

CONFERENCE OF THE COMMITTEE ON DISARMAMENT

CCD/PV.532
24 August 1971
ENGLISH

FINAL VERBATIM RECORD OF THE FIVE HUNDRED AND THIRTY-SECOND MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 24 August 1971, at 10.30 a.m.

Chairman:

Mr. R. SARAIVA GUERREIRO

(Brazil)

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

PRESENT AT THE TABLE

Argentina:

Mr. E. de LA GUARDIA

Mr. M.E. DELPECH

Brazil:

Mr. R. SARAIVA GUERREIRO

Mr. L.F. PALMEIRA LAMPREIA

Bulgaria:

Mr. K. CHRISTOV

Mr. I. PEINIRDJIEV

Burma:

U WIN PE

U KYAW MIN

Canada:

Mr. G. IGNATIEFF

Mr. R.W. CLARK

Mr. R.E. MOORE

Czechoslovakia:

Mr. M. VEJVODA

Mr. J. STRUCKA

Ethiopia:

Mr. T. GEBRU

Hungary:

Mr. J. PETRAN

Mr. F. GAJDA

India:

Mr. N. KRISHNAN

Mr. K.P. JAIN

Italy:

Mr. R. CARACCIOLO

Mr. E. GIUFFRIDA

Mr. R. BORSARELLI

Mr. U. PESTALOZZA

Japan:

Mr. H. TANAKA

Mr. H. OTSUKA

Mexico:

Mr. A. GARCIA ROBLES
Mr. M. MARIN

Mongolia:

Mr. O. KHOSBAYAR
Mr. Z. ERENDO

Morocco:

Mr. M.A.A. KHATTABI

Netherlands:

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Nigeria:

Mr. A.A. OLUMIDE

Pakistan:

Mr. T.O. HYDER

Poland:

Mr. W. NATORE
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Mr. S. TOPA
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Romania:

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Mr. A. SASU
Mr. N. CHILIE

Sweden:

Mr. L. ECKERBERG
Mr. Y. HOLMBERG
Mr. P. RUDBERG
Mr. O. ULLSTEN

Union of Soviet Socialist
Republics:

Mr. A.A. ROSHCHIN
Mr. I.I. TCHEPROV
Mr. V.B. TOULINOV
Mr. Y.C. NAZARKINE

United Arab Republic:

Mr. H. KHALLAF
Mr. O. SIRRY
Mr. E.S. EL REEDY
Mr. M. ISMAIL

United Kingdom:

Mr. H.C. HAINWORTH
Mr. W.N. HILLIER-FRY
Mr. J.T. MASEFIELD
Mr. R. HOULISTON

United States of America:

Mr. J.F. LEONARD
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Mr. A.F. NEIDLE
Mr. W. GIVAN

Yugoslavia:

Mr. M. CVOROVIC
Mr. M. VUKOVIC

Special Representative of the
Secretary-General:

Mr. I. PASTINEN

Alternate Representative of the
Secretary-General:

Mr. W. EPSTEIN

1. The CHAIRMAN (Brazil): I declare open the 532nd plenary meeting of the Conference of the Committee on Disarmament.
2. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translation from Russian): One of the important practical results achieved in the field of disarmament is the conclusion 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 (General Assembly resolution 2660 (XXV); CCD/318). The accomplishment of that measure must undoubtedly be regarded as a positive event in the international life of our time. The fact that the Treaty on the sea-bed has already been signed by over eighty States and that a number of States have ratified it shows that it has obtained wide international recognition. The Soviet Union, as we have already announced, has ratified that international instrument. Among other members of the Committee, Bulgaria, Japan and Hungary have also ratified it.
3. The Treaty on the sea-bed was brought into being by the fact that as a result of rapid scientific and technical progress in recent years mankind has come close to the opening up of a new environment -- the sea depths, the sea-bed and the subsoil thereof. Besides peaceful forms of the utilization of that environment there has also arisen a possibility of its being widely used for military purposes, the achievement of practical results in the field of military use outstripping the development of that environment's peaceful exploitation, which is to a great extent connected with considerations of economic expediency.
4. Regarding the military aspects of the use of the sea-bed, the Soviet Union has from the very beginning of the consideration of this problem in international forums been in favour of the complete demilitarization of that environment. That position has been supported by other socialist countries. The discussions in the Committee on Disarmament and at the General Assembly have shown that that approach is shared by many States.
5. The Soviet Union's proposal (ENDC/240) for a radical solution of the problem of demilitarization of the sea-bed has encountered the opposition of some Western Powers. The reason for this is that they are already carrying out a number of measures of military importance on the sea-bed, and that plans for a considerable extension of military activities in the aforesaid environment are being elaborated.

(Mr. Roshchin, USSR)

6. In the situation that came about, when a complete solution of the question of the cessation and prohibition of military activities on the sea-bed failed to obtain the support of some Western Powers, a way-out consisted in reaching agreement on a partial solution of the problem. That approach was put into practice through the conclusion 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, which was signed in the capitals of the depositary States -- the Soviet Union, the United States and the United Kingdom -- on 11 February. One can say with certainty that the entry into force of the Treaty on the sea-bed is already a foregone conclusion and that it will soon take its place alongside the international agreements already in force.

7. In discussing the draft treaty on the sea-bed in the Committee on Disarmament, many representatives stressed that it would be wrong to be content with a partial solution of the problem of the demilitarization of the sea-bed. It was pointed out that such a solution would not ensure the complete prevention of the extension of an arms race to the sea-bed, the ocean floor and the subsoil thereof. In his statement on that question the representative of the United Arab Republic, Mr. Khallaf, said:

"... the limitation of the prevention of an arms race on the sea-bed to nuclear weapons and other weapons of mass destruction only, while leaving the question of conventional military uses in abeyance, cannot be looked upon with equanimity, as it would pose with time an inevitable and ever-increasing threat which does not respond to the world-wide desire that the sea-bed be reserved exclusively for peaceful purposes."

(EHDC/PV.421, para. 97)

8. Now that a partial solution of the problem of the demilitarization of the sea-bed has been found by prohibiting the use of that environment for the emplacement of weapons of mass destruction, it is necessary to exert efforts to reach agreement on wider measures regarding the prohibition of military activities in the aforesaid environment.

9. The urgency of solving that problem is dictated by the fact that the improvement and development of weapons and military equipment have recently created a real threat to the peaceful use of the sea-bed. Practical possibilities are showing up for switching the race in conventional arms to the sea-bed and its subsoil.

(Mr. Roshchin, USSR)

10. In this connexion Mr. Natorf, the representative of Poland, emphasized that --
 "... since the beginning of the discussion on the question of the demilitarization of the sea-bed considerable scientific and technical progress has been made, which opens up ever greater possibilities of utilizing the sea-bed and the ocean floor for military purposes. It is unnecessary to prove here that this trend of development has an unfavourable influence on the peaceful utilization of the sea-bed." (CCD/PV.528, para. 52)

11. In this connexion one cannot fail to observe that already in some countries ideas are being fostered and plans are being elaborated for the use of that environment for quite specific military purposes, such as the establishment of naval bases for material and technical supplies, submarine bases, maintenance bases for submarines, command posts, storehouses for arms and ammunition, communication centres and other installations. The following statement on this question by an American jurist, L. Gouldy, is worthy of note. He said in 1967:

"In the near future when man is able to create semi-permanent dwellings under water, the naval authorities will deem it necessary to establish permanent stationary installations for maintenance of submarines, research and communication stations, storehouses and repair shops (submarine San Diegos, Gibralters, Malts and Guantanamos in miniature). These installations could be emplaced on the sea-bed and in its subsoil."
 (Proceedings of the Second Annual Conference of the Law of the Sea Institute, 26-29 June 1967, p.103)

12. Such statements regarding the possibility of using the sea-bed and its subsoil for military purposes are close to reality. Already at the present time military circles in some countries are taking practical measures for the emplacement of military installations in areas under water which are now accessible.

13. To reduce the scope of the arms race, to strengthen international security and to ensure better conditions for the peaceful use of the sea-bed, there should be, in our opinion, no delaying of efforts to solve this problem on a broader plane than that envisaged by the Treaty on the prohibition of the emplacement of weapons of mass destruction in that environment. In approaching this question it is also necessary to start out from the fact that States parties to the Treaty have assumed an obligation --

"... to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof." (General Assembly resolution 2660 (XXV), Annex, article V; CCD/318)

(Mr. Roshchin, USSR)

14. Furthermore, when completing its work on the Treaty last year the Committee decided, in accordance with the proposal of the delegation of Poland, to keep on its agenda the question of further measures for the demilitarization of the sea-bed and the ocean floor. That proposal of the delegation of Poland was based on the need to enable the members of the Committee to --

"... raise the question of further steps leading to the demilitarization of this important area whenever they see that a question is ripe for discussion, without waiting for the review conference ..." (CCD/PV.471, para. 9)

15. We should like to draw the attention of members of the Committee to the fact that the model draft articles of a treaty on the use of the sea-bed for peaceful purposes (A/AC.138/43) submitted recently by the Soviet Union for consideration by the United Nations Committee on the Peaceful Uses of the Sea-bed contain a provision (article VI, para. 1) prohibiting the use of the sea-bed and the subsoil thereof for military purposes. They also contain a provision to the effect that the treaty is without prejudice to any measures which have been or may be agreed upon in the context of disarmament negotiations. The inclusion of the aforesaid provisions testifies to the fact that the Soviet side attaches great importance to further measures for the demilitarization of the sea-bed. The prohibition of the use of the sea-bed for military purposes would facilitate to the greatest extent the development of international co-operation in the exploration and exploitation of the resources of the sea-bed and the subsoil thereof.

16. In raising the question of the urgent need to make further efforts towards reaching an agreement to widen the measures for the demilitarization of the sea-bed, we should like to emphasize that there are now a number of favourable factors for successful progress in this direction. One of the positive factors in this regard is that during the consideration in the Committee on Disarmament of the Soviet Union's proposal of 18 March 1969 on the prohibition of the use of the sea-bed and the ocean floor for military purposes (MDC/PV.395, paras. 80 et seq.) a wide range of problems relating to the task of demilitarizing the sea-bed was discussed. As a result of this discussion and of the subsequent elaboration of the Treaty on the prohibition of the emplacement of weapons of mass destruction on the sea-bed, the principles and, later, concrete proposals concerning definition of the area covered by the Treaty, the system of control and a number of other questions relating to the prohibition of the military use of the sea-bed were agreed upon and established.

(Mr. Roshchin, USSR)

These principles and provisions approved by the General Assembly and recognized by a large number of States parties to the sea-bed Treaty can be successfully used in elaborating a treaty on further measures for the demilitarization of the sea-bed and the ocean floor.

17. Furthermore, for consideration of the scope and character of the prohibition of the military use of the sea-bed a basis is available in the form of a draft treaty on the sea-bed submitted by the Soviet Union to the Committee on Disarmament on 18 March 1969. The proposals contained in that draft for the complete demilitarization of that environment obtained the support of many States both in the Committee on Disarmament and at the General Assembly of the United Nations. Besides the support given by many States to the idea of the complete demilitarization of the sea-bed, a number of representatives on the Committee on Disarmament have put forward compromise alternative solutions of this important and urgent problem.

18. Thus, for example, the representatives of Sweden and Mexico declared themselves in favour of prohibiting the emplacement on the sea-bed of all types of weapons with the exception of means of communication, navigation and tracking submarines. As for the form of such prohibition, the representative of Sweden, Mrs. Nyrdal, suggested that a treaty should include a general characterization of the prohibitions without detailed enumeration of prohibited weapons, but should state only the nature of exempted structures and installations (EMDC/PV.422, paras. 40 et seq.). The representative of Mexico proposed to enact in article I of the treaty the principle of the prohibition of all military activities on the sea-bed, and to provide in its article II an exemption from this principle: that is, a stipulation should be included to the effect that the provisions of article I shall not be interpreted as prohibiting activities of a purely passive defensive character (tracking submarines), or not of a directly military character (such as the use of military personnel for peaceful purposes) (EMDC/PV.426, para. 52).

19. The representative of Ethiopia, supporting in principle the demilitarization of the sea-bed, declared that the emplacement of "certain purely defensive military mechanisms" on the sea-bed should be permitted to the coastal States within the 200-mile zone adjoining the twelve-mile area (EMDC/PV.430, para. 93).

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20. Compromise alternative solutions of the question of the scope of the prohibition of military activities on the sea-bed have also been put forward in the statements made by the representatives of India (ENDC/PV.428, paras. 13, 14) and Canada (ENDC/PV.424, para. 19) in the Committee on Disarmament, as well as in the statements made by other representatives in the Committee.

21. Thorough examination and consideration of all aspects of the problem of the further demilitarization of the sea-bed with due regard to the compromise alternative solutions of this problem put forward by members of the Committee should be a starting-point for active consideration by the Committee of the vitally important problem of prohibiting the military use of the sea-bed. Certainly, its positive solution requires, first of all, political decisions by the participants in the negotiations. The discussion to be undertaken in the Committee on Disarmament regarding the problem of the demilitarization of the sea-bed and the ocean floor would be a useful catalyst facilitating the taking of political decisions by States in this field.

22. In conclusion, we should like to emphasize that there are no valid arguments for postponing consideration of the question of further measures for the demilitarization of the sea-bed. It is easier to solve many aspects of the problem now than it will be in the future. The lengthy experience of negotiations on disarmament questions has shown that to put off the solution of a number of problems concerning disarmament will inevitably result in additional difficulties arising later. These difficulties will become particularly great if military activities in the field under consideration develop rapidly and assume wide dimensions. Nowadays progress in science and engineering has a positive impact on the peaceful use of the sea-bed. At the same time, however, it creates the prerequisites for an arms race in this environment. This arms race has not yet reached such dimensions that it cannot be stopped. But in future the situation may change.

23. We express the hope that our observations on the problem of the demilitarization of the sea-bed will be considered with due attention by the members of the Committee on Disarmament and that the current session of the Committee will be able to lay the foundations for the further elaboration of the question of the measures which we are called upon to accomplish by the relevant provisions of the Treaty prohibiting the emplacement of weapons of mass destruction on the sea-bed.

24. Mr. TANAKA (Japan): The delegation of Japan has consistently been trying with other delegations to achieve the ultimate goal of a complete prohibition of chemical and biological weapons. The fact that our delegation last year supported the United Nations General Assembly resolution 2662 (XXV) (CCD/318), as well as the fact that our delegation has, in the past year and again this year, promoted the opening of informal meetings in the Conference of the Committee on Disarmament on the question of chemical and biological weapons, illustrates our sincere efforts for the solution of this vital question.
25. It is indeed gratifying to note that, at such an informal meeting on 7 July, many experts presented their valuable views and many useful data on the question of verification, which is vital to the question of the prohibition of chemical and biological weapons. I am convinced that the frank exchange of views and the data supplied by those experts through such a meeting have greatly helped our Committee in obtaining the deeper understanding of the magnitude of the problems we are faced with as well as their implications. However, it seems that there still lie ahead many difficult problems which have to be solved before we come to a satisfactory solution.
26. In the meantime the socialist States submitted to the Conference of the Committee on Disarmament their draft convention on the prohibition of biological and toxin weapons (CCD/325/Rev.1) in a desire to "extricate the solution of the problem from the deadlock" (CCD/PV.505, para. 29) in the Conference of the Committee on Disarmament. Later the United States and the Soviet Union respectively submitted to the Conference of the Committee on Disarmament separate but identical texts of a draft convention.
27. Furthermore, the eleven non-aligned countries submitted on 17 August their joint working paper containing suggestions on desirable changes to the above-mentioned parallel texts. Thus we now have before us four working papers on the same question, namely, those submitted by the delegations of the United Kingdom (CCD/255/Rev.2*), the United States (CCD/338*), the socialist States (CCD/337*) and the eleven non-aligned countries (CCD/341).
28. Today I should like to present the views of my delegation on several points which we consider to be of great importance, by way of comparing those four papers before us. A careful study of all those documents shows that there now seems to be a consensus in the Conference of the Committee on Disarmament to

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concentrate for the moment on formulating a draft convention on the prohibition of biological and toxin weapons. As I have already indicated in my previous statement on this question (CCD/PF.509, para. 5), the Japanese delegation is prepared to comply with such a consensus in the Conference of the Committee on Disarmament. Furthermore, I take note that the identical drafts which were submitted by the United States and by the socialist States have been elaborated on the basis of the British draft. In this respect I should like to pay a high tribute to the contribution of the British delegation.

29. The first question I wish to take up concerns the scope of prohibition. Here there is the problem of the definition of toxins. That question was raised in the Swedish working paper (CCD/333). We share the view expressed by the Swedish delegation that there should be no loophole in this regard which might arise from the characteristic of toxins and from the possibility of the synthetic production of toxins. At the same time we think that neither the co-authors of document CCD/337* nor the author of document CCD/338* have any intention of leaving such a loophole in their respective drafts; nor does the present wording in those texts leave serious doubt in that regard. However, the Japanese delegation is prepared to accept the formula set out by the Swedish representative on 20 July (CCD/PV.522, paras. 39, 40) if such a formula is considered by the majority of the members of the Committee to be useful in completely eliminating any ambiguity on that point.

30. The more difficult problem we have to face is whether or not we should include the prohibition of use in our convention. Many delegations have already expressed their views, one way or the other, on that question. In our opinion, however, all the arguments have one thing in common: that is to say, that the conclusion of the present convention should in no way weaken but should strengthen the Geneva Protocol of 1925 (A/7575/Rev.1, Annex VI). Viewing it from that angle, our delegation does not believe that the provision in article I of the British draft would have any adverse effect on the Geneva Protocol. Indeed, that provision would serve to strengthen the Protocol.

31. Needless to say, the question of the prohibition on use has arisen mainly because of the two factors involved in the Geneva Protocol. One is that the prohibition in the Protocol was based on reciprocity among the parties. The other is that many parties to the Protocol have their reservations attached to the Protocol and have still not yet withdrawn them.

(Mr. Tanaka, Japan)

32. At the same time we have not failed to appreciate the argument put forward by the socialist representatives to the effect that the conclusion of a convention prohibiting the production, stockpiling and so on of bacteriological (biological) weapons would render meaningless the reservations attached to the Protocol. In that sense we indeed welcome the insertion of the second preambular paragraph in the parallel texts. Still, my own feeling is that our efforts to eliminate completely the legal effects of the reservations attached to the Protocol rather than leave the matter as a de facto consequence would in no way diminish the value of the Protocol. We might also have to take into consideration the fact that, although we prohibit the development, production and so on of biological weapons, there might yet be a possibility that biological agents for peaceful purposes could be converted to war purposes within a short period of time.

33. Moreover, there is article VII in the parallel drafts, which provides that nothing in the convention shall be interpreted as in any way "limiting or detracting from" -- and here one might think that this includes the reservations -- the obligations assumed by any State under the Geneva Protocol. I notice that the representative of Morocco made the same point in his most recent intervention (CCD/PV.531, para. 43). If we are to retain such an article -- and I am sure that the members of the Conference of the Committee on Disarmament would wish to do so -- would it not be useful to have in our convention a clear-cut provision prohibiting the use in any circumstances of biological and toxin weapons as a means of warfare, in order to eliminate once and for all any ambiguity surrounding this question?

34. For the reasons I have stated, my delegation shares the views expressed by the British representative at our meeting on 10 August (CCD/PV.528). Likewise we are interested in the suggestion on the same subject put forward by the Canadian representative on the same day (ibid., para. 10). However, if the majority of the members of the Committee feel that the question of use should not be dealt with in the present convention, I would venture to suggest that those countries which still attach reservations to the Geneva Protocol might declare the withdrawal of their reservations at the time of their ratification of or accession to the present convention.

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35. With regard to the procedures to be followed in case of a suspected breach of an obligation assumed under the convention, we share the views expressed by the delegation of the Netherlands on the need for separating the procedures for fact-finding in connexion with a suspected violation from those for the political decision on such a violation (CCD/PV.502, para. 20; CCD/PV.525, para.9). Accordingly, if the present convention is to contain the prohibition on the use of biological and toxin weapons, we deem it appropriate that it should have provisions similar to those in paragraph 1 of article III of the British draft, which relates to procedures regarding complaints addressed to the Secretary-General of the United Nations. As we understand it, the statement of the representative of Nigeria on 20 July was along those lines (CCD/PV.522, para.20).

36. The conclusion of the convention now under discussion would bring to an end the deterrent against the use of biological and toxin weapons allegedly due to the right of retaliation deriving from the reservations to the Geneva Protocol. In such circumstances an assured procedure for impartial fact-finding upon a breach of the obligation stemming from the prohibition of those weapons would not only constitute an important deterrent against such a violation but also have the effect of a possible deterrent against the clandestine production or stockpiling of those weapons.

37. As to the procedures for use in the event of a suspected violation of the prohibition on production, stockpiling and so on, the substance of article VI of the parallel drafts is similar to that of paragraph 2 of article III of the British draft. In order to assure effective implementation of the provision, however, I believe it is important to have a Security Council resolution similar to that proposed in the British draft (CCD/255/Rev.2*, pp. 4,5) as an integral part of the present convention. In that sense I welcome the proposal introduced by the Polish delegation (CCD/539) as a move in the right direction.

38. I should like now to turn to the question of a link between chemical weapons and biological weapons. The importance of this question has been emphasized in particular by the non-aligned countries whose efforts have now produced working paper CCD/341. Regarding the suggestions contained in Part A of the non-aligned countries' paper, which would add references to

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chemical weapons in several preambular paragraphs of the convention, we can appreciate the intention of these suggestions. So far as we are concerned, we consider it would be appropriate to have such a reference in the pertinent paragraphs, taking due account, of course, of the relevance of such references to the subject-matter in question.

39. As I stated at the outset, the Japanese delegation is most anxious to achieve the ultimate prohibition of chemical and biological weapons and is determined to seek such an objective. We would welcome it, therefore, **if** such a determination on our part could be clearly reflected in the preamble to our convention. Apart from such an expression of our determination in the formulation of any provisions in the operative part of the present convention, under which we would undertake a specific legal obligation, the utmost care will have to be taken not to leave any ambiguity in the wording which might give rise to different interpretations and thus become a cause of conflict in the implementation of the convention. With that in mind, the Japanese delegation is prepared to accept the provisions, as far as they go, in article VIII of the parallel drafts.

40. Turning now to the suggestions of the eleven non-aligned countries as to the desirable changes to the same article, we are fully cognizant of their intentions and appreciative of their concern in this regard. Having said that, I should like to present my observations on those suggestions. In doing so I base myself strictly upon our concern, as stated above, with regard to the exact scope of a concrete legal obligation, as well as upon my sincere desire to ensure the broadest possible acceptance in the Committee of such important suggestions.

41. Our determination completely to eliminate chemical weapons as weapons of mass destruction is already reflected clearly, I believe, in the first preambular paragraph of the parallel drafts. At the same time, it goes without saying that, in seeking the objective or principle of the complete elimination of chemical weapons, thus achieving the effective elimination of those weapons from the arsenals of all States, there is an important problem of verification.

(Mr. Tanaka, Japan)

In fact, the memorandum of the twelve non-aligned States says that --

"The issue of verification is important in the field of chemical and bacteriological (biological) weapons, as indeed adequate verification is also essential in regard to the success of ... disarmament." (CCD/310, para.7)

Such a basic approach, as is well known, was commended in United Nations General Assembly resolution 2662 (XXV) (CCD/318).

42. Accordingly, in accepting the principle or the objective of the complete prohibition of chemical weapons, my delegation deems it most desirable that the delegations concerned try to work out a suitable expression or formula which would also reflect the importance of verification of an effective and complete prohibition.

43. Finally, I should like to touch upon a point which I believe is also related to the question of a link between chemical and biological weapons. Here I have in mind article XI of the parallel texts. The Japanese delegation wishes to welcome that article, as it opens the way for a review conference on the convention being held earlier than five years after the entry into force of the convention, if and when so requested by a majority of the parties to the convention --

"... with a view to assuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, are being realized."

44. The Japanese delegation has presented its views on those points which it regards as most important on the question of the prohibition of bacteriological (biological) weapons and toxins by comparing four working papers submitted to this Committee. In so doing, I have tried, while basing myself on the parallel draft texts of the convention, to clarify our position on several points the taking into account of which would make those texts more desirable. I sincerely hope that the authors of those texts will seek a happy marriage between their texts and those of the British and the eleven non-aligned States, while taking into account what I have said above.

45. As pointed out by other delegations, when concluded the present convention, though it is in a somewhat limited field, will have great significance as the first disarmament agreement in the true sense of the words. It is my earnest

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hope, therefore, that we shall strive for the successful formulation of our convention at the present session and that the Conference of the Committee on Disarmament will be able to submit the draft convention to the twenty-sixth session of the General Assembly as a document of the Conference of the Committee on Disarmament.

46. At the same time we must exert from now on even greater efforts to achieve our objective of the complete prohibition of chemical weapons in order to live up to the expectations of the other Members of the United Nations. The Japanese delegation is pledged, as ever, to the fullest co-operation to that end. With this in mind, I should like to present to the Conference of the Committee on Disarmament our two working papers, the one concerning the biological approach to the question of verification of the prohibition of chemical weapons (CCD/343), and the other containing the remarks made by our expert at the informal meeting of 7 July on chemical and biological weapons (CCD/344). Also I take this opportunity to submit to the Committee another working paper (CCD/345) containing the remarks of our expert at the informal meeting of 30 June on the question of a comprehensive test ban.

47. Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): I should like today to express a number of general considerations concerning the two items on which the Conference of the Committee on Disarmament has concentrated its efforts during the 1971 sessions, which are about to end: the prohibition of underground nuclear-weapon tests, and the elimination of chemical and microbiological weapons.

48. With regard to the first of those two questions -- that is, the prohibition of underground nuclear-weapon tests -- my delegation feels that the examination of that item is virtually exhausted and that it would be very difficult, if not impossible, to add anything fresh in that respect. It seems to us, therefore, that the most useful thing would be to perform an exercise of recapitulation and selection which could bring out the fundamental aspects of the question, among which it is worth while to highlight the following:

(Mr. García Robles, Mexico)

(1) That in the third preambular paragraph of the Moscow Treaty, which was opened to signature on 5 August 1963 -- that is, more than eight years ago -- the three original parties to the Treaty expressed their determination "to achieve the discontinuance of all test explosions of nuclear weapons for all time" (ENDC/100/Rev.1) and "to continue negotiations to this end" (ibid.).

(2) That despite that free and solemn undertaking, not only have underground explosions not been ended but the annual average of tests of nuclear weapons in all environments -- most of them admittedly underground -- carried out since 1963 have been nearly twice as high as that of those carried out between that date and 1945, when the first experimental explosion took place, since that average increased from 27.9 to 45.5.

(3) That our present impasse is essentially the same as that which existed when the Eighteen-Nation Committee on Disarmament appointed at the beginning of its work in 1962 a sub-committee composed of the United States, the United Kingdom and the Soviet Union, specifically to work for the suspension of nuclear tests.

(4) That the essential cause of this prolonged stagnation is that neither the position of the United States, which holds that on-site inspections are necessary, nor that of the Soviet Union, which maintains that the use of national means of detection is sufficient, has undergone any substantial change.

(5) That this rigidity of positions is incomprehensible to many delegations, including that of Mexico, which are convinced neither that a reasonable minimum of on-site inspections accompanied by the necessary safeguards would offer any danger to the territorial State, nor that recourse to national means of detection only would enable clandestine tests to be made on a scale which could affect -- and of course this is the only factor which really counts -- the existing strategic balance.

(6) That this immobility and stratification of the positions of the nuclear super-Powers has aroused deep-seated suspicions in world public opinion concerning the true reasons for their attitudes, since their apparently irreconcilable differences over acceptable procedures are really based on maintenance of an advantageous monopoly of underground tests.

(7) Lastly, that the situation thus created, unless quickly remedied, may in a not distant future wreck the purposes of the Treaty on the Non-Proliferation of Nuclear Weapons (ENCD/226*).

(Mr. García Robles, Mexico)

49. It is precisely because of what I have just summarized that the delegation of Mexico, desiring to help in finding a compromise formula which would enable the two super-Powers to meet halfway in order to reach the goal which the General Assembly has been repeating to us year after year, ventured through me to ask on 25 March a question of the delegation of the Soviet Union and of the United States (CCD/PV.504, paras. 62, 63). This question was and remains, whether either, or better both, those delegations would be prepared to accept in principle, as a basis for discussion in order to solve the problem of verification without the need for on-site inspections, a proposal similar to that generally known as the proposal of "black boxes", a name which we have been accustomed to assign from the beginning to automatic seismic stations, whose origin I had the opportunity to recall in full detail in the statement in March to which I have just referred. Unfortunately the succeeding five months do not seem to have been long enough for a reply to be prepared to our very specific question. We venture to hope, however, that during the time which still separates us from the end of the work of the present session the Committee will hear a statement from the representatives of the two super-Powers on this subject.

50. This bird's-eye view of the prohibition of underground nuclear-weapon tests would be incomplete if it did not recall before concluding that the General Assembly, in its resolution 2663 B (XXV) (CCD/318), requested the Committee on Disarmament "to submit to the Assembly at its twenty-sixth session a special report on the results of its deliberations" on this question.

51. I shall repeat in this respect what I have already said at the inaugural meeting on 23 February (CCD/PV.495, paras. 62-64): We believe that the Committee cannot now ignore this request, as it ignored last year a similar request which it received from the Assembly at the 1970 session. I shall add, moreover, that it would be fitting, as a conclusion to this report, for the two super-Powers which appoint co-chairmen to the Committee to agree to include assurances that the prolonged studies and negotiations which have taken place in this international forum since its creation will be translated very soon into at least partial specific measures which will alleviate the deep-seated anxiety which the multiplication of underground nuclear-weapon tests is causing to the world.

(Mr. García Robles, Mexico)

52. Failing this, the General Assembly of the United Nations may consider at its next session that the moment has come to repeat with especial force the condemnation of all nuclear-weapon tests which it solemnly proclaimed in its resolution 1762 A (XVII) of 6 November 1962 (ENDC/63), and to fix a precise time limit for their unconditional cessation, as it did then in that same resolution -- which undoubtedly had a by no means negligible influence in hastening the conclusion of the Moscow Treaty.

53. What is now called the question of chemical and bacteriological (biological) weapons, for the abolition of which a number of procedures have been examined, we well know to be of much more recent origin than the question of the prohibition of underground nuclear-weapon tests. Nevertheless, what I said of the other question applies also to this: that practically nothing new can be said about it in view of the exhaustive examination which it has been given since the United Kingdom's first draft convention was submitted in July 1969 (ENDC/255).

54. I shall therefore merely recall some of the main heads of Mexico's position; I shall make a number of comments on the two identical draft conventions (CCD/337* and CCD/338*) which have been submitted to the Committee and on the working paper of the eleven non-aligned countries (CCD/341) relating to them; and I shall explain the reasons which have led us to submit another working paper (CCD/346) containing a proposal to insert in them an additional article.

55. The main reasons for our unswerving attitude towards the matter are shortly these.

(1) We feel that the question of the total prohibition of the use of chemical and microbiological weapons was definitely settled by resolution 2603 A (XXIV) of 16 December 1969 (CCD/275), in which the United Nations General Assembly declared that such use was contrary to the generally-recognized rules of international law embodied in the Geneva Protocol, and defined the scope of that prohibition by stating that it includes "any chemical agents of warfare" and "any biological weapons of warfare" without any exception.

(2) We feel that the same reasons which made it advisable in 1925 to enact a joint prohibition of both types of weapons, chemical and biological, exist now for employing an identical method of jointly prohibiting their development, production and stockpiling and of eliminating them from the arsenals of all States in accordance with the basic approach recommended in General Assembly resolution 2662 (XXV) of 7 December 1970 (CCD/318).

(Mr. García Robles, Mexico)

(3) In regard to verification methods and the requirements which they must fulfil if they are to be acceptable, and because 100 per cent certainly cannot be attained in dealing with chemical and microbiological weapons, we think that we should accept any verification system which would provide reasonable assurance that the convention is being observed, without attempting a manifestly impossible perfection. Moreover, in order to evaluate this system correctly, account would have to be taken not only of its intrinsic effectiveness but also of the very considerable additional scope of the national detection methods which, as we all know, are available to States and, more particularly, to the few Powers which possess those terrible weapons of mass destruction.

56. Having regard to these requirements, my delegation remains convinced that without any difficulty whatever, either in form or in substance, the necessary changes could be made in the two identical draft conventions of the United States and the socialist countries so that they could apply not only to microbiological weapons and toxins but also to chemical weapons.

57. What I have just said is sufficiently illustrated by the evolution of our discussions of the subject; and the least that can be said is that it has been rich in extraordinary aspects. We were told at the beginning that biological weapons lacked military importance because to use them would be as dangerous for the attacker as for the attacked, and that we should have to begin by prohibiting those weapons exclusively although verification of such prohibition would be -- I quote -- "simply impossible". Later we were told the opposite: that those weapons are "powerful weapons" which could be converted into -- and I quote again -- "the most effective means of wiping man from the face of the earth".

58. Despite that, and although, as we all know, nobody could claim that verification of the prohibition of those weapons would be any less difficult than verification of the prohibition of chemical weapons, it is still insisted that a treaty should first be concluded dealing only with microbiological weapons and toxins. It is certainly that rather strange development which not long ago led the Swedish representative, Mrs. Myrdal, to ask with justified irony:

(Mr. García Robles, Mexico)

"Have we to foresee that the rest of the chemical weapons would only be gradually prohibited as they became militarily insignificant, or as some extraordinary breakthrough occurred in the possibilities of verification? Or can we hope that these truly dangerous weapons will, within the foreseeable future, all become prohibited because they constitute a terror threat to human beings?" (CCD/PV.522, para. 53)

59. Be that as it may, it is a fact that the two identical draft conventions to which I have referred compel us to decide whether we could accept, as a first step towards the elimination of chemical and microbiological weapons, a convention applying only to the latter and including toxin weapons, the origin of which is mixed.

60. Since those two draft conventions constitute one of the few cases in which the two super-Powers have reached agreement, my delegation, without in the least renouncing its preference in principle for a simultaneous prohibition, would be ready to accept a trial of this procedure of successive prohibitions on condition that there are solid links between the convention relating to microbiological weapons and that which must necessarily complement it, namely a convention on chemical weapons; and that those links should not be limited to a recital of good intentions, with regard to which the example of the preamble to the Moscow Treaty, to which I referred at the beginning of my statement, has made us -- why not say it? -- somewhat sceptical.

61. That is why the Mexican delegation is one of the delegations of the eleven non-aligned countries which have presented a number of concrete suggestions in working paper CCD/341. That is also why my delegation has decided to submit separately, in conformity with the final paragraph of the introduction to document CCD/341, a supplementary proposal to insert in the two identical draft conventions the additional article which is reproduced in working paper CCD/346:

"Pending the agreement referred to in Article VIII, the States Parties to this Convention undertake to refrain from any further development, production or stockpiling of those chemical agents for weapons purposes which because of their degree of toxicity have the highest lethal effects. The agents in question are listed in the Protocol annexed to this Convention."

(Mr. García Robles, Mexico)

Of course the inclusion of this new article IX would mean that the appropriate changes would have to be made in the numbering of the subsequent articles of the two draft conventions.

62. We believe that the adoption of the moratorium which we propose for a specific category of chemical weapons offers many advantages and has no drawbacks. Among the advantages would be the effect, if not of the elimination, at least of the freezing for military purposes of a fairly broad group of chemical agents, which, because of their degree of toxicity, are more dangerous and cannot be used for peaceful purposes, for example the so-called neurotoxic agents. Another advantage which cannot be ignored is that the moratorium would provide convincing evidence that the Powers possessing chemical weapons really intended that the undertakings in article VIII -- which we presume would include the suggestions made by the eleven non-aligned countries -- should not remain on paper but be translated into action as soon as possible.

63. Concerning the absence of drawbacks, it is enough to say that the question of verification, which has been the main argument against the total prohibition of chemical weapons, does not seem to apply to this case; because a control system which is accepted as a satisfactory guarantee of the prohibition of all microbiological weapons and all toxins must necessarily also be a satisfactory means of supervising the mere freezing of those supertoxic chemical agents which have no civil or peaceful uses. Nor is there any apparent difficulty in reaching agreement on an initial list, however small, of those agents, because there already exists abundant material for such a list in the reports on chemical and microbiological weapons by the Secretary-General of the United Nations, by the World Health Organization, and by the Stockholm International Peace Research Institute (SIPRI), and also in the valuable working documents presented to the Committee by the delegations of Japan (CCD/301), the Netherlands (CCD/320) and Sweden (CCD/322).

(Mr. García Robles, Mexico)

64. It seems to us important that because this initial list is selective it could be drawn up immediately without difficulty. Its inclusion not in the body of the convention but in an annexed protocol would enable it to be revised later with the help of experts until it was made as complete as possible, in keeping with the suggestion in the working paper submitted by the Italian delegation (CCD/335).

65. In conclusion I should like to make certain observations on the two topics that I have dealt with in my statement, in the hope that the Committee will bear them in mind when preparing its report to the General Assembly on the results of its work this year.

66. Regarding chemical and microbiological weapons, it seems to us that the Assembly is expecting of us something more than a draft convention aimed at eliminating only weapons concerning which, as I have already pointed out, this Committee has informed the Assembly that they have neither military nor practical value; while in regard to the more dangerous and frequently-used weapons -- chemical weapons -- we confine ourselves to a declaration of good intentions. We feel that the international community is entitled to demand at least a document dealing with chemical weapons also, even one so limited as to be hardly more than a symbol -- the execution of acts which would give greater credibility to these promises.

67. Concerning the prohibition of underground nuclear-weapon tests, we believe it is necessary to remember that we have reached a point in time when impatience is beginning to yield to indignation, a point similar to that which nine years ago produced General Assembly resolution 1792 A (XVII), to which I have already referred. That state of mind of the peoples of the world is easy to understand, because they note that the prolongation of the present situation has within it several serious dangers. One of these is that it perpetuates the unbridled race to perfect the destructive capacity of nuclear weapons, which U Thant has quite

(Mr. García Robles, Mexico)

rightly described as armaments schizophrenia and as "The product of the awful alphabet and arithmetic of ABMs... and MIRVs" (A/7601/Add.1, para. 28). It also gives the other nuclear Powers an excuse to continue to contaminate the air and sea with their tests in both those environments; and it could tear to pieces the Treaty on the Non-Proliferation of Nuclear Weapons, which was worked out with so much toil.

68. Mr. KHOSBAYAR (Mongolia) (translation from Russian): Since the spring of this year the socialist countries co-authors of the draft convention of 30 March (CCD/325/Rev.1) have endeavoured to get the negotiations on the prohibition of chemical and bacteriological weapons out of the state of stagnation into which they had been led as a result of the position taken by some Western countries. The initiative of the socialist countries was dictated by their sincere desire, regardless of any difficulties, to make progress towards the accomplishment of the tasks confronting our Committee. We are happy that our efforts have not been in vain. Thanks to support on the part of other delegations, those efforts have produced their first result, which testifies to a definite turn for the better in the work of our Committee. I have in mind the two parallel and identical draft conventions on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction submitted, one by the delegations of the socialist countries (CCD/337*), and the other by the delegation of the United States of America (CCD/338*). The appearance of those documents has brought about a practical possibility of reaching agreement on the question which we are discussing.

69. The revised draft convention CCD/337*, of which the Mongolian People's Republic is a co-sponsor, has already been presented in a detailed manner to the Committee by the head of the Soviet delegation, Mr. Roshchin (CCD/PV.527). Our delegation intends in its statement today to deal briefly with some of its aspects.

70. The delegation of the United Kingdom (CCD/PV.528, paras. 71 et seq.) and some other delegations have proposed the inclusion in the draft of a provision prohibiting the use of bacteriological weapons. The Mongolian People's Republic, like all the other socialist countries, holds that the question of the use of bacteriological as well as of chemical weapons was settled once and for all by the Geneva Protocol of 1925 (A/7575/Rev.1, Annex VI). Basing itself on that premise, our delegation does not deem it possible to accept the aforesaid proposal.

(Mr. Khosbayar, Mongolia)

71. The opinion of the socialist countries on that question is shared by many other delegations in the Committee. I should like to take this opportunity to appeal to the United Kingdom delegation to show a spirit of co-operation and not to insist on its proposal. In our opinion the United Kingdom delegation would thereby make an appropriate contribution towards achieving agreement on the draft convention as quickly as possible.

72. The delegations which are in favour of the inclusion of a provision prohibiting the use of bacteriological weapons usually refer to certain reservations to the Geneva Protocol. It is known that those reservations were due to the fact that the Geneva Protocol did not provide for the complete exclusion of those types of weapons from the military arsenals of States. However, the conclusion of a new convention the draft of which we are considering would bring about, as has already been noted earlier, an absolutely different situation in which those reservations would automatically lose their significance.

73. In our opinion the reservations to the Geneva Protocol have never cast any doubt on its effectiveness as an instrument of international law banning the use of bacteriological and chemical weapons. No one doubts that the Geneva Protocol has played and continues to play an important role in curbing the attempts of aggressors to resort to the use of those categories of weapons of mass destruction. The fact that most States Members of the United Nations have become parties to the Geneva Protocol testifies precisely to the increasing significance and authority of that instrument.

74. Having carefully weighed all the arguments for and against the word "use", the delegations of the socialist countries came to the conclusion that a provision banning the use of bacteriological weapons could not introduce into our draft convention any constructive element but would most probably lead to negative consequences. It is feared that the inclusion of such a provision in the convention might serve as a pretext for a distorted interpretation of the Geneva Protocol, which would be contrary to the aims and purposes which we pursue. This fear of ours is not without foundation. After all, we know that some Western countries, by giving an arbitrary interpretation to the Geneva Protocol, are trying to use it to justify the use of certain types of chemical substances for hostile purposes.

(Mr. Khosbayar, Mongolia)

75. In regard to the procedure for lodging complaints with the Security Council in the event of a breach of the convention, some delegations wish to make use of the services of some other international bodies, apart from the Security Council. In doing so, they consider that such a procedure could ensure rapid and effective measures to put an end to the breach of the convention. We must not forget, however, that it is precisely to ensure rapid, impartial and effective action by the United Nations that its members have conferred on the Security Council the main responsibility for the maintenance of international peace. We are still convinced of the effectiveness of that international organ in the present situation in the world. We believe that the Security Council itself must reach decisions on the appropriate form of investigation procedure when considering complaints. Our position in this respect was reflected in the working paper (CCD/339) submitted by the delegation of Mongolia, together with the delegations of Hungary and Poland, in connexion with the draft convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction.

76. As regards the proposal of the Swedish delegation concerning the definition of toxins (CCD/333), which was supported by some other members of the Committee, our delegation shares the considerations and opinions expressed by the Czechoslovak delegation (CCD/PV.530, paras. 15 et seq.).

77. On 17 August the group of non-aligned States submitted a working paper (CCD/341) containing proposals regarding the parallel drafts of the convention CCD/337* and CCD/338*. Basically these proposals are aimed at strengthening the link between bacteriological and chemical weapons; and in our opinion they undoubtedly merit the most serious attention of the Committee. The position of the socialist countries on the question of the complete prohibition of chemical weapons is so clear that it does not require any further explanation. That position was reflected, in particular, in our last draft convention on the prohibition of chemical and bacteriological weapons (A/8136). The socialist countries were ready then, as they are now, to conclude an agreement on the prohibition of both chemical and bacteriological weapons.

(Mr. Khosbayar, Mongolia)

78. In submitting a new draft convention on the prohibition of bacteriological weapons its co-authors were guided, as before, by the aim of achieving the complete prohibition of both types of weapons of mass destruction. This is evident from the very text of the revised draft convention. The obligations laid down in the draft in regard to the prohibition of chemical weapons are, of course, not complete. Nevertheless the socialist countries believe that they create favourable prerequisites for the solution of the problem of prohibiting chemical weapons. However, if the Committee agrees to adopt the aforementioned proposals of the group of non-aligned countries, the delegation of the Mongolian People's Republic is prepared to support them.

79. The co-authors of the revised draft convention are fully aware that the conclusion of this convention does not mean that we have achieved all our aims. However, we do not wish to underestimate the significance of this convention. Like many other delegations, the delegation of the Mongolian People's Republic considers that the conclusion of this convention would be a realistic measure in the field of disarmament, in keeping with the aspirations and interests of all peoples. Such a measure would be an important contribution to the strengthening of mutual trust among countries; and this would facilitate progress in reaching agreement on other measures concerning limitation of the arms race and general and complete disarmament.

80. The revised draft convention (CCD/337*), which we are now considering, is the result of consultations and negotiations between many members of our Committee, which considerably facilitates the reaching of agreement.

81. Our delegation expresses the hope that, in a spirit of fruitful co-operation and mutual understanding, the Committee will rapidly finish the preparation of the text of the draft convention so that an agreed draft may be presented to the twenty-sixth session of the General Assembly of the United Nations.

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 532nd plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Raniero Saraciva Guerreiro, representative of Brazil.

"Statements were made by the representatives of the Union of Soviet Socialist Republics, Japan, Mexico and Mongolia.

"The delegation of Japan submitted (a) a 'Working paper on a biological approach to the question of verification on the prohibition of chemical weapons -- organophosphorus chemical agents' (CCD/343), (b) a 'Working paper containing remarks of Prof. Shunichi Yamada, the University of Tokyo, concerning the question of verification on the prohibition of chemical weapons, presented at the informal meeting on 7 July 1971' (CCD/344), and (c) a 'Working paper containing remarks of Dr. Shigeji Suyehiro, the Japan Meteorological Agency, concerning the usefulness of the employment of ocean-bottom seismographs and a universally acceptable means of determining the magnitude of seismic events, presented at the Informal Meeting on 30 June 1971' (CCD/345).

"The delegation of Mexico submitted a 'Working paper containing a proposal for the inclusion of an additional article in the revised draft convention (CCD/337*) and the draft convention (CCD/338*) on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction' (CCD/346).

"The delegation of Morocco submitted a 'Working paper on drafts CCD/337* and CCD/338* on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction' (CCD/347).

"The next meeting of the Conference will be held on Thursday, 26 August 1971, at 10.30 a.m."

The meeting rose at 12.15 p.m.