Group, one could well have wondered whether the exercise we are engaged in it to provide security assurances to the nuclear-weapon States rather than to the non-nuclear-weapon States.

The CHAIRMAN: In accordance with the decision taken by the Committee at its 104th plenary meeting, I have pleasure now in giving the floor to the distinguished representative of Austria, Ambassador Nettel.

Mr. NETTEL (Austria): Mr. Chairman, may I first express my delegation's sincere satisfaction in seeing you presiding over the work of this Committee for the month of July. Your well-known diplomatic skills will be helpful in guiding this body through the crucial stages of its 1981 session. May I also address my best wishes to Ambassador Komoves who chaired the Committee during the month of June and whose performance has been highly appreciated by all sides.

Taking the floor for the first time in the course of the 1981 session, I wish to express our gratitude that the Austrian delegation was given the possibility to participate more closely in the meetings of the Committee on Disarmament. By observing directly the activities of the different working groups, my delegation obtained a better insight into and a better understanding of the problems and difficulties the members of this Committee are usually confronted with.

In participating in your deliberations, the Austrian delegation hopes that it will constructively contribute to the work of your Committee.

I should like to turn to an issue which is of fundamental importance to us -- and not only to us but to a number of members of the Committee as well. I am referring to the matter on which my delegation spoke on 3 July 1980, indicating Austria's preliminary position; that is, the issue of the so-called "negative security guarantees" or "security assurances". In fact, a variety of "labels" is being used -- and has been used in the past -- to define the issue. Common to all those labels, such as "arrangements", "assurances", "guarantees", "declarations", is their vagueness. Obviously we are faced here with a problem of terminology, on top of all other problems, and I would accordingly make some comments on this terminology.

On the one hand, the notion of "arrangement" is particularly weak and non-committal, whether or not one qualifies it by using the word "effective"; some stronger expression is certainly warranted. On the other hand, the term "assurance" admittedly represents a certain progress, but in our view this expression still falls short of what the original idea was supposed to convey, namely, a legally binding commitment of the nuclear-weapon Powers, a commitment embodying the obligation of those States towards those members of the international community that were willing to forgo the acquisition and/or production of nuclear arms, thus at the same time refraining from entering the nuclear arms race. Even less satisfaction can be drawn from the concept of "guarantee", which apparently is not consistent with the sovereign equality of States. Guarantees may be misused (and have in fact been misused) because the guarantor may arrogate to himself the right to intervene in the affairs of the other State, whenever the terms of reference of the guarantee so permit. My delegation, therefore, is opposed to the notion of "guarantee" and would accordingly not like to see the concept of guarantee introduced in the domain under discussion here, or, by the way, anywhere else.

I should note in this context that it has been gratifying for my delegation when listening to my distinguished colleagues, Ambassador Lidgard and Ambassador Pictet, to find that there are similar lines of thought in Sweden, Switzerland and Austria in respect of what I may call the question of security commitments towards non-nuclear-weapon States. Irrespective of the historical background and the legal nature of their particular situation, all three Governments have declared the concept of positive security guarantees as being incompatible with political self-determination and sovereignty. We have also expressed reservations with regard to the idea of a convention. We believe that a mechanism of compulsory consultations is unacceptable and that the quid pro quo concept of a convention would in the end imply that we will have to enter into new obligations, in addition to already existing legal commitments, in order to obtain in exchange from the nuclear-weapon Powers the commitment not to use atomic weapons.

(Mr. Nettel, Austria)

When examining the non-use-commitment hitherto issued by the nuclear-weapon Powers; we deem it necessary to underline that such declarations do not constitute measures of nuclear disarmament and therefore cannot be substitutes for such measures. We want to recall that for nuclear-weapon Powers, parties to the NPT, the obligations to promote nuclear disarmament result from article VI of the non-proliferation-Treaty. We certainly do not overlook -- and we welcome -- the effect of confidence-building which stems from the nuclear non-use-commitment in the present period of growing tensions. Neither, however, should we overlook the limited character of the commitments issued up to now, and the exceptions they contain, which considerably reduce their practical value.

It is these restrictions which are of some concern to us. The aim of the commitments must be the strengthening of the security of non-nuclear-weapon States regardless of the strategic doctrines guiding the actions of nuclear-weapon States.

Owing to the restrictions contained in the unilateral declarations, the deliberations in the Ad Hoc Working Group were centred, in our opinion, too much around the respective strategic doctrines of the nuclear-weapon Powers and their allies and did not take sufficiently into account the purpose of the nuclear non-use commitments, which is the strengthening of the security of non-nuclear-weapon States. It should therefore be made clear that these commitments have to be firm, unequivocal and free of loopholes in order to produce the confidence-building effect that could contribute to an improvement of the over-all political climate. Confidence will be obtained and trust will be created only when reliable commitments are entered into, when credibility becomes evident.

My delegation was quite surprised to learn that in the Ad Hoc Working Group the question was raised whether or not these commitments were operational and legally binding. If they were not, especially from the point of view of the nuclear-weapon Powers, the entire exercise would only be of cosmetic value. It is this uncertainty which has led us to think about ways and means to ascertain the legal value of the existing commitments.

There are different possibilities to dissipate our doubts. One would be the adoption of an instrument which -- while incorporating the five unilateral declarations -- confirms formally their legally binding character, a solution which has been proposed by Switzerland. Another way to identify the legal character of these declarations would be an advisory opinion of the International Court of Justice. Although such an opinion could not be requested by the Committee on Disarmament itself, such a demand could emanate from the General Assembly in accordance with a decision of the Committee to that end. This suggestion results from our belief that the Court has an important role to play in our world and that the observance of international law is one of the pillars of an international society which strives for the limitation of the use of force in the conduct of international affairs. An advisory opinion of the court would be an important element of future discussions on this matter in the Committee.

The Austrian Government considers the question of nuclear non-use commitments as one of the matters to be considered by the Committee on Disarmament on a priority basis; we hope that this consideration will be concluded within the foreseeable future and that it will not impede the examination of genuine disarmament measures.

The Austrian Government highly values the work of the Committee on Disarmament. We hope that the work of the Committee will clarify the positions and concepts with regard to the question of the "nuclear-non-use commitments", so very important to us. My delegation expresses its sincere hope that the result of your work will contribute to achieving genuine disarmament, particularly in the nuclear field.

The CHAIRMAN: I thank Ambassador Nettel for his statement and for the kind words he addressed to the Chair. Now, in accordance with the decision taken by the Committee at its 104th plenary meeting, I have pleasure in giving the floor to the distinguished representative of Norway, Mr. Kai Lie.

Mr. LIE (Norway): Mr. Chairman, allow me first of all to express our gratitude for again being allowed to address this important negotiating forum in our role as observer nation. And permit me also to pay a tribute to you, the distinguished representative of India, in the responsible post of Chairman of the Committee for this month.

The comprehensive programme of disarmament will occupy an important place in an international disarmament strategy in the years to come. The programme must not only highlight the important elements in such a strategy; it must also provide a firmer foundation for our thinking about arms control and disarmament as an integral part of every nation's security policy. The importance of such a recognition is clearly underlined by the fact that the arms race has changed significantly over the last few years -- both qualitatively and quantitatively -- and both in the nuclear as well as in the conventional field.

As the ramifications of the arms race become increasingly complex, it is all the more important that we do not forget that arms control and disarmament are not concessions to be made as gestures of goodwill, but potential and real security gains to be sought. In our times arms control and disarmament clearly ought to be pursued as part of every nation's enlightened self-interest.

In a world marked by poverty and unfulfilled basic human needs, efforts to halt and reverse the arms race become even more imperative considering the fact that world armaments absorbed in 1980 well above \$500 billion.

The United Nations General Assembly has given the highest priority to the comprehensive programme of disarmament, the consideration and approval of which will be an important task of the next special session devoted to disarmament. We therefore view progress in the negotiating process here in the Committee on Disarmament to be of paramount importance and a most urgent concern.

I would like to take this opportunity to reiterate and elaborate on the Norwegian views on some of the matters concerning the comprehensive programme of disarmament to which we attach particular importance, concentrating on the problems connected with the removal of the threat of nuclear weapons.

Norway is greatly concerned about the vertical as well as horizontal aspects of nuclear weapons proliferation.

Norway welcomed the conclusions of the SALT II agreement as a most important achievement during 1979 in the field of nuclear arms control.

For its part the Norwegian Government will urge continuation of the SALT process as a matter of the highest priority.

A priority objective of the next SALT round should be an agreement for substantial and comprehensive reductions in strategic arms.

(Mr. Lie, Norway)

In this connection, Norway attaches particular importance to the initiation of preliminary talks and subsequent negotiations with the aim of preventing a new and ominous arms race on the continent of Europe with the competitive deployment of theatre nuclear forces.

The nuclear-weapon States carry not only the responsibility but a true obligation to reduce the role of nuclear weapons in their strategies and arsenals. Increasing reliance on nuclear weapons is incompatible with a strengthening of the non-proliferation regime. Furthermore, experience suggests that the convertibility of nuclear-weapon power into politically useful currency is very limited. Any advantage which may be attained in the nuclear weapons competition is at best of incremental utility and always short-lived.

It was disappointing that neither during the special session in 1978 nor during the NPT Review Conference last year did it prove possible to make greater advances towards solving the nuclear problems. In our view, halting the further proliferation of nuclear weapons is a most urgent task facing the world community. Norway therefore finds it especially regrettable that the Second Review Conference of the Parties to the non-proliferation Treaty ended without their coming to agreement on a final declaration by consensus, especially since in fact general agreement was attained in many significant areas of concern.

The central problems during the Review Conference related to the ability and determination of the nuclear-weapon States to diminish the role of nuclear weapons in international relations by negotiating real reductions of their arsenals. It became evident that a large number of countries felt that the nuclear-weapon States had not fulfilled their obligations under the non-proliferation Treaty to pursue such negotiations effectively. This applies particularly to the question of a comprehensive test-ban treaty. Such a treaty would constitute a non-discriminatory instrument of essential relevance to the promotion of non-proliferation and represent a significant step in the direction of meeting the obligations of the nuclear powers under article VI of the NPT.

Progress towards a CTB has been all too slow, but the tripartite report to the Committee on Disarmament of 30 July last year shows that some degree of progress has been made towards the important target of concluding such a treaty.

Several technical issues connected with the verification of a comprehensive test-ban remain. However, the benefits of an agreement and the risk involved in violating such an agreement should, in our view, now outweigh the technical obstacles to an agreement.

In our opinion, an adequate verification system is a necessary component in a total test-ban regime, in order both to ensure compliance and to build confidence. I would like to underline the special interest of Norway in the work being undertaken in this field within the framework of the CD. In its Ad Hoc Group of seismic experts, Norwegian experts are among those who actively contribute to the efforts being made in this connection.

(Mr. Lie, Norway)

My Government would like to see the production of fissionable materials for weapons purposes halted altogether and therefore supports the idea of a ban on such production. This would constitute a useful contribution to the search for more effective non-proliferation instruments. Such a ban would place nuclear-weapon States on a more equal basis with non-nuclear-weapon States than has been the case till now. The nuclear-weapon States would then have to accept much the same IAEA safeguards that are required of non-nuclear-weapon States, thereby eliminating one important element of discrimination between the two categories of States.

Another condition for preventing the spread of nuclear weapons is the solution to the question of assuring the security of the non-nuclear-weapon States against nuclear attack. This problem has so far not received a satisfactory solution.

Norway accepts the argument of those States which hold that Security Council resolution 255 of 19 June 1968 does not provide sufficient guarantees to non-aligned States. Those States that are not parties to alliance security systems involving nuclear security guarantees and which have been asked to renounce their option to acquire nuclear weapons, have a legitimate claim to guarantees against being attacked or threatened by attack with nuclear weapons. The nuclear-weapon States bear a special responsibility for finding a solution to this problem.

Norway supports the establishment of regional nuclear-weapon-free zones as an important component in a non-proliferation regime, provided such arrangements are based on voluntary agreements of the States concerned and reflect the special circumstances prevalent in the region in question. In this connection we welcome the significant fact that all five nuclear-weapon States have ratified Protocol II to the Treaty of Tlatelolco.

It is of great concern that several threshold States from regions of tension and conflict have not yet abandoned the option to acquire nuclear weapons. Further proliferation could increase the risk of regional conflicts developing into nuclear confrontation. The further spread of nuclear weapons could stimulate the perception that nuclear war is somehow inevitable, and such perceptions carry the dangerous seed of self-fulfilment.

Before concluding, I should like to express the hope of the Norwegian Government that this Committee will be able to present a draft comprehensive programme of disarmament, which would enhance the possibilities of a successful conclusion of the next special session of the General Assembly devoted to disarmament.

The fulfilment of such a goal is important not only for future arms control and disarmament endeavours in this Committee and in the United Nations system; it is also important in terms of restoring the confidence of world public opinion that our combined efforts in this field can produce meaningful and lasting results which are in everybody's interest.

The CHAIRMAN: I thank Mr. Kai Lie for his statement and for the kind words he addressed to the Chair.

(The Chairman)

Distinguished delegates, in view of the extreme lateness of the hour I propose that this plenary meeting be suspended, and resumed at 3 p.m. tomorrow, Friday, 31 July, so that we may complete unfinished business before our scheduled informal meeting. I trust that there is no objection to this. I see none.

It was so decided.

The meeting was suspended at 1.40 p.m. and resumed on Friday, 31 July 1981, at 3 p.m.

The CHAIRMAN: Distinguished delegates, the 142nd plenary meeting of the Committee on Disarmament is resumed. You will recall that yesterday we completed our list of speakers for this plenary meeting and, as I noted, there were some pending questions to consider which were not taken up because of the lack of time.

Mr. DE SOUZA E SILVA (Brazil): Mr. Chairman, I wish to comment today on some aspects of the question of negative security assurances, a subject that has been under discussion in a Working Group of this Committee since the start of our 1980 session. Several delegations made interesting statements on this issue yesterday and it would be a difficult task indeed to try to extract all their highlights. My delegation was particularly impressed by the last three paragraphs of the statement delivered by the distinguished representative of Pakistan. In the concluding part of his presentation, Ambassador Ahmad made the point that a common formula on negative security assurances does not need to contain a reciprocal commitment from the non-nuclear-weapon States regarding their non-nuclear status. My delegation agrees with this view, and with its corollary assertion that the quest of some non-nuclear-weapon States for credible security assurances should not be used to promote non-proliferation. I would add that the whole point of the idea of negative security assurances is not to perpetuate the present status of the nuclear-weapon States, or in other words, the question should not be approached from the perspective that a handful of nations will forever retain their nuclear military might while all other nations must accept commitments that the former are not prepared to accept. As the distinguished representative of Canada, Ambassador McPhail, said, speaking in a different context, also with respect to the nuclear option, States should not ask others to do what they are not prepared to do themselves. Renunciation of nuclear weapons is not a quid-pro-quo for bestowing upon some countries a right to maintain their deadly arsenals or, what is even worse, for condoning their continuing nuclear build-up. Contrary to what some recent statements in this chamber have sought to convey, the real danger lies not in the possibility that some additional countries may reach the technological plateau which would enable them to manufacture a nuclear explosive device. Rather, the real danger lies in the insensitivity of the few existing nuclear-weapon Powers that continue to increase the numbers and the destructive might of their weapons. Why is it that the prospect of technological progress in the nuclear field in the developing countries is apt to raise such an outcry from the nuclear-weapon Powers, and some of their allies, while their own capacity to destroy one another and the rest of mankind does not seem to evoke any emotion? Why should they be so keen on promoting the concept of international "arms control" while not accepting any multilateral approach to the real problems of nuclear disarmament? Have they invented a new scale on which to gauge national security, and according to which their own security interests are more important or more worthy of protection than the national security interests of other nations, or for that matter, the interest of mankind as a whole?

(Mr. de Souza E Silva, Brazil)

Ambassador Ahmad concluded his statement yesterday with a remark that my delegation fully endorses. He said that "at certain stages of the discussions in the Working Group, one could well have wondered whether the exercise we are engaged in is to provide security assurances to the nuclear-weapon States rather than to the non-nuclear-weapon States".

With one exception, the unilateral declarations issued by the five nuclear-weapon States contain several qualifications designed to take into account the particular security concerns of the nuclear-weapon Powers issuing the declaration. All those qualifications impose obligations on the part of the non-nuclear-weapon States, obligations that must be fulfilled and the observance of which is to be determined by the nuclear-weapon State concerned. As long as the nuclear-weapon Power is satisfied, according to its own judgement, that the obligation is being kept, the guarantee stands. It is, of course, perfectly legitimate for a State to issue a unilateral declaration worded as it sees fit; it is another matter, however, to expect other States to subscribe to such conditions and to accept the obligations they prescribe without asking for a suitable reciprocal commitment. What would then be the suitable commitment in exchange for the nuclear non-military option, if not a similar commitment on the part of every other State that enters into whatever arrangement is envisaged?

The five declarations from the nuclear-weapon Powers, without any exception this time, have one feature in common: they envisage one single obligation for the nuclear-weapon Powers, that is, to provide a unilateral guarantee. All five declarations seem to assume that non-nuclear-weapon States will forever maintain their own non-nuclear-weapon status, which would be a commendable development; but all five declarations also seem to assume that the existing nuclear-weapon Powers will forever retain their own status as such. Why would nuclear-weapon Powers be so reluctant to contemplate for themselves obligations they so adamantly advocate for the rest of the world?

The vast majority of the nations in the world have accepted the commitment never to acquire nuclear weapons. Many did so by adhering to an international instrument that Brazil and many other countries consider imperfect and discriminatory, because it imposes different degrees of obligations on its parties, according to their nuclear-weapon or non-nuclear-weapon status. The commitment entered into by the non-nuclear parties to the NPT is clear and unambiguous, and has been carried out so far; on the contrary, the weak provision that calls for negotiations on nuclear disarmament has met with the indifference of the nuclear-weapon parties, which seem determined to achieve exactly the opposite. How can they reconcile their professed dedication to the cause of disarmament, or even to the equivocal cause of "arms control", with their adherence to doctrines of nuclear deterrence and their ceaseless engaging in vertical proliferation?

It is obvious that it is not the renunciation of nuclear weapons that creates a reciprocal obligation to provide adequate guarantees against the use or threat of use of nuclear weapons. If it were so, the nuclear-weapon States would have no hesitation to extend such assurances to those that have so far remained true to their sovereign decision not to exercise a nuclear military option. Brazil, for its part, by signing and ratifying the Treaty for the Prohibition of Nuclear Weapons in Latin America, has conferred international status on its commitment to the cause of the non-proliferation of nuclear weapons. By virtue of the Treaty of Tlatelolco, Brazil had unequivocally renounced the nuclear military option, while keeping open all its options for the full development and utilization of nuclear technology for peaceful purposes.

(Mr. de Souza e Silva, Brazil)

May I conclude my statement by reaffirming one fundamental concept of my delegation. Negative security assurances can only be conceived in their proper political perspective, as an interim measure in a chain of events conducive to nuclear disarmament. The goal of nuclear disarmament is, and must remain, the main consideration in the grim realities of today's world.

The CHAIRMAN: I now intend to take up the question of the closing date of the 1981 session of the Committee. After intensive consultations I am now in a position to inform the Committee that Friday, 21 August seems to have general acceptance. Can I take it that the Committee agrees to conclude the session on that date?

If there is no objection, I intend to establish that a consensus exists to end the 1981 session on Friday, 21 August.

It was so decided.

The CHAIRMAN: In connection with the decision just taken by the Committee, I would appeal to the Chairmen of the ad hoc working groups to ensure that reports of subsidiary bodies are adopted not later than 17 August for the ad hoc Working Group on a Comprehensive Programme of Disarmament, and 12 August for the other groups, so that those reports do not collide with the processing of the report of the Committee to the General Assembly. Members of the Committee are aware that the technical services of the Secretariat also cover other important meetings being held in Geneva and that there is a limit to what can possibly be done by them at short notice.

Distinguished delegates, the Secretariat circulated yesterday, at my request, an informal paper prepared in consultation with the next Chairman of the Committee, which contains a timetable of meetings to be held by the Committee on Disarmament and its subsidiary bodies during the week 3-7 August 1981. The informal paper contains basically the same allocation of time as provided for during the previous week, the only difference being that the time allotted in July for informal meetings has now been left open. You will notice that no meetings are scheduled for Monday or Friday afternoons. As the session is coming to an end, I feel that we need to retain a certain flexibility in the scheduling of our meetings. If the need arises, the Chair will inform the Committee on the best way to utilize the time that may be available but, for the time being, it seems to be advisable not to take a decision. As usual, the timetable is indicative and may be adjusted as we proceed. If there is no objection I will consider that the Committee accepts the timetable. I see no objection.

It was so decided.

The CHAIRMAN: Distinguished delegates, this is the last plenary meeting at which I shall be serving as your Chairman. And by tradition, custom and usage, some words from the Chair are expected. I had planned to make this statement yesterday but due to the long list of speakers I decided not to compete unduly for your attention against your more compelling gastronomic needs. An army is said to march on its stomach; the peaceful forces of disarmament do no less!

(The Chairman)

As I look back upon my term as Chairman, I take satisfaction in the fact that July has been an eventful, active and interesting month in the current calendar of the Committee. Certainly it would have given me greater satisfaction if we had been able to achieve more concrete progress on items of the highest priority on the Committee's agenda, namely, a nuclear test ban and the cessation of the nuclear arms race and nuclear disarmament. The world community certainly expects more than that from us. However, I believe that the frank and open exchanges of views which have taken place during the past few weeks have led to a much better understanding of each other's position.

We have had a very constructive debate on ways and means to improve the functioning of the Committee and enhance its effectiveness as a negotiating body. I feel honoured that the Committee has entrusted to me the task of co-ordinating the work of arriving at an agreed set of recommendations in this regard. I have every hope that with the help of all colleagues I shall be able to discharge this work entrusted to me.

What impression shall I carry with me of my term as Chairman? I can say without hesitation that what has made my task both worthwhile and satisfying is the genuine goodwill and earnestness displayed in the Committee while working to find solutions for the serious ailment which affects the entire world. I am conscious of the fact that not all my actions may have been satisfactory to every delegation. But this is the occupational hazard which faces any Chairman. I consider myself fortunate that I have received support in ample measure for carrying out my task. I would accordingly like to express my sincere gratitude to each and every one of you for your readiness to help with advice and for the spirit of accommodation, even indulgence, which you have shown.

I would also like to express my appreciation to Ambassador Jaipal, Personal Representative of the Secretary-General and Secretary of the Committee, to Mr. Berasategui, his deputy, and all the members of the disarmament secretariat as well as to our gallant band of interpreters.

Last but not least, I take this opportunity to welcome Ambassador Anwar Sani of Indonesia who will take over soon as Chairman for the month of August. To him falls the crucial task of guiding the Committee during the most difficult phase of its annual session, that is the consideration and adoption of the annual report of the Committee to the General Assembly. I offer him my warm congratulations and good wishes and pledge to him the fullest support of my delegation in the discharge of his duties as Chairman. I have no doubt that with his long and varied experience as one of the leading diplomats from Indonesia he will successfully accomplish this task.

I would like to conclude with the oldest written prayer, from the Vedas, which I believe has relevance to the efforts we are all making in the Committee:

"Asathyo ma sát gamaya
 Thamaso ma jyothirgamaya
 Mithyorma amrithangamaya."

(From Illusion lead us to Reality!
 From Darkness lead us to Light!
 And from death lead us to immortality!)

I thank you all.

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