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FIRST COMMITTEE
VERBATIM RECORD OF THE SEVEN HUNDRED AND SEVENTIETH MEETING
Held at Headquarters, New York,
on Wednesday, 26 October 1955, at 3 p.m.

Chairman:

Sir Leslie MUNRO

(New Zealand)

Peaceful uses of atomic energy [18] (continued)

- (a) The International Conference on the Peaceful Uses of Atomic Energy: report of the Secretary-General
- (b) Progress in developing international co-operation for the peaceful uses of atomic energy: reports of Governments.

Note:

The Official Record of this meeting, i.e., the summary record, will appear in mimeographed form under the symbol A/C.1/SR.770. Delegations may submit corrections to the summary record for incorporation in the final version which will appear in a printed volume.

PEACEFUL USES OF ATOMIC ENERGY [Agenda item 18] (continued)

- (a) THE INTERNATIONAL CONFERENCE ON THE PEACEFUL USES OF ATOMIC ENERGY:
REPORT OF THE SECRETARY-GENERAL
- (b) PROGRESS IN DEVELOPING INTERNATIONAL CO-OPERATION FOR THE PEACEFUL USES
OF ATOMIC ENERGY: REPORTS OF GOVERNMENTS

Mr. MIR KHAN (Pakistan): I wish to make some brief remarks to introduce the amendment tabled by my delegation in document A/C.1/L.135. For the sake of unanimity in reaching an early decision on this most important subject which our Committee has been discussing and in which unanimity is essential for the success of the measures that are proposed to be taken, my delegation is prepared straightaway to say that the draft resolution sponsored by the seventeen Powers (A/C.1/L.129/Rev.2) is generally acceptable to us, subject to the amendment that we have proposed to it and the remarks I am going to make in support of this amendment. This is with reservations as regards our own position concerning the draft resolution submitted by India and the draft resolution submitted by the Soviet Union.

Last year, when the Assembly discussed this matter our understanding was that the negotiations for the setting up of the agency were for some reasons best conducted by and among the Powers who have the atomic materials and advanced scientific knowledge and equipment for the purpose. We also understood from the discussions in our Committee last year that in the negotiations to determine the functions of the agency and the scope and extent of its work, certain protection and secrecy had to be ensured for the negotiators, as use of this material and knowledge was also made in their requirements for defence and armaments. The Conference in Geneva has made public property of what was considered to be mostly secret in this field.

(Mr. Mir Khan, Pakistan)

We are happy, therefore, to find in the draft resolution (A/C.1/L.134) sponsored by India, the suggestion that the group of sponsoring countries be established on an expanding basis. We are also happy to note that the provisional draft of the statute of the agency has been sent to Member nations for their comments and that it is the intention of the sponsoring Powers to call an international conference consisting of Member States and members of specialized agencies to discuss their comments before the statute of the agency is finalized for ratification.

We, however, feel that the sponsoring group at this stage should include two or three countries who may not at present have the atomic materials or the scientific knowledge or equipment, but who, by the nature of their undeveloped economy, can say in what manner and how best the functions of the agency could be designed to assist in their development.

The main emphasis of the whole plan is on the use of atomic energy for economic development. I may quote here the words of President Eisenhower, to whom the plan owes its origin, from his memorable speech which initiated this plan:

"The United States would seek more than the mere reduction or elimination of atomic materials for military purposes. It is not enough to take this weapon out of the hands of the soldiers. It must be put into the hands of those who will know how to strip its military casing and adapt it to the arts of peace ...

"The more important responsibility of this atomic energy agency would be to devise methods whereby this fissionable material would be allocated to serve the peaceful pursuits of mankind. Experts would be mobilised to apply atomic energy to the needs of agriculture, medicine and other peaceful activities. A special purpose would be to provide abundant electrical energy in the power-starved areas of the world."

(A/PV.470, paras. 110 and 118)

I ask leave here to read another quotation representing the point of view of our delegation on this subject. In my speech last year, I stated:

"However, we would like at this stage to express our anxiety that representation should be provided for the under-developed countries both in the agency and the advisory committee. There should be a permanent partnership in these bodies between the countries having the knowledge, the research and the material and the countries whose large populations and under-developed resources will benefit from the use of atomic research. There will arise many administrative problems in under-developed countries for making full use of the research and equipment. It is necessary that such countries should also take up survey and research themselves. These considerations make it obvious that both the agency and the advisory committee should have members representing the under-developed countries. (A/C.1/PV.710, page 34-35)

It was for these reasons advanced at that time that Mr. Cabot Lodge's speech in this Committee last year contained an assurance that, in the governing body of this agency, due representation would be given to the under-developed countries. This assurance has been repeated and confirmed by the representative of the United States taking part in these discussions. I need hardly quote from his speech; his words still echo in this room.

As we see it at present, the sponsoring group indicates the formation of the future governing body of this agency. It is necessary, therefore, that from the present stage, in determining the composition and the functions of the agency, under-developed countries should be adequately represented.

Whilst we approve the suggestion contained in paragraph 3 of part B in the draft resolution of India (A/C.1/L.134), our own amendment as presented to the Committee recently (A/C.1/L.135) is to make the suggested expansion equitable and realistic. The group should include two or three under-developed countries over and above the present list, as envisaged in the seventeen-Power draft resolution. Without this representation, my delegation is firmly of the view that the negotiating group will be handicapped, its discussions will lack the perspective and advice of the types of countries that are to be the recipients and beneficiaries of this scheme and its proposals will run the risk of misunderstanding and inadequate response from the under-developed countries.

Mr. BELAUNDE (Peru) (interpretation from Spanish): I am happy that the position on the speakers' list for which I was hoping was occupied by the representative of Pakistan, not only because of his presence, which we all admire, but because he had a greater right than I have to speak this afternoon to explain the reasons for the amendment that he has submitted.

On 12 October, the day commemorating the discovery of America and paying tribute to the immortal memory of Columbus and to Spain, the delegation of Peru made a cordial and friendly appeal to all the great Powers -- and to that great Power, India, admired by all and watched by all in its efforts -- to come to a willing agreement. Now we are on the threshold of a unanimous resolution, and I shall confine myself to words of appreciation and congratulation to the first co-sponsors of this resolution, and particularly to Mr. Menon of India, who has so tenaciously and so correctly managed to have incorporated practically all of his quite justified suggestions in the text which seems now to be the final one. I say that it seems to be, because human beings cannot and should not be dogmatic.

(Mr. Belaunde, Peru)

Therefore, the delegation of Peru would like to limit itself to saying that we are drawing close to a moment when we shall give to the world proof of our unanimous agreement on what we might call the atomic revolution.

With the well-known kindness of the Chairman, I hope that he will permit me to digress somewhat, for I shall not confine my remarks strictly to the draft resolutions. I wish to state that I am most optimistic with regard to this atomic revolution. I cannot be optimistic with regard to the industrial revolution, for it was carried out, first of all, in conditions of privilege. The atomic revolution, on the other hand, is to be brought about in conditions of equality.

Secondly, the industrial revolution was carried out in an atmosphere of the eighteenth and nineteenth centuries, that is, an atmosphere which has been called by Dr. Taylor, the struggle for power. I trust, hope and believe that the period which we are now beginning by the unanimous adoption of a resolution will not be carried out in conditions of a struggle for power but will be carried out in conditions of a struggle for co-operation.

Furthermore, when the industrial revolution took place, there was a useful European balance, but it was a political balance without any juridical basis and without the necessary atmosphere of moral principles which should guide and regulate humanity.

Today, however, we have a juridical organization, the United Nations, to preside over the atomic revolution. At these very moments more than ever before -- and I must stress this most emphatically -- we have strong feelings of moral principles reverberating in the world.

I do not know whether it is because all human beings have certain weaknesses that we may have some hesitation and doubt, but in what has been called the spirit of Geneva there is the objective element of a desire and yearning for peace, a craving for harmony and co-operation, which is over and above our individual interests. This is part of a solemn mandate. It is a sacred duty and a mission which comes from the heart of all mankind and which reflects the true spirit of humanity.

(Mr. Belaunde, Peru)

Now we might want to oppose this, though we may struggle in our consciences, in the unhappy temptation to follow economic rivalries or political interests. But there is something far above that: there is something which floats around in the atmosphere of the world today which forces us to understand and to co-operate so that not only will we be able to live, but so that we will be able to fulfill those great ideals and principles without which life is not worth living.

I wish to apologize for speaking so emotionally, but you will no doubt understand that I do so in speaking as one who represents a country that is called non-industrialized. I prefer to use the term non-industrialized rather than the term under-developed, since we are most developed in cultural and social fields and, as regards religion and esthetics, we can compete with anyone, be they countries in Asia or in America.

We of the non-industrialized countries can only hope that this draft resolution will be approved with the seal of unanimity. It represents a denial of all the pessimistic criticisms which have been made. This draft resolution represents one great step forward, an answer by the United Nations to the enthusiastic desires of the world.

I have looked at this draft resolution which providence has placed in our hands through the genius of the statesmen of all countries. We have this tremendous instrument which may mean the end of culture or the beginning of a new culture. We now stand at the crossroads. This is the tragic dilemma in which we find ourselves. In looking at the draft resolution in this light, I would beg everyone to make the necessary last gesture today so that today, the 26th of October, or perhaps the 27th of October -- during these days -- we may act in order that this month of the discovery of America will not pass without our adopting one unanimous resolution.

There are mere details which separate us -- questions of the interpretation of words. I should like to make a warm appeal to my distinguished and admired friend, Mr. Menon of India.

I know that the most serious question in the debate today refers to paragraph 2 of part B, which deals with the conference which is to be held on the final text of the statute of the International Atomic Energy Agency. That is the crux of our discussion.

(Mr. Belaunde, Peru)

There are two methods of doing things. One is the legislative method and the other is the method of vital historic reasoning, whereby events take their course because life itself insists upon it.

I do not wish to quote my previous remarks because I believe that a quotation from my own statement would be ridiculous. But I wish to say that the statute can only reflect the unanimity of the views of all nations. In the discussion of the statute, all the nations must be on a footing of absolute equality. The fact that someone has an idea first does not mean that he should have any privilege. Someone must take the first step. It must be started somewhere by someone. But that first step does not grant any privileges or rights to anyone. Opinions are always equally respectable. In the spirit of juridical equality, there can be no value attributed to anything greater than its inherent value.

We are to have multilateral discussions and negotiations, multilateral in every meaning of the word, because the parties to the discussion are to be many. Pakistan and India have proposed that the number should be twelve. That point will be discussed in due course. The discussion will relate to seventy or perhaps eighty countries. I might say that this is one of the reasons why I do not want to subject the agency to the United Nations. The agency must be the expression of the universality of opinions, a universality which, unfortunately, we lack here. It will be necessary to clarify all the opinions and to note the results.

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(Mr. Belaunde, Peru)

That will be the moment at which the conference will have to be convened. We have heard everyone speak here. Mr. Pastore said that when he accepted the idea that the conference would consider the statute and the objections raised by Governments that would give the conference a certain power. We do not believe that the conference will be a rubber stamping. We do not want it to be a conference of a mechanical body recording what has been done as if what has been done has to be considered as engraved in stone. All negotiation is fluid, and when the conference is convened there will, naturally, be points of difference, and there will have to be discussion of details. Equally, it is natural that the conference will have to take decisions as the result of its discussions of these points. It will support certain points of view. Agreements and approximations of points of view will be considered and finally weighed for inclusion in the final text.

Therefore, I think there is a certain basis for holding that to say that the final text of the statute will be decided upon by the conference might be interpreted as meaning that everything is to be discussed until the conference is convened -- and I say this with all due respect and with the humble and modest declaration that if I am proved wrong I shall confess my error. And may I add, parenthetically, that it is better to confess an error than to persist in it with unfounded arrogance? To say that everything is to be discussed until the conference is to be convened is not in accordance with my own naturally formed and evolutive opinions. It is not in accordance with my idea of taking full advantage of what has been done in the course of time. Life must respect what life has created, because the human mind was created to help human life and not to modify or substitute for it. The thoughts are great, but the thoughts must be modest because life crystallizes what other generations have done. Life must crystallize the ideas voiced by others. The thoughts of a conference are the thoughts of a moment. To give the conference a character of infallibility and a sovereign power to do or undo would be somewhat presumptuous and, I am afraid, rather contrary to the genetic processes which must be considered in an international organization, because the only thing that can endure is what is built gradually and respected by all.

(Mr. Belaunde, Peru)

Thus I think it might be better to use a flexible text, in the full knowledge that the conference is not going to be useless. But the conference is not going to be a power that will stop everything else. It will examine what has been done; it will have the power to draw up a general balance sheet of all ideas and opinions expressed; and, if something is missing when that balance is struck, then the conference will add what is missing, but it must respect what has been done heretofore. It must respect that which can throw out this balance sheet.

We should give the conference what I would call the power of handing out help and co-operation and of perfecting what has been done. But if we gave it the Jacobin right -- if I may so describe it -- to review and revise, to redo everything, to start again, to create ex nihilo and to draw up a new statute from scratch, then I would stand back and be afraid of that omnipotence. I must say, with all sincerity, that the only thing I like is humble, progressive work -- the work of every day, little by little. I like the work of every hour, the accumulation of effort such as that devoted to the medieval Gothic cathedrals. The rose window may be missing, but succeeding generations will rectify the omission and the result will stand because of the efforts of men who have worked daily in a modest way and little by little. So it will be with this statute. Each man will give what he can. Each opinion will be expressed, and when the task is complete or almost complete the conference will not come and destroy it in order to start again from scratch. No, the conference will add it all together and will draw up a balance sheet. If we have a conference in that sense, then it will indeed be meeting on the final text. That will be sufficient. The conference must have the power it should have, but at the same time it must respect what has been done. It must respect that vital process.

But if the conference is intended to be in the nature of an assembly with a Jacobin view of life -- the type that creates ex nihilo and thinks that, with a sovereign fiat, it can set up an institution -- that is a human illusion which we have to wipe out, because such a conference would create nothing but error based on arrogance and omnipotence.

(Mr. Belaunde, Peru)

That is why, with all due respect and in the light of my admiration for him and his country -- which represents the culture of thousands of years -- and my admiration for the work that he has done in the United Nations, where, perhaps, Peru has been able to help in some measure in connexion with the juridical position of the General Assembly in relation to Korean prisoners, I would beg the representative of India to consider the explanation given to him by the great Powers. Now one of the co-sponsors of the draft resolution is trying to explain the meaning of this conference. Let us not stop at a word. Let us not be tripped up by the meaning of a word when we know perfectly well that behind it there is an honest and sincere interpretation on the part of all of us. If we leave or change that word we shall tomorrow be opening the sluice gates to tragedy.

I turn now to a much more difficult question. I have to deal with the amendment submitted by the representatives of Pakistan and the Philippines. How can we speak in connexion with this question of the sponsoring Governments also inviting "a few under-developed countries who may not at present have atomic materials" and so on? This requests the agency or its governing body to take the under-developed countries into account. But I am sure that that is going to be done. I am positive that the recommendation of the General Assembly and the statements that have been and will be made in the Assembly will be the guiding lights and the sacred mandate of the governing body of the agency. I am sure that Brazil feels that in this connexion it is representing not only Brazil but the interests of all America, while I am certain that India will be representing not only its own interests but those of all Asia. And this has been proved very clearly by the services rendered to the United Nations by India. All this will be taken into account. I agree that with regard to literary perfection -- from the point of view of what we might call the juridical dotting of the i's and crossing of the t's -- this proposal might be convenient. But I am afraid that it is going to delay our debate and retard our agreement. Someone will object and will say, "We say here 'a few'. Who is to decide which? Who is to decide how many constitutes a few?" And all choice is odious. Would the choice be made by the governing body, as a group, or would we be the ones to choose here?

(Mr. Belaunde, Peru)

If we made the choice here it would always create little difficulties, whereas to the group given this task -- the group to which this resolution would be the embodiment of the opinion of the Assembly, since we should all agree that the views of the under-developed countries should be taken into account -- this would be in the nature of a line of conduct or terms of reference. We might interpret the specific amendment as part of our debate and include it in the report. Indeed, I would go further and would propose that it be included in the minutes of the meeting as an express recommendation to the governing body of the agency to take into account the interests of the under-industrialized countries primarily, because every move we make is in the interests of those under-industrialized nations since the highly-industrialized nations can take steps for themselves. What we are trying to do here is to understand what nature has given to us -- that universalistic and democratic view that we are taking of life.

(Mr. Belaunde, Peru)

Therefore, I should like, if I may, to suggest that this proposal put forward by the representative of Pakistan should be included as part of the record of this discussion and that the governing body of the agency should be requested to take it into account. The agency will definitely be asked to take into account the interests of the under-industrialized countries.

I do not wish to see this debate unduly prolonged. I am not a pessimistic person, although I have gone so far at times as to agree with the persons who believe that debate only delays and perfects nothing. That is not really my view of life. But we do have to avoid the danger that debate will retard action, that it will in any way jeopardize the work that we must do. It is true that all works of art can be perfected; perhaps all works of art need what in English is called the "final touch". But if by giving that final touch we endanger the work of art, then we should dispense with the final touch. Is it not better to have an imperfect but timely action than a perfect but untimely one? Why should we delay? Let us all be objective. After all, what can be greater than the objectivity of the world public, which is today awaiting a unanimous resolution on this subject? With the objectivity of that public in mind, can we not be objective, too?

With that humble and friendly appeal, I conclude my statement.

Mr. LUNDE (Norway): Both during the general debate on this item and this discussion of the texts of the various draft resolutions before the Committee, every speaker has emphasized a desire to obtain a unanimous decision on the important item before us. The Chairman of the Committee has urged members to spare no effort in attaining that goal.

I have listened carefully to the statements made yesterday and today, and I believe that this Committee is living up to the tradition of last year and is very near final success; I believe that it will be possible, through continued co-operation, to arrive at decisions which will command the approval of all the members of the Committee.

My delegation hopes that the text of the revised draft resolution contained in document A/C.1/L.129/Rev.2, the seventeen sponsors of which include my own delegation, lays down the basis of such a unanimous decision

(Mr. Lunde, Norway)

and establishes procedures which are sufficiently flexible to allow all the views expressed during this debate to be taken into consideration when the resolution is implemented in the different fields which it covers.

I shall not take the Committee's time in commenting in detail on the various paragraphs of the joint draft resolution; that has already been done very clearly by other speakers representing the sponsoring countries. I should only like briefly to express my delegation's views on certain points to which we attach special importance.

My delegation was anxious to ensure the establishment of procedures which would allow the creation on a more permanent basis of machinery within the United Nations for dealing with various problems connected with atomic energy, whenever such problems became the responsibility of the Secretary-General or in other ways came within the sphere of the activities of the United Nations. We feel that our views in this respect have been largely met, so far as future international conferences on atomic energy are concerned, by the provisions now included in part A of the joint draft resolution. The functions which, under the draft resolution, would be given to the Secretary-General and the Advisory Committee and the system of consultation with the specialized agencies which is provided for will make it possible to co-ordinate future efforts in this field under the auspices of the United Nations.

I turn now to part B of the joint draft resolution, the part dealing with the international atomic energy agency. I should like to stress that, in my delegation's opinion, the solutions proposed will give full opportunity to all interested States to make their voices heard on the various problems connected with the establishment of the agency. The adoption of the principle of a general conference to deal with the final text of the agency's statute should put all participating States in a position to express their opinion before the agency is established and should also ensure that all States taking part in the general conference will have full access to all relevant information before the conference is convened. Only in that way will the general conference be able to perform its task rapidly and smoothly. In this respect, it would be of special interest if the Governments which send to the group of sponsoring States comments on the atomic energy agency's draft statute would circulate the texts of those comments to all other interested States, through

(Mr. Lunde, Norway)

the Secretary-General -- following the example set by the Soviet Union Government. Similarly, my delegation would take it for granted that the results of the study, provided for in the joint draft resolution, of the question of the international atomic energy agency's relationship to the United Nations would be made available before the conference to all States which might be invited to take part in it. My delegation has no doubt that this procedure will be fully compatible with the text of the draft resolution.

I would now sum up our attitude with respect to the draft resolution now before the Committee. I should like to say that, in our opinion, that draft resolution now adequately meets three basic requirements which we regard as essential for the General Assembly's charting of the future course of events in the field of peaceful uses of atomic energy, so far as the United Nations is concerned. These three basic requirements are: first, that the Advisory Committee established for the purpose of arranging the Geneva Conference should be continued on a more permanent and expanded basis as a consultative body for the Secretary-General; second, that the great majority of States which are prospective participants in the atomic energy agency should be given the opportunity actively and directly to consider and discuss the agency's draft statute before the text of the statute is finally elaborated; and, third, that the United Nations should, at an early stage and at any rate before the statute is finally elaborated, be seized of the question of working out the relationship between the agency and the United Nations. We consider that the assignment to the Secretary-General of the tasks stipulated in the draft resolution will make it possible to have the interests of the United Nations adequately represented in this process.

Mr. Krishna MENON (India): When I intervened yesterday afternoon in this debate I referred to the conditions under which we adjourned on 21 October; that is, the representatives wanted time to find out if it was possible to bring about a situation where, at least on the main issues, the Committee could take a unanimous decision. I also submitted to the Committee the point of view of my delegation that we shall not be behind anyone else in this Assembly in making our own contribution and in pursuing our endeavours in that direction. And it is in the pursuit of that objective that I am now intervening in the debate; but I want to make two initial procedural points.

First of all, although it may not be necessary -- but one must be forewarned in these matters and prepared -- my delegation proposes to rely upon rule 121 of the rules of procedure and, therefore, would not expect the vote on this matter to come today. The last of the amendments was submitted but a few minutes ago, and the rule says:

"Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the committee unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The Chairman may, however, permit the discussion and consideration of the amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day."

It is quite plain from this rule that the Chairman has the discretionary power to permit discussion and consideration of the amendments. That discretionary power does not extend to putting the amendments to the vote and therefore, we shall rely on this rule to enable us to participate again in the course of this debate. So, with the reservation that my delegation proposes to intervene on the main aspects of the draft resolutions before us at a subsequent stage, I want to address myself to one aspect, and one only.

(Mr. Krishna Menon, India)

We have, along with five other delegations, submitted draft resolution A/C.1/L.131. We have also submitted a number of amendments to the draft resolution which is now co-sponsored by eighteen States. A number of these amendments have been incorporated, or the substance has been included, in the latest revised version of the eighteen States draft resolution. I do not propose at this stage to go into our position with regard to the remainder of the amendments or with regard to the incorporations themselves. What now stands in the way of a major decision on this matter is the position in respect of paragraph 2 of part B of A/C.1/L.129/Rev.2. I am speaking -- and I want to make this clear -- in the confidence that it is possible to persuade this Committee, including the sponsors of the draft resolution, on grounds of merit, and not on any other.

Here the point is a very simple one. Paragraph 2 reads:

"Welcomes the announced intention of Governments sponsoring the agency to invite all Members of the United Nations or of the specialized agencies to participate in a conference on the final text of the statute of the international atomic energy agency;"

I am not going to go into the first two lines, in which there are so many points on which there can be argument on phraseology, but I want to concentrate on the essence of our difficulty and I am hoping that, as a result of the submissions which I make, it will be possible for us to resolve it.

"...to participate in a conference on the final text..."

This conference is a world conference. That world conference, we are told, is "on the final text". If the conference is to be on the final text, the final text must precede the conference. This is the situation which I want representatives to consider. After all, we not only have our Parliaments, we have a duty to our self-respect. We are asked to go into a conference on a final text in order to produce a final text. I want to ask representatives to look at the absurdity of this position. The conference to prepare a final text will sit on the final text; you cannot sit on something unless it is there. And if it is there, there is no point to make it.

(Mr. Krishna Menon, India)

I entirely agree with the representative of Peru -- and even if I disagree with him I always listen to him with the greatest respect -- that, as sponsoring Governments and participants in this conference, we would not go there like an undergraduate debating society -- no respect to the undergraduates -- to make verbal arguments about everything. But, after all, let it not be forgotten that the conference is representative of Governments and, what is more, of Governments whose affiliation to the agency is necessary if it is to work. I bared this point yesterday. No draft resolutions which we adopt, by whatever majority or however that majority is reached, have any value unless we can get the adherence of the majority of States, or all the States of the world. Therefore, when we say that this conference is a kind of dangerous arena and that we are throwing this draft resolution, metaphorically, to the wolves, I think that we are being unrealistic.

I want to say that the line, as it stands is asking for a world conference, the hopes about which are that, from it, this statute will emerge. Now, if the text of the statute is to emerge from it, it is quite obvious that what it sits on must be something of a pre-conclusion stage. One cannot sit on a final text in order to produce a final text. This is not just playing with words; it is something very fundamental and I fear that, on the instructions which I have at present, it is not possible for us to vote for this text as it stands. I say that with deep regret because we have gone a long way, on both sides, to find accommodation -- and I want to deal with this in a moment.

A number of references have been made by very good friends of ours to the latitude which the original sponsors of draft resolution A/C.1/L.129 have forced themselves into in order to bring about unanimity. But, without trying to be argumentative, I think that this Committee ought to take into account, when coming to a decision on this matter, the other aspects of this question. In this connexion I wish to refer the committee to document A/C.1/L.131. In this text there are three operative paragraphs, and -- I hesitate to say it in public without full explanation because a great deal of explanation will be due to people who hold with that side of things -- if we vote, in order to bring about unanimity, for the present revision of A/C.1/L.129, we are throwing out the whole of these operative clauses: the first operative clause, which says

that "the constitution and functions of the agency should be based upon the consensus" -- not "made a base" or "hopes will be based" but "should be based on the consensus of views expressed in the Assembly and the comments of interested Governments and be approved by the General Assembly," and the second operative clause which says "Decides that the relationship of the proposed agency with the United Nations shall provide for" (a) (b). That is to say, we state in terms what the principles of those relations are. We spell them out. We commit both the sponsoring group and the world conference, if it meets, to those principles.

Then it goes on to say that this Assembly "appoints a committee". That means it breaks up the whole sponsoring agency and it replaces it by a creation of this Assembly. These are three very fundamental points and they are matters of substance which my co-sponsors and myself would have to abandon if we are to bring unanimity on this. Therefore, with great respect to all of you, concessions have not all been on one side. Silence on these matters, or not claiming what one has done or not done, should not be taken to mean that these things have not taken place. I want my colleagues here to be fair and generous in this matter and to appreciate that the delegation of India and their colleagues, in the interest of unanimity and in order that the atomic agency might proceed, and, what is more, relying on the good faith which exists on all sides, simply accept in place of operative paragraph 1 that the agency should be based upon the concert of views and that the future conference and this preparatory committee should take into account what is being said here on the basis of the documents that will be transmitted to it.

Operative paragraph 2 of our draft resolution, which spells out these relations, can go into the record rather than be a binding resolution. On the third, on which so much difference of opinion has been shown around this table, that would have to be covered by paragraph 3 of part B, if we are to make it unanimous, so I would beg the Committee to take into account that we have made substantial, not concessions, but we have gone a long way forward in order to be able to meet somewhere, and this meeting is not in the middle of the road; it is very much on the other side of the road.

But this argument is not adduced in order to say: "We have done a great deal, you do some more". That is not the point at all. This is fundamental. That is to say, we cannot call a world conference of governments and ask it to sit "on the final text". There is no ambiguity about that. That is plain, good English. That means on something that exists; it is supervening, this final text. The significance of that is the existence of something which is to form the basis of a new entity, and, therefore, the final text must already exist.

I want to go into a few minor points, or points that may appear minor. What is the text on which we are to vote? There are texts in Russian, in English, in French and in Spanish. I will not venture to go into the question of the

translation of the Spanish text. Two years ago I involved this Committee in two days of argument because the Spanish pundits would not agree. So far as the Russian text is concerned, I do not read Russian, but I have the advantage of having obtained, at our request, from the delegation of the Soviet Union and from my colleague from Yugoslavia, who understands and reads Russian, and from our own Russian language advisers that the translation of these particular words in Russian is "for working out the final text". If these words are incorporated into the English text, I will say no more. I will even give up my right to speak in the debate hereafter.

We cannot vote on two texts which mean two different things. We have the Russian text, which states "for working out the final text", which is what is meant. We have it from the leaders of the United States and United Kingdom delegations that that is what is meant. If that is what is meant, why do we not say it? What is the inhibition about saying it? It may be asked why I am so particular about this, but I am inhibited by one circumstance, and that is that I do not know what is confidential and what is not. I know what is confidential in regard to myself, but then so much of it gets published that I do not know whether confidence is broken or otherwise. But it is in the knowledge of this Committee that during the progress of the discussion on this agency it has been suggested that if eight countries ratify this statute, then it becomes an agency and others can go into it on a take-it-or-leave-it basis.

It is in that background that we have to consider this, because if a text is final it binds those who are producing the text, and those alone and they have made the agency. When they come to the world conference they will be in the position of having agreed on a final text and of saying "now you can come into it". I did not want to introduce this because it is perhaps saying something which need not have been said had agreement come before, but our apprehensions in this matter are legitimate.

Secondly, we have not said that instead of these words "on the final text" put in what is in our amendment. What did we say in the amendment? We said: to participate in a conference "to establish the final text". That is speaking to facts. That is what this conference would do, establish the text. Establishing a text does not exclude mere ratification, but it also includes something else,

and if it is a question of flexibility, on which quite rightly the United States and the United Kingdom would want to rely, I think there is greater flexibility in the words "to establish the final text", than in the words "on the final text".

I shall say nothing about the various other considerations of a technical character in this language, but "to establish the final text" is the correct position and we ask for the words "to establish the final text".

Again, I do not feel myself at liberty to go into private conversations -- private conversations, not secret -- but I can say to this Committee that so far as my delegation is concerned we alone are responsible for this amendment. We are prepared to accept any form of words that would give to this world conference a function that is not that of a rubber stamp, a function that would not be regarded in our country, in our parliament, in our press and by our colleagues as one in which self-respecting nations would go into a conference in order to receive a final text of a private draft. That is all I ask for, and we are prepared to accept "a conference on the draft text," "a conference on the draft of the final text", or "to consider and approve the statute". I could produce six or seven alternatives, but we are not prepared to accept "on the final text". We are prepared to accept "on the draft of the final text".

If that is the fact, then why do we not say it? Can anyone say that what will come before the conference will be anything but a draft? Let it be "on the final draft of the text of the statute". Each one of the eighteen co-sponsors of the draft resolution has a responsibility to respond to the plea of common sense and of reason that I make.

This is not a question of our being involved in two parties. It is not a question of trying to make our decisions correspond. It is a question of what are the requirements of common sense and of the facts of this case.

So far as we are concerned, therefore, we will accept either the English translation of the Russian text or any of the alternatives I have mentioned, such as "on the draft of the final text", "on the final draft text", or "to consider and approve the final text" or anything of that character, so long as the words mean that what will go before that conference will not be the statute.

What are we offered in return? We are told that assurances have been made. Without any disrespect to any of the eighteen signatories of this draft resolution, how are we in this matter to take assurances? Are we to take them from speeches made by delegations, each speaking for their own governments in this particular matter, because they are speeches, not agreed clauses? These speeches have not been agreed to presumably in committee by the eighteen speakers, so we cannot come next year and say that we were given these assurances. If it is a question of assurances, then let those assurances be put down in terms, and if they are put down in terms on behalf of the eighteen signatories, then I submit it would be far simpler to accept the amendment. It is not possible, it is not right and it is not reasonable to ask us to accept something which does not correspond to the facts and which we would have to explain to our people as putting this conference into the rather unenviable position of being a "command performance". I do not say that is what it is going to be, but those words are capable of that meaning. Secondly, if one of the texts circulated before this meeting means "on working out the final text", then how can we accept the English text which means something else?

I had not intended to draw the curtain on this matter as much as I have done, but if we cannot get agreement by the steps we have taken, we must make further efforts, and these further efforts consist of offering to the signatories of this draft resolution and to the rest of the Committee the various alternatives that are possible and which can be accepted by those who are responsible for the draft resolution without loss either of prestige or of principle or of anything else they value, because this represents the facts of the case.

We have an assurance from the representatives of the United States and of the United Kingdom that it is not conceivable that in a conference of this kind there would not be debate or discussion. They admit that. What is more, the Geneva Conference on atomic energy is an outstanding example. It was said that nobody would wish to say anything very much and that it would be a conference of technicians, but they covered the whole field. When a large number of people meet they are bound to debate, and that is what we want to try to do in this world and what we want to promote, so that paragraph 2 as it stands is not acceptable to us.

We are prepared to go to any length so long as the essential substance is retained, and we are prepared to accept any form of wording that would meet our point of view.

We would request the sponsors of other resolutions to appreciate the fact that if, as a result of that, the Committee subscribes to the present resolution, in order to make it unanimous, so far as our delegation is concerned, we would refrain from pressing to the vote the very substantial matters which are contained in the three operative paragraphs of our draft resolution.

(Mr. Krishna Menon, India)

Now if it is a question of finding common agreement, there must be, both in quality and in quantity, some equity in the meeting of minds, in the factors that go into the meeting of minds. I ask the representatives of Canada, the United States and the United Kingdom, who bore the brunt of receiving the representations that we are to make -- it cannot be said that we put any pressures on them -- to further consider this matter, so that all the effort and all the hopes that we have entertained with regard to bringing about a unanimous recommendation of the Committee would not fade away.

There are other matters regarding other amendments. I do not propose to deal with them. Finally, I want to say that it is not possible for my delegation, as at present advised and in the present circumstances of the debate, to say "aye" to these words as they stand. Secondly, the Committee would have to answer as to which text it is voting for. It would have to say: Why does a world conference meet to produce a final text when the final text has already been produced? It would put itself in a position of comparative ridicule, and this is what I submit.

I have confined myself to this one paragraph and to this one paragraph only. I repeat that we are prepared to accept, or request the Committee to accept, any other form of words, either "in the final draft text" or "in the draft of the final text", or to say "to consider and approve the final text". So that the conference will not have the semblance -- and the semblance is important -- of being a body that is called upon merely to accept what is offered.

I also warn my colleagues, particularly those who are not co-sponsors, who have views on these matters, about which I am aware, to bear in mind the fact -- it was canvassed during the whole of last year and it was not a secret -- that if a certain number of nations, namely the eight States, subscribed to and created this agency, then it was a matter of ratification for somebody else. So this final text may not be, in those circumstances, merely a matter of words, but a finality that goes beyond words in these matters.

With this submission, I leave it to the Committee, and I hope that our overnight thinking on this will produce a situation where tomorrow, if the state of the debate permits it, we will be able to vote on the draft resolution with the wording which commends itself to the acceptance of everybody.

The CHAIRMAN: Before I call on the representative of Peru on a point of order, there are two points to which I should like to refer. The representative of India made reference to the Russian translation of the draft resolution of the eighteen Powers. Unfortunately, I do not have the advantage of knowing the Russian language, but we have the original before us and the representative of India, who is admittedly a master of the English language, would, I think, have to look for the interpretation to the original resolution. In so far as putting the matter to the vote today is concerned, I have three other speakers on my list after I call on the representative of Peru. As a matter of fact, under rule 121 of the rules of procedure, I have some discretion. In that rule there are the words "as a general rule", and there is a distinction between discussion and consideration. But I assure the representative of India that what he has said will be taken into consideration at the appropriate time.

I now call on the representative of Peru on a point of order.

Mr. BELAUNDE (Peru) (translated from Spanish): I have asked to speak on a point of order because I should like to tell my distinguished colleagues that my appeal -- which was perhaps somewhat impassioned but nevertheless sincere -- for unanimity does not mean that I am suggesting that we leave aside the principles of the rules of procedure. I am fully aware of that and I agree with Mr. Menon in that respect, as I very often agree with him, that amendments submitted today must be considered today and cannot be voted upon today.

At the same time, I am very happy that he quoted rule 121, which I accept, not only because it is a rule of procedure but also because I feel that an amendment coming from such highly admired countries as they are -- and the fact is that the Philippines and Pakistan submitted this amendment specifically -- warrants our consideration.

I am extremely pleased with the fact that this circumstance of not voting on the draft resolution forthwith, and applying the rules of procedure as to meeting tomorrow, as well as the circumstances to which the Chairman has referred, will give us personally time to make one last effort to bring about harmony, which is all that I am trying to create here.

l'idée d'un texte définitif. Mais nous précisons, au lieu de nous en tenir à une formule vague, qu'il s'agira de rédiger ce texte définitif. Je ne veux pas, ici, dévoiler publiquement des choses qui, sans être secrètes, sont peut-être confidentielles en un certain sens. La délégation de l'Inde est prête à accepter toute formule susceptible de donner à la conférence mondiale des fonctions précises. Mais il faut que cette formule soit suffisamment claire pour être comprise de tous. Il faut que notre Parlement, que notre presse, que notre population la comprennent. Les plénipotentaires qui participeront à la conférence envisagée seront chargés de rédiger un texte définitif. Fort bien; qu'on le dise. Nous accepterons toute formule suffisamment claire à cet égard, que l'on parle de rédiger un projet de texte définitif, un avant-projet de texte définitif ou directement un texte définitif. Mais ce qu'il ne faut pas faire, c'est parler de réunir une conférence sur un texte définitif, car cette formule ne correspond pas à nos intentions véritables.

Sur quoi la conférence sera-t-elle appelée à travailler ? Sur un avant-projet, sans doute. Que l'on emploie alors cette formule. Que l'on dise : "la conférence devra procéder à l'étude d'un texte de statut". Je serai d'accord alors.

Chacun de nous, ici, a le devoir de respecter le bon sens. Il ne s'agit pas de se ranger du côté d'un parti ou de l'autre, mais de se conformer aux impératifs du bon sens et de l'objectivité. La délégation de l'Inde, pour sa part, serait parfaitement disposée à accepter une traduction anglaise de la formule utilisée dans la version russe. Si l'on nous propose de dire : "élaborer", "rédiger" ou d'utiliser tout autre terme analogue, nous serons d'accord, l'idée étant que la conférence devra mettre à jour un texte final de statut. L'important est que la conférence ne soit pas saisie, dès le début, d'un texte définitif, mais d'un projet qu'elle devra étudier en vue de rédiger le texte définitif.

On nous a parlé ici de certaines garanties. Malgré tout le respect que je dois aux 18 auteurs du projet de résolution commun, j'avoue ne pouvoir me contenter de garanties données ainsi de vive voix, en passant. Pouvons-nous nous contenter de discours ? Ce qu'il nous faut, ce sont des garanties formelles, écrites,

apparaissant noir sur blanc et données par les dix huit signataires du projet de résolution commun. Mais je crois qu'il serait plus simple de rédiger directement un projet de résolution suffisamment clair et qui corresponde à la réalité de nos intentions. Il est nécessaire que nous ayons un texte que nous pourrions expliquer à nos administrations, à nos opinions publiques et à tous ceux auprès desquels nous sommes responsables.

Je n'avais pas l'intention de trop m'étendre sur ce point précis. Cependant, la discussion qui s'est engagée à cet égard souligne la nécessité d'accomplir des efforts supplémentaires. Cela concerne aussi bien les auteurs du projet de résolution commun que les autres membres de la Commission. J'ai, pour ma part, suggéré tout à l'heure plusieurs variantes qui pourraient peut-être aider à résoudre le problème, et je pense que l'on pourrait tenter d'en choisir une. Les auteurs du texte initial n'en subiraient pas la moindre perte de prestige. Mais il faut essayer d'être objectif. Les représentants des Etats-Unis et du Royaume-Uni ont reconnu qu'il était inconcevable que la conférence envisagée ne procède à aucun débat. Cela est indiscutable et d'ailleurs la conférence qui s'est réunie l'été dernier pour discuter de problèmes scientifiques peut être considérée comme un précédent. Il s'agissait d'une réunion de techniciens au cours de laquelle chacun a pu prendre la parole. Il est certain que la conférence maintenant envisagée revêtira le même caractère et qu'il y aura des discussions. C'est d'ailleurs ce que nous désirons tous.

En conclusion, j'estime que le deuxième paragraphe de la partie B n'est pas acceptable dans sa version actuelle, tout du moins dans sa version anglaise. Je serais reconnaissant aux auteurs de ce projet de résolution d'accepter les amendements indispensables afin de parvenir à des formules qui tiennent compte des désirs de tous. Il faut, en effet, ne pas perdre de vue que notre Commission voudrait pouvoir parvenir à un accord à l'unanimité.

Even while taking note of this, the Soviet delegation deems it essential to stress the insufficiency of this provision. My delegation is firmly convinced that only a prohibition of the atomic weapon can ensure the development of a truly comprehensive and fruitful international co-operation for the peaceful uses of atomic energy because then and then only will all of atomic energy be used exclusively for peaceful ends for the well-being of humanity.

It regrettably proved impossible in the course of the negotiations to reach an understanding to the effect that the draft resolution should incorporate provisions which would call for the participation in the agency of all States. Nor has it been possible to reach agreement on establishing the agency within the framework of the United Nations. In this connexion, the Soviet delegation deems it essential to move a number of amendments (A/C.1/L.136) to the latest revised draft resolution sponsored by the United States, the United Kingdom and other States. I trust that the delegations have had the opportunity to study these amendments. For its part, the Soviet delegation would like to bring out a few points in their defence.

The second revised draft resolution says that membership in the international agency on the peaceful uses of atomic energy shall be limited to the States Members of the United Nations or of the specialized agencies. But a number of delegations have pointed out that this agency ought to be organized on a broad basis and that no State should be denied co-operation with respect to the peaceful uses of atomic energy for reasons of an ideological or other order. It is only fitting that all countries should take part in international technical and scientific conferences on the peaceful uses of atomic energy if they are willing and able to do so irrespective of whether or not they are Members of the United Nations or of the specialized agencies.

Proceeding from that premise, the Soviet delegation proposes the deletion of the following words in part A, paragraph 5 of the draft resolution of the United States, the United Kingdom and other States (A/C.1/L.129/Rev.2), "in accordance with paragraphs 3 and 7 of resolution 810 B (IX)" and that they should be replaced by the words "to all States and interested specialized agencies".

(Mr. Kuznetsov, USSR)

On the same grounds, the Soviet delegation has submitted a proposal to the effect that all countries which may wish to do so should be able to participate in the proposed conference on the final text of the statute of the international agency on the peaceful uses of atomic energy. In this connexion, it is proposed that in part B, paragraph 2, the words "all Members of the United Nations or of the specialized agencies" should be deleted and replaced by the words "all States".

My delegation has listened carefully to the comments just offered by the representative of India on this same topic. The Soviet delegation shares the view expressed by Mr. Menon on paragraph 2 of part B. In our opinion, it goes without saying that at the conference which is to be convened the participants should not be placed in a position where they would be presented with a prepared and complete text of a statute not for study or detailed consideration of the substance of the question but merely for approval. It should be stated clearly in all languages that the participants in the conference should have the opportunity to express their views and to have them discussed and considered. Since the drafting of paragraph 2, part B has given rise to all these misgivings in the minds of a number of delegations, it will be fitting in our opinion to adopt the amendment moved by the delegation of India. That amendment will also improve the Russian text.

Many delegations that have taken part in the debate have expressed the view that the projected agency for the peaceful uses of atomic energy should be placed in close connexion with the United Nations. This is prompted by the circumstance that the agency will deal with a new problem of vast importance for mankind. It is clear that already, at the organizing stage of this agency, all necessary measures should be taken to ensure that atomic energy shall be used for the advancement of mankind. Of great importance under this head is the international co-operation of scientists and specialists who work in the field of atomic energy.

May I add that a close link exists between the production of atomic energy for peaceful ends and the production of atomic energy for warlike ends. As is well known, the production of atomic energy for peaceful ends is attended by the accumulation of dangerous fissionable materials which can be used for

(Mr. Kuznetsov, USSR)

warlike ends. This accounts for the view of many delegations in this debate to the effect that it is necessary to institute appropriate international control over the fissionable materials which may be placed at the disposal of the agency to be sure that they are not used for or diverted to other than peaceful purposes. This makes it clear that the agency and the United Nations should have the closest of connexions. The draft resolution of the United States, the United Kingdom and the other States says that the Secretary-General, acting on the basis of advice which he may receive from the Advisory Committee, should study the question of the relationship to be established between the international agency and the United Nations. It would be fitting for the General Assembly to instruct the Secretary-General and the Advisory Committee as to the direction in which they are expected to prepare proposals as to the nature of the relations between the agency and the United Nations. Taking account of the views expressed by the majority of the delegations, it would be correct in our opinion to make the point in the draft resolution that the elaboration of proposals as to the relations between the agency and the United Nations should be based on the recognition of the principle that the international agency should be established within the framework of the United Nations and that its relations with the United Nations should be of the closest.

These are the considerations which the Soviet delegation deemed it essential to bring out in support of its amendments to the draft resolution sponsored by the United States, the United Kingdom and a number of other countries. My delegation expresses the hope that the amendments it has submitted will command the assent of the other delegations

Mr. KIDRON (Israel): Before addressing myself to the joint draft resolution, I should like to refer briefly to the amendment put forward by the Pakistan and Philippines in document A/C.1/L.135. My Government has grave reservations about this amendment, both as to its wording and as to its implications. Our principal reservation concerns the exclusive character of this amendment. Let us see what the position would be if the amendment were accepted. The sponsoring group would then consist of the atomic great Powers, that is to say, those Powers which have at their disposal ample raw materials, which have the industrial capacity and the scientific capacity to enrich this raw material so that it can be used for the generation of energy, and which also have the scientific and technological capacity to provide material, equipment and technical assistance to other countries not so fortunately placed. That is one part of the group.

The second part of the group would comprise countries whose principal attribute in this context is their good fortune in possessing deposits of raw material, both uranium and thorium. Finally, the third part of the group would comprise, and here I quote from the proposed amendment, "... a few under-developed countries who may not at present have atomic materials and advanced scientific knowledge". From this company one and only one class of country will have been deliberately excluded, and deliberately excluded by a resolution of the General Assembly of the United Nations if this amendment is accepted. This class is that comparatively small group of countries whose principal contribution to the atomic revolution is intellectual rather than physical, geographical or geological. There are countries of relatively advanced scientific and technological attainments who have given much in the past to the theory and practice of atomic science and have much to give, possibly in the future. Many of them are represented among the sponsors of the draft resolution. Are the claims of these countries not worthy of equal attention?

But another objection to this draft amendment is of a practical nature. The original eight, in the view of my delegation, was a large enough group to negotiate an instrument so complicated as the draft statute. Twelve is a larger group and even more unwieldy. If the amendment introduced by Pakistan and the

(Mr. Kidron, Israel)

Philippines is accepted, the group will then grow to fifteen or sixteen, and it might be anticipated that the original sponsors would then invite some of the countries about whom I have been speaking, that is, the scientifically and technologically advanced countries, to join as well in order to ensure fair representation of all interests. The negotiating group might then reach twenty or more. I frankly do not see how it could possibly work out in practice. This would no longer be a negotiating group but a general conference of a limited character, and for that the draft resolution already makes provision.

I come now to the draft resolution of which my delegation is one of the co-sponsors, and it is fitting that I should join with the co-sponsors who have spoken before me in commending this draft resolution to the Committee. This draft resolution is the product of many hands, the fruit of much earnest negotiation spread over many days and nights, in which many delegations took part. It is the result of an extensive process of "give-and-take". As such, it is naturally a compromise document and inevitably imperfect. It is possible that if more time had been spent on the thinking and on the drafting of it, something better would have come out. It might well, for example, have been pruned of some excessive verbiage, but this is a common fault of United Nations resolutions. It still appears to be not too late to remove certain ambiguities in the text, and I reserve the right of my delegation to return to that at a later stage. However, in the view of my delegation, this draft represents the highest common factor of agreement possible in this Committee on this subject at this time. Naturally, I refer now to what the representative of India has described as that part of the resolution which causes a normally uncontroversial person such as himself to become involved in controversy, that is, to part B, concerning the international atomic energy agency. This part of the resolution represents a considerable advance on the original version. What started as a single paragraph which said very little has now become what is to all intents and purposes an independent resolution comprising six explicit paragraphs. Provision is now made for a general conference on the draft statute, and here the representatives of the United States, the United Kingdom, Canada, speaking on behalf of all sponsors, have assured the Committee that this conference will not be a rubber stamp or, in the words of the representative of India, a "command performance".

Provision is also made for expansion of the sponsoring group for consideration of the views expressed in this Committee, as well as those transmitted directly to the sponsors for study by the Secretary-General with the help of the Advisory Committee on the question of the link between the agency and the United Nations, the results of which under formal United Nations procedure will be made known to all Member Governments.

Finally, provision is made for reporting to the General Assembly. This is progress which did not seem possible two or three weeks ago, and I feel that much credit is due to the original sponsors, the United States and the United Kingdom, for the understanding and elasticity which they have displayed.

My delegation feels that this is a resolution which can and should be passed unanimously by this Committee. We are faced here with a prospect for human good or ill before which most of our present preoccupations and anxieties in other fields become pallid. It behoves us to approach it with humility and in a spirit of tolerance, universality and international goodwill. In that spirit, I join with my co-sponsors in expressing the hope of unanimous support for the draft resolution now on the table.

Mr. MELAS (Greece): The Greek delegation, although it took no active part in the general debate of this Committee on the matter under consideration, "peaceful uses of atomic energy", has nevertheless followed this debate with the greatest interest. It is with a feeling of deep gratification that we witness the rapid progress made in the consideration of this all-important matter ever since the declaration of the President of the United States in December 1953 laid this vast question before the world. In this momentous nuclear age, where the results of scientific research have led man to master the elemental powers of atomic energy which can equally lead to the destruction of mankind and to the creation of new and vast possibilities for the improvement of human life, in a manner by far exceeding the ways open during the industrial revolution of the last century, it became an imperative dictate for humanity to direct the new conquest of man to constructive purposes alone.

It is thus with the greatest gratification that we have noted the sequence of events that have led up to the present debate, namely, the unanimous resolution of the ninth General Assembly setting up the Advisory Committee and inviting the Geneva Conference. This latter, of course, in itself marked an important milestone in the progress towards the great goal of directing atomic energy to peaceful uses, for not only has its success been unanimously acknowledged, but the fact of broad participation of so many nations not yet members of this Organization gave real, wide and capital scope to the Geneva meetings.

We have today in this Committee reached the fortunate stage where, after careful consideration of the draft resolutions submitted and after most commendable negotiations and the display on all sides of the most praiseworthy and gratifying spirit of conciliation, by mutual concessions and true statesmanship, the discussion has narrowed down to a point where we have before us the revised joint draft resolution of eighteen States, which appears to offer justified hopes of reaching a unanimous vote. We earnestly hope that certain differences which may still be outstanding will be smoothed out without undue difficulty in a further determined effort to reach unanimity, for unanimity is here not merely desirable but quite essential. This is not a matter where, as the representative of Canada so rightfully stressed, a majority, even a large one,

(Mr. Melas, Greece)

can be sufficient. It is quite obvious that we have to convey to the world at large the idea that in the future in the matter of ensuring a lasting peace and the development of better conditions for man through the right use of atomic energy, there is a genuine and unanimous consensus of intention and determination.

The Greek delegation has noted with gratification that an impression which had prevailed as a result of recent statements of the Soviet delegation that the prohibition of atomic arms seemed to constitute, in their view, a prerequisite to the setting up of an international atomic energy agency -- much as the importance of this point was stressed today by the representative of the USSR,-- has been dissipated by the statement made yesterday by the representative of that country. Of course, this important matter is one that will find its proper place for discussion in the disarmament debate.

My delegation has listened with great interest to all the speakers and would like briefly to refer to Mr. Krishna Menon's speech of yesterday. We believe that the representative of India has put forward some basic ideas which will have to be retained by this Committee, as well as by the sponsoring Governments. I mainly wish to refer to the social and economic aspects of the use of atomic energy so eloquently voiced by him. He so appropriately said, as the representative of the Netherlands and Sweden have done before him, I believe, that there should be no distinction between "haves" and "have nots". The question is of such vital importance to all mankind that, in the interest of all, there should be no monopoly of means by certain countries in the special agency, but means should be acceptable to all in the future.

Mr. Trujillo this morning made several useful suggestions. I should like to refer to one in particular. We are of the opinion that the technical conferences referred to in paragraph 6 of draft resolution A will very much help in the co-ordination of the future developments in the various countries in the field of the peaceful uses of atomic energy. Therefore we believe that the General Assembly should invite more specifically the convening of such conferences which, of course, will have to be organized with the help of the specialized agencies, the Secretary-General and the Advisory Committee.

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(Mr. Melas, Greece)

I would further permit myself to stress that, in the view of my delegation, it appears important, in reference to paragraph 5 of resolution B of the resolution **under** consideration, the results of the study on the relationship of the international atomic energy agency to the United Nations, which must obviously exist to the extent practicable, to be made by the Secretary-General, in consultation with the Advisory Committee, should be transmitted to all Governments and not only to those sponsoring the agency, as would be the case according to the present terms used by the resolution which only mentions "Governments concerned".

(Mr. Melas, Greece)

As we understand it, the Secretary-General's study is meant to be part of the preparatory work for the conference. We feel, therefore, that it would be logical to communicate its results to all those Governments which will participate in that conference, in accordance with truly democratic methods. We also believe that broad powers as to the final approval of the statutes should be left to the conference to be specially convened for this purpose.

I would like to conclude by stating that in the spirit of the above my Government would be quite prepared to cast its vote in favour of the revised joint resolution and thus contribute towards attainment of the unanimity so much desired.

Mr. PASTORE (United States of America): For the time being, I am going to confine my remarks to several of the amendments that have been submitted. I nevertheless reserve the right to speak on other points that have been raised here this afternoon, at a time that we deem appropriate in accordance with the procedure as it develops.

I should like to explain, as briefly as I can, that the United States feels that it cannot support the amendments submitted by the delegations of Pakistan and the Philippines (A/C.1/L.135) and by the delegation of Czechoslovakia (A/C.1/L.137). As the Committee knows, the present group of negotiating States, which now number twelve' will provide an efficient and representative mechanism for conducting the next phase of negotiations concerning the agency. It is a group sufficiently representative of the views expressed in the Committee and as such it provides the assurance that all that can be done will be done to find the broadest possible basis for agreement on a statute for the agency. To expand this group further at this stage would in all probability lower its effectiveness. There is no clear cut basis for limiting any such expansion to any two or three States, and the result would be the establishment of a group with less effectiveness than the present group of twelve. I might say, in conjunction with that, the very fact that the amendment was further amended by a proposal made by Czechoslovakia indicates that once we open up the flood gates there is no telling where we can bring

(Mr. Pastore, USA)

this to a stop. It would become so unwieldy that I am afraid it would lose all of the effectiveness that the members of this Committee admit we should have.

Moreover, I must in all frankness remind this Committee of the very great lengths to which we have already gone in trying to meet the views expressed during the debate. The present resolution, while not perfect, clearly reflects the consensus of views expressed in this Committee. With all due respect, I think we have gone quite far in trying to accommodate, as much as we possibly can, the different points of view. We believe the present text of our resolution merits the unanimous support of the General Assembly. To attempt to alter it might very well make it very difficult for us to achieve the result that we desire.

That is why I do hope -- and I say this as seriously as I can -- that the delegations from Pakistan and from the Philippines will not press their amendments.

With reference to the amendments suggested by the Soviet Union (A/C.1/L.136) the Soviet proposal to amend paragraph 5 of part A of this resolution by altering the basis for issuing invitations to the second international scientific conference would reopen an issue which was thoroughly debated and settled at the ninth session of the General Assembly. At that time the Soviet delegation proposed a similar amendment, which was rejected by the members of this Committee. The resolution, as adopted last year, provided:

"3. Invites all States Members of the United Nations or of the specialized agencies to participate in the conference ..."

(Resolution 810 B (IX))

That is the language which we are now incorporating by reference in paragraph 5 of part A of the resolution now before the Committee. The United States is opposed to this Soviet amendment, which would invite to the conference States which are not now Members of the United Nations or of the specialized agencies. As Ambassador Lodge said last year in opposing the same Soviet amendment, this is a technical conference and it is to be convened under the auspices of the United Nations. That is why only Members of the United Nations system are being invited. This reasoning is equally applicable at this time.

(Mr. Pastore, USA)

In the interests of maintaining the very wide support which this resolution has obtained, I would urge the Committee not to adopt any amendment along the lines of the Soviet proposal.

I should like to say a word on the other Soviet amendment, which would add the words "bearing in mind that this agency will be established within the framework of the United Nations". The United States is opposed to the addition of this language, because it constitutes an attempt to prejudge the efficiency of the relationship to be established between the agency and the United Nations. I shall not at this time discuss what we assume the Soviet delegation has in mind in suggesting this phrase. The fact is that this is not the time to provide what the relationship should be, and for that reason it would not be desirable to suggest to the Secretary-General and the Advisory Committee that they should be bound to any particular point of view on this matter. In our resolution we have asked the Secretary-General and the Advisory Committee to conduct this study. Let us not bind them in advance nor circumscribe their activities.

For these reasons we are opposed to the three amendments which I have mentioned.

Mr. NOSEK (Czechoslovakia): The discussion on the peaceful uses of atomic energy in our Committee is characterized, as it was last year, by an endeavour to arrive at a unanimous resolution. The example of the Geneva Conference on the Peaceful Uses of Atomic Energy, which was convened on the basis of a unanimous decision of the General Assembly, highlighted the important role which the road of negotiation and agreement holds for the development of international co-operation. A number of delegations, therefore, have already rightly emphasized the imperative need for the unanimity of all participants in the further development of international co-operation on the peaceful uses of atomic energy.

The course of our discussion so far, as well as the submitted drafts, show that agreement has already been reached on a number of important issues.

All delegations have underlined the significance of the use of atomic energy for peaceful purposes only, and for improving the living conditions of mankind. A number of delegations have likewise spoken of the need for ensuring that the atomic materials at the disposal of the international agency will not be misused for other than peaceful purposes. That is why we consider the inclusion of the paragraphs expressing this idea in the revised text of the draft resolution submitted by the eighteen Powers, a step forward compared with the original draft.

Agreement has been reached also on other important questions: on the significance of the Geneva Conference on the Peaceful Uses of Atomic Energy for the further development of international co-operation in this sphere, on the need for holding further scientific conferences on the peaceful uses of atomic energy, and on the continuation of the activities of the Advisory Committee.

In the statements which we have heard, considerable attention has been given to the establishment of the international agency. Even if there is general accord as to the usefulness and urgency of its early establishment, our discussion has shown that concurrently there is a divergency of views on certain important questions regarding the principles that should govern its organization and activities.

(Mr. Nosek, Czechoslovakia)

The cornerstone of the future agency is undoubtedly its statute. That is also why both the discussion and the draft resolutions now before us have centred on the procedure for considering the agency's statute. In the course of our consideration of this issue, we have, we believe, made progress in this respect.

Already in the general debate in our Committee, the Czechoslovak delegation expressed the opinion that a conference of the States most directly concerned could serve to accelerate the negotiations on the establishment of the international agency and could, to a considerable degree, contribute to their success. Accordingly, we welcomed the suggestion of the delegation of the Soviet Union in this connexion. We should therefore like to express our satisfaction at the fact that this idea has found expression in the revised wording of the joint draft resolution. We are, however, of the opinion that besides the countries mentioned in paragraph 3 of part B of the revised draft resolution, some other countries should also participate in the negotiations on the draft statute of the International Atomic Energy Agency. We are prepared, therefore, to support the amendment submitted jointly by the delegations of Pakistan and the Philippines, which appears in document A/C.1/L.135.

We feel, however, that the invitation to be extended should not be confined only to the countries described in that amendment, but that the draft resolution to be adopted should leave the door open for inviting other countries as well, countries whose participation would seem appropriate. In reply to the representative of the United States, I should like to express the phrase, "would seem appropriate".

The Czechoslovak delegation wishes, therefore, to submit an amendment to the Pakistan-Philippines amendment to the effect that, after the words "Recommends that the present sponsoring Governments also invite", the words "some other countries including", should be inserted, leaving the rest of the amendment as it stands now.

We hope that our amendment, or perhaps I should say sub-amendment, will be accepted by the authors of the original amendment.

(Mr. Nosek, Czechoslovakia)

The resolution which the General Assembly will adopt will undoubtedly play an important role in relation to the establishment of the agency and the determination of its structure. The General Assembly should therefore take into account the important principles expressed here by a number of representatives, principles having a fundamental import for the further development of international co-operation in the sphere of the peaceful uses of atomic energy.

The resolution which will be adopted by the Assembly should, accordingly, primarily take into consideration the requirement that no country should be denied co-operation in the field of the peaceful uses of atomic energy. My delegation holds that all States desiring to participate in international co-operation in this sphere should have the opportunity to take part both in scientific conferences and in the consideration of the draft statute of the international agency, irrespective of whether or not they are Members of the United Nations or of its specialized agencies.

In our opinion, the resolution should equally place emphasis on the principle that the international agency should be created within the framework of the United Nations. In determining the principles that are to govern international co-operation in the realm of the peaceful uses of atomic energy, and in particular in the course of the establishment of the international agency, one cannot, to our mind, disregard the fact that the question of the use of atomic energy for peaceful purposes is closely linked to that of the security of nations and of international peace.

(Mr. Nosek, Czechoslovakia)

The Czechoslovak delegation therefore maintains that the international agency should be set up within the framework of the United Nations and that the mutual relationship between it and the Organization and its organs should be determined in accordance with the provisions of the Charter as well as with the nature, function, activities and responsibilities of the agency. These principles, have, moreover, been underlined by a number of delegations in the discussion and should, in our opinion, be reflected also in the General Assembly resolution.

For all these reasons, the Czechoslovak delegation welcomes and supports the amendments submitted by the Soviet Union.

Sir Pierson DIXON (United Kingdom): I shall address myself this afternoon to certain of the amendments before us, and I should like to reserve my right to speak later on other aspects of the draft resolution contained in document A/C.1/L.129/Rev.2.

I regret to say that my delegation will not find it possible to agree to the three amendments submitted by the Soviet Union in document A/C.1/L.136. The purpose behind the first two is really the same. Their effect would be to introduce a highly controversial question which it has already been decided not to consider at this tenth session. Let us be guided by the wisdom of a very large majority of the General Assembly and refrain from introducing into this constructive debate a proposal which would be out of place.

With regard to the third Soviet amendment, I regret again that I cannot accept it. We have already in this debate heard some complaints about the lack of clarity or precision in the eighteen-country draft resolution. I am sorry if any of the present wording should give rise to misinterpretation or misunderstandings in the minds of some representatives, but it would undoubtedly lead to very considerable confusion if the language suggested in paragraph 3 of document A/C.1/L.136 were now inserted in paragraph B 5 of the eighteen-country draft resolution. What does it mean? I think we might argue for days on the precise interpretation to be placed on the words "framework of the United Nations". I dare say that one could invoke analogies from the art of painting or from the craft of carpentry, but I do not think that we should be assisting the Secretary-General and his Advisory Committee in their study of

(Sir Pierson Dixon, United Kingdom)

the important question of the future relationship between the agency and the United Nations. But to those who might see some advantage in this amendment as offering guidance to the Secretary-General, let me say -- and this I say with respect and admiration -- that we can certainly expect him, in pursuance of his duties as head of one of the six organs of the United Nations, to bear fully in mind the concept that animates the amendment.

If I may turn now to the amendment advanced by the delegations of Pakistan and the Philippines in document A/C.1/L.135 I would like to say at once that I have much sympathy with the thought which underlies it, but I would put the following considerations to the Committee. I do not see how we could easily reach agreement on a list of under-developed countries, even if we could agree on a definition of so imprecise and general a term. The amendment or sub-amendment submitted by the delegation of Czechoslovakia in document A/C.1/L.137 does show how controversial such a definition is likely to be, and the remarks of the representative of Israel bear this out. As I said this morning, the expanded group of twelve countries comprises a wide spread of views. In addition, the other seventy-two Governments will obviously have every opportunity for contacts and consultation with one another and with the negotiating group.

It does seem to me that on purely practical grounds -- which are, perhaps, the most important of all -- the body which will be steering this great international enterprise must be compact. Anything that were large and unwieldy would inevitably contradict the very purpose for which it was created. I am quite certain that the interests of no State will be prejudiced if we leave the present group to consist of the twelve States concerned. On the contrary, I believe that twelve is a fair proportional representative, and I am certain that it will ensure that every opportunity is given for contacts and consultation with all the other Governments.

As the representative of Canada pointed out this morning, unanimity can be achieved only by give and take. I do not want to enter into a competition of concessions, but I think it must be clear to the Committee that the original sponsors have given much. On so wide-ranging a subject there are bound to be points which every individual delegation might prefer to see omitted or included,

(Sir Pierson Dixon, United Kingdom)

stressed or played down. But I judge from the general trend of this debate that there is very general agreement on the fundamental objectives which underly this draft resolution as now revised in document A/C.1/L.129/Rev.2, and in the interests of unanimity I would appeal to the representatives of Pakistan and the Philippines not to press their amendment to a vote.

Mr. de la COLINA (Mexico) (interpretation from Spanish): As one of the co-sponsors of the draft resolution contained in A/C.1/L.129/Rev.2, my delegation naturally supports the text as submitted. This does not mean that we believe it to be a perfect piece of drafting and that no improvements can be introduced into it, but as far as concerns the observations made by the representative of India I can give an assurance that my delegation interprets paragraph B 2 as meaning what he indicated, and I think that perhaps it might be appropriate or convenient to alter the phrase he mentioned so as to avoid ambiguities. I feel that the words used in the joint draft resolution must be interpreted as Mr. Menon has interpreted them.

With regard to the amendment submitted by the delegations of the Philippines and Pakistan in document A/C.1/L.135, under other circumstances we might be willing to support it, especially as Mexico is not one of the sponsors referred to in paragraph B 4.

(Mr. de la Colina, Mexico)

After very long and careful multilateral negotiations, a new text of the draft resolution has been drafted. This text, as has already been stated, represents great compromises and the greatest common denominator; it takes into account the interests of a number of countries. My delegation does not think that it would be wise now to attempt to introduce a new, vague and somewhat confused idea such as the one which has now been submitted. If we attempted to make that idea more precise, the debate would be indefinitely prolonged. A process of elimination would have to be undertaken, a process which could only serve to divide countries that, more than ever, must be united.

Furthermore, my delegation believes that there is no question but that the sponsoring Governments will heed the voices of the under-developed countries in the course of the negotiations. We have, in fact, been promised that our views will be taken into account.

Mr. MIR KHAN (Pakistan): This afternoon, remarks have been made by the representatives of Peru, Israel, the United States, the United Kingdom, Czechoslovakia and Mexico on the amendment which the Philippines and Pakistan have submitted to the eighteen-Power draft resolution.

I only wish to say that we reserve the right to reply to the abovementioned remarks. We feel that the amendment represents a fundamental feature which, in our opinion, is missing from the eighteen-Power draft resolution -- a draft resolution with which, as we have already said, we find ourselves in general agreement. I could at this time answer most of the remarks which have been made this afternoon by the delegations to which I have referred -- some of those delegations, I might say, had perfect sympathy for the substance of the amendment -- but, since the hour is rather late and since I was not able to follow the remarks made by the representative of Peru, I would request an opportunity to reply at an early stage of tomorrow's meeting. I did make an effort to follow the statement of the representative of Peru, but I have the privilege of sitting near him and, with the English translation in one ear and the eloquence -- shall I say, the supersonic eloquence -- of the representative of Peru in the other ear, I was not able to follow his remarks carefully and fully. I would therefore like to have the opportunity to reply to all the remarks that have been made on the amendment, rather than to do so in a piecemeal fashion.

Mr. MARTIN (Canada): I am sure that the debate this afternoon has clearly indicated that, in a matter of this importance, none of us wishes to be rushed into hasty conclusions. This is true despite the fact that many of us had, I am sure, hoped that the differences of view could be resolved today. Perhaps the desire to resolve the differences today arose from the enthusiasm which all of us must have for what we hope will be a unanimous decision on a matter having such great significance and importance for mankind. I do believe, however, that it would be well for us carefully to assess the various points of view which have been expressed this afternoon, in the hope that we may be able to arrive at unanimity on this important matter by the end of this week.

I share the United Kingdom representative's sympathy for the position taken by the representative of Pakistan, who, together with the representative of the Philippines, has submitted an amendment to the eighteen-Power draft resolution. But, as has already been stated, a line must be drawn somewhere in these matters. If we were drafting the text all over again, perhaps we should think it desirable to express ourselves in more general terms. The fact, however, is that we have given specific indications and designations. That, not unnaturally, has encouraged a perfectly legitimate desire on the part of others to be included. But, as I have said, a line must be drawn somewhere.

I was greatly impressed by the moderation and logic of the statement made by the representative of Pakistan. I am sure that he will understand that a line must be drawn somewhere. One could think of many other countries which should be included. Certainly, countries like Sweden and Norway have a very strong claim in this respect because of the scientific advances made in those countries, the scientific "know-how" possessed by many of their citizens, and the contributions which their delegations have made to this debate. But they recognize -- as I am sure all of us will recognize, on reflection -- that there are limitations at this moment. All of us must show much forbearance in order that we may achieve what I think is very important at this time -- namely, a unanimous decision.

(Mr. Martin, Canada)

It is because we appreciate the desirability of a unanimous decision at this time that I venture to ask the Committee's indulgence if I repeat something which I have already said today.

Today, Mr. Menon -- and I regret that he is not here at the moment, having found it necessary to leave our deliberations because of important business outside -- called our attention once again to the matter of the proposed conference. I had thought that the United Kingdom representative's statement this morning gave reassurance on the very point which, understandably, engages Mr. Menon's attention. I think that it must be apparent now that, on behalf of my country, I have had something to do with some of the negotiations which have been taking place on this matter. My recollection is that the proposal for a conference came from the United Kingdom representative himself. Hence, I think that no one could be in a better position than the United Kingdom representative to give emphasis to the intended character of the conference. This morning, he clearly set forth his interpretation of the governing feature of this change in the main document before the Committee. He said that the conference was to be a conference of sovereign States, of eighty-four nations, and that it was illogical to assume that eighty-four nations would be called to a conference merely to carry out some formal act. And, when I spoke after the United Kingdom representative, I clearly indicated that I shared his understanding of the kind of conference that was intended. Indeed, it would be presumptuous to suggest that an international conference should be held, if the nations represented there were not to be given the kind of freedom to speak which the participants in any normal conference of civilized human beings must have; certainly a conference held in these circumstances could have no other character.

(Mr. Martin, Canada)

I know that I shall need to give consideration, on behalf of my Government, over night to what was said today by Mr. Krishna Menon. I must say that what he said was not new; he had expressed these views very strongly in another context for the benefit of my delegation. But he has seen fit to take a strong position this afternoon and, speaking for my delegation as one of the sponsors of the draft resolution, I want to be sure in my mind that the wording in the second paragraph is as I understood it and as I wish it to be. My view at this stage is that the present wording of paragraph 2, part B -- "...to participate in a conference on the final text of the statute..." -- is not inconsistent with what I said that this conference would be and with what the United Kingdom representative clearly said, both this morning and a few moments ago, that it would be. But in a matter of this importance we do wish to make sure that our text is consistent with the loftiness of our intentions.

The Soviet Union delegation has submitted certain amendments. I was rather impressed yesterday when the representative of the Soviet Union spoke because I detected in his speech -- and I do not believe, from subsequent acts, that I am wrong -- his desire and that of his country to see that the atomic energy agency is **launched under** the healthiest auspices and that he would regard health, in this connexion, as the unanimous support of every one of us at this table. But he has presented amendments and I am sure that he realizes, just as much as any of us does, that at least two of those amendments cannot be accepted, and I would urge strongly, as has the representative of the United Kingdom, that the Soviet Union delegation should seriously consider not raising matters which, quite clearly, cannot be accepted and which would stand in the way of putting the subject before us in the advanced position which we think it should be given.

With regard to the final paragraph of the Soviet Union amendment contained in A/C.1/L.136, in which it is proposed that between the words "United Nations" and "and to transmit the results" there should be inserted the words "bearing in mind that this agency will be established within the framework of the United Nations", I must say frankly that I find some difficulty in this connexion. When the President of the United States proposed to the General Assembly, in December 1953, that the nations of the world should enlist themselves in a project to make available, for the benefit of mankind and for peaceful purposes, the great power of the atom, he said that such a project should have a relationship of some kind with the United Nations. I have not the President's text before me, but my

(Mr. Martin, Canada)

recollection is that he said that it should be under the aegis of the United Nations. The Secretary of State for External Affairs of my country also has said repeatedly, as I myself stated in this Committee a year ago, that the new body to be created should have as close a connexion with the United Nations as possible.

My country has played a very active part in this concept from the beginning. I do not claim that we are the authors of the concept of a specialized agency, but we certainly were one of the early precursors of the idea, and I believe that the technical character of the uses of atomic energy which we have in mind **does indicate** the desirability of establishing something in the nature of a specialized agency. To remove that concept, or to change it, would, I think, be doing a disservice to the character of the work and of the processes which we all have in mind. And yet, we are all anxious, I am sure, that its relationship to the United Nations should be one that would add to its prestige and to its usefulness. Therefore, I do wonder whether the use of the words "bearing in mind that this agency will be established within the framework of the United Nations" indicates any actual difference from the suggestion that the agency should be under the aegis of the United Nations. Frankly, I am not able to see any real distinction. It may be that if the Soviet Union representative were given the opportunity of spelling out precisely the meaning of this proposal, I might change the position which I am trying honestly to take in an effort to impress upon the Soviet Union the good faith in which we have entered these negotiations; and he may be satisfied, if his interpretation is the same as mine, with the generalizations which I have made and which were made, indeed, by the President of the United States himself when he first introduced his proposal to the United Nations and to the world.

One of the amendments concerns paragraph 5 of part B, which reads as follows:

"Requests the Secretary-General, in consultation with the Advisory Committee referred to in paragraph A 7 of this resolution, to study the question of the relationship of the International Atomic Energy Agency to the United Nations, and to transmit the results of their study to the Governments concerned before the conference referred to in paragraph B 2 of this resolution is convened;"

I realize that we have given the Secretary-General a very important assignment and I have no doubt that he has, himself, given consideration to this very problem. I am sure that he is aware, since he has followed our discussions,

(Mr. Martin, Canada)

of the natural concern on the part of some delegations with regard to this matter. There must be a specialized agency; the routine character of the work to be done seems to suggest that. It need not, in every particular, be the same as other specialized agencies, but obviously it must be somewhat of an independent body in order to carry out its main purpose, having, at the same time, a close relationship with the United Nations. My judgment is that, at the appropriate time, or even now, the Secretary-General might be able to give us some assistance in this regard.

(Mr. Martin, Canada)

I do not suggest he should, unless he is so disposed, but it seems to me that a clarification of this point would be of great value to many of us at this time.

In any event, Mr. Chairman, I want to say that I am sure that under your direction -- and I have great confidence in that direction -- it will be possible for us to resolve the differences, some of which have been approached rather strongly this afternoon, in the hope that we can arrive at a common text, not for the sake of expediency, but for the sake of what this potential organ can do for the world, and we should usher it in with a unanimity and a support that will be not less strong or enthusiastic than our first action in the Political Committee during the ninth session of the General Assembly.

The CHAIRMAN: The representative of Canada has referred to a certain matter and has suggested that the Secretary-General might agree to make a statement on it. I, therefore, call upon the Secretary-General.

The SECRETARY-GENERAL: The question raised by the representative of Canada obviously is not an easy one, and any reply I can give now must necessarily be an improvised one. On the other hand, when I look at the development of this debate I feel that even an improvised and, for that reason, perhaps not a well-considered reply might be more helpful than a reply given tomorrow or somewhat later, a reply which, so to say, would be better prepared. For that reason, I ask for your indulgence to reply at once to the question raised by the representative of Canada.

I remember that the representative of the United Kingdom said that the interpretation of the words "under the aegis of" or "within the framework of the United Nations" is a term about which it is possible to argue for days. That is obviously true. It is equally obvious that I cannot in any way take it upon myself to try to interpret what special significance has been given to that phrase either by those who have proposed its insertion or those who have opposed its insertion in the draft resolution. But, for what it may be worth, I can indicate how I personally would interpret this phrase as part of the terms of reference for me and for the Advisory Committee.

(The Secretary-General)

It seems obvious that in general terms there is agreement that the relationship of the agency should be as close as possible to the United Nations, that is to say, with the proviso, as close as corresponds to the responsibilities of the agency and of the United Nations respectively. That does not take us very far because, of course, this is finally a technical question, but if I try to be more specific, I think one might say that it is obvious that this phrase must mean that the agency should be within the United Nations family, as we call it colloquially, and not less close than that of a specialized agency co-operating with the United Nations in the Administrative Committee on Co-ordination and with the special sub-committee on atomic matters which has been set up.

I do not interpret it as meaning that the agency should necessarily be a specialized agency in the technical sense of the word, that is to say, reporting with the special procedure which has been set up for such a purpose, nor that it should be a division of the United Nations organization proper.

I think that I might sum up what I have said in very much this way: that the agency, if this phrase is accepted, in our considerations in the Advisory Committee or with the Advisory Committee should not be considered, a priori, as a part of the United Nations organization in the narrow sense of the word, but that it should definitely be part of the United Nations system in such a co-operation with the United Nations itself as to guarantee a fruitful co-operation and division of responsibilities.

I might add that I feel that whatever phrase is put into the draft resolution, the last words which I used -- "fruitful co-operation and division of responsibilities" -- will certainly lead to a kind of link between the United Nations, in operative terms, a kind of link between the United Nations and the agency which will differ quite considerably from the one which we have in other cases of specialized agencies.

Thus, in conclusion, I would say that I read the phrase as meaning definitely part of the United Nations system, and not in any sense necessarily part of the United Nations organization.

Mr. KATZ-SUCHY (Poland): Speaking in the general debate in this Committee, the representative of Poland stressed the position of Poland with regard to the problem under discussion by stating that we consider the creation of the agency as an important step towards the development of international co-operation in the field of the peaceful uses of atomic energy. At the same time, we stressed that if this agency is to play a useful role, the role which it could play, its statute must reflect certain principles which would guarantee its character, its proper functioning and its participation in all fields of co-operation between nations with regard to the peaceful uses of atomic energy. Considering the fact that both in the general debate and in the debate on the draft resolutions many problems have been raised by various delegations with regard to the fact that these principles should be applied, we are glad to see that the sponsors of the joint draft resolution have taken into account many of these views and have twice amended their draft resolution in order to obtain the unanimous support of this Committee.

We still consider that all the possibilities of compromise have not been exhausted, and we would join with those who asked, both this morning and this afternoon, for a further effort to find such solutions as would make the draft resolution acceptable to all the members of the Committee. This expressly concerns the amendments which are before the Committee, as well as the remarks which were made by the representative of India.

With regard to the amendments, we consider that the amendments submitted by the delegation of the Soviet Union to the joint draft resolution are a recognition both of the importance of the agency and a desire to find a common solution in the Committee. I believe that these amendments are worded in a manner that makes it possible for them to be accepted with little effort by the sponsors of the draft resolution. The Soviet amendments to the draft resolution first of all deal with the problem of membership. I believe that we all agree with the principle expressed in this amendment that the membership of the agency should be open to all countries which qualify under the terms of the statute, and we consider that the conditions of the statute should derive from the necessities of proper functioning of the agency. No additional difficulties, such as membership of a specialized agency or any other conditions, should be attached.

(Mr. Katz-Suchy, Poland)

We have all stressed, quite often, our desire for universality in the United Nations. I believe that if universality is to be desired in the United Nations, it is more to be desired in an agency which covers such a specific field of co-operation, a field which is in the interest of and the concern of every State and every nation in the world.

With regard to the amendment which states that the Secretary-General and the Advisory Committee should bear in mind that this agency has to be established within the framework of the United Nations, I am greatly surprised that this amendment meets with opposition, and especially surprised that the United States, which has shown in its draft resolution a clear intention to find a common solution, is so intransigent with regard to this phrase.

(Mr. Katz-Suchy, Poland)

I agree with the representative of the United Kingdom that the word "framework" is very indefinite. But I also believe that because it is indefinite that is why it was used. It implies, as the Secretary-General just pointed out, a wide range of relationship from an organ directly subordinated to connexions based on reporting. I think that the terms which have been used by the representative of Canada, that is, "under the aegis of the United Nations", or "should remain in relation with the United Nations", are fully covered by the phrase "within the framework of the United Nations".

I believe that we want to have this agency within the framework of the United Nations. We are given a certain general direction without defining how the establishment within the framework should be finally declared. We leave a lot of space for interpretation. But at the same time we are stressing what has been stressed here several times, and practically by every speaker. We are stressing our concern that a certain minimum guarantee should be maintained for the purpose of having this new agency which is being created, within the framework of the United Nations. I am quite sure that when the representatives of Canada and the United States will again review that phrase, especially after the explanation given by the Secretary-General, they will have no hesitation in accepting it.

Particularly in this room, in this building and in this Assembly, we should have no fear of putting an agency, an organization which is being created through the efforts of the United Nations, with the United Nations dealing with the problem from many angles, within the framework of the United Nations.

I must admit that I was also surprised at the opposition of the United States representative, after having heard his own way of putting the problem of membership, because you really cannot have it one way and then another way. In opposing the first Soviet amendment with regard to membership, the United States representative said that he wants a limited membership because it has to be within the framework of the membership of the United Nations. But when he comes to the sentence about the agency and about directing the Secretary-General to study the problem in such a manner so that it should remain within the agency, he hesitates in accepting that.

(Mr. Katz-Suchy, Poland)

I am quite sure that Mr. Pastore and Mr. Martin -- and we all recognize and appreciate Mr. Martin's role in trying to reach a unanimous solution -- will make further efforts to find a possibility of including those amendments in the resolution, in one way or another. Although there are USSR amendments here, the desire both for broad membership and for a link with the United Nations, has been stressed by practically every speaker.

I am also convinced that the sponsors of the draft resolution will take into consideration the point raised by the representative of India, because it is also not clear to my delegation or to anybody else as to what the sentence concerning the conference and the tasks of the conference really mean. We have already been faced with such a situation and that is all the more reason to be cautious. We have already been faced, not so long ago, with a conference concerning which the Assembly was simply called upon to rubber-stamp a decision. Therefore, more caution has to be taken not to have expressions which leave any doubt. If this is not the intention of the authors, then all the more reason to remove any ambiguous language.

My delegation will also support the amendment submitted by Pakistan, the Philippines and Czechoslovakia. We have already stressed the need for special concern about the future statute of the agency as regards the under-developed countries. We have stressed their special interest and we are very anxious to see that no distinction with regard to possessing countries and non-possessing countries, developed countries and non-developed countries, is made in the appointment of the preparatory group, if I may call it that. I think that there should be no fear with regard to the membership of the preparatory group being enlarged.

We know that they will not be a group of scientists working under some clear mathematical definitions. It will be more of a group where probably political, legal and scientific problems will be linked, and therefore even under-developed countries -- under-developed within the general meaning, or not developed in the field of the peaceful uses of atomic energy -- can play an important role in the preparations. I do not really see why an increase in the membership of the preparatory group, as is being demanded by Czechoslovakia,

(Mr. Katz-Suchy, Poland)

to cover other countries than those enumerated in the draft resolution, among them under-developed countries, should not be accepted. Contrary to the opinions which have been expressed here by the representatives of Israel and others, I believe that such an inclusion would help to prepare a better statute. If the efforts of developed and under-developed countries, of those which already possess great achievements in this field and of those which are only making the first steps, can be linked, there would result a much better draft than would otherwise be adopted.

As I stated at the beginning, I am convinced that we can avoid any division here, both as regards amendments and resolutions. I am sure that a little more effort will be sought to find such solutions which will take into consideration all the views expressed and which will really meet all sides half-way. I am sure that if they will be sought, they will be found.

Mr. INGLES (Philippines): As a co-sponsor of the draft amendment standing in the name of Pakistan and the Philippines, I feel that it is incumbent upon my delegation to give the Committee its immediate reaction to the appeal made by several representatives to the effect that we should withdraw our draft amendment. One argument seems to take the line that the purpose of our amendment will undoubtedly be taken into account by the sponsoring Powers and that the further discussion of our amendment will only serve to delay our deliberations and hence the establishment of the agency.

Despite the eloquence of the representative of Peru who developed this argument, my delegation does not see its way clear to accepting this point of view. It was only during the course of our debates, yesterday to be exact, that the sponsoring Powers announced the extension of invitations to four more countries to participate as Governments concerned with the present sponsoring Governments in negotiations on the draft statute of an international atomic energy agency.

The representative of the United States stated that these four Powers will participate in the discussions with the sponsoring Powers, which will take place in December of this year. It is clear, therefore, that it is not too late for the sponsoring Governments to invite other countries to participate with them in negotiations on the draft statute. It is not seen how or in what manner **further** invitations which may be made before December to the countries such as those suggested by the draft amendment of Pakistan and the Philippines would delay the establishment of the agency.

Another argument seems to be that the Committee must draw the line somewhere regarding the membership of the sponsoring group and that the limit should be fixed at twelve. This view seems to be shared by the representatives of the United States, the United Kingdom and Canada. The representative of the United States has told us that the present number of twelve sponsoring Governments already represents an efficient and representative mechanism. With all respect to his opinion, my delegation does not see how the addition of two or three more States to the group will make it less efficient, or less representative for that matter. On the contrary, it would, in our view, be more representative in character and, to that extent, better and more truly reflect the thinking of

(Mr. Ingles, Philippines)

the large group of under-developed countries whose representatives have expressed an interest in the agency and participated in our discussions. The original choice of eight members as the sponsoring Governments and even the subsequent expansion of this group to twelve members cannot but be an arbitrary choice; and surely fifteen could not be more arbitrary than eight or twelve.

I fully agree with the representative of Peru that the general concensus in the Committee seems to be in favour of having under-developed countries represented on the governing body of the agency. As a matter of fact, the representative of the United States, in behalf of the sponsoring Governments, has given us the assurance of representation on the governing body of the agency of the States which will be primarily beneficiaries of rather than contributors to the agency. If we follow this principle to its logical conclusion, it stands to reason that the sponsoring Governments, who may now be classed mainly as contributors to the agency, should also find it useful to invite some of the under-developed countries, ultimate beneficiaries of the agency, to participate as Governments concerned in the negotiations leading to the establishment of the agency. If the democratic principle is to be observed, the small and under-developed countries should be given a broader role than that presently envisaged for them, namely, that of giving comments on the draft statute or of being invited to participate in the general conference on the final text of the statute.

It is generally realized that the needs of the contributing Powers have to be taken into **account**. But this does not necessarily exclude the possibility of taking into account also the needs of the receiving Powers. That is why the delegations of Pakistan and the Philippines believe that some under-developed countries who may not at present have atomic materials and advanced scientific knowledge and equipment should participate in the negotiations as Governments concerned now being conducted by the sponsoring Powers. Together with the sponsoring Powers, they will be in a position to study carefully the suggestions made during the present debates, as well as the comments which will be submitted directly by Governments.

I gathered from the statement of the representative of the United States that the sponsoring Governments will act as a screening body to consider the different suggestions which have been submitted not only before this Committee but also comments of Governments to be incorporated in the draft statute before it is submitted to the general conference. If the drafting of the statute of the international atomic energy agency is really to be an international undertaking, there should be no ground for excluding under-developed countries not presently possessing atomic materials and atomic "know-how" from participating as Governments concerned with the present sponsoring Governments in the current negotiations on the draft statute. Otherwise, the steps envisaged in the draft resolution submitted by the seventeen Powers would not truly reflect the strong and overwhelming sentiment expressed in the Committee that the proposed international atomic energy agency should be established on a wider and more representative basis. These should include not only the final steps in the formulation of that agency but also the initial and intermediate stages in its founding and establishment.

(Mr. Ingles, Philippines)

If I may use the language employed by several representatives, the agency should be set up on a universal democratic basis, and it should embody the common and equal interest of all countries; it shall be a partnership between those possessing atomic materials and "know-how" and those who do not. More than that, the Committee seems to have agreed that the agency should represent the various interests and in particular the different areas of the world.

As regards the remarks made by the representative of Israel, my delegation is of the opinion that he has provided the answer to his own charge that the proposal of the delegations of Pakistan and the Philippines tends to be exclusive in character. If I understood him correctly, he made the statement that many of the countries whose contribution would be intellectual in character are already represented among the sponsoring Governments. Therefore, there could be no reason for the charge that countries whose contributions would be intellectual in character have been or would be excluded from among the group of sponsoring Governments. On the contrary, the charge of exclusivity would stand against the draft resolution submitted by the **eighteen Powers** if it is not amended because it would exclude under-developed countries whose inclusion in the negotiating group is precisely what is advocated by our draft amendment. Thus the present membership of the sponsoring or negotiating group might be said to be a **closed corporation of the "have"** countries in the atomic field to the exclusion of the "have-not" countries in the same field.

A word about the amendment submitted to our amendment by the Czechoslovak delegation. The representative of Pakistan mentioned the fact that our amendment was inspired in part by the amendment submitted by India in which it is suggested that the group of the sponsoring countries be "established on an expanded basis". The Indian amendment, however, does not exactly embody our idea. For example, the sponsoring Governments have already extended invitations to four additional countries. It can be said that that would perhaps satisfy the Indian delegation on the ground that the group of sponsoring Governments **has** really been expanded. However, such expansion

(Mr. Ingles, Philippines)

does not meet the desire or the wishes of the delegations of Pakistan and the Philippines who wish to see under-developed countries which do not possess at present atomic materials and atomic knowledge brought into the negotiating group. From what we have said, and without touching on the merits or demerits of the Czechoslovak draft amendment, it follows that my delegation at least is not in a position to accept the Czechoslovak amendment lest the objective of our draft amendment be obscured or relegated to a secondary position. Having said this, I join the delegation of Pakistan in urging the Committee to give further consideration to our draft amendment.

The CHAIRMAN: As no other representative wishes to speak, there are one or two matters which I think I should mention to the Committee.

The representative of India raised the question of the effect of the lodging of an amendment on the voting. I wish to repeat that I regard that matter as one in my discretion, and that I have the power, and will exercise it in cases where I think it is proper, to hold the voting even though the amendments have been presented in so short a time, in a few hours before the actual putting of the matter to the vote.

I am also indebted to the representative of India that he did not ask for an adjournment today because of the fact that he is absent from the meeting. Indeed, had I been asked to put this matter to the vote today, I would have left it to the discretion of the Committee. I have already had the presumption to urge upon the Committee my hope that we shall achieve unanimity. It may be indeed that some representatives on reflection may feel that they have achieved their purpose by the strong expression of opinion which they have made today.

Finally, may I say to the Committee in all seriousness that sometimes delays by their very nature can jeopardize our hopes of unanimity. I say that with a proper sense of seriousness which I know is possessed by every member here. We shall meet again tomorrow at 3 p.m.

The meeting rose at 6.15 p.m.