

FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-NINTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 24 March 1977, at 10.30 a.m.

Chairman: Mr. J.G. Taylor (United Kingdom)

PRESENT AT THE TABLE

Argentina:

Mr. G.O. MARTINEZ
Mr. F. JIMENEZ DAVILA

Brazil:

Mr. I. MASTROGIOVANNI

Bulgaria:

Mr. R. NIKOLOV
Mr. I. PETROV
Mr. M. SREBREV

Burma:

U TINT SO

Canada:

Mr. R. HARRY JAY

Czechoslovakia:

Mr. M. RUZEK
Mr. V. ROHÁČILKIV

Egypt:

Mr. O. EL-SHAFEI
Mr. F. EL IBRASHI
Mr. A.A. KHEIR

Ethiopia:

Mr. G. ALULA

German Democratic Republic:

Mr. H-J. MICHEEL
Mr. M. GRACZYNSKI
Mr. F. SAYATZ

Germany, Federal Republic of:

Mr. J. PÖHLMANN
Mr. K. HANNESSCHLÄGER
Mr. H. MÜLLER

Hungary:

Mr. M. DOMOKOS
Mr. R. TOTH
Mr. I. KÖRMENDY
Mr. E. SEBÖK

India:

Mr. K.P. JAIN
Mr. S.T. DEVARE

Iran:

Mr. M. FARTASH

Mr. H. AMERI

Miss C. TAHMASSEB

Italy:

Mr. M. MORENO

Mr. A. BIZZARINI

Mr. G. VALDEVIT

Japan:

Mr. M. OGISO

Mr. T. SAWAI

Mr. Y. NAKAMURA

Mr. H. OKITSU

Mexico:

Mr. A. GARCÍA ROBLES

Mr. M. MARÍN

Miss A. CABRERA

Mongolia:

Mr. D. ERDEMBILEG

Mr. P. KHALIUN

Morocco:

Mr. S.M. RAHHALI

Netherlands:

Mr. C.A. VAN DER KLAUW

Mr. A.J. MEERBURG

Nigeria:

Mr. B.A. CLARK

Mr. G.A. FALASE

Mr. S.T. ADAMU

Pakistan:

Mr. K. SALEEM

Peru:

Mr. G. CHAUNY

Poland:

Mr. H. PAĆ

Mr. A. CZERKAWSKI

Romania:

Mr. C. ENE

Mr. G. TINCA

Mr. M. ROSIANU

Sweden:

Mr. G. HAMILTON
Mr. H. NORBERG
Mr. U. REINIUS
Mr. S. ERICSSON
Mr. J. LUNDIN

Union of Soviet Socialist
Republics:

Mr. V.I. LIKHACHEV
Mr. Y.K. NAZARKIN
Mr. N.V. PESTEREV
Mr. I.P. GLAZKOV
Mr. A.N. DAVIDOV
Mr. M.M. BELOUSOV
Mr. A.I. TIOURENKOV

United Kingdom:

Mr. J.G. TAYLOR
Mr. I.R. KENYON

United States of America:

Mr. H. MEYERS
Mr. W. HECKROTTE
Miss B. MURRAY
Mr. A. TURRENTINE
Mr. C. WILMOT
Mr. D. MAHLBERG

Yugoslavia:

Mr. M. LALOVIĆ
Mr. D. DJOKIĆ

Zaire:

Mr. S. KABAMBI

Special Representative of the
Secretary-General:

Mr. Risto HYVÄRINEN

Alternate Representative of the
Secretary-General:

Mr. A. CORRADINI

Communiqué of the meeting

The Conference of the Committee on Disarmament today held its 739th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of Mr. J.G. Taylor, representative of the United Kingdom of Great Britain and Northern Ireland.

The representative of Japan (H.E. Ambassador Motoo Ogiso) made a statement concentrating on the question of banning chemical weapons. Looking back to the deliberations on this question in the CCD since 1968, and placing a high priority on this question, he made concrete suggestions on the two main problems, namely (1) chemical warfare agents to be prohibited and (2) verification. On the first point, he suggested making some tables for listing chemical agents with certain criteria, in order to make clear the definition and scope of those agents. On the second point, he suggested new ideas of annual declarations of the so-called single purpose agents, together with on-site inspection, and of annual reports of estimates of requirements of the so-called dual-purpose agents, referring to the Single Convention on Narcotic Drugs, 1961 (as amended). It was hoped that these suggestions together with the related working paper presented by Japan (CCD/529), would make a positive contribution to the making of a draft treaty on a CW ban with some means of effective control.

The representative of India (Mr. Kashi Prasad Jain) devoted his statement to the question of elimination of weapons of mass destruction. Such weapons had been broadly classified as nuclear weapons, bacteriological (biological) weapons, chemical weapons, radiological weapons and other weapons of mass destruction. The Soviet proposal for the prohibition of new weapons of mass destruction and new systems of such weapons deserved strong support, as it was in line with the established priorities in the field of disarmament and was also a preventive and confidence-building measure. The argument that the Soviet proposal would tend to divert attention from other important and pressing problems of disarmament was totally unjustified. The real danger of diversion of disarmament efforts from the priority tasks lay in proposals for the so-called controls on conventional armaments without any meaningful curbs on the nuclear arms race and the adoption of an imposed or artificial regional approach in place of a truly world-wide approach. Not a single nuclear weapon had been destroyed by any agreement that had been concluded so far. The developing countries needed conventional weapons to preserve their hard-won independence from various threats, including new threats of destabilization. In conclusion it should be stressed that while problems in the field of disarmament were complicated and difficult, their solutions would have to be simple and based on correct premises.

The representative of Hungary (H.E. Ambassador Mátyás Domokos) made a statement on the prohibition of new types of weapons of mass destruction and on procedural matters. He stated that the informal meetings with the participation of experts on new types of weapons of mass destruction were useful and indicated the importance attached to the Soviet proposal by a considerable number of delegations. With reference to the example analysed by the Hungarian expert, he emphasized that the new generation of air-cosmic delivery vehicles should be considered as a new weapon of mass destruction. Concerning the further consideration of the subject, he held the view that attention could be concentrated on the essence — that is, on the examples of possible new types of MDWs — and that difficulties in elaborating a precise definition must not hinder further constructive negotiations on the subject.

On the question of a subsidiary organ of the CCD, he expressed the view that the establishment of a permanent body would introduce unjustified rigidity into the Committee's activity; therefore he preferred the setting up of ad hoc working bodies whenever progress on items on the agenda of the CCD made it necessary. In connexion with the institution of co-chairmanship, he referred to the origins and significance of that institution and suggested the suspension of discussion on that subject.

The representative of Egypt (H.E. Ambassador Omran El Shafei) made a statement in which he addressed himself to the question of the prohibition of new types and new systems of weapons of mass destruction. He pointed out that the discussion held on this topic at the informal meetings with the participation of experts was constructive and that the concern of all the delegations had been emphasized. Referring to the new and highly technological weapons used against the armed forces of Egypt in October 1973, he emphasized that the approach to the solution of the problem should be based on adopting measures prohibiting the production of new types and new systems of weapons of mass destruction, since scientific and technological progress had proved to be unlimited. In the view of his delegation, the definition adopted in 1948 should not be an obstacle to agreement upon a new one, since atomic, biological and chemical weapons had been dealt with or were under consideration for the adoption of new measures. In paying tribute to the delegation of the USSR for introducing this question, he pointed out that the ideas contained in the USSR draft treaty might be considered as guidelines in this regard.

The representative of India (Mr. Kashi Prasad Jain) commented on the intervention made by the representative of the United States of America on the question of a comprehensive nuclear-weapon-test ban at the 738th plenary meeting of the CCD, held on 22 March 1977.

The representative of Mexico (H.E. Ambassador Alfonso García Robles) made a statement introducing, on behalf of the delegations of Argentina, Brazil, Burma, Egypt, Iran, Morocco, Nigeria, Peru, Sweden, Yugoslavia, Zaïre and Mexico, a "Working Paper on CCD Procedures" (CCD/530) which contained suggestions for the establishment of a standing sub-committee of the CCD, for the preparation of the report and for the communiqué of the meeting.

The representative of the Netherlands (H.E. Ambassador C.A. van der Klaauw) commented on some aspects of the statement by the representative of India on the question of a comprehensive nuclear-weapon-test ban. The representative of India made a response to the statement by the representative of the Netherlands.

The delegation of Japan submitted a working paper entitled "Some thoughts on the international control of chemical weapons" (CCD/529).

The Committee, in conformity with the schedule of work adopted on 1 March 1977 (CCD/527), decided to hold its first informal meeting on chemical weapons with the participation of experts on Monday, 28 March, at 3 p.m.

The next plenary meeting of the Conference will be held on Tuesday, 29 March 1977, at 10.30 a.m.

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Mr. OGISO (Japan): Mr. Chairman, today I wish to express the views of my Government on the question of banning chemical weapons, which my delegation considers the next most important item after CTB at this session of the CCD. The question of banning chemical weapons is a pending issue on which the United Nations General Assembly has been requesting the CCD to continue negotiations as a matter of a high priority over the years, and the CCD has again been requested to do this in operative paragraph 3 of resolution 31/65 adopted by the United Nations General Assembly at its thirty-first session.

Looking back briefly to the deliberations on the said matter in the CCD since 1968, we find a first draft treaty submitted by the USSR and other East European countries (CCD/361) aiming at a comprehensive ban. In addition to this, a unified view of the non-aligned countries of 1973 (CCD/400) made a contribution to progress in the deliberations by advocating the necessity of an appropriate means of verification. On the basis of these sincere efforts, Japan presented a draft treaty (CCD/420) in 1974. This draft proposed a phased approach: that of banning chemical warfare agents of which verification is feasible at the present stage, in order to make effective a comprehensive ban of agents as suggested in the draft treaty of the USSR and other Eastern countries. Therefore, our draft treaty was designed to carry out, on a step-by-step basis, the comprehensive ban suggested in the Soviet draft; hence the two drafts do not contradict, but rather supplement, each other. In last year's session of the CCD a number of useful statements were made, an informal expert meeting was held and, through these exercises, an analysis of the problems involved was greatly developed and another draft treaty was presented by the United Kingdom at the last stage of the session. With full consideration for those CCD discussions, working papers, the Soviet and Eastern countries' draft, the unified view of the non-aligned nations and the Japanese draft, and at the same time, naturally, with Britain's own useful thoughts, the British draft was intended to make further progress in the discussions. My delegation considers the British effort most valuable. Today I shall touch upon some points of the British draft, but I shall make my detailed comments on it later in the session.

(Mr. Ogiso, Japan)

As you are all aware, energetic discussions took place at the two informal expert meetings in July 1974 and in July 1976. However, we feel that too many technical views were presented and that they were not always well integrated. In this connexion we believe that the compilation of CW-related materials which has just been made by the Secretariat with the participation of a Swedish expert is most useful. Therefore I suggest that alternative choices should be drawn up with respect to each of the two important problems -- that is, the scope of chemical warfare agents to be prohibited, and verification; that, if possible, one solution should hopefully be found for each of those problems; and that, if that is not possible, at least the major trends of the discussions should be converged. It is to be hoped that, after this exercise, a common draft treaty will be negotiated by a Working Group as suggested by the Italian delegation at the summer session and thereafter.

Mr. Chairman, we see that the two problems -- namely, the problem of defining the scope of chemical warfare agents to be prohibited in the treaty and the problem of verifying compliance with the treaty obligation -- are still in need of a solution and are major obstacles to the discussions. About 50 useful working papers have so far been presented by the various countries and energetic discussions, including those of the informal expert meetings, have taken place. However, these discussions are inclined to be too technical and too academic, and this situation might be compared to people groping to find their way out of a dense forest. The following is my attempt to sort out the trends of the recent discussions on the subject.

(1) With respect to chemical warfare agents to be prohibited, a prevailing view is that they should cover not only super-toxic organophosphorous compounds but also other lethal chemical agents; that the broad net of a comprehensive ban should be thrown over these substances by adopting a purpose criterion in banning "chemical warfare agents of types and in quantities that have no justification for protective or other peaceful purposes"; and that a toxicity criterion should be used at the same time as one of the criteria for determining the actual agents to be prohibited. The LD50 spectrum which my delegation suggested last summer is a view on the application of these criteria.

(Mr. Ogiso, Japan)

(2) With respect to verification, a prevailing view is that "international" verification is necessary. To be more specific, a point of view which is becoming more influential is that it is necessary that we should conduct on-site inspections to ensure the undertaking of specific acts such as the destruction of stockpiled agents, and that it is possible that on-site inspections under international control, including some means of sealing, photographic evidence and so on, should supplement national means without intervening unjustifiably in order to control production.

However, the above-mentioned trends do not go beyond the concept stage, and the time has now come for us to try to find a practical means.

Last summer the representative of the Soviet Union, Ambassador Likhatchev, stated that "the Soviet Union... still advocates, a complete and general prohibition of... chemical weapons.... At the same time the Soviet Union... has displayed its readiness to accept the idea... for a step-by-step approach to... prohibition, as a first step, of... lethal chemical means of waging war" (CCD/FV.714), and the memorandum presented by the Soviet Union at the spring session on 15 February 1977 reads "... the Soviet Union is ready... to discuss methods of verifying the destruction of stockpiles of chemical weapons..." (CCD/522). This is a good sign that the possibility of agreement on on-site inspection has emerged in the above statements.

These new developments contain a clue to a solution to the two big problems of these discussions, and may be compared to a gleam leading to a way out of the "dark" forest. Here I wish to present to you a working paper entitled "Some thoughts on the international control of chemical weapons" (CCD/529), and thus to make a contribution to our work:

Mr. Chairman, with respect to the problem of chemical warfare agents to be prohibited, on which a number of suggestions have so far been made -- but they have not gone beyond general remarks and have been somewhat lacking in concreteness -- I would now like to make a concrete suggestion, referring to the Single Convention on Narcotic Drugs, 1961 (as amended), which functions effectively at present and to which, as of 1 March 1977, 109 countries, including most members of the CCD, are Parties. This can provide a useful suggestion for verification as well, which is very closely linked to chemical warfare agents to be prohibited.

(Mr. Ogiso, Japan)

The Narcotic Drugs Convention solves the problem of the definition and scope of narcotic drugs, which are extremely difficult to define but which need to be controlled, by adopting a method of annexed schedules. Referring to the Narcotic Drugs Convention, we should list, in a CW ban treaty, each agent in the appropriate table, to make it clear which agent should be prohibited and which agent should be declared and controlled. Thus we can modify article I.a of the British draft as follows: "chemical agents, listed in annexed tables I-III, of types and in quantities that have no justification for protective or other peaceful purposes", and at the same time we can make clear the scope of these agents. First of all, we should list in table I "single-purpose agents" used only for warfare, and should make them totally prohibited. Next, we should list in table II "dual-purpose agents" which can be used for both peaceful and warlike purposes, and we should put them under separate control. Finally we should list in table III the chemical substances which are listed neither in table I nor in table II and which have such dangerous characteristics that they can be used as chemical warfare agents, and we should prevent any State party to the treaty from transforming these substances into chemical weapons by imposing an obligation of notification on those States which are about to conduct such activities as their production, stockpiling and development.

When it becomes clear that some agents of these substances can be used as chemical weapons and when it is found necessary for them to be strictly controlled, they can be transferred to either table I or table II, as a result of a periodic review of these tables.

In case, as provided for in article II, paragraph 1, of the British draft, each signatory or acceding State undertakes on signature or accession to the treaty to declare the whole quantity in its possession of those chemical agents listed in tables I and II, we cannot deny that we may have some doubts as to the accuracy of the content of such declarations and that a certain amount of deception might possibly be used. Therefore we should conduct a careful study on the effectiveness, in the light of compliance with the treaty, of imposing on States parties obligation to

(Mr. Ogiso, Japan)

declare the amount of those agents in their possession. We understand that article VII of the British draft, which provides for the destruction of these lethal chemical agents according to a phased programme, gives a certain consideration to this point. Here I would like to suggest, as a concrete method for such a phased programme, that (1) a State party to the treaty should destroy all the chemical agents listed in table I within a certain period (for example five years), should declare each year the amount of the agents to be destroyed in that year, and should actually destroy them according to a certain procedure which is to be checked each time through an on-site verification; and that (2), referring to the system of "estimates of drug requirements" provided for in article 19 of the Narcotic Drugs Convention, a State party to the treaty should submit annually estimates of requirements of stocks, imports and production of those chemical agents listed in table II necessary for peaceful purposes, and a control should be made on the amount of those dual-purpose agents, not to exceed the amount of those agents for peaceful purposes. Judging from such a prohibition and control of those chemical agents, we believe it quite effective to classify chemical warfare agents in categories in tables I, II and III. This entire line of thought is a step forward, with the help of the formula given in the Narcotic Drugs Convention, from our previous thoughts as suggested in the draft treaty and the working papers (CCD/430, CCD/466, CCD/483 and CCD/515) submitted in the past by the Japanese delegation.

Here I would like to emphasize that, since the various criteria (e.g. the toxicity criterion) other than purpose criteria are all supplementary, the final decision whether each agent should be listed in or taken out of the corresponding table should be made by agreement between the States parties to the treaty. The process for the completion of the tables is as follows: (1) all toxic chemical agents whose toxicity is above the agreed level should be listed, using the LD50 spectrum; (2) then, those agents which the States parties to the treaty agree to consider unsuitable as chemical warfare agents, judging from their shelf-life,

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perceptibility, volatility, explosion stability and so on, should be deleted;
 (3) finally, chemical agents which are low in toxicity but can be used as chemical warfare agents, and chemical substances (the so-called precursors for binary weapons) which become chemical warfare agents through reactions taking place between their discharge and their reaching the objective, should be added with the agreement of the States parties to the treaty. In this process, consideration of article I.b of the British draft will make the tables foolproof, on condition that the said subparagraph is modified to read "munitions, equipment or systems designed to fill up, install or deliver agents specified in the preceding subparagraph (a) or chemical substances which are intended to produce the same effect as agents specified in subparagraph (a) when fired munitions reach the target".

In closing my statement today, I hope that both my statement and my country's working paper will be examined at the informal meeting beginning on 28 March, will lead to concrete progress on the two important problems of "definition of agents to be prohibited" and "verification", and will eventually make a contribution to the early completion of a CW ban treaty.

Mr. JAIN (India): Mr. Chairman, the question of elimination of weapons of mass destruction should be considered in perspective. An analysis should therefore be made of the present situation as it has developed in regard to the various categories of weapons of mass destruction.

In the post-Second World War disarmament discussions, all weapons (and weapon systems) have been classified as either conventional weapons or weapons of mass destruction. No clear definition of either of these two groups of weapons exists. An obvious, essential criterion for distinction between the two groups of weapons is the destructive effect. However, there is no particular threshold in destructive effect which could be used to distinguish a conventional weapon from a weapon of mass destruction.

(Mr. Jain, India)

Besides, it is realized that a conventional weapon may be employed in such a way that its destructive effect may be comparable with that of a weapon of mass destruction, as was the case with the incendiary weapon when it was used for carpet bombing in certain theatres during World War II. Nevertheless, the incendiary weapon has been considered a conventional weapon -- maybe a cruel weapon having indiscriminate effects or causing unnecessary suffering, depending on its mode d'emploi. On the other hand, it is not denied that a breakthrough could take place in a technology such as laser, hitherto used along with conventional weapons, which might lead to the development of a new category of weapons of mass destruction.

The general situation in regard to the classification of weapons as either conventional weapons or weapons of mass destruction remains somewhat unclear and inexact.

In the earlier discussions, mass destruction weapons (MDW) have been talked of as 'ABC (Atomic, Biological and Chemical) and other weapons of mass destruction'. Very soon, however, it was realized that a refinement in terminology would be needed in this rather rough and ready classification of ABC weapons.

The term A or atomic weapon was inadequate to cover atomic and hydrogen bomb, or fission and fusion bomb, or nuclear and thermonuclear bomb. The generic term "nuclear weapon" was considered more appropriate than the term "atomic weapon" to describe the two systems that had developed in nuclear weaponry.

As regards B or biological weapon, a question arose whether it would not be wise to stick to the expression "bacteriological weapon" used in the Geneva Protocol of 1925 or whether it would be better to use a new expression "microbiological weapon" in order to take into account the new advances in molecular biology. A compromise was finally struck at the time of preparation of the United Nations expert study on B & C weapons in 1969, when the expression "bacteriological (biological) weapon" came into vogue and was subsequently used in the BW Convention of 1972.

(Mr. Jain, India)

On the question of C or chemical weapons, a controversy was raised whether all such weapons could be considered as weapons of mass destruction and whether a distinction should not be made between lethal and non-lethal chemical substances. This controversy arose mainly because of the use of certain chemical weapons in the Viet Nam war. The controversy was obviously pointless, because it was evident that the use in war of any chemical substances, be they tear-gas or other so-called irritants, defoliants and herbicides, could always lead to escalation to more dangerous chemical substances, and, therefore, the principle "no gas" in international armed conflicts was the only sound one to be followed. The General Assembly of the United Nations reaffirmed this principle as being the customary international law by its resolution 2603 A (XXIV) of 1969.

Meanwhile a further evolution took place in the discussion over ABC weapons. Nuclear weapons (which term had completely replaced the expression "atomic weapons") began to be definitely considered as a class apart, and a new combined term CBR came to be used in which R stood for radiological weapons.

While nuclear weapons caused their destructive effect through blast, heat and radiation, it was considered that a new category of weapons, namely radiological weapons, could be conceived of, which might cause destruction through their radiation effect alone. However, a doubt persisted whether there could ever be such a weapon which may not cause either blast or heat but produce radiation effect alone. The term radiological weapon went into disuse for a time, but has recently popped up, as it has again been felt that it could be theoretically possible to fabricate such a weapon.

Be that as it may, the idea that there could be "other weapons of mass destruction", besides nuclear, chemical, biological and radiological, has always been present in people's minds.

The Soviet proposal for the prohibition of new weapons of mass destruction and new systems of such weapons deserves strong support for several very good reasons. It is in line with the established priorities in the field of disarmament, as the highest priority has to be accorded to the elimination of nuclear weapons and all other weapons of mass destruction. It is also both a preventive and a confidence-building measure.

(Mr. Jain, India)

The Soviet proposal has been criticized on four main grounds: (i) It is amorphous. (ii) New weapons of mass destruction cannot be defined. (iii) Verification would be difficult. (iv) It diverts attention from other important and pressing problems in the field of disarmament.

None of this criticism is valid.

The Soviet delegation has invited participation of all members of the Committee on Disarmament to agree on the scope of prohibition of new weapons of mass destruction. For its part, the Soviet delegation has identified the following five categories for consideration as new weapons of mass destruction: (i) infra-sound weapons; (ii) radio-frequency weapons; (iii) fuel-air explosives; (iv) potential nuclear weapons based on fissionable elements heavier than uranium-235 and plutonium-239; and (v) weapons based on shuttle systems. The United States delegation has expressed its disagreement with the Soviet views on these five categories of new weapons of mass destruction and has also stated that it is not prepared to take a position on other weapons not yet conceptualized in specific terms. However, this does not mean that the discussion on the question of the scope of new weapons of mass destruction has ended, for the debate is still continuing.

The informal discussions in the Committee on Disarmament with the participation of experts on the question of new weapons of mass destruction have been useful in several ways. A consensus seems to have emerged already that nothing should be done which might either erode or cast doubt on the integrity of an existing treaty such as the BW Convention. For instance, activities concerning genesplicing or genetic engineering, if they were ever to be developed for hostile purposes, would be regarded as being covered by the scope of prohibition of the BW Convention.

The argument of essentiality of having a precise definition of new weapons of mass destruction is not convincing, as none of the world-wide treaties, conventions or protocols concluded so far, which deal with nuclear weapons or other weapons of mass destruction, contain any definitions of such weapons.

(Mr. Jain, India)

The argument regarding difficulty of verification raises the perennial problem of relationship between controls and disarmament.

It should be clearly understood that disarmament and controls must go together. Neither one can precede the other, nor can any of these matters be taken up singly. Disarmament without controls is not a feasible proposition, just as controls without disarmament are meaningless. Both the questions should be tackled simultaneously and as parts of a single problem.

The argument that the Soviet proposal for prohibiting new weapons of mass destruction tends to divert attention from other important and pressing problems of disarmament is totally unjustified. For what could be more important, more serious and more pressing than efforts in the direction of elimination of all weapons of mass destruction?

On the other hand, it should be noted that a new and disturbing concept has recently been introduced in our discussions. It has been said that levels of national security should be fixed and the Committee on Disarmament should work for the achievement of this goal.

It should always be remembered that the Committee on Disarmament has only one goal: the achievement of general and complete disarmament under effective international control. And levels of national security can only be determined by sovereign Governments for their respective countries. No one else, not even the Committee on Disarmament, can decide what should be the appropriate level of security for a particular country.

It should be stressed that the real danger of diversion of disarmament efforts from the priority tasks and pressing problems lies in proposals for so-called controls on conventional armaments without any meaningful curbs on the nuclear-arms race, and the adoption of an imposed or artificial regional approach in place of a truly worldwide approach. Proposals of that nature are meant to lull world public opinion into a sense of stupor towards the ever-present danger of a nuclear holocaust.

(Mr. Jain, India)

The argument that some significant steps have already been taken in controlling the nuclear-arms race and that attention should now be turned to controlling conventional weapons should be categorically rejected. No meaningful obligations have yet been undertaken by the nuclear-weapon States to limit their nuclear weapons. Not a single nuclear weapon has been destroyed by any agreement that has been concluded so far.

The developing countries need conventional weapons to preserve their hard-won independence from various threats, including new threats of destabilization.

It is also not possible to accept the contention that the great Powers, which possess nuclear weapons, have ipso facto acquired a greater sense of responsibility than non-nuclear-weapon States and have also adopted foolproof methods of ensuring the security of their nuclear-weapon stockpiles from the ever-lurking risks of accident, unauthorized use or terrorism. So long as a single nuclear weapon exists in the world, the sword of Damocles hangs over our heads. The only answer is elimination of nuclear weapons and other weapons of mass destruction.

The imperative need for the elimination of all nuclear weapons and other weapons of mass destruction underlines the fact that the participation of France and the People's Republic of China in disarmament negotiations is absolutely essential for making substantial progress in the achievement of a lasting world peace based on total disarmament and a just economic order. Any organizational framework or procedures will not be allowed to stand in the way of their active participation in the Committee on Disarmament, whenever they are ready to join it, for the Committee is master of its own procedures and works on the basis of the principle of consensus.

In conclusion, it should be stressed that while problems in the field of disarmament are complicated and difficult, their solutions have to be simple. Furthermore, any workable and durable solutions will have to be based on correct premises. Erroneous premises can only lead to fallacious conclusions and no real solutions.

Mr. DOMOKOS (Hungary) (translated from French): In my statement today I should like to take up two subjects which are on our Committee's agenda: namely, the prohibition of new types of weapons of mass destruction and new systems of such weapons, and the question of procedure and organization of work.

We have just completed the third series of informal meetings with the participation of experts. The statements made by representatives and by experts have yielded many interesting opinions and contributions which deserve detailed analysis. But we can state here and now that these meetings have been useful. The discussion has clearly shown that most delegations have recognized the particular importance of the Soviet proposals and consider it necessary to continue the examination of this important question, in still more specific form.

For the moment I should just like to revert to a few problems which were raised in the course of our deliberations.

A happy feature was that there was fairly general agreement that the treaty to be concluded should not deal with weapons of mass-destruction which are already prohibited by existing conventions or due to be prohibited in the near future. This agreement may advance the examination of the draft treaty. I should at the same time like to express my delegation's hope that chemical weapons may genuinely be classified in the category of weapons of mass destruction.

Several delegations have stressed the importance of freedom of scientific research. We have been and are of the opinion that, in any negotiation aimed at a prohibition of armaments, it is necessary to ensure freedom of research for peaceful purposes and at the same time to preclude all possibility of using its results for military purposes. This double task has been written into almost all arms-limitation treaties. The purpose and text of the Soviet draft treaty and the statements made on the subject by the socialist countries have always been clear and unequivocal. For this reason the emphasis repeatedly placed by some delegations on this aspect of the matter was incomprehensible to my delegation.

As regards the example discussed by the Hungarian expert at the informal meeting, the space shuttle may be used as an artificial satellite, and also for manoeuvres and for transport in the rarefied layers of the atmosphere. The first mode of use is already genuinely regulated by the Outer Space Treaty, in which the determining criterion is that

(Mr. Domokos, Hungary)

the object should revolve around the earth. But if the space shuttle is not in orbit but performing manoeuvres or travelling at less than the initial cosmic speed and in a region below 160 km of altitude, the provisions of that Treaty are no longer applicable. We consider that, unless the use of such a craft for military purposes were prohibited by a convention, the arms race might take on a new and dangerous dimension.

The next comment I should like to make relates to the definition of new types of weapons of mass destruction. In principle, in a treaty of a preventive nature, there is a choice between the following alternatives:

- (a) A precise general definition which determines beyond dispute the scope of the limitation from the technical and legal standpoints. It seems to us that for the moment it would be extremely difficult to work out a definition with such precision;
- (b) The second possibility would be a more or less precise definition supplemented by examples which would be illustrative but which would not determine the scope of the limitation;
- (c) The third possibility might be to use a definition which would indicate the objective and orientation of the treaty but which, from the technical and legal standpoints, would not be sufficiently precise. Such a convention would determine the scope of the prohibition by enumerating specific examples;
- (d) Lastly, in the fourth possible form, the scope of the limitation would be defined by enumerating examples -- in our case, examples of new types of weapons of mass destruction.

Having regard to the discussion and our present knowledge, I would incline to the view that we should opt for alternative (c), because I consider that at this stage a practical approach is inevitable. In any event, we should continue to seek an appropriate definition while remaining determined that the difficulties arising out of the definition shall under no circumstances have the effect of holding up the negotiations. At the same time the suggestion made by Ambassador Yunus, the distinguished representative of Pakistan, that general agreement should be reached on prohibiting the development and manufacture of all new types of weapons of mass destruction and that every possible weapon should subsequently be identified, is worthy of attention.

(Mr. Domokos, Hungary)

Each series of informal meetings which we have held so far has made an increasingly valuable contribution to the examination of the subject. The constructive nature of the latest series has convinced us that it is useful and, for purposes of more decisive progress, even essential to continue the discussion with the participation of experts. We would therefore welcome a specific proposal on this subject by the Co-Chairmen before the close of this spring session.

This year, as last year, our Committee has already spent much of its valuable time examining questions relating to procedure and organization of work. Many delegations have expressed their views on this subject at informal or plenary meetings.

In my statement on 1 March I too stated the principles which determine my delegation's position on these problems. Today I should like to revert to them at somewhat greater length.

We too consider that it is useful to examine the methods of work from time to time, because methods which are effective for a given period may prove in time to be out of date. I took care to say "examine" and not "revise", because an analysis need not necessarily be followed by fundamental or even minor changes. A logical method of work presupposes that what has proved of value will be kept. If the procedure previously followed and the existing institutions have proved their viability and effectiveness, there is no reason to change them.

That is one of my delegation's comments concerning the need for continuous improvement. At the same time we consider that an improvement -- even a continuous improvement -- can be made only from time to time. There is no serious body which could work effectively in a state of perpetual change. If the decision is taken that changes should be made, time must be allowed for making them, so that the decision may bear fruit. Some time must pass before it becomes possible to analyse objectively the effects of the decision taken, and to draw new conclusions.

Thus it would be much more appropriate to examine now the possibility of continuously applying the decisions taken last year concerning procedure and organization of work (CCD/500). After reaching a quick agreement, the Committee could set about seeking solutions to much more essential problems.

(Mr. Domokos, Hungary)

The practice of our Committee and the positive balance-sheet of its activity do not justify us in coming back to this regularly and often, spending a large share of our time every year on examining secondary matters, and giving the impression that it is the procedure and structure of the CCD and not the lack of political will in certain fields that are preventing present and future progress in the cause of disarmament.

After these general remarks, I shall turn to the specific proposals made by several delegations at the beginning of this spring session, and would like to take up first the question of having a standing sub-committee or an ad hoc working group.

Last year, in accordance with the decision it had taken on 1 July (CCD/500), the Committee set up a working group to study all contributions made to the preparation of the text of a disarmament agreement. The results of the work done by that ad hoc group have convinced us that it is desirable to follow the same course whenever the Committee is faced with a similar task, provided that the circumstances and conditions are similar as well. The success of the working group also strongly suggests to us that we should not agree to a new solution in place of the method and instrument which have already proved their worth.

One of the arguments advanced in favour of a standing body is that it would ensure that better use was made of the time available, since it would be able to resume its work at any time without having to wait for its work to be approved by the Committee in each specific case, because it would be equipped in advance with terms of reference, rules of procedure and an organization of work.

I have several remarks to make on this subject.

- (1) I doubt whether it is possible or, to be more accurate, desirable to draw up general terms of reference which could be applied by a subsidiary body to solve any problem referred to it. In its 15 years of existence the Committee has shown great flexibility in using different methods to approach the solution of the problems confronting it. It seems evident to my delegation that a standing sub-committee, which would unquestionably have to be subordinate to the CCD but which would have standing terms of reference, would be too inflexible a body for the different tasks to be performed unless the Committee transferred to its sub-committee the right to determine and modify for itself the conduct of its work, and the priorities if there were two or more duties to be performed at a time. The alternatives are

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obvious: either the sub-committee would be ineffective for lack of wide enough powers or, in the opposite case, the Committee would lose its control over a body originally subordinate to it.

- (2) If, on the other hand, the Committee keeps to the existing procedure and retains its power of decision in each individual case, it will have a chance to act flexibly and to make full use of the experience already gained. And it must be recognized that we have a wealth of experience in drafting terms of reference for a working group or other subsidiary body. When conditions make it appropriate to speed up the drafting of the text of a convention, of studies or of other proposals, and the Committee considers it necessary to entrust the task to a subordinate body, it will easily be able to take a quick decision on the establishment and terms of reference of such a body. For repetitive exercises, the stable elements in the old rules, for example those laid down in document CCD/500, could be applied without loss of time. It would be desirable to come to an agreement on that subject.
- (3) The main function of the CCD is to negotiate disarmament conventions. According to the proposal we are now considering, this traditional task should be handed over permanently to a subsidiary body. It is obvious that in the nature of things such a standing body, in order to justify its existence, would inevitably try to become an indispensable instrument of negotiation, and the Committee itself would deal with secondary matters if it wanted to avoid duplication, or else would have to content itself with a deliberative role instead of remaining a forum for negotiation. The Committee should retain absolute freedom of action, so as to be able to decide at any time whether it wishes to negotiate a convention itself or to solve other problems at official or informal meetings, or to set up an ad hoc subsidiary body and entrust it with all or part of a given task.

On the basis of the considerations I have just stated, my delegation is firmly convinced that the idea of setting up a standing sub-committee would serve neither to increase working efficiency nor to strengthen the CCD.

(Mr. Domokos, Hungary)

Consequently we are unable to subscribe to that idea.

I now turn to the question of the co-chairmanship. My delegation notes with satisfaction that greater wisdom and circumspection are now in evidence in this matter. They are wholly justified.

Mr. Kashi Prasad Jain, the distinguished representative of India, has explained to us, in all their complexity, the historical reasons for the establishment of this institution. His explanations are consistent with our way of seeing things. We share his view that the co-chairmanship system has always assured the full sovereignty of each CCD member country, including the right to participate in the discussion, to submit proposals and to reject the suggestions of others, without restriction, at any time. The existence of the co-chairmanship system has facilitated rather than hampered the decisive work of our Committee.

Exception has been taken to the privileges of the two Co-Chairmen. But what do these so-called privileges amount to?

In our opinion, they amount to greater responsibility for efficient procedure and organization of work, at the risk of being criticized by others for the proposals they make. I cannot quote one instance in which these "privileges" have restricted the sovereignty of other members of the Committee or have reduced or thwarted the predominance of democracy in our Committee.

According to some statements, this system no longer meets contemporary requirements. The representative of India has clearly demonstrated the rationale for the creation of this institution. The reasons have not changed much from that point of view since the beginning of the 1960s. The desire to see general disarmament brought about is universal. Similarly the responsibility for advancing the cause of disarmament lies with all Governments. But capacity to facilitate that process is not the same for all nations. No one can deny that an understanding between the two great Powers is a prerequisite if a disarmament treaty is to be concluded and its provisions carried out. What changes, then, would justify scrapping this important institution? In my delegation's opinion, the decisive factors are still the same.

Yet another argument is advanced against the present system of co-chairmanship, namely that its abolition would facilitate the participation of the two other nuclear-weapon Powers in the Committee's work, and that their joining the Committee would

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contribute to the progress of disarmament. But that is merely an assumption. There is no indication that this institution is really the reason why those two great Powers are holding aloof from the Committee and that they would otherwise be prepared to take part in its constructive work.

Does a hypothesis provide a firm basis for upsetting the institutional framework of this unique Committee, which for 15 years has enabled it to work normally and even effectively? My delegation thinks the opposite. While welcoming the moderation that has lately been shown, we think the Committee would do well to abandon discussion of this question until conditions have changed drastically.

Mr. EL-SHAPEI (Egypt): Mr. Chairman, my delegation has followed with great interest the discussions that took place last week at the informal meetings, with the participation of a number of distinguished experts, in regard to the question of the prohibition of new types and new systems of weapons of mass destruction. Since no expert from my country has taken part in the meetings, my delegation has not been able to participate in the discussion at the technical level.

Considering the importance of the question, my delegation wishes to make some comments, without going into the scientific and technological aspects of the question.

We have noticed that the discussion has been carried on in a constructive manner. A variety of opinions have been expressed, yet the concern of all the delegations has been emphasized.

We are convinced that the question should be tackled as a matter of necessity and urgency. Prohibition of the production of new weapons of mass destruction is vital to protect human beings from the destructive effects as mentioned in detail by the experts.

During the war of liberation waged by our armed forces in October 1973, the Egyptian Army had been subject to the use of newly and highly technologically advanced weapons brought directly to the battlefield and used for the first time. Our experience shows that the approach to the solution of the problem should start from the fact that preventive measures should be taken to guarantee that new achievements in science and technology are directed to the benefit of mankind rather than channelled into producing

(Mr. El-Shafei, Egypt)

weapons of mass destruction. We don't have to wait until such weapons are in the process of production and try to find ways and means of limiting or prohibiting their production when we can prevent it. Should the political will exist, a solution to this problem could be reached. We should bear in mind, during our exchange of views, that scientific and technological progress has proved to be unlimited and that what has been achieved so far in those fields, in such a short time, is immense.

We believe that we should not be so rigid as to maintain the definition adopted in 1948, especially in the light of the achievements realized over the last 30 years. Since atomic, biological and chemical weapons are already covered by separate agreements or are still under consideration, there is still a large range of weapons of mass destruction that need to be identified.

New weapons of mass destruction and new systems of such weapons are those weapons and systems that could be produced in the future through scientific and technological research and that do not fall within the existing criteria for weapons of mass destruction.

Consideration of this subject should not divert us from the priorities entrusted to the CCD. Nor should priorities drive us away from recognizing the importance of the question. To give effect to the General Assembly resolutions adopted at the thirtieth and thirty-first sessions, the CCD should continue the exchange of views on this subject, taking into consideration the contribution already made by the experts.

In conclusion, Mr. Chairman, my delegation, in paying tribute to the delegation of the Soviet Union for initiating the discussion on this question, would like to consider the ideas contained in the draft treaty presented by the USSR as guidelines which help in the elaboration, through negotiation, of a treaty in this regard.

Mr. JAIN (India): Mr. Chairman, the delegation of India has the following comments on the intervention made by the distinguished representative of the United States of America on the question of a comprehensive nuclear-weapon-test ban at the 738th plenary meeting of the Conference of the Committee on Disarmament (CCD) held on 22 March 1977.

First, there is an imperative need to use correct and complete expressions, so that our thinking can be channelled into right directions. For instance, the term "nuclear-free-zones" has now been completely replaced by the accurate expression "nuclear-weapon-free zones". Similarly, the term "a comprehensive test ban (CTB)" should be replaced by "a comprehensive nuclear-weapon-test ban (CNWTB)". The continued

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use of the term CTB amounts to speaking a half-truth, like saying "non-proliferation" or "a non-proliferation régime" without using the words "of nuclear weapons". The deliberate use of such incomplete expressions would amount to suppressio veri and suggestio falsi.

Second, the PNE (peaceful nuclear explosion) is an internationally recognized concept. Questions of detection/identification cannot cloud the fact that the PNE is a valid concept.

Third, a sound principle that has been followed in disarmament negotiations is that the question of regulation of peaceful activities is outside the scope of an instrument dealing with limitations on armaments and beyond the competence of the Committee on Disarmament.

Fourth, this sound principle has been followed in the very recent case of negotiations by the CCD of a Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOD Convention).

Fifth, it would be wrong to follow a principle strictly in certain cases (say in the case of an ENMOD Convention) and abandon it altogether in other cases, say in the case of a comprehensive nuclear-weapon-test ban (CNWTB).

Mr. GARCIA ROBLES (Mexico) (translated from Spanish): Thank you,

Mr. Chairman. I am going to speak very slowly because I have no prepared text to read from and also because my statement, although very brief, will have to be made in two working languages since the document I shall be discussing has been distributed only in English.

I hope that, by speaking slowly, I shall facilitate the interpreters' task.

The purpose of my statement is formally to introduce document CCD/530, which was distributed this morning and which is sponsored by 12 countries, namely Argentina, Brazil, Burma, Egypt, Iran, Morocco, Nigeria, Peru, Sweden, Yugoslavia, Zaïre and Mexico. Only 11 are at present shown on the document; the Secretariat will issue an addendum relating to Morocco.

This working paper is in three sections. The third section concerns the communiqué of the meeting and its text is identical with that included in document CCD/500 of 1 July 1976, which was adopted at the 708th meeting, on the same date. The second section relates to the preparation of the CCD's annual report. Although the text of this section cannot be called identical to that given in document CCD/500, we can say that it is almost the same. Apart from the replacement

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of the word "will" by the word "should". The only changes which have been made from the text of document CCD/500 are the following: first, in subparagraph (f), the words "as well as a subject index" have been added. Last year we requested the Secretariat to include in the draft report the same kind of index as appeared in the 1975 report. Now, if we approve this working paper, the Secretariat will be requested to include a subject index in the draft report. The second change is in subparagraph (h). Last year, in document CCD/500, we requested that the verbatim records of the CCD should be distributed in New York to the delegations of States Members of the United Nations. Now we would request that, in addition to the verbatim records, the working papers should also be distributed. Hence the addition of the words "as well as working papers". The second change in subparagraph (h) is a matter of timing. Last year request was made to the Secretariat that the verbatim records should be distributed as a separate annex to the report, but only once the CCD's final report had been prepared, i.e. when the session was over. We would now request the Secretariat that, in addition to distributing them as an annex to the report, it should distribute the verbatim records, as well as working papers, in New York, to the delegations I mentioned a moment ago, as and when they are ready in Geneva. The text now reads: "PVs of the meetings held during the year as well as working papers should be distributed in New York to delegations of States Members of the United Nations as they are ready in Geneva and should also be distributed as a separate annex to the report".

In the first section, in which it is suggested that a standing sub-committee of the CCD should be set up, distinguished representatives will find several provisions which also appear in document CCD/500, for example -- and I quote: "The level of representation in the sub-committee should be determined by each delegation" and "Its meetings should be held without hampering the regular or informal meetings of the CCD". Of course, the first main change is that the body in question would not be a working group but a sub-committee or sub-commission. The second change is that this sub-committee would be permanent; the working paper calls it "a standing sub-committee".

In our informal discussions on procedural matters, my delegation has had an opportunity to explain at length the purpose and scope of this proposal. Although this is the first time we have submitted a formal working paper, the distinguished representatives who are taking part in this meeting are the same ones who took part in the informal meetings. Hence I shall not try their patience by repeating everything I said on that occasion. I shall merely say that, taking into account some concerns expressed during our discussions on the subject, the sponsors of this working paper

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saw no objection whatsoever to making explicit what had been implicit from the start; and the wording which makes explicit what had been implicit appears in the second paragraph. Some words have been added after "CCD". The paragraph reads as follows: "The organization of work and its procedures should be determined by the CCD"; up to here the text corresponds to last year's text. However, we have added the words "and should not impair in any manner the right of the Committee to adopt any other procedural measures it may deem advisable". I repeat: "and should not impair in any manner the right of the Committee to adopt any other procedural measures it may deem advisable".

I should also like to explain that the first paragraph of the informal working paper we submitted for informal discussion; which we now repeat in the formal working paper, states that this sub-committee will not be able to negotiate texts, whether of draft conventions, treaties, agreements or any other documents, first, unless they relate to items on the CCD's agenda; and secondly -- this is the specially important point -- it will be an essential condition in enabling the sub-committee to deal with such matters that the plenary Committee shall have referred them to it. I quote the terms of the working paper: "which the Committee may refer for that purpose to the sub-committee".

I think that these explanations and additions may perhaps dispel some of the concerns expressed by several distinguished representatives both at the informal meetings and at today's meeting.

We hope that this will be the case. But if, unfortunately, it should not be (experience of similar situations has shown us that it takes five years to see the light), this constructive proposal will be on record and we hope that, perhaps in 1978, 1979 or 1980, the day will come when it will be adopted.

Mr. van der KLAUW (Netherlands): I listened with great interest to the second statement made by the representative of India on a comprehensive nuclear-weapon-test ban and the question of peaceful nuclear explosions. I would like to remind the Committee that two years ago the General Assembly of the United Nations with an overwhelming majority adopted a resolution in which the CCD was asked to study the arms-control implications of peaceful nuclear explosions. The CCD subsequently made a report on this question. I may hope that the Indian Government will study this report carefully.

Mr. JAIN (India): The distinguished representative of the Netherlands has referred to the United Nations General Assembly resolution on the so-called arms-control implications of peaceful nuclear explosions. India had voted against that resolution. The position of India on that subject, which had been stated in clear terms at that time, remains unchanged.

The statement of the delegation of India before the Conference of the Committee on Disarmament (CCD) today, on which the distinguished representative of the Netherlands has commented, refers to the question of regulation of peaceful activities such as peaceful nuclear explosions.

The meeting rose at 12.40 p.m.