

# CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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## FINAL RECORD OF THE SIX HUNDRED AND FORTY-THIRD MEETING

held at the Palais des Nations, Geneva,  
on Tuesday, 16 July 1974, at 10.30 a.m.

Chairman:

Mr. M. Dugersuren

(Mongolia)

## PRESENT AT THE TABLE

Argentina:

Mr. V.E. BERASATEGUI

Brazil:

Mr. G. ALVARES MACIEL

Mr. A. BIER

Mr. M.T. DA SILVA

Bulgaria:

Mr. B. GRINBERG

Mme. S. ZIKOLOVA

U THAUNG LWIN

Burma:Canada:

Mr. A.D. ROWE

Mr. D.R. MACPHEE

Mr. R. EATON

Czechoslovakia:

Mr. M. VEJVODA

Mr. J. STRUCKA

Egypt:

Mr. A. EL-ERIAN

Mr. M. ABOUL-NASR

Mr. A.E. KHAIRAT

Mr. S.A. ABOU-ALI

Mr. H.Z. YOUSSEF

Ethiopia:

Mr. G. DEMISSIE

Hungary:

Mr. I. KÖMIVES

Mr. D. MEISZTER

Mr. I. KÖRMENDY

India:

Mr. B.C. MISHRA

Mr. M.K. MANGALMURTI

Mr. H.N. SUKHDEV

Italy:

Mr. N. DI BERNARDO  
 Mr. P. BRUNI  
 Mr. A. BIZZARINI

Japan:

Mr. M. NISIBORI  
 Mr. A. YATABE  
 Mr. Y. TSUZUKI  
 Mr. M. TOBE  
 Mr. H. OKA  
 Mr. H. TSUJIMOTO

Mexico:

Mr. M. MARÍN

Mongolia:

Mr. M. DUGERSUREN  
 Mr. J. CHOINKHOR

Morocco:

Mr. S.M. RAHHALI

Netherlands:

Mr. M.J. ROSENBERG POLAK  
 Mr. E. BOS

Nigeria:

Mr. OLAJIDE ALO  
 Mr. M.G.S. SAMAKI

Pakistan:

Mr. N.A. NAIK  
 Mr. K. SALEEM  
 Mr. M.J. KHAN

Poland:

Mr. S. TOPA  
 Mr. A. CZERKAWSKI

Romania:

Mr. C. ENE  
 Mr. V. TUDOR  
 Mr. A. SASU

Sweden:

Mrs. I. THORSSON  
Mr. L. ECKERBERG  
Mr. J. HAMILTON  
Mr. U. REINIUS  
Mr. U. ERICSSON  
Mr. J. LUNDIN

Union of Soviet Socialist  
Republics:

Mr. A.A. ROSHCHIN  
Mr. Y.K. NAZARKIN  
Mr. N.V. PESTEREV  
Mr. J.P. KLUKIN

United Kingdom:

Mr. H.C. HAINWORTH  
Mr. J.G. TAYLOR  
Mr. A. WHITE  
Mr. I.C. SLOANE

United States of America:

Mr. J. MARTIN  
Mr. R.W. DREXLER  
Mr. R.J. EINHORN  
Mr. J.H. McNALLY  
Mr. D.D. STEDHAM  
Mr. D. WESTERVELT

Yugoslavia:

Mr. M. MIHAJLOVIĆ

Special Representative of the  
Secretary-General:

Mr. ILKKA PASTINEN

Alternate Representative of the  
Secretary-General:

Mr. R. BJÖRNERSTEDT

Communiqué of the meeting

The Conference of the Committee on Disarmament today held its 643rd plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador M. Dugersuren, representative of the Mongolian People's Republic.

Statements were made by the representatives of Pakistan, Japan, the United States, Canada and India.

The delegation of Nigeria submitted a "Letter dated 5 July 1974 from the Permanent Representative of Nigeria to the Special Representative of the Secretary-General to the CCD" (CCD/429).

The delegation of Japan submitted a "Working Paper containing views of Japanese experts on the scope of prohibition and on the verification for organophosphorus compounds for the informal meetings with participation of experts of the CCD in 1974" (CCD/430).

The delegations of the Union of Soviet Socialist Republics and the United States of America submitted texts of a "Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests"; a "Protocol to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests"; a "Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems"; and a "Joint Statement on Environmental Warfare" (CCD/431).

A letter dated 12 July 1974 from the Permanent Representative of Finland to the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament transmitted a working paper by the Government of Finland on methodology for chemical analysis and identification of CW agents -- progress of a Finnish research project (CCD/432).

The delegation of Canada submitted a Working Paper on "The problem of defining compounds having military significance as irritating and incapacitating agents" (CCD/433); and a Working Paper on the "Destruction and disposal of Canadian stocks of World War II Mustard Agent" (CCD/434).

The delegation of the United States of America submitted a "Working Paper on toxicity of chemical warfare agents" (CCD/435); a "Working Paper on chemical agent destruction" (CCD/436); and a "Working Paper on diversion of commercial chemicals for weapons" (CCD/437).

The next meeting of the Conference will be held on Thursday, 18 July 1974, at 10.30 a.m.

Mr. NAIK (Pakistan): At the 642nd meeting of this Conference, the representative of India posed a question to me. He asked why Pakistan had not adhered to the Moscow Partial Test Ban Treaty. Although I have still to grasp the immediate relevance of this question to the subject-matter of my statement, which, as the Committee will recall, related to the question of strengthening the security of the non-nuclear States, still I feel that the question posed to me should not remain unanswered. I would therefore take this opportunity of giving a brief reply.

Pakistan was and remains committed to the goal of general and complete disarmament. We appreciated that the objective of the Partial Test Ban Treaty was to promote this goal. Pakistan therefore voted in favour of the Treaty and signed it. We similarly voted in favour of the resolution of the General Assembly which commended for adoption the Treaty on non-proliferation of nuclear weapons. However, we have to point to certain flaws in the Partial Test Ban Treaty. The Treaty prohibited nuclear weapon tests in the atmosphere, in outer space and under water only. It did not prevent, and indeed has not prevented, the nuclear Powers parties to the Treaty from further developing and sophisticating their nuclear arsenals. Also, by enabling India to explode a nuclear-weapon device underground, the Treaty has failed to prevent further nuclear proliferation.

Pakistan's willingness to accede to the Partial Test Ban Treaty and to other international agreements on nuclear disarmament has obviously been affected by the knowledge that India had embarked on a course of nuclear armament. We have tried to inform the international community of this on several occasions. In these circumstances Pakistan could not be expected legally to foreclose its option. However, Pakistan, unlike India, had placed its nuclear facilities under the International Atomic Energy Agency's safeguards prescribed by the Treaty on Non-Proliferation of Nuclear Weapons. As I said in my statement during the 642nd meeting, if India was sincere about its renunciation of nuclear armaments, it should follow Pakistan's example and place all its nuclear facilities under international safeguards.

(Mr. Naik, Pakistan)

Even in the serious situation created by the Indian nuclear explosion, Pakistan's response is in favour not of the nuclear but of the political alternative, as stated authoritatively by the Prime Minister of Pakistan on 19 May. Extracts from the statement of 19 May by the Prime Minister of Pakistan have already been circulated to the members of the CCD in document CCD/422. Non-nuclear States such as Pakistan could be induced to accede to international agreements on disarmament if they were assured that their security would be safeguarded for forgoing the nuclear option. The proposals made by Pakistan in this regard therefore merit the serious and urgent attention of the CCD and the international community.

Now that the subject of the Partial Test Ban Treaty has been brought into reference by the question put to me by the representative of India, I would like to invite the attention of the CCD to Article I of the Treaty which banned nuclear weapon tests in the atmosphere, in outer space and under water, and "in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the State under whose jurisdiction or control such explosion is conducted" (ENDC/100/Rev.1). The nuclear explosion conducted by the Government of India in the State of Rajasthan at a depth of 100 metres, at a distance of about 40 miles from the Pakistan border, spread radioactive debris to and over the territory of Pakistan. This conclusion has been reached after a careful investigation by the Pakistan Atomic Energy Commission. Three parties of the Commission collected samples of vegetation, soil, water etc. from Pakistan territory on the borders of the Indian test site. Smears from the underside of the wings of domestic flights of the Pakistan International Airlines were also taken and analysed. Further, air filters used in the laboratories at the Pakistan Institute of Science and Technology were tested for the presence of radioactivity. Even the preliminary investigation clearly shows that the Indian nuclear explosion caused radioactive fallout in and over the territory of Pakistan.

(Mr. Naik, Pakistan)

The Government of Pakistan has conveyed the above information to the Depository Governments of the Treaty and requested them to circulate it to all the signatories of the Treaty for such action as they may deem appropriate in order to enforce the provisions of the Treaty and to secure compliance therewith by the Government of India, which is a party to the Treaty. We have been constrained to do so since the Government of India has not made available to the Government of Pakistan any information on its future nuclear tests programme in the region. However, press reports reveal that future nuclear tests will follow the pattern of the recent test. If so, they will involve the entry into the territory and air space of Pakistan of additional radioactive material of a dangerous or potentially dangerous character, and will heighten the apprehension, anxiety and concern of the people of Pakistan.

Mr. NISIBORI (Japan): In my statement today I would like to present the views of the Japanese delegation on the question of banning chemical weapons, one of the main items pending in this Committee.

On 30 April my delegation submitted to this Committee a draft convention on this question (CCD/420). Since then many representatives have shown interest in this draft convention, for which I would express my sincere appreciation. While I will welcome listening to further concrete comments which may be forthcoming, I would like to offer today some clarifications on the draft convention with a view to further expediting the discussions. On 2 July Sweden submitted to this Committee a working paper (CCD/427) containing observations on our draft convention; and on the same day Mr. Eckerberg stated that the working paper would be introduced at the meetings with participation of experts. Accordingly we intend to answer at these meetings the analysis and questions contained in the working paper.



(Mr. Nisibori, Japan)

With reference to the scope of the substances which are to be prohibited first according to our draft convention, Mr. Roshchin of the Soviet Union pointed out on 7 May that our draft convention did not give a definite answer to the exception from the ban, and added "... the scope of prohibition is a basic and major question of the proposed convention, and ... unless there is agreement on it the problem of the prohibition of chemical weapons cannot be solved."

(CCD/PV.633, p.17) Further, on 2 July, Mr. Roshchin asked again what will be exempted from the ban under Article IV of our draft convention (CCD/PV.639, p.11). Likewise Mr. Wyzner of Poland said on 14 May that "it is of paramount importance to establish beyond any reasonable doubt what, according to the Japanese draft convention, is to be the subject of the first stage of prohibition of chemical weapons" (CCD/PV.635, p.16), and further showed concern about how to deal with binary weapons.

I associate myself with these remarks, which emphasize the extreme importance of deciding the scope of the substances to be prohibited from the beginning. At the same time I would point out that the scope of those to be prohibited from the beginning is to be decided upon depending on whether effective verification measures can be found for the substances which are about to be prohibited. On this point I would recall the statement made on 16 May by Mr. Di Bernardo of Italy, in which he rightly observed: "Obviously, the scope of the treaty will not depend solely on an abstract political will of States. It will depend in fact on the treaty provisions for effective controls" (CCD/PV.636, p.15).

Thus discovering for which substances effective verification measures can be found for prohibition under the present circumstances is the key to deciding the scope of substances which are to be prohibited first; and this is the point on which I hope the meetings with the participation of experts to be held from tomorrow will

(Mr. Nisibori, Japan)

produce useful results. Based on the opinion of our experts, I suggested on 30 April that super-toxic organophosphorus compounds and also, depending on agreement among us, mustard-type agents should be included among those to be prohibited from the outset. However, we did not specify these agents in our draft convention, as we thought that we might include in the ban further agents on which experts from various countries may find effective verification measures.

Next, Mrs. Thorsson of Sweden pointed out on 14 May that the "chemical agents" mentioned in Article I of our draft "could perhaps be interpreted as covering also other chemical agents than potential chemical warfare agents, like powder, propellants, smoke, napalm, etc." (CCD/PV.635, p.9). Our intention on this point was that the "chemical agents" mentioned in Article I should be interpreted to mean "asphyxiating, poisonous or other gases, and ... all analogous liquids, materials or devices" as specified in the Geneva Protocol of 1925, and accordingly powder, propellants, smoke, napalm, etc. were not intended to become the object of prohibition.

Now, Mr. Wyzner of Poland pointed out on 14 May that, according to the Japanese draft, the destruction of the existing stocks is to take place at the first stage "despite and irrespective of the lack of an effective verification system" whereas "other partial steps depend on the availability of such an effective verification system", and asked "what is to be the subject of agreement or agreements to be concluded at the later stage or stages?" (CCD/PV.635, p.15). This question is closely related to the statement made on 23 May by Mr. Martin of the United States in which he said, "We will be interested in learning, when the representative of Japan returns to this subject in the future, whether the draft treaty envisages negotiation of further agreements, including those on effective verification measures, for the destruction of stockpiles as well as for the reduction of the list of exempted agents" (CCD/PV.638, p.27). The answer to Mr. Martin's question is Yes; and while I feel that with this answer I have also replied to Mr. Wyzner's question, I would like to offer some supplementary explanations.

(Mr. Nisibori, Japan)

Confirmation of the destruction of stockpiles logically requires effective verification measures, and there has been no change in our position of placing importance on this subject. Nevertheless, we have taken into consideration the strong assertion, as shown in the working paper submitted by the non-aligned countries (CCD/400), that stockpiling should be prohibited from the outset, and we have subsequently included the provisions on the destruction of stockpiles. Furthermore, the possible danger of violation would be reduced considerably if an agreement could be reached requiring the States Parties to submit a report concerning information on the prohibited chemical agents which they possess and concerning programmes on the destruction or diversion to peaceful purposes of such agents, and also if, on the basis of this report, the destruction or diversion to peaceful purposes is to take place under international observation as provided for in Article II.

However, I recognize that, in taking further steps for a comprehensive ban, it will become increasingly important to ensure effective verification measures for confirming the destruction of stockpiles while endeavouring at the same time to reduce the scope of chemical agents exempted from the ban, and that the solution of this question would assume ever greater importance as the scope of prohibition is expanded.

I wish now to touch upon the items to be discussed at the experts' meetings to be held from 17 July, and also upon their significance. In our efforts to ban chemical weapons, it is essential to obtain agreement on an effective verification system which would prevent violation of the obligation. In his statement on 9 July the Right Honourable David Ennals, Minister of State of the United Kingdom, referred

(Mr. Nisibori, Japan)

to our draft in a sympathetic manner but pointed out that, whereas the draft convention "tackles constructively the problem of what the international community should do once a breach of the convention has been detected, it does not, as it stands, show how the early detection of any suspected breach would take place" (CCD/PV.641, p.12). Certainly, if a mechanism can be devised so that it may detect at an early stage violations of the obligations of the convention with considerable certainty, then it would logically deter violations of obligations.

The question, then, lies in such a mechanism, or the content of the verification system. Accordingly I would suggest that we discuss at the meetings the degree of the effectiveness of various verification measures and, based on the results obtained, examine the scope of agents which can be prohibited. I am convinced that, if agreement is reached among experts on these points, we shall have passed an important milestone toward a comprehensive ban on chemical weapons.

In concluding my statement, I wish to note with special attention the part of the joint communiqué announced in Moscow on 3 July in which the United States and the Soviet Union agreed to consider a joint initiative in this Committee with respect to the conclusion of an international convention dealing with the most dangerous, lethal means of chemical warfare. There is no doubt that the deliberations of this question in this Committee would be greatly expedited if joint action were taken by the United States and the Soviet Union, which assume particular responsibility in matters of world disarmament.

Lastly, I wish to express the hope that the summer session of this Committee, including the meetings with participation of experts, will bear fruit on this question.

Mr. MARTIN (United States of America): In my statement at the opening meeting of this session I referred to the negotiations then in progress between leaders of the United States and of the Soviet Union. I said that I hoped to be able to report to the Committee on developments in those negotiations. I would like to return to that subject today and review briefly the three principal documents in the arms-control area signed at the Moscow summit: the Protocol to the 1972 U.S.-Soviet Treaty on Anti-Ballistic Missile Systems placing further limitations on ABM deployment; the Joint Statement on Environmental Warfare; and The Treaty and Protocol on the Limitation of Underground Nuclear Weapons Tests. These documents have been tabled today as joint U.S.-Soviet conference documents.

Secretary of State Kissinger has noted that one of the main objectives of the summit was to deal with what he called "the most complex and in many respects the most serious problem of the modern period, which is the control of the nuclear arms race". The Secretary pointed out the critical role played by technological developments in driving the nuclear arms race, and emphasized the importance of maintaining firm control over these developments. He deplored arms competition not only because of its military consequences but "also because the justifications that would have to be made on either side to sustain such an effort might, in time, become incompatible with a policy of relaxation of tensions and might, in themselves, be a factor introducing confrontation". Accordingly one task at the Moscow summit was to search for effective means of controlling the direction of rapid technological change in the strategic area and to ensure that these technological developments would not adversely affect international security. While the arms-control agreements signed in Moscow are the product of discussions between two States, they are also a contribution to the broad international effort in which we are all engaged, and they are directed at widely-shared goals: the strengthening of peace, the further relaxation of international tensions, and the cessation of the nuclear arms race.

(Mr. Martin, United States)

The first of these agreements, the Protocol to the Treaty on the Limitation of Anti-Ballistic Missile Systems, restricts the deployment of ABM systems to a single site. This does away with the possibility of two separate deployment areas -- one defending an ICBM field and the other defending the capital city -- as was permitted in the 1972 Treaty. In order to provide for some flexibility with respect to the single area which can now be defended, the Protocol gives each side an opportunity once, under conditions specified in the Protocol, to change its original decision regarding its deployment area.

With respect to environmental warfare, the two sides have jointly declared their support for the most effective measures possible to overcome the dangers of the use of environment modification techniques for military purposes. Accordingly, Soviet and United States representatives will meet this year for the purpose of exploring the problem and discussing what steps might be taken to remove the threat of the hostile use of these techniques.

The third arms-control agreement, the Treaty on the Limitation of Underground Nuclear Weapons Tests above a threshold of 150 kilotons, is, I am sure, the one in which members of this Committee have the greatest interest. In the absence of any prospect of early resolution of the problems of verifying a comprehensive test ban, the leaders of the United States and of the Soviet Union decided to take this significant step toward the objective of a CTB.

Several members of this Committee have recommended such a partial and intermediate approach to the question of further restraints on nuclear testing, and a United Nations resolution in 1971 called on underground nuclear testing countries "to undertake unilateral or negotiated measures of restraint that would suspend nuclear weapon testing or limit or reduce the size and number of nuclear weapon tests, pending the early entry into force of a comprehensive ban on all nuclear weapon tests in all environments by all States" (A/2828 C, XXVI; CCD/357). Most recently, in 1972, the delegation of Japan proposed a threshold test ban which initially would have had the effect of prohibiting testing in hard rock above approximately 150 kilotons.

(Mr. Martin, United States)

The Treaty signed at Moscow prohibits underground testing above a threshold yield of 150 kilotons, effective 31 March 1976. We believe that this limitation will have a significant moderating effect on the United States-Soviet nuclear arms competition. It will help to preclude the development by both sides of new generations of high-yield warhead designs compatible with modern delivery systems. Because of the complex technology involved, such warheads cannot with confidence be put into weapons stockpiles without testing. The effective date of the limitation will permit further detailed discussions with respect to the requirements for verifying compliance with the Treaty, and it will also permit negotiation of an agreement to regulate nuclear explosions for peaceful purposes, subjects I will discuss in more detail in a moment.

The Treaty also declares the intention of both Parties to negotiate with a view toward achieving a solution to the problem of the cessation of all underground nuclear weapons tests. This provision, together with the preambular paragraph recalling the commitment undertaken by Parties to the limited test-ban Treaty of 1963, reaffirms our commitment to an adequately-verified comprehensive test ban.

The Treaty and its Protocol provide for verification by national technical means, supplemented by the reciprocal exchange of data regarding the location and detailed geological characteristics of weapons test areas. For calibration purposes, the exchange of data on the yields of two tests conducted in each geophysically distinct test area is provided for. This will give each Party sufficient confidence in its ability to verify compliance by the other, and, by so doing, will further build mutual confidence and trust.

The Treaty provides that nuclear explosions for peaceful purposes will be covered by a separate agreement, to be negotiated and concluded by the Parties as soon as possible. Conclusion of this Agreement is integrally related to the purpose of the Treaty, namely to prevent military testing at yields greater than 150 kilotons.

(Mr. Martin, United States)

The treatment of peaceful nuclear explosions in the Treaty and its Protocol is, of course, fully consistent with the provisions of the Non-Proliferation Treaty.

Both Parties recognize the importance of verifying that any nuclear explosions for peaceful purposes do not serve weapons development. They have already reached an understanding in principle on some of the requirements for adequately verifying that any PNEs are not weapon tests, including prior notification, precise definition of time and place, and the presence of observers. It will, of course, be necessary to work out additional verification measures. It should be emphasized that the PNE Agreement referred to in the present Treaty and Protocol between two nuclear-weapon States would not be applicable to the problem posed by the development of nuclear explosive capability by a non-nuclear weapon State. It is clearly impossible for a non-nuclear weapon State to develop a capability to conduct nuclear explosions for peaceful purposes without, in the process, acquiring a device which could be used as a nuclear weapon.

The duration of the Treaty is set at five years, subject to automatic renewal unless an agreement further implementing the objective of complete cessation of underground nuclear weapon tests has been achieved, or unless either Party notifies the other of its decision to terminate the Treaty. The Treaty also provides for consultation, possible amendment, withdrawal, and registration of the Treaty pursuant to Article 102 of the United Nations Charter.

Finally, I wish to direct the attention of the Committee to two additional aspects of the Joint United States-Soviet Communiqué. The United States and the USSR emphasized the fundamental importance of the Non-Proliferation Treaty, reaffirmed their intention to observe their obligations under that Treaty, including Article VI, and stated that they favoured increasing the Treaty's effectiveness.

With respect to chemical weapons, the United States and the USSR reaffirmed their interest in an international agreement which would exclude such weapons of mass destruction as CW from the arsenals of States. Desiring to contribute to early progress



(Mr. Martin, United States)

in that direction, they agreed to consider a joint initiative in this Committee with respect to the conclusion, as a first step, of an international convention dealing with the most dangerous, lethal means of chemical warfare. For its part, the United States will work seriously to fulfil this statement of joint purpose.

Mr. Chairman, that concludes my report on arms control developments at the summit.

I should now like to turn to our informal meeting on CW which begins tomorrow. The United States delegation is looking forward to this meeting and welcomes the participation of so many distinguished experts. Past meetings such as this have established a solid record of accomplishment in clarifying some technical aspects of arms-control questions. I am confident that this meeting will help move us closer to our objective of effective limitations on lethal chemical weapons, and will, in particular, shed further light on the closely-related and difficult questions of scope and verification.

The United States delegation is today submitting three working papers on CW. The first of these discusses the suggestion that a toxicity criterion might help to define the agents to be prohibited. Our second paper deals with the question of establishing a control system to prevent diversion of phosphorus to nerve agent production. The third paper is on the subject of chemical agent destruction, and discusses possible methods of verification of the destruction process based on actual disposal procedures utilized by the United States Army.

At the experts' meeting the United States delegation will try to provide a more detailed explanation and to answer questions related to the papers. We hope that in this way we will be able to assist the Committee in arriving at sound judgments about effective limitations on chemical weapons.

Mr. ROWE (Canada): My authorities have carefully studied the draft chemical weapons convention submitted by our Japanese colleagues (CCD/420). I would like to make a few general observations on that paper and offer a suggestion.

The Japanese proposal seeks to reinforce and further codify existing international law prohibiting the use of CW, as established by the 1925 Geneva Protocol and the precedent documents, through the negotiation of a treaty reaffirming the Protocol and providing for a comprehensive prohibition of the production, development and stockpiling of CW, at least to the extent possible among States and over time.

The unique feature of this draft is that it contains an article (Article IV) whereby parties may opt to suspend the application of the Treaty to certain agents; conditions under which this may be done are set out in Annex I. The agents to which these exceptions apply would be listed as a schedule to Annex I. In order not to jeopardize the principal objective of a comprehensive prohibition, the draft provides that parties must continue to negotiate in good faith to delete any exceptions made under this Article. This general approach could be termed a "phased comprehensive agreement". It is this concept in particular to which I wish to address myself.

In earlier interventions I have spoken with favour of this general approach, which strikes the Canadian delegation to have much to commend it. It has been noted that in the Japanese draft the basis of the phased approach would be by CW agents. What my delegation would suggest, and I emphasize that it is a suggestion for exploration, is that we consider an alternative to the concept in the Japanese draft applying to Annex I -- which now allows States to opt to implement the provisions of Articles I and II by phases -- so that the phasing of the prohibition would not be on the basis of excluded agents, but rather on the basis of excluded activities. That is, initially, all governments would be expected to agree to prohibit the production and development of agents, munitions and delivery systems; while those States having CW stocks would agree to the destruction of an agreed quantity of their stocks within a fixed period. The suggestion contained in Article XVII of the Japanese draft that a review conference should be held at a time after the treaty comes into force would provide a built-in mechanism for negotiation of further phases, involving, in one or more steps, the destruction of all remaining stocks and the implementation of a comprehensive ban.

(Mr. Rowe, Canada)

My delegation would view the scope of such a treaty as encompassing all chemical-warfare agents, excepting in so far as allowance must be made for agents used in civil riot control or having legitimate peaceful uses. A definition of CW agent, and the agents so designated, could appear in the convention, possibly as a schedule to the new Annex I. We doubt, on the other hand, that the destruction of stocks in the initial phase could be confined to any one type or class of agent. We anticipate that States engaged in the destruction of stocks would choose, in consultation, the nature and the quantities of agent (or percentage of total stocks) to be destroyed. It is of course understood here that States would be able to produce and retain sufficient stocks of so-called dual agents to meet legitimate domestic peaceful needs.

Article II para. 3 of the Japanese draft calls for international inspection of the destruction of declared stocks. This would be an essential element in verifying adherence to the first phase of an agreement of this sort, and further research will be required to ensure that it can be satisfactorily done. Members of this committee are well aware that the Canadian delegation has not yet been convinced that a comprehensive prohibition of CW could be adequately verified through a challenge system such as is proposed in CCD/420. Nevertheless, we are of the view that an interim ban which would halt the spread of CW and the development of new technology in the field for a certain period could in fact be adequately verified in this manner, bearing in mind that the CW States would retain sufficient stocks to maintain a deterrent capability and thus satisfy their security requirements in that period when mutual confidence could be promoted. There could be no expectation that States would automatically proceed to a further stage of destruction of stocks unless that mutual confidence was felt. The degree to which progress had been made in verification techniques in respect of the agreement or in arms control generally would no doubt contribute to that mutual confidence.

Some States having limited chemical capacity may question whether such a phased prohibition, which allows for the retention of stocks in diminishing amounts by a few States, would be beneficial when the objective has been a comprehensive treaty. My delegation would suggest that it would be, for the simple reason that a phased agreement:

(Mr. Rowe, Canada)

may well have a greater chance of early universal acceptance than a comprehensive treaty which fails to provide for effective verification. In other words, we should at this point negotiate on the basis of what seems attainable now, while still working toward our ultimate goal. We would have required the CW states to halt the production and development of CW and to dispose progressively of their stocks, while at the same time giving encouragement to non-CW States to refrain from acquiring such weapons. At the end of the first phase of destruction of stocks, there would be a general review of the treaty and its implementation. This review would have as its primary objective the confirmation of the destruction of stocks and the negotiation of the next phase of this process. Should a State conclude at that time that the obligation on the CW States progressively to destroy stocks was not being adequately met and that its supreme interests were thus placed in jeopardy, it might then decide to withdraw from the treaty under the provisions of Article XVIII, para. 2. Such an action would be one of last resort, and would only be taken after the considerations of the security interests of all parties and after all avenues of negotiation had been exhausted.

I would not now wish to consider in a detailed manner all aspects of the proposals made in CCD/420 with regard to verification procedures. The paper sets out most of the fundamental elements of a system of "verification by challenge", but is substantially lacking in the sort of detail that would permit such a system to be applied, even if it were found by States to be acceptable in verifying a comprehensive treaty. However, as the naming of some international verification body would be required to implement even the first phase of a phased agreement such as I have suggested, it seems to my delegation essential that any treaty spell out the nature of that body and the financial arrangements being made for it.

Under the provisions of the Japanese draft, negotiation of a second international agreement creating an international verification authority would likely be required to provide the inspection element of the basic treaty. Governments may wish to ask whether this is the wisest course or whether the CW convention should deal with this matter itself. Governments may also wish to consider whether the international community wants to encourage the proliferation of international bodies or whether some existing agency could satisfactorily assume these responsibilities. These matters must be dealt with as we move toward a treaty.

(Mr. Rowe, Canada)

A separate point, and one to which the Canadian delegation will wish to address itself later, is the definition of chemical agents of war. Canada has tabled a working paper on this subject and hopes to see it discussed further. The definitions problem is not a simple one, and thus is probably not amenable to solution by one simple system of definitions. It may well be that, to be effective, a comprehensive treaty will require the use of both toxicity/lethality criteria and the less precisely defined general-purpose criteria which the draft treaties now before us largely assume to have been accepted. We hope that experts may engage this discussion soon.

These are brief and for the most part general remarks, which leave aside a number of substantive issues and drafting matters which might be raised concerning document CCD/420. My delegation puts them forward, not as our final word on the matter, but as a means of continuing substantive discussion of the text. In discussing the Japanese draft treaty earlier this year, our distinguished Italian colleague spoke of a "conceptual breakthrough" (CCD/FV.636, p.14). He did not exaggerate. I have suggested an alternative means of turning that breakthrough to our advantage. I hope others around this table will do likewise. In this way we may be able to use this breakthrough, coming as it has at a time of deepening frustration with the work of this Committee, as a way to move ahead into concrete negotiation of a CW agreement in the immediate future. It will not be an easy task, as we all know too well, but let us begin.

Mr. MISHRA (India): I am grateful to the Ambassador of Pakistan, Mr. Naik, who took the trouble to answer my question. I notice he is no longer present here, but I hope the delegation of Pakistan will convey my gratitude to him.

My delegation notices that the Ambassador of Pakistan has answered, in his own way, only a part of my question. In the meeting of this Conference on 11 July I asked the following question:

"The question I have to ask, and again I ask it for my understanding, is that, if the Government of Pakistan is concerned about nuclear testing in general and not merely about India's nuclear explosion, which, as I said, is for

(Mr. Mishra, India)

peaceful purposes, why has the Government of Pakistan not adhered to the Partial Test Ban Treaty? Any why, even after the nuclear explosion conducted by India for peaceful purposes on 18 May, when some nuclear-weapon tests in the atmosphere by other countries took place, nothing was said?"

From the answer given by the delegation of Pakistan we take note that Pakistan has declared that it cannot be expected legally to foreclose its nuclear option. Clearly what we have been discussing here is matters of bilateral concern. We have been asked why India, if it is sincere about its renunciation of nuclear armaments, does not follow Pakistan's example and place all its nuclear facilities under international safeguards? It is not a question of universality of acceptance of safeguards, but why India does not?

In the appropriate forum for this particular question, i.e. the question of safeguards, the Government of India has made its position amply clear. We are for safeguards which are applicable universally and on a non-discriminatory basis. That has been our position and it remains the same. For the last few meetings we have been noticing that the question of the security of one country is being raised -- a question which is of bilateral concern, not of universal application. To that my delegation has the following to say: we intend to utilize nuclear energy solely for peaceful purposes. If Pakistan is genuinely concerned about its security, we are prepared to make, as we have in the past, a sincere effort to allay its fears and suspicions.

But the way to security does not lie in propaganda, in frantic efforts to persuade the international community to put pressure on India. The Prime Minister of India wrote to the Prime Minister of Pakistan on 22 May this year; and with your permission, Mr. Chairman, I should like to quote from her letter. She said:

"We remain committed to settle all our differences with Pakistan peacefully through bilateral negotiations in accordance with the Simla Agreement. Moreover, both countries have resolved to break away from the past history of confrontation and conflict and to work to develop normal relations and establish durable peace. I am sure you will acknowledge that the agreements which have

(Mr. Mishra, India)

been worked out between our two countries in the last two years have been reached on the basis of absolute equality. There is no reason whatsoever to give up this healthy trend or have a change of policy on the part of either country merely because we have conducted a test for the peaceful uses of nuclear energy."

The CCD is a multinational negotiating body for disarmament. There is a tradition here to avoid discussion of bilateral problems, in whatever garb they may be brought. We should like to respect that tradition. If Pakistan is opposed to all nuclear-weapon tests, this is the proper forum for negotiations on that subject. We cannot agree, however, that India's nuclear explosion for peaceful purposes should become the object of discussion on the basis of unfounded bilateral concern. We are prepared to discuss principles of universal applicability and to negotiate disarmament agreements based on such principles. We will not discriminate against others, nor shall we agree to become the object of discrimination. This is India's fundamental approach to problems of disarmament, as it is to all aspects of international relations.

Today the Ambassador of Pakistan has mentioned something about radio-activity having leaked out from the Indian explosion for peaceful purposes. The Atomic Energy Commission of India denied this report when it was put out from Pakistan some weeks ago. There was no venting from this explosion. If there had been venting, the wind currents would have brought such debris further into the State of Rajasthan itself, and not the other way. We are committed to respect the provisions of the Partial Test-Ban Treaty, but we do not understand how a country which is not a party to the PTB tries to take advantage of that Treaty. The claim that there was venting, that there was radio-active debris leaked into Pakistan from this explosion, is a figment of the imagination. We can guess why this claim is made. We have stated that we have not violated any international agreement, any international treaty, in conducting this explosion. The effort of Pakistan is to charge that India has violated the PTB Treaty. With all the emphasis at my command I deny this allegation.

I should like to revert to my earlier remarks and to emphasize that this is a multinational negotiating body; this is not a body which deals with bilateral problems. There are so many bilateral or regional problems in the world. If we were to begin to deal with them here, I am quite sure that we would not make any progress in our real task, which is disarmament.

The CHAIRMAN: Before adjourning this meeting, I wish to remind delegates of the announcement made at the Committee's 638th meeting on 23 May 1974 to the effect that the CCD hold informal meetings on the question of the prohibition of chemical weapons and that the first such informal meeting would be convened on 17 July at 3 p.m.

Accordingly, the first such informal meeting will be held tomorrow afternoon at 3 p.m.

The meeting rose at 12 noon.