CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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CCD/PV.493 2 September 1970 ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND NINETY-THIRD MEETING

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held at the Palais des Nations, Geneva, on Wednesday, 2 September 1970, at 10.30 a.m.

Chairman: Mr. D. ERDEMBILEG

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(Mongolia)

⁽Previous verbatim records in this series appeared under the symbols ENDC/PV.1-ENDC/PV.430).

PRESENT AT THE TABLE

Argentina: Mr. C. ORTIZ de ROZAS Mr. A.F. DUMONT Brazil: Mr. R.E. SARAIVA GUERREIRO Mr. D.F. NATARIO Mr. L.F. PALMEIRA LAMPREIA Bulgaria: Mr. T. PETROV Mr. I. PEINIRDJIEV . . ,. Burma: U KYAW MIN Canada: Mr. G. IGNATIEFF Mr. R.W. CLARK Mr. R.E. MOORE Czechoslovakia: Mr. J. STRUCKA ÷ Ethiopia: Mr. A. ZELLEKE Mr. G. DEMISSE Hungary: Mr. I. KOMIVES Mr. J. PETRAN Mr. F. GAJDA India: Mr. M.A. HUSAIN Mr. N. KRISHNAN Mr. K.P. JAIN Italy: Mr. R. CARACCIOLO Mr. F.L. OTTIERI Mr. R. BORSARELLI Mr. U. PESTALOZZA

~	Mr. H. TANAKA
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	Mr. A. TOMIKAWA
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<u>a</u> :	Mr. D. ERDEMBILEG
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	Mr. H. STEPOSZ
	Mr. I. DATCU
	Mr. N. CHILIE
	Mr. A. EDELSTAM
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Japan:

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Mexico:

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Nigeria

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Poland:

Romania:

Sweden:

Union of Soviet Socialist Republics:

United Arab Republic:

United Kingdom:

United States of America:

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<u>Yugoslavia:</u>

Deputy Special Representative of the Secretary-General: Mr. A.A. ROSHCHIN
Mr. I.I. TCHEPROV
Mr. I.A. MASTERKOV
Mr. Y.C. NAZARKINE
Mr. H. KHALLAF
Mr. M. ISMAIL
Mr. I.F. PORTER
Mr. W.N. HILLIER-FRY
Mr. R. HOULISTON
Mr. J.F. LEONARD
Mr. A.F. NEIDLE
Mr. W. GIVAN
Mr. R.L. McCORMACK
Mr. M. BOZINOVIC
Mr. M. VUKOVIC

Mr. W. EPSTEIN

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1. <u>The CHAIRMAN</u> (Mongolia) (<u>translation from Russian</u>): I declare open the 493rd plenary meeting of the Conference of the Committee on Disarmament.

2. <u>Mr. ROSHCHIN</u> (Union of Soviet Socialist Republics) (<u>translation from</u> <u>Russian</u>): Today the Soviet delegation would like to comment on the discussion of the prohibition of chemical and bacteriological weapons. During some of the recent meetings of the Committee we have heard a number of important statements and suggestions concerning this problem.

3. First, we are gratified to note the submission of the joint memorandum of the twelve non-aligned States (CCD/310), in which they explain their position on important aspects of the problem. The Soviet delegation would like to state that we share the basic propositions advanced by the twelve members of the Committee in their memorandum. The Soviet delegation is particularly gratified to note the proposition which states:

"It is essential that both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States." (ibid., para. 6)
4. We are also gratified to note the part of the memorandum which brings out the importance of General Assembly resolution 2162 B (XXI) (ENDC/185) in stating that ---- "The General Assembly has ... called for the strict observance by all States of the principles and objectives of the Geneva Protocol of 1925, condemned all actions contrary to those objectives and invited all States, which had not already done so, to accede to the Protocol". (CCD/310, para. 3) ---- and of General Assembly resolution 2603 A (XXIV) (CCD/275), where it says that ----- "The General Assembly has ... also made a clear affirmation that the

prohibition embodied in that Protocol was comprehensive and covered the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments."

5. Important suggestions and ideas concerning the prohibition of chemical and bacteriological weapons have also been expressed in the statements of a number of representatives. Very detailed and convincing arguments in justification of the proposition that such types of weapons should be prohibited completely have been advanced in statements of the representatives of Nigeria, Morocco, India, the United Arab Republic, Yugoslavia, Sweden, Mexico, Mongolia, Poland, Bulgaria and of many other delegations. We shall study those statements with all the attention they deserve.

(Mr. Roshchin, USSR)

6. The main feature of the discussion on prohibition of chemical and biological weapons has been the desire of States to co-operate in a businesslike way and to negotiate in a constructive spirit with a view to arriving at a solution acceptable to all. We believe that such an atmosphere should continue to prevail; and the fact that, on the whole, it is in this atmosphere that the discussion of the problem of chemical and bacteriological weapons is proceeding is a hopeful sign. 7. Against the general background of constructive statements and proposals on this problem the statement of the representative of the United States at our meeting of 27 August struck a discordant note. In his statement (CCD/PV.491) he again attacked the basic approach of many countries members of the Committee to the problem of prohibiting chemical and bacteriological weapons -- namely the simultaneous prohibition of both types of weapons. He spoke of the absence of logic in that approach (ibid., para. 8) and in the refusal of some delegations to agree to the prohibition of biological weapons only. As an argument against a combined solution of the problem of prohibiting these types of weapons he again advanced the thesis that there were substantial differences between chemical and biological weapons. Biological weapons, he said, were strategic weapons and weapons of mass destruction, whereas chemical weapons could be used as tactical weapons, and not for mass destruction but for temporarily putting the enemy's armed forces out of action (ibid., para. 9). That thesis, however, is not borne out by the conclusions of experts or by what 8. is actually happening. For example, the Secretary-General's report says that the twotypes of weapons can be used on both the strategic and the tactical level, and that "some chemical and bacteriological (biological) weapons might spread their effects well beyond the target zone". (A/7575/Rev.1, para. 372) An example of the strategic use of chemical weapons is being seen in Viet-Nam, where defoliants and herbicides have been used over large areas in order to destroy crops and thus wreck the country's. economy. The fact also that certain types of bacteriological (biological) weapons can be used on the tactical level must not be overlooked.

9. Nor can the thesis of the United States delegation that there is no logic in the refusal of a number of delegations to settle for the prohibition of biological weapons alone be accepted as sound. There is rigorous logic and profound political sense in approaching the problem in question on the basis of considering together the prohibition of the two types of weapons. In a situation in which chemical weapons are being widely used and the States using them refuse stubbornly to prohibit them, the demand must be for the prohibition of both chemical and biological weapons. In

(Mr. Roshchin, USSR)

existing circumstances the proposal to limit ourselves to the prohibition of biological weapons alone can only be regarded as an effort to evade the solution of an important problem — the prohibition of chemical weapons — and as an attempt to create the appearance of progress in the solution of that problem. In support of this we should like to quote a sentence from a statement of the representative of the United Arab Republic:

"... it would seem to us a logical conclusion that biological weapons, whose use we all agree without exception is a more remote possibility than that of chemical weapons, need not be dealt with alone while allowing the latter to be further developed, further produced and further stockpiled, making their prohibition with every day that goes by an ever-more-difficult and complex ' task to accomplish." (CCD/PV.490, para. 41)

10. The representative of the United States further asked how the prohibition of biological weapons alone, leaving chemical weapons outside the ban, would promote the build-up of arsenals of chemical means of warfare (CCD/PV.491, paras. 8 <u>et seq</u>.). To that we would reply that the protagonists of the use of chemical means of warfare are being subjected to the pressure of broad public opinion in all the countries of the world, demanding the prohibition of both types of weapons, their unconditional condemnation. To separate these types of weapons, as insisted upon by the delegation of the United States, would create a new qualitative situation. The approach to biological and to chemical weapons would be different: one type of weapons -- would be prohibited; the other -- chemical weapons -- would be left outside the prohibition.

11. The question arises: Would such a situation strengthen those who advocate the use of chemical means of warfare? The answer is: Yes, without a doubt. Would it promote the build-up of arsenals of chemical weapons? In our view it would. Would such a situation weaken the existing prohibition — now in force — of the use of chemical and bacteriological weapons, a prohibition which has become a generally-accepted rule of international law? Yes; a separate and differentiated approach to these types of weapons, adopted and enshrined in an international agreement similar to the United Kingdom draft (CCD/255/Rev.2*), would in our view weaken the Geneva Protocol (A/7575, Rev.1, Annex VI), which embodies the will of the peoples and the legal norm prohibiting the use of chemical and bacteriological weapons.

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12. What is the reason for, the real point of, the demand for a separate approach to the prohibition of chemical weapons on the one hand, and of bacteriological weapons on the other? It is to keep chemical weapons in the armaments of the United States so that they could be used, as in Viet-Nam, whenever the United States considers it necessary. Neither the Soviet Union nor many other members of the Committee can accept such an approach. Consequently we reject the whole idea of separating chemical and bacteriological weapons and prohibiting one type while leaving the other outside the prohibition.

13. In insisting on the need for a separate approach to chemical and bacteriological weapons, the representative of the United States claimed that this "has been demonstrated by over fifty years of history" (CCD/PV.491, para. 11). But that is not If anything, the last half century tells us that, in all international so. instruments and documents concerning chemical and bacteriological weapons, both types of weapons have been dealt with together. These instruments and documents include the Geneva Protocol of 1925, the Peace Treaties concluded after the Second World War, the State Treaty with Austria concluded in 1955, the General Assembly resolutions on the subject, even the Paris Agreement of 1954 concerning the Western European Union, The same prohibitory attitude has been adopted with respect to both types and others. of weapons; neither has been excluded. And now the United States side is telling us to break with this practice, which has been followed for decades and has stood the test of time, by using a different approach to these types of weapons and prohibiting only one type: biological weapons.

14. The representative of the United States has contended (<u>ibid</u>., para. 18), that the draft convention proposed by the socialist countries (A/7655) providing for the complete prohibition of chemical and bacteriological weapons, as supplemented by the proposal of Poland, Hungary and Mongolia (CCD/285 and Corr.1) concerning recourse to the Security Council, contains no provisions for verification. The Soviet delegation and the delegations of other socialist countries have already given detailed clarification on that aspect. We have stressed that, under the draft convention of the socialist countries, verification of observance of the prohibition of chemical and bacteriological weapons is based on a combination of mutually-complementary national and international measures. We are gratified to note that this approach to the problem of control has also been adopted in the memorandum submitted by the twelve non-aligned States.

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15. What we do not understand, however, is why the United States delegation endorses with respect to the United Kingdom draft convention a provision regarding recourse to the Security Council in case any country fails to observe its obligations under that convention, and at the same time rejects a similar provision for the draft convention of the nine socialist countries.

16. The United States side, moreover, has declared that the United States is prepared to renounce the production of biological weapons, toxins and certain types of lethal chemical substances. The United States delegation has assured the Committee (CCD/PV.491, para. 8) that the production of those types of weapons has been halted in the United States for some time now. In this case the United States Government considers it possible to ensure that non-production of such weapons is observed, and raises no question about any kind of international verification. But when the socialist countries propose ensuring prohibition by an international treaty, the United States side argues that the provisions in the draft relating to verification are inadequate, and insists that prohibition of the production of chemical weapons requires extremely complex forms of control. That position can scarcely be regarded as logical. 17. In his statement on 27 August the United States representative expressed displeasure at the belittling by the Soviet side of the study of the technical aspects of a prohibition of chemical weapons and of the scientific and technical investigations that the United States has conducted in connexion with that problem (ibid., para. 3). We should like to explain that in principle the Soviet side is far from opposed to scientific and technical research on various disarmament problems, if such research can contribute to a solution. But the technical research pertaining to chemical weapons proposed to the Committee by the United States delegation does not by any means promote a solution of the problem of prohibiting such weapons. Its purpose is to justify in one way or another the allcged impossibility, under present conditions, of solving the problem of the prohibition of those weapons.

18. The United States working papers contain no constructive proposals that could assist or facilitate the search for a solution to the problem with which we are dealing. They have a definite political aim: to leave chemical weapons outside the prohibition. We therefore cannot agree with the United States policy of substituting study of the technical aspects of control for consideration of the problem of prohibiting chemical and bacteriological weapons, since that approach promises nothing except to divert us from a positive solution of the problem.

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19. In justification of its approach to the problem of prohibiting chemical and bacteriological weapons, the United States side asserts that the prohibition of biological weapons is the quickest way of ensuring that mankind will be spared the danger of the use of these types of weapons. We are told that by first prohibiting biological weapons alone we shall come nearer to the solution of the problem of prohibiting chemical weapons (<u>ibid</u>., para, 7). But how can that be reconciled with the statement of the United States representative that to eliminate both types of weapons "is not possible and we do not know at this time whether or when it will be possible"? (<u>ibid</u>.). That pronouncement is in our view tantamount to saying that chemical weapons will never be prohibited.

20. Referring to the question of political decisions concerning the prohibition of chemical and bacteriological weapons, the United States representative did his best to extol the importance of the unilateral declaration by the United States renouncing biological means of warfare, and asserted that the Soviet side had not taken political decisions of equal importance (<u>ibid</u>., paras. 34, 35). While not denying the importance of unilateral declarations on the problem of chemical and bacteriological weapons, we would note --- and the representative of the United Arab Republic, Mr. Khallaf, drew the Committee's attention to this point --- that such declarations are not binding in the strictly legal sense of the word. Mr. Khallaf quite rightly pointed out that, if all authors of declarations chose their own wording, they might ---

"... produce a variety of declarations each substantially different from or contradictory to the other, and thus the elaboration of an international instrument binding on all parties would be even more difficult to achieve". (<u>CCD/PV.490, para. 35</u>)

21. We have stressed time and again that for the prohibition of chemical and bacteriological weapons what is needed first is the accession of all States to the international agreement already in existence -- the Geneva Protocol of 1925. As a result of the General Assembly's appeal, some States -- Japan, Brazil and Morocco -- have recently adhered to the Protocol. The United States, however, is still not a party to the Protocol -- a fact which is bound to be disquieting.
22. If we are to speak about the importance of particular political decisions, then unilateral declarations such as that made by the United States concerning the renunciation of biological weapons are no substitute for being a party to such international agreements as the Geneva Protocol, to which practically all members of

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the Committee have acceded except the United States. The participation of the USSR in the Geneva Protocol shows that the political decisions of the Soviet side on the question of prohibiting chemical and bacteriological weapons are more important than those of the United States. What is more, the socialist countries do not stop at accession to the Geneva Protocol in their efforts to prevent the use of chemical and bacteriological means of warfare. They have taken the initiative of proposing the complete prohibition of chemical and bacteriological (biological) weapons, and the Committee has before it a draft convention to that effect. We realize that not all aspects of this very great and important problem of the prohibition of chemical and bacteriological means of warfare are finally solved in that draft, and that extensive consultations and considerable work will be needed to make it an international instrument.

23. The problem of the complete prohibition of such types of weapons, which is the basic objective of the draft convention of the socialist countries, has been actively considered in the Committee; specific proposals have been made and ideas expressed on the best way of solving this problem. Important suggestions have been made to improve the provisions of the draft convention. We are hopeful that a constructive attitude on the part of delegations towards this problem will enable us to move forward to its solution. The representative of the United States has also given his views on the problem as a whole and on the draft convention. Regrettably they are purely negative views and do not contain any constructive elements that could bring us closer together and assist in the solution of our problem. The nature of his attacks on the draft convention confirms our opinion that the prohibition of chemical weapons is not one of the objectives of the United States side.

24. In discussing the draft convention of the socialist countries on chemical and bacteriological weapons, the United States' delegation has tried to reduce the whole matter to a dialogue between the United States and the USSR, as if, on the question of joint or separate consideration and solution of the problem of the prohibition of chemical and bacteriological weapons, there were a clash between the positions of those two States only. Speaking on this problem the representative of the United States did not find it possible to comment on, or even to mention as it were, the extremely important document on this problem drafted and jointly submitted by the twelve non-aligned States. That document is of great significance in clarifying the position of a large group of States which do not share the United States approach to the question of chemical and bacteriological weapons.

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25. I shall not even point out that the representative of the United States passed over in silence other suggestions made in their statements by the representatives of a number of States members of the Committee. What he did say, however, was that

"... we are encouraged because no delegation has said anything this year which

indicates to us that this /i.e. the United Kingdom proposal/ is an unsound proposal." (CCD/PV.491, para. 2).

That assessment of the situation does not correspond to the facts. This is clearly shown by the memorandum of the twelve non-aligned States, which stresses that it is essential that the problems of both chemical and bacteriological weapons should be dealt with and solved together. The same point has been made in the statements of many representatives in the Committee, who have stressed the unsoundness of an approach which provides for the prohibition of biological weapons only and leaves chemical weapons outside the prohibition — the very essence of the United Kingdom proposal. It is hardly possible to conclude that the statements and suggestions of their attitude to the Anglo-American proposal to prohibit biological weapons only. 26. Those are some of our views and comments on the statements of representatives, and more particularly of the representative of the United States, concerning the problem of chemical and bacteriological weapons.

27. <u>Mr. AHMED</u> (Pakistan): The delegation of Pakistan would like to take this opportunity to express its appreciation to the co-Chairmen for presenting the third revision of the draft 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 (CCD/269/Rev.3). It is a matter of satisfaction to us that the present draft takes into account the views and suggestions put forward by a large number of delegations since the second revised draft (CCD/269/Rev.2) was submitted on 23 April. It will be recalled that in my statement of 9 July (CCD/PV.477, paras. 72 <u>et seq</u>.), while commending the draft treaty, I also indicated the areas where the Pakistan delegation would have preferred to see improvements in the text. We expressed the view that the principle of international responsibility for verification procedures should be recognized by an appropriate provision in the treaty. We further suggested that the pledge contained in the third preambular paragraph of the second revised draft should be incorporated in the operative part of the treaty (<u>ibid</u>., para. 73).

(Mr. Ahmed, Pakistan)

28. Proposals in regard to both of those issues were submitted to the Committee by nine delegations, including the Pakistan delegation, in their working paper of 30 July (CCD/297). We are happy to see that the amendment proposed in that working paper in regard to paragraph 5 of article III has been agreed to by the co-Chairmen and incorporated in paragraph 5 of article III of the text now before us. Other improvements have been made to article III as a result of suggestions made by the delegations of Argentina (A/C.1/997) and Yugoslavia (CCD/PV.473, paras. 90, 91). We are also glad to see the new article V in the present text.

29. The Pakistan delegation shares the view that the present draft treaty deserves a wide measure of support from the international community. We hope that it will be approved by the General Assembly of the United Nations at its twenty-fifth session and that it will be open thereafter for signature. In conclusion I should like to express the particular satisfaction of my delegation at the fact that all members of the Committee have had a full opportunity to contribute, both formally and informally, to the formulation of the present draft treaty since the first draft (CCD/269) was presented to us by the co-Chairmen last year. We believe that that is a happy augury for the future work of the Committee on Disarmament.

30. <u>Mr. NATORF</u> (Poland): May I be permitted to join the delegation of Pakistan and all those delegations whose representatives spoke yesterday in welcoming the new revised draft 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 (CCD/269/Rev.3)? On this occasion I should like to express the appreciation of my delegation to our co-Chairmen for the efforts they have made to achieve that end, and to congratulate them on the spirit of co-operation with which they have inspired us in the process of negotiations conducted in this Committee and at the twenty-fourth session of the General Assembly since their two delegations presented the first joint draft (CCD/269).

31. I believe that I am not exaggerating when I assert that every delegation in this Committee can rightfully consider itself to be an architect of the final draft of this instrument. Being aware of the devoted participation of all delegations in the achievement of this document, I do not hesitate to consider it as a final, effective and generally-acceptable instrument and one which is in the common interest of the international community.

(Mr. Natorf, Poland)

32. We are indeed gratified to note that practically all the useful suggestions made during the debate by all delegations, including the Polish delegation, have found their way into the latest draft. It may be recalled that the Polish delegation attached great importance to the inclusion in the operative part of the draft treaty of a provision concerning further negotiations regarding the complete demilitarization of the sea-bed and the ocean floor (CCD/PV.471, paras. 8, 9). In our view the new article V of the draft satisfactorily meets that point, especially if taken together with the interpretation given here yesterday by the co-authors — our co-Chairmen that they support the proposal to keep this important topic on the agenda of our Committee (CCD/PV.492, paras.19, 32). Thus we have every reason to believe that the draft will obtain the unanimous support of the Committee and widespread endorsement by the General Assembly for an early opening for signature.

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The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 493rd plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Dugersurengiin Erdembileg, representative of Mongolia.

"Statements were made by the representatives of the Union of Soviet Socialist Republics, Pakistan and Poland.

"The next meeting of the Conference will be held on Thursday, 3 September 1970, at 10.30 a.m."

33. <u>Mr. IGNATIEFF</u> (Canada): I had understood, Mr. Chairman, that we were going to discuss the report. I wonder whether we might hear from the co-Chairmen when the report will be discussed.

34. <u>The CHAIRMAN</u> (Mongolia) (<u>translation from Russian</u>): Has either of the co-Chairmen any comment to make?

35. <u>Mr. LEONARD</u> (United States of America): It was my understanding that shortly after the close of this meeting we were going to have an informal meeting for the purpose of discussing the further procedure for handling the report, and so on. We shall be glad to offer explanations and to discuss the report at that time, if that is agreeable to other members of the Committee.

36. <u>Mr. CARACCIOLO</u> (Italy): I also had understood that in the informal meeting we would discuss the report. But the report has not yet been circulated. I think, therefore, that it would be better to hold the informal meeting a little later, after we have had an opportunity of looking at the report. I, for one, would not like to discuss a report I had not seen. May I suggest, therefore, that the informal meeting take place after we have had time to give due consideration to the report?

37. <u>Mr. PORTER</u> (United Kingdom): I should like simply to ask the co-Chairmen when we can expect to see the report. Are we likely to get it immediately or must we wait a little while yet?

38. <u>Mr. LEONARD</u> (United States of America): I am happy to explain this, I thought this was the sort of discussion which was best carried on in an informal meeting since it is purely procedural; but I have no objection to explaining on the record that the report is now in this room, having arrived a few moments ago. It was worked on until quite late last night and then a bit more work was done on it this morning. It has just become available in English, and the Russian text will be available in a short while.

39. Certainly delegations will wish to read the report. They have seen the bulk of it already informally -- since in fact it is still informal -- but there are a certain number of changes which they will want to look at now. If the Committee wished, it would be possible, of course, to conclude our formal meeting now, have a break during which the report could be studied, and meet informally at 12 or 12.15 p.m. to hear whatever remarks representatives might wish to make on the report at that time. The report is now available and can, I believe, be distributed just as soon as this formal meeting adjourns.

40. <u>Mr. HUSAIN</u> (India): I wonder if all the delegations feel that half an hour or so is enough in which to study this lengthy document, of twenty pages or so. Would it not be better to study it properly and then discuss it later this afternoon in an informal meeting?

41. <u>Mr. CARACCIOLO</u> (Italy): I wish to support the suggestion made by the representative of India. I do not think that half an hour would be sufficient to go through the report. It would be better if we could meet late in the afternoon.

42. <u>The CHAIRMAN</u> (Mongolia) (<u>translation from Russian</u>): I should like to ask the co-Chairmen for their views on the suggestions made by the representatives of India and Italy.

43. <u>Mr. ROSHCHIN</u> (Union of Soviet Socialist Republics) (<u>translation from</u> <u>Russian</u>): For our part we have no objection to the proposal made by the delegation of India and supported by the delegation of Italy.

44. Mr. HUSAIN (India): I suggest that we meet at 4 o'clock in the afternoon.

45. <u>Mr. LEONARD</u> (United States of America): I agree with the proposal of the representative of India.

46. <u>The CHAIRMAN</u> (Mongolia) (translation from Russian): If there is no objection to the proposal that we meet informally at 4 p.m., it will be so decided. <u>It was so decided</u>.

The mosting rose at 11.40 a.m.