

FINAL RECORD OF THE SIX HUNDRED AND NINETY-EIGHTH MEETING

held at the Palais des Nations, Geneva
on Tuesday, 30 March 1976, at 10.30 a.m.

Chairman:

Mr. M. Fartash

(Iran)

PRESENT AT THE TABLE

<u>Argentina:</u>	Mr. S. N. MARTINEZ
<u>Brazil:</u>	Mr. I. M. A. MASTROGIOVANNI Mr. L. H. PEREIRA DA FONSECA
<u>Bulgaria:</u>	Mr. B. GRINBERG Mr. I. PETROV
<u>Burma:</u>	
<u>Canada:</u>	Mr. J. T. SIMARD Mr. P. E. McRAE
<u>Czechoslovakia:</u>	Mr. V. SOJAK
<u>Egypt:</u>	Mr. S. A. ABOU-ALI
<u>Ethiopia:</u>	Mr. T. GEBRU
<u>German Democratic Republic:</u>	Mr. G. HERDER Mr. H.-J. MICHEEL Mr. M. GRACZYNSKI Mr. H. THIELICKE
<u>Germany, Federal Republic of</u>	Mr. G. J. SCHLAICH Mr. J. BAUCH Mr. K. HANNESSCHLAGER
<u>Hungary:</u>	Mr. I. KORMENDY
<u>India:</u>	Mr. B. C. MISHRA Mr. P. R. SOOD Mr. P. K. GUPTA

Iran:

Mr. M. FARTASH

Mr. H. AMERI

Miss C. TAHMASSEB

Mr. D. CHILATY

Italy:

Mr. N. DI BERNARDO

Mr. M. MORENO

Mr. G. VALDEVIT

Mr. A. BIZZARINI

Japan:

Mr. M. OGISO

Mr. T. SAWAI

Mr. T. KAZUHARA

Mr. H. OKITSU

Mexico:

Mr. S. CAMPOS-ICARDO

Mr. M. A. CACERES

Mongolia:

Mr. M. DUGERSUREN

Morocco:

Mr. S. M. RAHHALI

Netherlands:

Mr. A. J. MEERBURG

Nigeria:

Mr. G. S. AKUNWAFOR

Mr. S. T. ADAMU

Pakistan:

Mr. M. YUNUS

Mr. K. SALEEM

Peru:

Mr. L. CHAVEZ-GODOY

Poland:

Mr. H. PAC

Mr. A. CZERKAWSKI

Mr. T. FIECKO

Romania:

Mr. V. TUDOR

Mr. G. TINCA

Mr. M. ROSIANU

Sweden: Mr. G. HAMILTON

Mr. U. REINIUS

Union of Soviet Socialist
Republics

Mr. A. A. ROSHCHIN

Mr. V. I. LIKHATCHEV

Mr. Y. K. NAZARKIN

Mr. N. V. PESTEREV

Mr. A. M. VAVILOV

Mr. E. K. POTIARKIN

United Kingdom:

Mr. M. E. ALLEN

Mr. J. G. TAYLOR

United States of America:

Mr. J. MARTIN

Mr. D. P. BLACK

Mr. D. R. WESTERVELT

Mr. C. L. WILMOT

Mr. D. THOMPSON

Yugoslavia:

Mr. M. MIHAJLOVIC

Mr. D. DJOKIC

Zaire:

Special Representative of the
Secretary-General:

Mr. RISTO HYVARINEN

Alternate Representative of the
Secretary-General:

Mr. A. CORRADINI

Communiqué of the meeting

The Conference of the Committee on Disarmament today held its 698th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador M. Fartash, representative of Iran.

Statements were made by the representatives of the German Democratic Republic and the Union of Soviet Socialist Republics.

The next meeting of the Conference will be held on Thursday, 1 April 1976, at 10.30 a.m.

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Mr. HERDER (German Democratic Republic) (translated from Russian): Many of the speakers before me have already welcomed in their statements the new representatives who took up their duties in the Committee on Disarmament with the start of the spring session. As new representatives of their countries to the CCD, I should like to welcome Ambassador U Thet Tun of Burma, Ambassador Ruzek of Czechoslovakia, Ambassador Ogiso of Japan and Ambassador Arias-Schreiber of Peru.

To them, to Ambassador Hyvärinen, the new Special Representative of the Secretary-General of the United Nations, and to Dr. Corradini, his deputy, I wish much success in their new field of activity, and I am looking forward to fruitful co-operation with them.

During this session our Committee has to deal with a far greater number of problems than in previous years. The fact that the thirtieth session of the United Nations General Assembly assigned a number of new tasks to the Committee underlines the latter's growing responsibility as a representative multilateral body for disarmament negotiations.

In tackling our tasks we are backed up by the growing demand of world public opinion for effective measures to halt the arms race, limit armaments and achieve disarmament. There is a constantly growing number of supporters for the idea of complementing political détente by détente in the military field.

We regard as an important positive factor in our efforts to achieve agreements on disarmament measures the fact that, by introducing a large number of concrete disarmament initiatives, the USSR -- a nuclear-weapon State with a considerable military potential -- is constantly pointing to new possible ways of averting the dangers connected with the arms race. This is also borne out by the peace programme of the Soviet Union adopted at the twenty-fifth Congress of the Communist Party of the Soviet Union. The realistic proposals in that programme for putting a stop to the arms race and bringing about disarmament have our full approval. We are convinced that the programme is giving rise to new impulses which also have a favourable impact on the fulfilment of our tasks in the Committee on Disarmament.

The German Democratic Republic pressingly supports the proposal of the Soviet Union regarding the conclusion of a universal treaty on the renunciation of the use of force in international relations. Since such a treaty would impose on States, including the nuclear Powers, the obligation to renounce the use of any kind of weapons, including nuclear weapons, in settling disputes, its conclusion would be an important contribution to reducing the danger of war and achieving progress towards disarmament. In addition to that, such a treaty would provide another effective guarantee against the use of nuclear weapons in international conflicts.

(Mr. Herder, German Democratic Republic)

Questions of nuclear disarmament figure prominently in CCD activities. The conclusion of a treaty on the complete and general prohibition of nuclear weapon tests would be an important and concrete contribution towards the achievement of that goal. It would be a logical continuation of the efforts for a comprehensive ban on nuclear weapon tests -- efforts that were initiated in 1963 with the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water. The German Democratic Republic regards the draft treaty on the complete and general prohibition of nuclear weapon tests submitted by the Soviet Union as a good basis for the corresponding negotiations. We regret to note that some nuclear-weapon States are refusing to take part in working out an appropriate treaty in accordance with resolution 3478 (XXX). One of the main reasons why our delegation attaches such great importance to the elaboration of such a treaty is that it would help put a stop to the nuclear arms race and would raise new obstacles to the proliferation of nuclear weapons.

The representatives of some States have voiced the idea that the USSR and the United States should be first, as it were, in stopping all their nuclear weapon tests. This would amount to some nuclear-weapon States assuming unilateral obligations while others would, so to speak, be rewarded for not taking part in the corresponding negotiations and agreements by being allowed to continue with their nuclear-weapon tests, and would thus be encouraged to go on with their policy.

All experience shows that disarmament agreements can be achieved only when States assume equal, reciprocal commitments, and when no prejudice is caused to the security of any of the parties. A selective approach would actually mean not only tolerating, but even legitimizing the nuclear armament of some States. Experience from the past teaches that such an attitude may have serious consequences for peace. As everyone knows, Fascist Germany withdrew in the thirties from the disarmament talks then being held on the grounds that "an equal level of armament" must first be achieved. That view was tolerated by some Governments at the time, and it was thus easier for German Fascism to prepare and unleash the Second World War.

The delegation of the German Democratic Republic believes that a selective approach can encourage a State like China in its negative attitude, with a consequent further reduction of the chances of China's participation in the negotiations.

(Mr. Herder, German Democratic Republic)

Ambassador Domokos, the representative of Hungary, was justified in pointing out that 13 years have passed since the conclusion of the Treaty banning nuclear weapon tests in the three media, without China and other States having acceded to it. The German Democratic Republic holds the view that the participation of all the nuclear-weapon States is a basic condition for a comprehensive ban of all nuclear weapon tests.

As far as the supervision of a complete and general cessation of nuclear weapon tests is concerned, we hold the view that national means of control are sufficient to ensure compliance with an agreement on the subject.

In this connexion I would like to express our appreciation of the valuable contribution being made by the Swedish delegation towards settling the question of verification. The considerations set forth by Mrs. Inga Thorsson, Head of the Swedish delegation, which are based on the sound knowledge of the world's leading scientists, have repeatedly been quoted here.

There is no justification for barring the way towards the conclusion of a comprehensive nuclear test ban treaty on the pretext that the problem of verification of underground nuclear tests has not yet been solved.

As far as peaceful nuclear explosions are concerned, that is a question which could be settled in all its aspects in the framework of a complete and general prohibition of nuclear weapon tests. In any case there is no reason why it should cause the negotiation of such a treaty to be delayed.

To achieve real progress, it is necessary to begin negotiations on the conclusion of an appropriate treaty as early as possible. We regret that a number of nuclear-weapon States have refused to take part in such talks.

Every effort should be made to ensure an early start for the work of the group of States which, under resolution 3478 (XXX), is to be set up with a view to reaching agreement on the complete and general prohibition of nuclear-weapon tests.

We welcome the fact that the USSR has expressed its readiness to take part in such negotiations.

The Committee is faced with the task of drawing up an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons. My delegation considers that this is a key problem in efforts to limit the arms race. Its solution would favourably influence the implementation of further measures of arms limitation and disarmament.

(Mr. Herder, German Democratic Republic)

Under the conditions of the scientific and technological revolution, rapid qualitative changes are taking place in the field of military policy which will entail the development of new and even more dangerous types and systems of weapons of mass destruction unless this process is stopped. Hence measures to prevent their development in time are increasingly gaining in importance. To ignore this today would mean to be faced tomorrow with the necessity of making efforts to ban these newly developed weapons and systems of weapons. In this context, I would like to join the representative of the Netherlands, Mr. van der Klaauw, who, commenting on problems of environmental warfare in the Committee on 9 March 1976, stated that arms limitation should start before new weapons and systems of new weapons are developed, tested and added to arsenals, i.e. before new scientific and technological findings are applied to military uses.

If certain circles think that they could gain decisive military advantages and thus a new means of political pressure by stepping up the arms race and by a technological breakthrough in this field, this is a miscalculation. This was not possible over 30 years ago by means of the atom bomb, nor will it be achieved today by developing new types of weapons of mass destruction. The result is a further stepping up of the arms race, with consequently greater insecurity and more misuse of human and material resources. And this is in the interests only of certain military concerns -- it is not in the interests of the peoples.

The difficulties arising in the course of the SALT negotiations show how the development of new systems of weapons complicates the conclusion of agreements on the limitation of the arms race. As the General Secretary of the Central Committee of the Communist Party of the Soviet Union stated at the twenty-fifth Congress of the Party, the Soviet Union presented during the negotiations with the United States, proposals for the conclusion of an agreement banning the development in both countries of new systems of weapons with even greater destructive power. These proposals were unfortunately not accepted by the other side.

(Mr. Herder, German Democratic Republic)

We hold that an international agreement aimed at the prohibition of the development and manufacture of new types and systems of weapons of mass destruction would have a positive effect on the SALT negotiations.

Year by year, ever-increasing sums are spent on military research and development. At the International Symposium on "The role of scientists and their organizations in the struggle for disarmament", held in Moscow in July 1975, eminent scientists urgently pointed out that military research programmes are today requiring several times more institutions and experts than vital peaceful research programmes in the fields of health, education and agriculture.

To implement the agreement proposed by the Soviet Union would set a limit to this development and promote the application of scientific and technological findings for peaceful purposes. By excluding the military misuse of certain new scientific and technological findings, confidence among States could be enhanced, and favourable conditions for international co-operation for peaceful purposes in this field would be created. Considerable financial means and scientific and technological capacities could be shifted from military to peaceful uses. Possibilities of supporting the developing countries would also be improved.

A fundamental prerequisite for the achievement of an agreement on the prohibition of new types of weapons of mass destruction and of new systems of such weapons is the political will of States, in particular of those having a considerable military, scientific and technological potential. It must unfortunately be noted, however, that at the thirtieth session of the United Nations General Assembly a number of States, among them even some members of the Committee on Disarmament, adopted a temporizing attitude. In view of the great importance which an agreement of that kind would have for the limitation of the arms race and the security of peoples, such reserve is, in my delegation's opinion, unjustifiable.

The experience gathered so far by the Committee on Disarmament in elaborating a draft convention on the prohibition of military or any other hostile use of environmental modification techniques shows that the temporizing attitude at first

(Mr. Herder, German Democratic Republic)

displayed by a number of States finally turned out to be unfounded. It proved possible to solve outstanding problems satisfactorily with the help of experts. We are convinced that the consultation of experts set for 7 April on the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons will contribute towards settling unsolved issues in this field.

It would be welcome in the interests of the cause if those States which still adopt a temporizing attitude or have reservations were to participate in an intensive consideration of the problem, so that the elaboration of a corresponding treaty can begin without delay. Let those who consider too vague the draft convention referred to the Committee by the thirtieth session of the United Nations General Assembly submit proposals to make it more concrete, or take an active part in the consultations of experts, during which all questions of detail can be considered.

The German Democratic Republic consistently stands for the early elaboration of a convention, acceptable to all States, on the prohibition of military or any other hostile use of environmental modification techniques. During the summer session last year, we set forth our position on this matter in detail. The German Democratic Republic is of the opinion that the identical draft conventions submitted by the Soviet Union and the United States fully serve the objective of further limiting the arms race and of intensifying the peaceful scientific and technological co-operation of States for their mutual benefit. They provide a good basis for the elaboration of a draft convention; and on this point, to judge by the course of the discussion so far, we are obviously in full agreement with the other members of the Committee on Disarmament.

We are in favour of informal meetings as proposed by the Co-Chairmen. These should enable us to discuss more in detail the proposals submitted here and to bring still divergent views on individual points into harmony as soon as soon as possible. In this context we should like to say in general that we are not in every respect satisfied with the draft convention now before us. We would have preferred certain formulations from the Soviet draft submitted in 1974. Since, however, no State can expect its position to be fully reflected in an international agreement, the task is to seek an acceptable compromise. We believe that the identical texts of the USSR and the United States of 21 August 1975 represent such a compromise. My delegation is at present carefully studying the proposed amendments.

(Mr. Herder, German Democratic Republic)

Today I should like to comment on the proposal of the representatives of a number of States that the wording "Prohibition of military or any other hostile use of environmental modification techniques" as used in the identical draft convention of the USSR and the United States should be replaced by the wording "Prohibition of hostile use ...". In our view the wording "Prohibition of military ... use ..." covers not only the prohibition of the direct military application of environmental modification techniques against third States but also the prohibition of the preparation of armed forces for the use of such techniques, including the military testing of the latter. We are therefore in favour of retaining the present wording.

As to the procedure for ensuring compliance with the provisions of the convention, we hold the opinion that the involvement of the Security Council in international disarmament agreements has already become a practice that has justified itself. There is no other international body better qualified to watch over the observance of disarmament agreements. This is also in line with its functions and powers as the principal organ of the United Nations for the safeguarding of peace and international security. In the present conditions, we consider any other views on the subject to be unrealistic. To insist on such other views would mean to render an early agreement on the text of the convention more difficult.

In resolution 3465 (XXX), the Committee on Disarmament is again invited to give top priority to the preparation of an agreement on the prohibition of chemical weapons. Since this resolution was adopted by consensus, there are presumably no longer any substantial obstacles to the preparation of a draft agreement on the subject by the CCD. It is in this sense also that we welcome the working papers submitted by several States, which we regard as an expression of the growing interest of States in achieving progress in this field.

The draft convention which was submitted to the Committee on Disarmament by the Soviet Union and other socialist States on 28 March 1972 still remains on the table. We are prepared at any time to enter into concrete negotiations on this proposal as well as on others. Unfortunately, it has so far not been possible to make progress.

(Mr. Herder, German Democratic Republic)

It must be realized that both a comprehensive and a partial prohibition of chemical weapons is connected with complex political and also with scientific and technological problems. Given good will, however, we believe that all these problems can be solved. Obviously, there are States which are not yet prepared to banish chemical weapons from military arsenals. They are therefore trying to delay the respective negotiations and agreements. In doing so they are using what are alleged to be still unsolved technological problems as a pretext for their negative attitude.

My delegation welcomes the planned holding of informal meetings on questions belonging to this complex and expects them to contribute to progress in the preparation of a treaty on the prohibition of chemical weapons.

The attitude of the delegation of the German Democratic Republic on questions of the organization and working procedure of the Committee on Disarmament was explained in detail at an informal meeting on 12 March. We consider it necessary to underline at this meeting my delegation's support of the view frequently expressed from this rostrum that progress in the field of disarmament depends in the first place on the political preparedness and the will of States. It must be the main objective of our activities to stimulate this will. We shall best cope with the justified demands for strengthening the Committee's role if we succeed, on the basis of a realistic approach, in producing concrete results.

It is a fact that in the past the Committee has never had any difficulty in finding appropriate methods and forms of work at short notice if agreement in principle on the problem to be solved was reached in advance. We regret that a relatively large place is at present being given to organizational matters, which not only take time but also distract attention from the consideration of important political questions. In our opinion, the discussion of these matters must be concluded as soon as possible. We are in favour of the Committee's concentrating on the main items in our programme of work.

Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translated from Russian):

One of the important questions under consideration by the Committee on Disarmament is the problem of the prohibition of the use of environmental modification techniques for military or other hostile purposes.

The Soviet Union attaches great importance to this question. Its solution would place a barrier in the way of the use of means of warfare involving environmental modification for military or other hostile purposes. The importance of solving this problem, and the need to conclude an international agreement on this question, were noted in the report by the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mr. L.I. Brezhnev, to the Twenty-Fifth Congress of the Communist Party of the Soviet Union. One of the objectives set forth in the Programme for Peace, approved by the Congress, which constitutes the basic orientation for the foreign policy activities of the Soviet State, is the attempt to achieve the conclusion of an agreement on the prohibition of action to influence the environment for military purposes.

The Committee on Disarmament has before it identical drafts of a convention on this problem submitted by the Soviet Union and the United States of America. The United Nations General Assembly has requested the Committee on Disarmament to continue negotiations with a view to reaching early agreement, if possible during 1976, on the text of a convention on the prohibition of environmental warfare.

During the present spring session of the Committee on Disarmament, a number of delegations -- those of Sweden, the Netherlands, the United Kingdom, the Federal Republic of Germany, Argentina, and others -- have expressed some considerations on this question. These statements are being studied by the Soviet side with due attention.

For its part, the USSR delegation likewise intends today to express some considerations of a preliminary nature on the question at issue.

Many considerations and proposals have been expressed concerning the provisions of the draft convention which define the scope of the prohibition and which therefore constitute the very heart of the draft under discussion (CCD/471 and 472, articles I and II).

First of all, I should like to refer to the considerations expressed by delegations concerning an extension of the scope of the prohibition. A number of representatives have referred in their statements to the corresponding provisions of the Soviet draft of 1974 as being preferable, in their view, to those in the present text. Indeed, in the draft convention submitted by the Soviet Union to the General Assembly at its twenty-ninth session (annex to resolution 3264 (XXIX)), the scope of the proposed

(Mr. Roshchin, USSR)

prohibition is wider than it is in the draft convention submitted to the Committee by the Soviet Union and the United States of America (CCD/471 and 472). The changes which have been made are the result of the harmonization of the positions of the two sides achieved during the Soviet-United States negotiations on this question. Some delegations have in essence advocated a return to the provisions which appeared in the basic articles of the original Soviet draft. In this respect, the considerations expressed by certain representatives concerning an extension of the scope of the prohibition have been linked by them to a substantial change in the procedure for ensuring compliance with the convention. With reference to these considerations, we believe that the draft convention submitted by the USSR and the United States offers the optimum solution to both these problems, i.e., to the problem of the scope of the prohibition and the problem of guaranteeing this prohibition. Since we intend to dwell on both these problems in greater detail later, we shall now pass on to the consideration of the specific comments made on the content of the draft articles relating to the scope of the prohibition of the use of environmental modification techniques for hostile purposes (articles I and II).

A number of delegations have referred to the formulation "widespread, long-lasting or severe effects" contained in article I, paragraph 1. This restrictive formulation of the prohibition was included in the text of the article in order to indicate in the convention that the prohibition applies to substantial measures to modify the environment -- measures which are obvious and which cannot give rise to any doubt as to whether they are occurring or not. This narrows the possibility of creating debatable situations in which the effects of the use of environmental modification techniques would not be of a "widespread, long-lasting or severe" nature. Of course, this limitation of the scope of the prohibition is not mathematically precise. But, this requirement cannot, in our view, be applied to the definition of the scope of the prohibition contained in article I, which raises as a matter of principle the question of the prohibition of the most substantial environmental modification technique, whose use would be obvious and should not therefore give rise to any doubts. The scope of the prohibition formulated in article I is clarified in article II, which lists a number of specific environmental modification techniques which are subject to the prohibition. This method of defining the prohibition seems to us to be reasonable and justified in the light of the objective to be attained.

(Mr. Roshchin, USSR)

Some delegations have raised the question of making changes in the list of environmental modification techniques contained in article II. In particular, detailed comments on this point were made by the distinguished representative of the Federal Republic of Germany, Ambassador Schlaich. It seems to us that the manner in which he has formulated certain problems is open to question and calls for consideration at the expert level. I do not intend to touch on these matters in my statement today. We shall be willing to discuss these questions at the informal meetings of the Committee which begin on 5 April. On our side, these meetings will be attended by technical experts, Academician E.K. Fedorov and Professor I.I. Burtsev, who will, we think, be able to give the necessary clarifications in regard to article II. For the moment, I should like merely to mention as a preliminary remark that, although some of the environmental modification techniques mentioned in article II may today seem to be conceivable only in the future, the possibility of their use is nevertheless by no means a fantasy, in view of the rapid development of science and technology and their present levels. The use of these techniques would not require such substantial material expenditure and effort as some delegations believe.

The Soviet experts will also be able to answer some other questions which have been raised here concerning the interpretation of concepts and terms such as "an upset in the ecological balance", "climate patterns", "weather patterns", and so forth. We shall not therefore touch upon these special questions at the present time.

In their remarks on article I of the draft convention, concerning the definition of what is to be prohibited, some delegations have advocated the deletion of the words "military use" from the text of paragraph 1 of this article, so as to leave only the term "hostile use", on the grounds that this latter term covers also military use. It is necessary to point out in this connexion that military use is mentioned in the text of this article in order to emphasize the need to prohibit precisely the military use of environmental modification techniques. This formulation has a certain merit. Moreover, we do not see any valid reasons for deleting the reference to "military" use. If we delete the reference to "military" use, the meaning of the article will not be changed, but its political emphasis will be weakened. The representative of Sweden, Mrs. Thorsson, expressed the view that the present formulation, which contains a reference to "military" use might be interpreted as including also military manoeuvres which are not hostile acts. In our opinion, manoeuvres of this kind would not be

(Mr. Roshchin, USSR)

prohibited by the convention, since according to the present draft the prohibition applies to the use of environmental modification techniques as the means of destruction, damage or injury to another State Party.

The question has been raised as to why article I of the draft convention does not contain a provision prohibiting the use of environmental modification techniques against States which are not parties to the convention.

In our opinion, if the application of such techniques to States not parties to the convention were prohibited as well, the latter would be in a special position. They would enjoy the privileges deriving from the convention, but at the same time would remain free to apply environmental modification techniques for military purposes against parties to the convention. Thus, States not parties to the convention would have no incentive to accede to this international agreement.

The question was also raised as to whether not only the uses of environmental modification techniques for military purposes should be prohibited, but also the threat of such use. The explanation given by the representative of the United States, Ambassador Martin, on this question, seems to us to carry conviction, when he said that the prohibition of the use of such techniques would, of course, also include the threat of such use. Indeed, if a State undertook not to use environmental modification techniques, how could it threaten to use such techniques?

The representative of the United Kingdom, Ambassador Allen, wished to know whether States parties to the convention would have the right to use the techniques prohibited by the convention in their own territories, in order to ward off aggression. The text of the draft convention, in particular, paragraph 1 of article I, does not allow of differing interpretations on this question. It is clear, and prohibits unequivocally the military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to another State party. This prohibition is very specific and not connected with any territorial boundaries.

In this connexion, it may be noted that the 1925 Geneva Protocol for the prohibition of the use of chemical and bacteriological methods of warfare was also based on such an approach.

A number of representatives have made observations and remarks on the provisions concerning the use of environmental modification techniques for peaceful purposes (article III of the draft convention).

The fear was voiced that this article might be construed to mean that any use of these techniques was free and permissible provided it did not pursue hostile purposes, peaceful use not being subject to regulation by international rules. On these grounds, it was suggested that the article should be deleted altogether, or modified.

(Mr. Roshchin, USSR)

On the other hand, a number of representatives spoke in favour of retaining the article and even of amplifying it, by including a provision to the effect that peaceful action to modify the environment should be carried out in compliance with the provisions of existing international law.

Under article III of the draft, the convention is not to hinder the use of environmental modification techniques for peaceful purposes, or international economic and scientific co-operation in this field. At the same time, it seems to us that the convention should not touch upon complex questions of the procedure for regulating peaceful activities and international exchanges in this sphere. Besides, these matters are outside the field of competence of the Committee on Disarmament.

We consider that, in its present form, article III of the draft duly reflects this approach to the problem of peaceful activities in the area under consideration.

Those who spoke on the draft convention in the Committee devoted considerable attention to the provisions concerning the measures that may be taken in the event of a breach of the obligations deriving from the convention. These provisions, which are set forth in article V of the draft convention, provide for the obligation of States parties to the convention to consult one another and to co-operate in solving any problems which may arise in the application of the convention, and for the possibility of lodging a complaint with the Security Council if any State party acts in breach of its obligations under the convention.

The procedure proposed in the draft convention for lodging complaints with the United Nations Security Council is the most appropriate and practical one. Under the United Nations Charter, the body responsible for maintaining peace and security is the Security Council. In accordance with its powers, the Council will determine, on the basis of article V of the convention, the procedure for considering complaints received by it regarding the violation of the convention.

A few delegations, speaking on the said draft convention, have made some critical observations and comments on that part of article V which deals with the consideration of complaints against a violation of the convention. Thus, the representative of the Netherlands, Ambassador Van der Klaauw, stated that his Government is not at all happy with the fact that the Security Council would be the only body that could consider complaints against a violation of the convention and carry out an investigation. He spoke in favour of creating an "intermediate body" for the preliminary consideration of complaints, with the co-operation of experts. He suggested that the Secretary-General of the United Nations should be given fact-finding powers in the event of a violation of the convention, in which task he would be assisted by a committee, composed of parties to the Treaty.

(Mr. Roshchin, USSR)

The Soviet side considers that the procedure for solving problems arising from a violation of the convention, dealt with in article V of the draft convention is fully justified. This procedure is based on generally accepted rules of international law, namely: on the use of an appropriate international procedure within the framework of the United Nations and in accordance with its Charter. The procedures established in the United Nations Charter for considering problems of the maintenance of international peace and security represent the most perfect expression and application of the universally accepted rules of international law, which most fully express the real means and possibilities regarding the settlement of controversial international issues and situations. These rules have acquired universal recognition, as expressed in the broad membership of States in the United Nations and in their recognition of the United Nations Charter.

Moreover, the procedure for investigation proposed in the draft convention has already been widely adopted in international practice. It has been adopted in a number of international agreements concluded on the limitation of arms and on disarmament, and prepared within the framework of the Committee on Disarmament. Thus, article III of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof provides, in particular, for consultation and co-operation between the parties to the Treaty if any doubts arise concerning the fulfilment of the obligations assumed under the Treaty. If such consultation and co-operation do not remove the doubts, a State party may, in accordance with the provisions of that article refer the matter to the Security Council for consideration. The convention on the prohibition of bacteriological and toxin weapons (articles V and VI) provides for the same procedure for the consideration of complaints against a violation of the convention as is proposed in the draft convention on the prohibition of environmental modification techniques for hostile purposes now under consideration in the Committee.

Some remarks have been made in favour of giving the United Nations Secretary-General fact-finding powers in the event of a violation of the convention. The Soviet side does not share this attitude. The Secretary-General is the chief administrator of the Organization and it does not seem appropriate to enlist his aid in resolving questions and situations which are sometimes not only of a technical nature, but also political.

It has been argued that it would be inappropriate to lodge complaints directly with the Security Council, since "A State would be reluctant to lodge a complaint with the Security Council if it did not possess conclusive evidence that a violation of the treaty had occurred". (From the statement by the representative of the Netherlands, Ambassador Van der Klaauw (CCD/PV.692, page 34)).

(Mr. Roshchin, USSR)

In this connexion, we should like to note that article V, paragraph 1, of the draft convention provides for procedures other than the lodging of complaints to the Security Council, namely: consultation and co-operation of States parties to the Convention in solving any problems which may arise in connexion with the application or violation of the convention. A complaint would be lodged with the Security Council only after all other possibilities of dealing with a controversial issue or situation, either by direct consultations between the interested parties, or by the use of appropriate international procedures within the framework of the United Nations and in accordance with its Charter, had been exhausted.

The establishment of an intermediate body would create complications of a political and legal nature at the international level.

For the reasons I have stated, the Soviet side does not share the opinion expressed regarding an alteration of the procedure -- provided for in article V of the draft convention now being considered by the Committee on Disarmament -- for solving problems arising from a possible violation of the convention on the prohibition of the use of environmental modification techniques for hostile purposes.

Those are the observations we should like to make in connexion with the discussion in this Committee of the draft convention on the prohibition of the use of environmental modification techniques for hostile purposes. I would note, once again, that these observations are of a preliminary nature.

We hope that both the current exchange of views on the problem under consideration, and the meetings of the Committee on Disarmament to be held with the participation of experts, starting on 5 April next, will help towards the Committee's completing its work on the text of the convention already this year, and submitting it to the United Nations General Assembly at its thirty-first session.

The meeting rose at 11.45 a.m.