

CD/PV.37  
28 June 1979  
ENGLISH

FINAL RECORD OF THE THIRTY-SEVENTH MEETING

held at the Palais des Nations, Geneva,  
on Thursday, 28 June 1979, at 10.30 a.m. and 3 p.m.

Chairman:

Mr. C.A. DE SOUZA E SILVA

(Brazil)

## PRESENT AT THE TABLE

Algeria: Mr. A. BENSMAIL

Argentina: Mr. A. DUMONT  
Miss N. FREYRE PENABAD  
Mr. C.A. PASSALACQUA

Australia: Mr. A. BEHM  
Ms. M. WICKES

Belgium: Mr. G. VAN DUYSE

Brazil: Mr. C.A. DE SOUZA E SILVA

Bulgaria: Mr. P. VOUTOV  
Mr. I. SOTIROV  
Mr. C. HALACHEV

Burma: U THEIN AUNG

Canada: Mr. J.T. SIMARD

Cuba: Mrs. V.B. JACKIEWICH

Czechoslovakia: Mr. M. RŮŽEK  
Mr. V. TYLNER

Egypt: Mr. O. EL-SHAFEI  
Mr. M. EL-BARADEI  
Mr. N. FAHMY

Ethiopia: Mr. T. TERREFE  
Mr. F.M. TSEHAI

France: Mr. F. DE LA GORCE  
Mr. M. COUTHURES

German Democratic Republic: Mr. G. HERDER  
Mr. W. KOETTER  
Mr. M. GRACZYNSKI

Germany, Federal Republic of: Mr. J. PÖHLMANN  
Mr. H. MÜLLER

Hungary: Mr. H. DOMOKOS  
Mr. C. GYÖRFFY

India: Mr. C.R. GHAREKHAN  
Mr. S.T. DEVARE

Indonesia: Mr. H. SIDIK  
Mr. D.B. SULEMAN

Iran: Mr. D. AMERI

Italy: Mr. C. FRATESCHI  
Mr. FOLCO DE LUCA

Japan: Mr. M. OGISO  
Mr. T. NONOYAMA  
Mr. T. IWANAMI  
Mr. R. ISHII

Kenya: Mr. S. SHITEMI  
Mr. A. JET ODENDO

Mexico: Mr. A. GARCÍA ROBLES  
Miss A. CABRERA

Mongolia: Mr. D. ERDENBILEG  
Mr. L. BAYART

Morocco: Mr. M. HAOULAININE

Netherlands: Mr. A.J. MEERBURG

Nigeria: Mr. T.O. OLUMOKO

Pakistan: Mr. J.K.A. MARKER

Peru: Mr. J. AURICH MONTERO

Poland:  
Mr. B. SUJKA  
Mr. H. PAĆ  
Mr. M. KRUCZYK

Romania:  
Mr. C. IENE  
Mr. V. TUDOR

Sri Lanka:  
Mr. I.B. FONSEKA

Sweden:  
Mr. C. LIDGARD  
Mr. S. STROMBÄCK

Union of Soviet Socialist  
Republics:  
Mr. V.L. ISSRAELYAN  
Mr. N.V. PESTEREV  
Mr. A.I. TIOURENKOV  
Mr. H.G. ANTIUKHIN  
Mr. V.P. PERFILIEV  
Mr. A.M. VAVILOV

United Kingdom:  
Mr. N.H. MARSHALL  
Mr. P.M.W. FRANCIS

United States of America:  
Mr. A.S. FISHER  
Mr. C.C. FLOWERREE  
Mr. D. KOELEMAY  
Mr. T. BARTHELEMY  
Mr. R. WEEKLEY  
Mr. W. DUNLOP

Venezuela:  
Mr. A.R. TAYLHARDAT  
Mrs. R.L. DE NECER

Yugoslavia:

Mr. D. DJOKIĆ

Zaire:

Mr. KAMANDA WA KAMANDA

Mr. E. NULONGANDUSU

Secretary of the Committee  
on Disarmament, Personal  
Representative of the  
Secretary-General:

Mr. R. JAIPAL

NON-MEMBER COUNTRIES

Viet Nam:<sup>1/</sup>

Mr. VO ANH TUAN

Mr. TRUONG QUAN PHAN

Mr. PHAM NGAC

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<sup>1/</sup> By decision of the Committee on Disarmament of 25 June 1979  
(see CD/PV.35, page 5).

The CHAIRMAN: For the consideration of this item, at the request of the delegation of Pakistan, we have distributed document CD/25 as well as an informal paper concerning the establishment of an ad hoc group to consider and negotiate the item on our agenda. This informal paper will be dealt with during the next informal meeting of the Committee.

Mr. EL-SHAFEI (Egypt): Mr. Chairman, I should like to welcome you and convey my sincere and deeply-felt sentiments on your designation as the head of the delegation of Brazil and on your assumption of the chairmanship of the Committee on Disarmament. Events in the last two weeks have put your abilities to the test and I can confidently say that your experience, diligence and impartiality were a determining factor in the early agreement on our programme of work for this part of the session.

I would also like to extend a warm welcome to the new heads of delegations who have joined us of late, Sir James Plimsoll, Ambassador of Australia, Ambassador Alberto Dumont of Argentina, Ambassador Kazem Radjavi of the Islamic Republic of Iran, and Ambassador Felipe Valdivieso of Peru.

Much of the first session of this multilateral disarmament negotiating forum was spent on procedural and organizational matters. Little attention has been given so far to the fulfilling of the basic mandate of this Committee, namely, the negotiation of disarmament measures. We would like to believe that the Committee is about to come to grips with the items on its agenda and to move from the periphery to the heart of the issues, thus performing the task and discharging the responsibility, entrusted to it by the international community in the Final Document of the first special session of the General Assembly devoted to disarmament.

Paragraph 47 of the Final Document states that "Nuclear weapons pose the greatest danger to mankind and to the survival of civilization. It is essential to halt and reserve the nuclear arms race in all its aspects".

Paragraph 48 states further that "In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility."

It is in this light that we take note with satisfaction of the conclusion of the second series of strategic arms limitation talks (SALT II) between the United States and the USSR. We cannot fail to express the hope that this agreement will be a step

(Mr. El-Shafci, Egypt)

in a process which is leading to a significant qualitative limitations and major reductions of strategic arms. Equally important is the impetus it should generate for further measures in the field of nuclear disarmament and other related measures.

We therefore would like to stress the commitment expressed by the leaders of the two signatories in their joint communiqué of 18 June "to take major steps to limit nuclear weapons with the objective of ultimately eliminating them, and to complete successfully other arms limitation and disarmament negotiations". We hope and expect that this commitment will find its expression and yield its results in concrete and significant measures to be negotiated by this Committee.

Basing itself on the provisions of the final document, my delegation's approach to the item under consideration, namely, "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" is predicated on the following assumptions:

A. The most effective guarantee against the danger of nuclear war and the use of nuclear weapons is nuclear disarmament and the complete elimination of nuclear weapons. No other measure -- important as it may be in the gradual process -- can serve as a substitute for nuclear disarmament or render it less urgent.

B. Nuclear-weapon States have a special responsibility to undertake measures aimed at preventing the outbreak of nuclear war and the use of nuclear weapons. It is pertinent to recall in this connexion resolution 33/71 B, in which the General Assembly declared the use of nuclear weapons to be a crime against humanity, and requested all States, particularly the nuclear-weapon States, to submit proposals concerning the non-use of nuclear weapons, avoidance of nuclear war and related matters, in order that the question of an international convention or some other agreement on the subject could be discussed at the coming thirty-fourth session.

C. The obligation not to use or threaten to use nuclear weapons against non-nuclear-weapon States is intimately related to and closely linked with efforts to prevent the proliferation of nuclear weapons and to consolidate the NPT régime. In fact it falls squarely within the obligations incurred by the nuclear-weapon

(Mr. El-Shafei, Egypt)

States under article 6 of the NPT. Furthermore, the undertaking by the nuclear-weapon States to refrain from the use or threat of use of nuclear weapons is a cornerstone of the effort to establish nuclear-weapon-free zones in various parts of the world -- an effort the importance of which my delegation cannot overemphasize as a nuclear disarmament measure.

It is against this background that my delegation welcomed and supported both parts of resolution 33/72. Both parts of the resolution in different phraseology aim at the same basic objective, namely, that the Committee on Disarmament should consider the conclusion of an international convention on the subject, as well as other effective international measures.

We would like to express our appreciation to the delegation of Pakistan, as well as the delegations of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland and the Union of Soviet Socialist Republics for their initiative in presenting this Committee with the draft texts of international conventions in documents CD/10 and CD/23 respectively.

At this initial stage of our consideration of this item my delegation would limit itself to some preliminary though basic remarks:

A. Any assurances have to be credible in order to be effective. They should be uniform in their scope, unconditional in their application and adhered to by all nuclear-weapon States. The fulfilment of these conditions at this stage rests exclusively with the nuclear-weapon Powers. In his excellent analysis, Ambassador Fein of the Netherlands has indicated that a common approach and formula can realistically be found, and that a solution is indeed possible. We wish to concur with his remarks.

B. Any assurances in order to be credible and effective have to be contractually and legally binding. Declarations of intention -- noteworthy as they may be -- cannot overshadow the value and importance of a contractual obligation entered into in a solemnly binding manner in accordance with the law of treaties. While my delegation does not exclude other types of arrangements which meet the above criteria, including a binding decision by the Security Council, and which could



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possibly complement and reinforce each other, it seems to us that an international convention on this issue is the most adequate form to meet the requirements of credibility, effectiveness and uniformity.

My delegation will follow the consideration of this item in this Committee with all the attention and seriousness it deserves, and believes that the establishment of an ad hoc working group as proposed by the delegation of Pakistan is a well-merited proposal to which we lend our support.

Mr. TAYLHARDAT (Venezuela) (translated from Spanish): As this is my first formal statement during the second part of our annual session of the Committee on Disarmament, I wish to begin by welcoming, on behalf of the delegation of Venezuela, the representatives of Argentina, Australia, Iran and you, Mr. Chairman, as the new representative of Brazil.

I also wish to express my delegation's gratification at the fact that you are presiding over our Committee during this month. You have already given proof of your outstanding ability to perform this function with all the calmness, competence and firmness that are needed. My delegation offers you its fullest collaboration in all that may contribute to the success which we are confident your chairmanship will achieve.

The non-nuclear-weapon countries' requirement that the nuclear-weapon countries should offer them suitable guarantees against the use or the threat of use of these weapons was formulated at the same time as the initiative to conclude the Treaty on the Non-proliferation of Nuclear Weapons, as a logical consequence of the commitment entered into in that instrument by the non-nuclear-weapon States not to receive the transfer from any transferor ~~whatsoever~~ of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly. That undertaking, reflected in article II of the Treaty, also involves the obligation not to manufacture, acquire, seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

There is, however, no suitable counterpart to this undertaking, such as the assurance by the nuclear-weapon States that they would not use these arms against those who voluntarily renounced them.

For 10 years the non-nuclear-weapon States have been urging, with little success, that this assurance should be offered to them and that the balance in the obligations established in the Non-proliferation Treaty should be restored.

(Mr. Taylhardat, Venezuela)

There is no need to recapitulate the history of the efforts made to date, starting with the holding of the Conference of Non-Nuclear-Weapon States on 29 August 1968, exactly one month after the Non-Proliferation Treaty was opened for signature, continuing with the adoption of resolution 255 by the Security Council -- also in 1968 -- with the Review Conference of the Parties to the Non-Proliferation Treaty held three years ago, with resolution 3261 G, adopted at the twenty-ninth session, with resolution 109 C, adopted at the thirty-first session, with the special session devoted to disarmament, paragraph 59 of whose Final Document, calls upon the nuclear-weapon States to conclude effective arrangements to assure non-nuclear-weapon States, and extending up to the last General Assembly which adopted two specific resolutions on this question and referred to the Committee all the documentation relating to the item with the request that it should examine the draft conventions submitted by the Soviet Union and by Pakistan.

I wish, at this point in my statement, to pay tribute, on one hand, to Pakistan -- a country which during these 10 years of effort has waged a tireless struggle on this question -- and, on the other, to the Soviet Union for requesting the inclusion of the item at the Assembly's thirty-third session, thus focusing attention and orienting discussion of the problem towards the question of the conclusion of an international convention.

As the Committee on Disarmament embarked upon consideration of this item, entitled in its agenda "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", I should like to express the point of view of my delegation on a number of its aspects.

In the first place, the delegation of Venezuela agrees with the view of many of the members of the Committee that the only real and effective assurance that the non-nuclear-weapon countries may be able to obtain that these arms will not be used against them can be achieved solely by nuclear disarmament, in other words, the prohibition of nuclear weapons and the complete elimination of nuclear arsenals. While this goal, which is one of the priority targets set by the special session of the General Assembly in its Final Document, is being attained, the only course is to abide by the "negative guarantees" solution, which at least has the merit of restoring the balance of the obligations contained in the Non-Proliferation Treaty.

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My delegation also agrees with the delegations of the other countries which consider that if the "negative guarantees" are to be meaningful and effective, they must be incorporated in a binding international instrument.

We are aware that there are some countries, among the members of the Committee, which are opposed to this solution and reject the idea of a binding instrument, whether it is called a treaty, convention, agreement, etc. These countries consider the unilateral declarations made on the occasion of the special session devoted to disarmament to be sufficient. As far as Venezuela is concerned, we appreciate these unilateral declarations, consider them to be very important and sincerely recognize that the fact that they were made is a considerable relief to us. Nevertheless, we cannot feel satisfied, and in this we also agree with the great majority of the Member States of the United Nations which consider that unilateral declarations lack binding force, and that a legally binding contractual obligation continues to be preferable.

During the discussion of this question in the General Assembly, one of the countries which objects to the idea of a convention asserted that a declaration solemnly formulated by a head of State was not something that was undertaken lightly and without prior consideration of all the repercussions and obligations it implied. The same country stated that the question could certainly be raised why, if the effect of that declaration was important and binding, was it not agreed to give it a contractual form? According to that country, the answer is that it is not possible because the declarations made by the five nuclear-weapon Powers vary considerably as regards their content and scope and there is little likelihood of merging them into a single formula.

However, this is precisely one of the aspects of the unilateral declarations that is of the greatest concern to the non-nuclear-weapon countries: the fact that the declarations made by the nuclear-weapon Powers vary as regards their content and scope makes it even more imperative to find this single formula. The individual unilateral declarations of the nuclear-weapon States have clearly not achieved the desired objective. Taken separately, some are satisfactory, but others are clearly restrictive and conditional.

We do not believe that it is impossible to find a formula which can be accepted by all the nuclear-weapon Powers. Since the first step has already been taken, we think that it would not be so difficult to take the second, which would consist of elaborating a single formula which is generally acceptable and which

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satisfies the requirements both of the nuclear-weapon Powers and of the non-nuclear-weapon countries.

The proof that it is possible, given the political will, is offered by Additional Protocol II to the Treaty of Tlatelolco, in which the nuclear-weapon Powers obtained from the countries forming the nuclear-weapon-free zone in Latin America, an undertaking similar to the one which they are now being asked to agree to in respect of all the non-nuclear-weapon countries.

In view of all these considerations, my delegation is in favour of the Committee on Disarmament beginning, as soon as possible, negotiations on a binding international instrument which will assure non-nuclear-weapon States against the use or threat of use of these arms. My delegation considers that the drafts circulated by the delegations of Pakistan and the Soviet Union provide a suitable basis for embarking upon these negotiations. Consequently, it would be desirable for the Committee to decide which institutional machinery it wishes to use in order to undertake these negotiations. A proposal in this regard has already been submitted -- for the establishment of an open-ended informal working group. My delegation would prefer an ad hoc working group, set up under rule 23 of the Rules of Procedure, and has a flexible attitude to the terms of reference or mandate which should be given to it, provided that the ultimate objective assigned to it is that it should enter, as early as possible, into concrete negotiations leading to the elaboration of a binding international instrument.

Mr. BENSMAIL (Algeria) (translated from French): Mr. Chairman, as I am taking the floor for the first time during a formal meeting of the Committee this month, I wish to perform the pleasant duty of welcoming you here among us and congratulating you on your assumption of the post of Chairman of our Committee. Having had the privilege of working with you at the United Nations in New York for several years, I am not surprised to see you directing our work with the same talent and efficiency, and I have no doubt that, under your leadership, we will succeed in our task. I should also like to take this opportunity to welcome among us the new representatives of Argentina, Australia and Iran, and to assure them of the wholehearted co-operation of my delegation.

In adopting its programme of work for the second part of the session, the Committee on Disarmament has decided to devote a week to the examination of the question of "Effective international arrangements to assure non-nuclear-weapon States

(Mr. Bensmail, Algeria)

against the use or threat of use of nuclear weapons". We are glad of this, because in so doing, our Committee has complied with the wishes expressed by the General Assembly at its tenth special session and at its thirty-third regular session. My delegation welcomes this all the more since it has always attached special importance to this problem. The position of my country on this question has been explained on many occasions, both in the Security Council in 1968 and in the General Assembly, so that at this stage I shall simply recapitulate it.

First, it should be remembered that the General Assembly, in the Final Document adopted at the end of its tenth special session, clearly recognized that nuclear weapons are the greatest threat to mankind and the survival of civilization. In so doing, the special session of the Assembly categorically stated that priority in disarmament negotiations must be accorded to the elimination of nuclear arsenals, thus placing a special responsibility on those States possessing nuclear weapons. This is why we continue to believe that only nuclear disarmament through cessation of the production of nuclear weapons and destruction of all existing stocks constitutes a complete and real guarantee against the nuclear threat. However, aware of the complexity of these negotiations and of the time they may take, and therefore of the difficulty of attaining the objective of nuclear disarmament, we consider, together with the international community as a whole, that in the meantime all efforts should be directed towards the prohibition of the use of nuclear weapons, the prevention of nuclear warfare and the elaboration of effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

On the subject of these assurances, I should like to reaffirm that, in our opinion, nuclear-weapon States have an obligation to assure the security of non-nuclear-weapon States unconditionally and without restriction. Moreover, these security guarantees, however adequate they may be, cannot in our opinion banish the nuclear danger. That is why they must be accompanied by an undertaking on the part of the nuclear-weapon Powers to take effective nuclear disarmament measures.

(Mr. Bensmail, Algeria)

We are all aware of the strong reservations that this requirement aroused among the nuclear-weapon Powers. These reservations were clearly brought out during the adoption by the Security Council of resolution 255 (1968). And I would remind you in this respect, that Algeria, which was then a member of the Security Council, expressed reservations and abstained from the vote on this resolution.

Indeed, Security Council resolution 255 (1968) and the relevant declarations on security guarantees are insufficient, for they stop short of what seems to us vital for our security. Firstly, this resolution does not provide for any special procedure to deal with nuclear aggression. What is more, it cannot be applied so long as the club of nuclear weapon Powers consists of the permanent members of the Security Council which enjoy the right to veto any Council decision. In addition, no special procedure other than that laid down in Chapter VII of the Charter is envisaged in this resolution. Any decision pertaining to the assistance to be rendered to a nation attacked with nuclear weapons must therefore be approved by all the permanent members of the Security Council which are also the nuclear-weapon Powers. As only these Powers would be able to use nuclear weapons, it is unthinkable that, as aggressors, they would agree to collective action being taken against themselves.

In other words, this resolution has been without any practical value from the beginning, because it failed to take into account the legitimate concerns of the non-nuclear-weapon States. At the tenth special session, these concerns once again encountered the same reservations, which are reflected in the restrictions contained in the declarations of certain nuclear-weapon Powers. For example, in paragraph 59 of the Final Document the nuclear-weapon Powers are called upon "to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" and to break away from the approach that had previously prevailed.

At its thirty-third session, the General Assembly took a first step towards the application of paragraph 59 by adopting the two resolutions submitted by the USSR and Pakistan. It is encouraging that one of the two major nuclear-weapon Powers, namely, the USSR, should have taken the initiative in promoting the application of this essential provision of the Final Document. Pakistan is also to be congratulated on having stubbornly persevered in its efforts aimed at the establishment of a

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framework of internationally binding undertakings to meet the legitimate demands of the non-nuclear-weapon States and to set up an adequate system of security guarantees.

Our Committee has before it two draft conventions on this subject -- one submitted by Pakistan and the other by a number of socialist States. Without wishing to examine these drafts in detail, we feel that we must make the following preliminary points:

Firstly, the guarantees must be applicable to all non-nuclear-weapon States, without any conditions or restrictions -- and particularly to the non-aligned States which have voluntarily kept aloof from military blocs. The problem posed by countries on whose territory nuclear weapons are deployed must be solved by the dismantling of military alliances that have been built up around the major nuclear-weapon Powers.

Next, positive guarantees should be envisaged for non-nuclear-weapon States victims of the use or threat of use of nuclear weapons by one of the five nuclear-weapon Powers or by a Power not a member of the Security Council. In the latter case, the Security Council could perform its role, as its action would not be paralysed by an automatic veto.

Finally, security guarantees, both positive and negative, must be accompanied by effective measures leading to nuclear disarmament, which remains the only real complete guarantee.

These are the points which my delegation wanted to make at this stage of the consideration of the problem. It goes without saying that it intends to take an active part in the work of any subsidiary body which our Committee may see fit to set up to continue the study of this problem, to which it will make its modest contribution.

Mr. MARKER (Pakistan): Mr. Chairman, the Pakistan delegation joins other delegations on this Committee in congratulating you on your assumption of the chair for this month. The initiative and the diplomatic skill with which you have guided our deliberations is an assurance of the continued success of our work, and renders the congratulations of my delegation as something much more than a formal expression of good will. My delegation would also like to welcome to this Committee Ambassador Alberto Dumont of Argentina, Ambassador Sir James Plimsoll of Australia and Ambassador Kazem Radjavi of the Islamic Republic of Iran. The presence of this distinguished galaxy of diplomats is welcome not only because of the continuing importance that their respective Governments attach to the Committee on Disarmament, but also because the work of this Committee will be greatly enriched by their presence and their wide and varied experience.

(Mr. Marker, Pakistan)

My delegation has listened with great care and attention to the statements made by the various members of this Committee who participated in the debate on the subject of security guarantees last Tuesday and also today. We are extremely cognizant of the comments made upon this important issue in general, and on the Pakistan delegation's working papers in particular. I remain convinced that the wealth of documentation and ideas that our Committee has now acquired on this subject will enable us, through an ad hoc working group, or whatever other negotiating mechanism we may devise, to arrive at some positive results on the subject of security guarantees. I shall not, therefore, go over the arguments which my delegation advanced in my earlier interventions, particularly when we introduced document CD/10 on 19 April 1979.

Today, I wish to address my remarks, with your permission, Mr. Chairman, to some of the valid observations contained in the statements which we heard on the subject so far and, in particular, to those expressed by the distinguished representatives of Hungary, the USSR, Belgium, Sweden and the Netherlands. In the first place, I should like to reiterate, with every possible emphasis, that Pakistan believes that complete security against the nuclear threat can be achieved only through nuclear disarmament and the total elimination of nuclear weapons. However, until this comes about, it is necessary to reassure the non-nuclear-weapon States that they are not left exposed to the threat of nuclear weapons. This is essential, not only from the point of view of the legitimate national security concerns of the non-nuclear-weapon States themselves, but also because such an assurance constitutes a formidable deterrent to nuclear proliferation, and would thereby help to promote nuclear disarmament. As you are aware, General Assembly resolution 1653 (XVI) stated that the use of nuclear weapons is contrary to the aims of the United Nations, that it is a direct violation of the Charter, and contrary to the rules of international law and the laws of humanity.

I crave your indulgence, Mr. Chairman, and that of the Committee, for referring to some of the considerations which were presented in the past to this issue, but I think they may have some bearing on our present discussions. During the consideration of the Non-Proliferation Treaty, the three nuclear-weapon Powers parties to that Treaty promoted the adoption of Security Council resolution 255 (1968), which noted their intention to come to the assistance of non-nuclear-weapon States parties to the Non-Proliferation Treaty in the case of a nuclear attack or a threat



(Mr. Marker, Pakistan)

against them. The non-nuclear-weapon States represented in the Security Council at that time, namely, Algeria, Brazil, India and Pakistan, pointed out that the offers of assistance against nuclear "aggression" lacked credibility since they were merely statements of intention and not commitments. The assistance to be provided was subject to veto in the Security Council, it was to extend only to those non-nuclear-weapon States which were parties to the Non-Proliferation Treaty, and, in any case, the kind of obligations offered under resolution 255 (1968) already existed under Article 51 of the Charter.

At the Conference of Non-Nuclear-Weapon States which was convened in Geneva over a decade ago, a number of proposals were considered on the subject of security assurances, but no consensus could be reached. Similarly, at the last Non-Proliferation Treaty Review Conference, the non-nuclear-weapon States submitted a draft protocol to the Non-Proliferation Treaty which proposed that the nuclear-weapon Powers should extend guarantees of protection against a nuclear threat or attack to non-nuclear-weapon States parties to the Non-Proliferation Treaty, and should undertake not to use or threaten to use nuclear weapons against them. Unfortunately, this proposal did not even receive a cursory examination at the Review Conference. Since then, Pakistan has persisted, in various international forums, to seek a formulation which would find general acceptance among the nuclear-weapon as well as the non-nuclear-weapon States, and we were, therefore, very gratified when the General Assembly adopted resolution 31/189 C recommending a formula for security guarantees to non-nuclear-weapon States.

At the special session devoted to disarmament, Pakistan welcomed the unilateral declarations made by the nuclear-weapon States on the subject of security guarantees to non-nuclear-weapon States. Nevertheless, as we pointed out at that time, these declarations, with one exception, were so hedged about with restrictions and conditions as to make their impact on the security of non-nuclear-weapon States less than meaningful. To be credible, the unilateral declarations made by the nuclear-weapon Powers at the special session should be reconciled, and invested with binding force in a legal instrument. This is how we interpret the appeal contained in paragraph 59 of the Final Document, for we can really find no good or valid reason, either political or technical, why the nuclear-weapon Powers cannot undertake to abjure the use or threat of use of nuclear weapons against non-nuclear-weapon States.

(Mr. Marker, Pakistan)

The distinguished delegate of the Netherlands, in his intervention at our last meeting, made an interesting juxtaposition of the statements that have emanated from the major nuclear-weapon Powers, and in doing so Ambassador Fein made, as usual, a significant contribution to the progress of our work. I propose to continue a similar exercise, and will endeavour to place before the Committee Pakistan's version of the ariana and its variations. Pakistan's position is that all the non-nuclear-weapon States should be covered by the guarantees against the use or threat of use of nuclear weapons. However, only one nuclear-weapon Power -- the People's Republic of China -- has extended such an assurance. All the other formulations are conditional, qualified, and less than universal. We are, of course, familiar with the Soviet formula for negative guarantees that was advanced as long ago as 1966 by Mr. Alexei Kosygin, the Prime Minister of the Soviet Union. As far as Pakistan is concerned, this formulation covers our national concerns, since we neither produce nuclear weapons nor do we have them on our territory. But security assurances, if they are to be meaningful, must be obtained from all the nuclear-weapon Powers, and it is no secret to the members of this Committee that the Soviet formulation poses fundamental difficulties for some other States, which maintain that a disarmament measure should not diminish the security of any State. The other major nuclear-weapon Powers also reserve the right to use nuclear weapons against non-nuclear-weapon States of the opposing alliance because of the alleged inferiority of their conventional arsenals. The declarations made by the United States and the United Kingdom, during the special session on disarmament, reflected this position, and are, therefore, from our point of view, less satisfactory than the Soviet formulation. We are not clear which non-nuclear-weapon States are eligible for the guarantees extended by these declarations. While a non-nuclear-weapon State in "alliance" with a nuclear-weapon Power may be known, one that is "associated" with a nuclear-weapon State may sometimes remain anonymous.

Pakistan does not endorse the strategic doctrine that relies upon nuclear weapons for self-defence, but we also recognize that this doctrine of deterrence is, in fact, the prevalent reality which exists between the two major military alliances in the world today, and since both these alliances do not exclude the possibility of a nuclear strike against a non-nuclear-weapon State of the opposing bloc, the basic difficulty of finding a suitable formulation for negative security

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assurances has remained manifest. We believe, however, that the formula for negative security assurances adopted in General Assembly resolution 31/189 C goes a long way towards removing this difficulty and, in adopting this formulation in our working paper before this Committee, we are inviting the nuclear-weapon Powers to consider undertaking not to use or threaten to use nuclear weapons against all non-nuclear-weapon States. My delegation feels further that our formulation meets to the concerns and preoccupations underlying both the Soviet formulation as well as the formulations contained in the unilateral declarations made at the special session by the United States and the United Kingdom.

It may be recollected that, during the discussions on General Assembly resolution 31/189 C, the Pakistan delegation had invited the nuclear-weapon Powers to consider undertaking not to use, or threaten to use, nuclear weapons against States that are "not parties to the nuclear security arrangements of some nuclear Powers". In this connexion, I would like to quote from the statement made by the Pakistan delegation on that occasion:

"I should like to clarify here that by the phrase 'parties to the nuclear security arrangements' is meant those States members of the North Atlantic Treaty Organization (NATO) and of the Warsaw Pact alliance, and others which are parties to bilateral arrangements and consider themselves to be protected against nuclear attack. All other non-nuclear-weapon States would be eligible under this formula to negative guarantees from the nuclear Powers. These States, the overwhelming majority of which are the countries of the third world, are of the view that their security against a nuclear threat should be ensured without being required to submit themselves to the nuclear umbrella and alliances of the major nuclear Powers".

I now come to another important issue which has already been mentioned by some other delegations. This is the question of the renunciation of nuclear weapons by non-nuclear-weapon States in exchange for a non-use guarantee. The Soviet draft convention, as well as the declarations of the United States and the United Kingdom, mentioned the extension of guarantees to those non-nuclear-weapon States which have renounced nuclear weapons in one form or another. My delegation has reservations on this point, and we question the principle of the legitimacy of demanding the renunciation of nuclear weapons by non-nuclear-weapon States in exchange for a non-use guarantee. We believe, as do many other States, that security assurances to non-nuclear-weapon States are an obligation on the part of the nuclear-weapon

(Mr. Marker, Pakistan)

Powers, and should be extended irrespective of the formal accession by a non-nuclear-weapon State to the Non-Proliferation Treaty. It may be recalled that, during the consideration of resolution 255 (1968) in the Security Council, the distinguished representative of India stated:

"... that any security assurances that might be offered by nuclear-weapon States could not and should not be regarded as a quid pro quo for the signature of a Non-Proliferation Treaty. ... The assurance of security to non-nuclear-weapon States is an obligation on the nuclear-weapon States, and not something which they could or should offer in return for the signature by non-nuclear-weapon States of a Non-Proliferation Treaty". (S/PV.1433, p.42).

My delegation believes that, since the obligation under Article 51 of the Charter for assistance in individual and collective self-defence extends to all States, irrespective of their adherence to treaties and alliances, there is an element of discrimination in the proposal to extend assurances of protection only to non-nuclear-weapon States that are parties to the Non-Proliferation Treaty. The Pakistan delegation believes that the renunciation of nuclear weapons is implicit in the status of a non-nuclear-weapon State. The negative guarantees which are sought from the nuclear-weapon Powers under our draft convention should not be regarded as an exchange for a commitment from the non-nuclear-weapon States not to acquire nuclear weapons, but rather as an incentive to them to refrain from doing so. Whilst my delegation continues to support the desirability of commitments against non-proliferation, we feel at the same time that the most appropriate means to obtain these commitments lies elsewhere, and not within the proposed convention on negative guarantees to non-nuclear-weapon States.

In making the foregoing submission, my delegation was prompted by a desire to respond to some of the proposals made, and questions raised, by the previous distinguished speakers. If my answers have failed to obtain assent, then I hope that they have, at least, provided an indication, and perhaps a measure of understanding, of our motivations. My delegation was particularly impressed by the lucid analysis made by Ambassador Issraelyan of the USSR and the rationale for what he has succinctly described as "the essence of this convention -- the basic obligation on guarantees of security of the non-nuclear-weapon States, the obligation which will be assumed by nuclear-weapon States". The Pakistan delegation, as I stressed earlier, remains entirely flexible on this issue, and looks forward to the early commencement of meaningful negotiations for this purpose.

Mr. ENE (Romania) (translated from French): In my statement today I intend to make some points in connexion with the topic on our programme of work for this week, that is to say, on effective international arrangements to assure non-nuclear-weapon States against the use of nuclear weapons.

My Government believes that the question of providing guarantees for the security of non-nuclear-weapon States is a patently political problem of particular importance. And this not only because it is one of the vast number of topics related to nuclear disarmament but also, and above all, because it concerns the security of almost all States on our planet.

We would like to say first of all and without beating about the bush that, in our view, the real guarantee for the security of all States, whether nuclear-weapon or non-nuclear-weapon, and for international security as a whole lies in nuclear disarmament, in the outlawing of nuclear weapons and their total elimination from military arsenals. Accordingly, Romania has firmly advocated and continues to advocate giving priority to nuclear disarmament in any negotiations on disarmament.

In acceding to the Treaty on the Non-Proliferation of Nuclear Weapons, my country has always believed that the fundamental concept of this Treaty lies not only in the ban on the proliferation of nuclear weapons among non-nuclear-weapon States, but also in the obligation for the nuclear-weapon States to make real progress towards nuclear disarmament. Moreover, until such time as nuclear weapons have been totally eliminated from military arsenals, international equity requires that States which have agreed to renounce the acquisition of such weapons should obtain reliable guarantees that they will never and in no circumstances be the victim of the use or threat of use of nuclear weapons by nuclear-weapon States.

The Treaty on Non-Proliferation entered into force in 1970. The course of events has shown, however, that in the eight years that this Treaty has been in effect, while the non-nuclear-weapon States have scrupulously abided by the commitment they assumed not to produce or acquire nuclear weapons, the vertical proliferation of these weapons and the nuclear arms race have continued and have accelerated. Weapons capable of destroying all life on our planet many times over have been stockpiled. The shortcomings of the Treaty, which were, moreover, apparent at the time of its conclusion, have been highlighted.

(Mr. Ene, Romania)

The stockpiling of nuclear weapons has increasingly brought the problem of the security of non-nuclear weapon States onto the agenda. The insistence of the non-nuclear-weapon States on obtaining guarantees for their security from the nuclear-weapon States has intensified in proportion to the increase in the threat to international peace and security represented by the stockpiling of nuclear weapons. The concern to establish nuclear-weapon-free zones enjoying adequate security guarantees on the part of nuclear-weapon States has become more widespread, reflecting the desire of the peoples of various geographical regions to protect themselves from the nuclear threat.

The place occupied by the question of the strengthening of the security of non-nuclear-weapon States at the recent special session of the United Nations devoted to disarmament is significant in this respect.

The non-nuclear-weapon States considered, and rightly continue to do so, that in a situation where, demonstrating a high degree of responsibility in respect of the general interests of the international community, they have agreed to renounce the nuclear option, they are entitled in return to ask for and obtain effective guarantees concerning the non-use of nuclear weapons against them. This legitimate request was voiced vigorously at the special session, which exhorted the nuclear-weapon States to take effective measures with a view to ensuring the protection of non-nuclear-weapon States against the use or threat of use of nuclear weapons against them and to resolving, in a manner consistent with international equity and the interests of world peace and security, this problem which was left unresolved during negotiations on the Treaty on Non-Proliferation.

Over the years, the Romanian Government has constantly spoken in favour of the adoption of firm measures to guarantee the safety of non-nuclear-weapon States. My country took an active part in the process of drawing up the Treaty on Non-Proliferation and submitted proposals with a view to improving the initial draft. Some of these proposals were taken up and appeared in a series of amendments included in the draft treaty. However, not all our proposals or those of other countries were included in the Treaty, and this explains why, from the very outset, the Treaty on Non-Proliferation did not wholly meet the legitimate security requirements of all peoples.

(Mr. Ene, Romania)

It was in the same spirit that, at the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1975, Romania, together with other non-nuclear-weapon States, took the initiative with a draft additional protocol III to the Treaty, which was published under the symbol NPT/CONF/22, and which was intended to remedy the inadequacies of the Treaty with regard to security guarantees for non-nuclear-weapon States.

The purpose of the draft protocol was to establish a legal obligation for nuclear-weapon States never, in any circumstances, to use or threaten to use nuclear weapons against non-nuclear-weapon States parties to the Treaty whose territory was totally free from nuclear weapons. In view of the vital security interests of all States and, above all, of the non-nuclear-weapon States -- the vast majority of which are small and medium-sized countries -- the proposed additional protocol would have constituted a concrete measure that the Conference could have adopted in order to guarantee and strengthen the security of States which had renounced the nuclear option.

It is to be regretted that a real dialogue could not be established at the said Conference. The deliberations nevertheless showed once again that the question of security guarantees is of vital importance to the great majority of States.

This same question was taken up again by my country within the United Nations at the Conference of the Committee on Disarmament and, more recently, at the special session of the United Nations devoted to disarmament. It remains as topical as ever in the context of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in 1980.

At the regional level, Romania also made proposals in 1957 to transform the Balkans into a zone of good-neighbourliness, peace and broad co-operation free from nuclear weapons, military bases and foreign troops, and enjoying adequate security guarantees on the part of the nuclear-weapon States.

It was in this context that, at the last session of the General Assembly of the United Nations, the Romanian delegation welcomed the draft convention on the strengthening of guarantees of the security of non-nuclear States submitted by the Soviet Union as a proposal coming this time from a nuclear-weapon Power and designed to reopen, in a concrete manner, the problem of security guarantees for non-nuclear-weapon States. We also welcomed other constructive proposals submitted

(Mr. Ene, Romania)

by other States, and in particular Pakistan, and we ourselves made a number of points in this connexion during the consideration of the question.

According to General Assembly resolutions 33/72 A and B, the Committee on Disarmament is now to consider the two draft conventions submitted by the Soviet Union and Pakistan at the thirty-third session of the General Assembly, together with the comments and other proposals made on the same topic at the thirty-third session.

In this connexion, I should like to state that the Romanian delegation is ready to participate in concrete negotiations in our Committee, within any framework that might be established, on a draft international instrument under which nuclear-weapon States would undertake to grant the necessary security guarantees to non-nuclear-weapon States. The basic position of my delegation will be as follows:

First, the conclusion of an international instrument on guarantees of the security of non-nuclear-weapon States is an urgent necessity. From the political point of view, it would have beneficial effects on the world climate.

Secondly, we associate such an instrument with efforts directed towards the complete exclusion of the use of force or the threat of force from international life. It must therefore form an organic whole with legal instruments designed to render effective the principle of the non-use of force or threat of force in international relations.

Thirdly, the legal commitments to be assumed by the nuclear-weapon States not to use or threaten to use these weapons against non-nuclear-weapon States are intended to contribute to the establishment of the equilibrium that must exist in relations between the nuclear-weapon States and all the non-nuclear-weapon States.

The position of the Romanian Government has always been that security and peace can be assured not by the division of the world into military blocs and alliances, which do not contribute to stability and peace, but on the contrary by their dissolution and the establishment of a system of security based on different principles within the framework of which military blocs would no longer be necessary. Any international instrument concerning guarantees for the security of non-nuclear-weapon States must contribute to the consolidation of such a system.



(Mr. Ene, Romania)

At the same time, the value of the legal commitments assumed by the nuclear-weapon States will also depend on the extent to which they are backed up by firm commitments to proceed resolutely to nuclear disarmament and to outlaw and completely eliminate nuclear weapons in accordance with the obligations already assumed by the nuclear Powers under the terms of article VI of the Treaty on Non-Proliferation. Similarly, the nuclear-weapon States must undertake to encourage the creation of nuclear-weapon-free zones in various regions of the globe and to respect the status of such zones.

Fourthly, and in the same vein, since the non-nuclear-weapon States party to the Treaty on Non-Proliferation have already made their contribution by undertaking not to produce or acquire nuclear weapons, we believe that the real purpose of this instrument is to establish the obligations which the nuclear-weapon States must assume in return.

Fifthly, the international instrument envisaged must be effective. Compliance with the obligations to be established in the instrument with regard to the non-use of nuclear weapons must be absolute and must not depend on circumstance in any way.

Finally, I would emphasize the importance which the Romanian delegation attaches to the solution of the problem of guarantees for the security of non-nuclear-weapon States as part of a universal effort. The solution must be found with the participation of all States concerned within an appropriate framework and in an appropriate legal form.

We believe that, working in the spirit of the points we have just made, our Committee will be in a position to proceed with negotiations on an international instrument able to satisfy the security interests of all States and to serve the cause of international peace and co-operation.

In our opinion, political conditions are favourable to such negotiations. It was with satisfaction that we learned last week of the signing of the SALT II agreements between the Soviet Union and the United States of America. Despite their limited character and the fact that they do not resolve general disarmament problems, the SALT agreements represent a constructive factor in the evolution of negotiations on disarmament. That is why Romania welcomed the results of the Vienna talks as a positive event in international life, a step towards the creation of conditions favourable to a deceleration of the arms race and the attainment of disarmament, and a contribution to the cause of détente.

(Mr. Ene, Romania)

Disarmament is a process which, to become irreversible, requires effective and concrete action. We should like to express the hope that the successful conclusion of the SALT II negotiations will stimulate efforts for the adoption of concrete measures for disarmament.

Of course, the solution of such an important problem that directly concerns the destinies of all peoples of the world requires the effective participation of all States, whether large, medium or small. The Committee on Disarmament, a more democratic negotiating forum established after the special session of the General Assembly, provides the framework for increasing efforts to this end.

Its agenda includes topics of special importance concerning the fundamental aspects of disarmament. With regard to the first topic -- nuclear test ban -- as the Group of 21 emphasized in its statement, the Committee was unfortunately unable to fulfil the mandate entrusted to it.

We have now moved on to the second item on the agenda. We would like to think that, as far as the question of guarantees for the security of non-nuclear-weapon States is concerned, we will succeed, by means of concerted efforts, to submit a positive report to the General Assembly.

Mr. SUJKA (Poland): In my brief intervention today I should like to offer some comments on the second item of our current programme of work: the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, an issue in which Poland has taken keen interest for many years.

First, however, I should wish to take this opportunity to extend a cordial welcome to the distinguished representatives of Argentina, Australia, Iran and Peru who have just joined us as heads of their respective delegations to this Committee. We hope to continue co-operating with them in the same spirit of dedication to our common objectives which we shared with their distinguished predecessors.

While my delegation has already had the occasion to express to you, Mr. Chairman, our felicitations upon your assumption of the chairmanship of the Committee for the month of June, I am pleased to renew to you our congratulations. At the same time I want to welcome you as the new leader of the delegation of Brazil whose experience and disarmament expertise have already proved to be assets to this body.

The Polish delegation has been encouraged by the amount of interest in and the matter-of-fact approach to the question now under discussion. We listened with genuine interest to the penetrating statements made on that subject at our meeting last Tuesday. We certainly do not see eye to eye on many points made in the

(Mr. Sujka, Poland)

statements of the distinguished representatives of Belgium and the Netherlands, but we find valid many of their observations and we appreciate the spirit in which they were made. In short, we believe that a valuable dialogue has started on an issue of immediate and direct concern to all States: their security in the nuclear age. That dialogue should continue in the days ahead. Later on in my statement I may offer one or two comments on what -- in our view -- would be the best approach in that regard, given the broad area of agreement as to the basic issues at stake.

Concern for peaceful co-existence and security -- its own and that of its neighbours -- led Poland some two decades ago to come out with a concept of a nuclear-weapon-free zone in Central Europe. Our geographical location in a part of Europe where the issue of security is the most sensitive one prompted my Government a decade later to support the Treaty on the Non-Proliferation of Nuclear Weapons and to work for its full and universal application. That Treaty and the subsequent security guarantees, formally assumed under Security Council resolution 255, went a long way to reassure many non-nuclear countries, including Poland.

We fully concur with those delegations which stress that only meaningful disarmament measures can pave the way towards the lasting security of all States. This is precisely why Poland joined other socialist States in submitting a proposal seeking to end the production of all types of nuclear weapons and gradually reduce their stockpiles until they have been completely destroyed.

But we also believe that there is nothing that can or should prevent us from seeking in the meanwhile to safeguard a peaceful future for our country, and for the world at large, by other measures. This is why Poland has found it necessary and imperative to co-sponsor document CD/23 containing a draft international convention on the strengthening of guarantees of the security of non-nuclear States.

As the special session and the subsequent thirty-third session of the United Nations General Assembly prove -- there are few areas where the measure of consensus seems to be greater than with regard to the postulate of non-nuclear weapon States for greater security assurances. As the distinguished representative of the Soviet Union, Ambassador Issraelyan, observed in his important statement last Tuesday, we have a unique situation where the desire of these States is matched by the readiness of the nuclear-weapon Powers to sit down and work out a solution that would both reinforce the non-proliferation régime and, at the same time, represent effective assurance for non-nuclear-weapon States against the use or threat of use of nuclear weapons.

(Mr. Sujka, Poland)

Indeed, there is little material difference between the language of General Assembly resolutions 33/72 A and B. There should be no major problem in bridging the differences, more apparent than real, between the document of the socialist countries (CD/23) and the document tabled by Pakistan (CD/10). Finally, there is the willingness of the nuclear-weapon States to consider mutually-acceptable formulas within this Committee. The Polish delegation firmly believes that all these propitious factors should not be lost on the Committee, especially now in the post-SALT II climate and at a time when the second NPT Review Conference is in the offing.

While it may be premature and quite unnecessary to get involved in an argument about the relative value or efficacy of the respective formulas of security assurances offered by the nuclear-weapon Powers, it is relevant to note one striking, and significant, difference between some of them, specifically those presented by the Soviet Union and the United States. While the first offers not to use nuclear weapons against non-nuclear-weapon States which have no such weapons on their territory, that is, from which comes no threat of nuclear attack, the other makes an important reservation, that is, it retains the right to attack a non-nuclear-weapon State merely because the latter happens to be allied with a nuclear-weapon Power.

We believe, however, that we must not be discouraged at this time by any specific language which will have to be the subject of lengthy, and perhaps difficult, negotiations.

The Polish delegation believes that the real momentum in an effort to reach solution to the problem of security guarantees to non-nuclear-weapon States must derive from a constructive and flexible position. Indeed, flexibility is the remarkable and important characteristic of the position of the USSR. It allows for providing security guarantees in special agreements concluded with any individual non-nuclear-weapon State or for giving agreed, universal juridical guarantees contained in an international convention between nuclear-weapon and non-nuclear-weapon States. That obviously provides important negotiating latitude which should encourage early and substantive negotiations.

Effective agreement with respect to security guarantees would go a long way toward discouraging ambitions of States "to go nuclear", for this would be tantamount to forswearing the right to obtain such guarantees. It would therefore work to increase the universality of the Non-Proliferation Treaty. It would, moreover, encourage the further development and sophistication of the IAEA safeguards system. It would facilitate and promote the establishment of nuclear-free zones, and so on.

(Mr. Sujka, Poland)

The formula of security guarantees which Poland co-sponsors in document CD/23 is a most comprehensive one. Indeed, it covers all States which have resolved not to acquire nuclear weapons and not to allow their stationing on their territory. Intrinsically linked to the NPT, it makes it possible to verify fairly easily the criteria which qualify States to obtain such guarantees.

It is certainly a general formula, one which outlines the way towards the specific goal. It will obviously be for the negotiating process to clarify and agree upon many political, legal and military aspects concerning States parties to appropriate agreements: both those which offer to give security guarantees and those which expect to obtain them. In this respect my delegation shares many of the views held by the delegations of Belgium and the Netherlands.

In this area, apart from such questions as the scope of rights and obligations of non-nuclear-weapon States, implications of accession or non-accession to the NPT, the status of existing or future nuclear-weapon-free zones, one could list as suitable subjects for precise clarification the following: the rights of States on whose territory nuclear weapons appeared against their will or by accident; the dependence of the scope of guarantees on whether or not all nuclear-weapon States are party to a convention, and so on.

These and other questions appear to my delegation to be suitable topics for in-depth consideration. The auspicious start of our work on the subject of security guarantees suggests that it might, indeed, be useful to think what would be the best, practical way of dealing with this, as well as with other subjects, by the Committee in the future.

As I indicated at the outset of my statement, I would like to offer some ideas in that regard.

For instance, my delegation believes that, wherever possible and desirable, the main negotiating work should be pursued within appropriately-composed subsidiary bodies, which should be the real working groups capable of solving specific tasks in the light of the discussion and the working documents tabled in the Committee. If such subsidiary bodies are to become a meaningful vehicle for practical negotiations they should be instructed to work on the given topic throughout the session. In other words, they must not be mechanically tied up to the Committee's work programme for the session. Their reports could be considered at the time when the Committee's final report is prepared.

In the view of my delegation, separate subsidiary bodies -- not important, formal or informal -- could be envisaged to deal with questions of security

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guarantees, radiological weapons, cessation of the nuclear arms race and nuclear disarmament, and, when practicable, with chemical weapons.

Against the background of the negotiating experience of this body, I believe an attempt can be made to draw one conclusion. We cannot and will not avoid confrontation of views on the substance of the problems under examination. But we should and must avoid that confrontation technique when it comes to formal issues. Here is where we shall need full freedom to seek to reconcile our divergent views in a spirit of co-operation and conciliation.

Indeed, our main concern, now and in the future, must be not to waste our time on sterile discussion of secondary procedural questions but to promote progress toward our main goal -- meaningful disarmament.

Mr. VOUTOV (Bulgaria): The delegation of the People's Republic of Bulgaria would like to express certain considerations on the second item in our programme of work, namely, "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

We note with satisfaction the interest generated by the discussion of the problem already called "negative security guarantees", which is an expression of the just demands of the non-nuclear-weapon States for solid, legally binding obligations by the nuclear-weapon States not to use or threaten to use nuclear weapons against States that do not possess and do not have on their territory such weapons. This problem already has its own history, dating from 1966, when the Soviet Union in response to the demands of the non-nuclear-weapon States expressed its readiness to agree to the inclusion in the future treaty on non-proliferation an article banning the use of nuclear weapons against non-nuclear-weapon States.

In the years that have passed since, we have witnessed a clearly manifested realization of the growing importance of this problem as a factor in the strengthening of international security, as a factor in the endorsement and the stimulation of the non-proliferation régime and, finally, as a "must" in laying the ground for further decisive measures in the field of nuclear disarmament.

The Final Document of the special session of the United Nations General Assembly devoted to Disarmament and especially paragraph 59, placed this problem on a rather practical plane. The special session also provided the forum at which all five nuclear-weapon States made declarations, different in their scope, stating that they would not use or threaten to use nuclear weapons against non-nuclear-weapon States.

(Mr. Voutov, Bulgaria)

We note with satisfaction that the Soviet Union, in accordance with its consistent and steady line in the field of international security and disarmament, was the first among the nuclear-weapon States to propose a draft of an international legal instrument on the question of strengthening guarantees of the security of non-nuclear-weapon States.

Naturally, we are taking into account the fact that an important group of countries members of the Committee on Disarmament, including the nuclear-weapon States, hold different views on the manner in which effective measures for strengthening the security guarantees of the non-nuclear-weapon States could be carried out. In the opinion of our delegation, however, the idea of the endorsement of the individual declarations of the nuclear-weapon States by the Security Council of the United Nations could hardly meet to the requirements of paragraph 59 of the Final Document of the special session, which states:

"The General Assembly notes the declarations made by the nuclear-weapon States and urges them to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons."

Our delegation is convinced that the solution of the problem of strengthening the security of the non-nuclear-weapon States could be achieved most effectively by concluding an appropriate international agreement -- be it a treaty, a convention or a protocol. That is why we readily co-sponsored the draft convention proposed by the Soviet Union and introduced in the Committee by several socialist countries as document CD/23. This preference of our delegation for an international agreement explains the fact that my country supported both resolution 33/72A and resolution 33/72B, adopted by the United Nations General Assembly at its last session.

We believe that an international legal instrument elaborated here, in the Committee on Disarmament, could have a number of advantages over the unilateral declarations of the nuclear-weapon States. I do not think it is necessary for us to persuade each other that undoubtedly the arrangements to strengthen the

(Mr. Voutov, Bulgaria)

security of the non-nuclear-weapon States in the form of an agreement would provide for greater precision as to the rights and obligations of both the nuclear-weapon and the non-nuclear-weapon States. What is more, in the process of the elaboration of such an instrument we could achieve a degree of unification of the unilateral declarations and thus impart to their legal force in the most concrete and effective form.

We fully share the wish expressed by a number of previous speakers to start without delay concrete negotiations on negative guarantees. We also support the idea of the timely creation of an appropriate mechanism to help the Committee in the execution of this important task, on the fulfilment of which the Committee is to report to the thirty-fourth session of the General Assembly.

In the view of our delegation, conditions are favourable for embarking upon such negotiations in the Committee right away during the current session. We have at our disposal the unilateral declarations of the five nuclear-weapon States on the security guarantees made at the highest political level. We have in front of us resolutions 33/72A and B, two draft conventions introduced in the Committee, as well as the documents pertaining to the discussion on this problem in the First Committee of the General Assembly during the thirty-third session. The statements made in this Committee during the discussion of negative guarantees underlined clearly the timeliness of this issue, and at the same time contributed a number of interesting ideas and proposals.

All this enables me to come to the conclusion that the Committee has the necessary background and mandate for taking up, in a serious and profound manner, the elaboration of effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The Bulgarian delegation would like to confirm once again its conviction that the socialist countries' draft, contained in document CD/23, represents a solid basis for such a convention. As has been eloquently and logically stressed by Ambassador Issraelyan, the distinguished representative of the USSR, there were serious and convincing considerations incorporated in it:

1. The socialist countries' draft covers the largest possible number of non-nuclear-weapon States eligible for the guarantees;



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2. It encourages States to renounce the possession of nuclear weapons and deployment of such weapons on their territory, which is fully in accordance with the non-proliferation régime the majority of the States of the present-day world subscribe to;

3. It contributes directly to the reduction of the threat of an outbreak of nuclear war.

In the draft proposed by the delegation of Pakistan (CD/10), my delegation also finds a number of positive elements which should be taken into consideration in the forthcoming negotiations.

May I express the hope that, against the background of the considerable amount of interest in the problem of the negative security guarantees all members of the Committee, including those who showed a certain amount of hesitation and expressed reservations on this question, will contribute to the efforts to make possible in due time the elaboration of a multilateral legally binding instrument.

In conclusion, I would like to state that the Bulgarian delegation will support and participate actively, in every possible way, in the task of starting concrete consultations and negotiations on a future international agreement in this field. In this connexion we are ready to consider the proposal of the delegation of Pakistan to create a working group to assist the Committee in carrying out the discussion on this item in our programme of work. We are ready to support any idea aimed at promoting constructive negotiations on strengthening security guarantees.

We believe that the Committee will be performing up to the mark and will make a valuable contribution to the cause of international security and prevention of nuclear war if all of us manage to agree to some practical and definite steps in the field of negative guarantees. The achievement of an international agreement would, together with other attempts to achieve a break-through in the nuclear disarmament field, be a major landmark in efforts aimed at the confirmation of the non-proliferation régime, and may also play a decisive role in the universalization of this régime.

Mr. FISHER (United States of America): The United States recognizes the subject of our deliberations this week as one that is of considerable importance to the countries represented in this forum and in the world at large. That is why on 12 June 1978, during the United Nations special session devoted to disarmament, Mr. Vance, the Secretary of State, announced a Presidential declaration elaborating the United States position on security assurances, giving a pledge that applies to the vast majority of nations of the world. For the record, I will repeat that declaration:

"The United States will not use nuclear weapons against any non-nuclear-weapons state party to the NPT [Non-Proliferation Treaty] or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear-weapons state or associated with a nuclear-weapons state in carrying out or sustaining the attack."

The United States is not alone among the nuclear-weapon States in recognizing the desire for assurance against nuclear attack. Other nuclear-weapon Powers have given pledges in different forms, reflecting their differing perceptions of their security requirements and that of the countries which rely on them for their collective security. These pledges were referred to in paragraph 59 of the Final Document of the special session devoted to disarmament, which also urged the nuclear-weapon States to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The several pledges are quite diverse, both in their content and in their form. We have recently heard the views of the group of socialist States contained in CD/23, which is a proposal for:

"A binding commitment in a new international convention not to use or threaten to use nuclear weapons against non-nuclear States parties to such a convention which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons in their territory or under their jurisdiction or control, and to consult whenever any party to the convention has reason to believe that the actions of any other party are in violation of this commitment."

(Mr. Fisher, United States)

In addition to this proposal, our colleague from the Netherlands, the day before yesterday, directed our attention to the following statement made by President Brezhnev on 25 April 1978:

"The Soviet Union, for its part, wishes to state as emphatically as it can that we are against the use of nuclear weapons, that only extraordinary circumstances, only aggression against our country or its allies by another nuclear Power, could compel us to have recourse to that extreme means of self-defence."

We have also noted the pledge of the United Kingdom:

"not to use nuclear weapons against States which are parties to the Non-Proliferation Treaty or other internationally binding commitments not to manufacture or acquire nuclear explosive devices, except in the case of an attack on the United Kingdom, its dependent territories, its armed forces or its allies by such State in association or alliance with a nuclear-weapon state."

The other nuclear-weapon States have taken different approaches to the problem. We have noted the statement by China "to call for the complete prohibition and thorough destruction of nuclear weapons and at no time and in no circumstances to be the first to use nuclear weapons", and the suggestion made by France "to participate in negotiating the necessary agreements with nuclear-free zones the terms of which preclude, according to a formula to be defined, any use or threat of the use of nuclear weapons against States that are part of a nuclear-free zone."

There seem to the United States delegation to be two problems that have to be resolved in dealing with this issue. The first is to what countries should assurances be given: the second is the form of these assurances.

On the first issue, it should be noted that CD/23 is not precise in defining the basis for determining to which countries the assurances should be given. It merely refers to parties which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons in their territory or anywhere under their jurisdiction or control. This would appear to make a unilateral declaration

(Mr. Fisher, United States)

of renunciation without any binding legal obligation or any form of verification sufficient to entitle a State to the protection of the proposed convention. The thrust of the proposal in CD/10 is similar, although it recognizes that some non-nuclear-weapon States have sought to assure their security through association with nuclear-weapon States.

The United States pledge requires a substantially greater degree of binding and verifiable commitment before the assurance becomes effective. It limits the application of the non-use declaration to parties to the Non-Proliferation Treaty or to any other State that has undertaken "a comparable internationally binding commitment not to acquire nuclear explosive devices."

Some may ask what are such comparable internationally binding commitments. One possibility comes to mind: the nuclear-weapon-free zone. As early as 1971, the United States extended an appropriate non-use assurance to full parties to the Treaty of Tlatelolco, the Latin American nuclear-weapon-free zone. Another regional effort with provisions comparable to those in the Treaty of Tlatelolco would be covered by the United States' assurance. Other alternatives may exist.

The second issue is the form in which such assurance should be given. We have heard views ranging from a draft international convention to solemn declarations by heads of State. The United States delegation cannot accept the concept that a solemn declaration by a head of State can be shrugged off because it is not an "internationally binding legal commitment." The United States does not consider this to be a real issue. A formal statement by the President of the United States is not something that is made lightly and without careful consideration of all its implications and the obligations it imposes. And its effect is immediate, not at some future date.

There is, in the view of the United States, another reason for preferring declarations to an attempt to negotiate an international convention: the varied approaches by the nuclear-weapon States to the important problem of security assurances offer very little hope that we could work out these differences so that

(Mr. Fisher, United States)

s single draft convention could be elaborated. The United States does not believe that we should because of the quite different security requirements of the countries of the world, whether looked at singly or in the various groupings.

We are grateful to our distinguished Netherlands colleague for the analysis he has made of the statements made by the chiefs of State or heads of Government of four of the five nuclear-weapon States in which he found some important common elements, although each reflects an understandable concern for the particular security needs of his own country. Unfortunately, these common elements do not appear in the proposal put before us by the group of socialist States in CD/23. It seems to the United States that it would be more profitable to attempt to enhance the individual assurances that countries are willing to stand by than to try to fit them into an artificial mould. It is unlikely that we here would be able to devise a common formula that would satisfy each of the nuclear-weapon Powers.

One way of enhancing the individual assurances would be for this Committee to recommend that the General Assembly should adopt a resolution which

1. recognizes the legitimate security concerns of States that have undertaken legally binding obligations not to acquire nuclear explosive devices;
2. takes note of the individual assurances given by the nuclear-weapon States, and
3. which set forth in its text the various assurances to which I have referred.

It might be argued that such a resolution would have little practical effect. But the United States delegation would argue that if all five of the nuclear-weapon Powers were to vote for such a resolution, it would cease to be merely a recommendation. Rather, the vote of the five Powers for the resolution would indicate that the five themselves consider that this General Assembly resolution is one which has international status and a binding character.

To this end, we are requesting the Chairman to circulate a specific proposal pertaining to such a United Nations General Assembly resolution and we urge other delegations to give it their most careful consideration.

Mr. VO ANH TUAN (Viet Nam) (translated from French): Mr. Chairman, as I am speaking for the first time in the Committee on Disarmament, I should like to congratulate you on the occasion of your assumption of the chairmanship of our Committee for the month and to express to you my best wishes for success. My delegation would also like to express its deep appreciation for the important contributions made by your predecessors, in particular, our first Chairman, the representative of the People's Democratic Republic of Algeria, who contributed greatly to the progress of the work of the Committee during its very first days.

Our delegation wishes to extend warm greetings to all members of the Committee, old and new, in the hope that their active participation in the Committee's work will yield positive results consistent with the desires of the international community.

Although it is not a member of the Committee on Disarmament, Viet Nam, being a socialist and non-aligned country, considers that it has a duty to make a contribution, however small, to the problem of disarmament. We wish to take this opportunity sincerely to thank the representatives of the member countries of the Committee on Disarmament for their support for the request made by Viet Nam to participate in the Committee's work on item 2 of the Committee's agenda relating to the problem of "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

During the past 30 years, Viet Nam has constantly been the victim of successive wars of aggression. Vietnamese soil has become the testing ground for all kinds of sophisticated weapons possessed by the aggressors, and the Vietnamese people, men and women, young and old, have been the guinea-pigs for these new weapons. More than anyone, we have our hearts set on a peaceful life in order to be able to construct a prosperous life without worrying about the spectre of war.

However, just like the other peoples of the world, we consider that nothing is more precious than independence and freedom. And it is precisely for this reason that we support not only the struggle for peace, independence and freedom of peoples, but also partial disarmament measures leading to general and complete disarmament.

(Mr. Vo Anh Tuan, Viet Nam)

My delegation particularly welcomes the fact that the peace-loving forces have succeeded in forcing the reactionary and warlike forces to retreat step by step. And we are happy to note that the positive results achieved at the tenth special session of the General Assembly devoted to disarmament and the establishment of this Committee on Disarmament have constituted, for the progressive and pacifist forces of the world, a victorious step forward.

The recent signature of the Treaty on the limitation of strategic arms (SALT II) has been greeted favourably by broad sectors of world public opinion. There are therefore grounds for hoping that this Treaty will have a positive influence on the forthcoming disarmament negotiations and, in particular, on the current work of our Committee.

Of all the concerns of mankind relating to disarmament, concern about nuclear disarmament occupies first place. This deep concern is in fact spelt out in numerous United Nations documents, in particular in the Final Document of the tenth special session of the General Assembly devoted to disarmament and in the current agenda of our Committee.

My country will welcome any initiative aimed at reducing the production of nuclear weapons and destroying stockpiles of such weapons. In addition, we are paying particular attention to the problem of strengthening guarantees of the security of non-nuclear-weapon countries. This is not only a legitimate aspiration of the countries in question but also a common aspiration of mankind as a whole.

We share the view that it is absolutely necessary to reach effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

It is precisely for this reason that Viet Nam co-sponsored resolution 33/72 A at the thirty-third session of the General Assembly and that we sincerely hope that the discussions within the Committee on Disarmament will produce concrete results, thereby eliminating the nuclear threat hanging over mankind and, in the first place, over the non-nuclear-weapon countries.

We are happy to note that the majority of countries, in particular the socialist and non-aligned countries, are all animated by the desire to arrive at a multilateral treaty on this problem.

(Mr. Vo Anh Tuan, Viet Nam)

The draft international convention on the strengthening of guarantees of the security of non-nuclear States drawn up by seven socialist countries (document CD/23) is an important practical contribution to the work of our Committee. Pakistan has also submitted a draft international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (document CD/10). Many other countries have expressed their views on the problem. My delegation hopes that our Committee will be able immediately to begin to prepare a draft convention.

Furthermore, we consider that as long as there is a nuclear-weapon country which does not participate in disarmament measures, the prospects for disarmament and for guarantees of the security of non-nuclear-weapon countries will continue to be unattainable.

Permit me to quote paragraph 32 of the Final Document of the tenth special session of the General Assembly devoted to disarmament:

"All States, in particular nuclear-weapon States, should consider various proposals designed to secure the avoidance of the use of nuclear weapons, and the prevention of nuclear war. In this context, while noting the declarations made by nuclear-weapon States, effective arrangements, as appropriate, to assure non-nuclear-weapon States against the use or the threat of use of nuclear weapons could strengthen the security of those States and international peace and security".

Like all other delegations which have expressed their views in the Committee on Disarmament, our delegation considers itself unable to pass over in silence the deliberate absence of the representatives of China from the Committee.

At the thirty-third session of the General Assembly many delegations made a point of emphasizing the need for, and obligation of, China, as a nuclear-weapon Power and permanent member of the Security Council, to assume its responsibilities. However, the Chinese authorities have so far consistently refused to comply with this demand expressed by the absolute majority of countries. Not only will the Chinese authorities' refusal to participate in the work of our Committee inevitably jeopardize the efforts made by countries to promote disarmament, but it will also constitute a serious defiance of the profound aspirations of mankind as a whole. The Chinese authorities are absent from this Committee, but they are present in the major arms markets. They are frantically pursuing the arms race. Pursuing their



(Mr. Vo Anh Tuan, Viet Nam)

expansionist and hegemonistic policy, they have engaged in acts of provocation and threats against neighbouring countries; they have threatened the countries of south-east Asia, thus creating a tense situation in that region. They have unleashed armed aggression against Viet Nam and since then have not ceased to threaten Viet Nam with "further lessons".

There is therefore every reason to ask whether any value whatsoever can justifiably be attached to the Chinese Government's various declarations of goodwill and its affirmations that China will never use nuclear weapons against non-nuclear-weapon countries and denuclearized zones. Unless the international community takes prompt agreed measures of a coercive nature in respect of all the nuclear-weapon States, including China, who can guarantee that the Chinese authorities, pursuing their expansionist and hegemonistic policy, will not use nuclear weapons against the victims of their wars of aggression? As may be imagined, such an adventure by a nuclear-weapon country would have extremely serious and unforeseeable consequences for the whole of mankind.

Precisely for this reason, the delegation of Viet Nam at the thirty-third session of the General Assembly submitted a proposal for incorporation in the draft convention which our Committee is in the process of preparing. This proposal reads as follows:

"In order that the convention may enter into force, it is essential that all nuclear-weapon countries which are permanent members of the Security Council should participate in its signature".

Our delegation fully shares the legitimate concern of the Arab, African and many other countries about the development of nuclear weapons frantically pursued by Israel and South Africa. So far history has borne witness to countless unspeakable crimes committed by the reactionary, expansionist, racist and apartheid régimes. And if in the future the authorities of Israel and South Africa have nuclear weapons at their disposal, they will not hesitate to adopt an even more aggressive and obstinate attitude. The international community has an obligation to take appropriate measures in time to prevent this gloomy prospect from becoming a reality. It was in this spirit that the delegation of Viet Nam also submitted the following specific proposal relating to the substance of the draft convention:

"It is necessary to take strict control measures in respect of those countries which are in the process of developing their nuclear armament and have committed acts of aggression against non-nuclear-weapon countries".

(Mr. Vo Anh Tuan, Viet Nam)

My delegation is perfectly aware of the difficulties on the path leading to general and complete disarmament and of the obstacles involved in every measure and initiative submitted to this end. However, we are convinced that the profound aspirations and constantly increasing desire of all mankind will force the warlike forces to retreat. The trend of our era has been towards the constant weakening and isolation of the forces of war.

We are also convinced that the common struggle for peace and disarmament will gain increasing success and that the Committee on Disarmament will make its worthy contribution to the fulfilment of the common desire of all mankind. In the next few days, in the working group on the problem of guaranteeing the security of non-nuclear-weapon countries, my delegation will spare no effort to submit further practical proposals in the hope that its modest contribution will be of some use in the accomplishment of the task -- as noble as it is arduous -- which our Committee on Disarmament has set itself, namely, the preparation of a convention which will meet the aspirations of the international community.

The meeting was suspended at 1.10 p.m. and resumed at 3 p.m.

Mr. MARSHALL (United Kingdom): I should first like to convey a word of explanation on behalf of the head of my delegation, who is unfortunately unwell. To his regret this has caused him to miss part of this week's proceedings. He intended to contribute to the discussion himself and has asked me to speak on his behalf.

In particular, Mr. Chairman, I know that my Ambassador would have taken this opportunity formally to welcome you to the Committee on Disarmament, together with the distinguished representatives of Argentina, Australia and Iran, who have joined the Committee on Disarmament in this session.

We in this delegation have listened with great interest to the course of the discussion this week. I think most members of the Committee would agree that it is proving to be a most constructive exchange of views.

Let me say at the outset that my Government fully understands the desire of the non-nuclear-weapon States (NNWS) to seek assurances against the use or threat of use of nuclear weapons. It was for this reason that in February last year this subject was included in the draft programme of action presented to the United Nations special session devoted to disarmament by my Government and a number of other Western Governments. In that programme it was the second item under the heading of "Immediate measures of arms control and disarmament".

(Mr. Marshall, United Kingdom)

Furthermore, at the special session, as is well known, my Government's representative gave a solemn assurance in the following terms:

"I accordingly give the following assurance on behalf of my Government to non-nuclear-weapon States which are parties to the Non-Proliferation Treaty or other internationally binding commitments not to manufacture or acquire nuclear explosive devices: Britain undertakes not to use nuclear weapons against such States except in the case of an attack on the United Kingdom, its dependent territories, its armed forces or its Allies by such a State in association or alliance with a nuclear-weapon State".

Other nuclear-weapon States also gave security assurances last year. We welcome these pledges and believe they represent an important measure of security for non-nuclear weapon States. The question now before us is whether we can move forward from here to provide something stronger or more effective. Obviously this will depend in part on what is possible from the point of view of the nuclear-weapon States. But a security assurance is only as good as it is perceived to be by the non-nuclear-weapon States to which it is offered. My delegation would accordingly have been pleased to hear more in the course of this week from the non-nuclear-weapon States about how they believe the present assurances could be strengthened. In particular I have in mind the representatives of States outside Europe.

The other preliminary observation I should like to make is that to have real value any proposals formulated as a result of our discussion here would need to have the support of all nuclear-weapon States.

There seem to me to be two aspects of the question which are in fact distinct: the first is the nature of a security assurance itself; the second is the form in which it is expressed. With these two aspects in mind I should now like to comment briefly on three strands in the exchange of views we have been having.

One suggestion before us is that it would be possible to conclude a convention incorporating a common formula for a security assurance. The attraction of this idea is presumably that a convention appears to be the most binding form of international undertaking. There would nevertheless seem to be serious obstacles to this approach. Apart from the difficulty of reconciling the different security perceptions and commitments of the five nuclear-weapon Powers there is something inappropriate about a convention as the framework for obligations which would flow only from a very limited number of the parties. Surely a convention should embody the sense of

(Mr. Marshall, United Kingdom)

contract, or of mutual participation? This element is missing from both the proposed conventions before the Committee. Or if the idea is present, it is certainly not stated explicitly.

In this connexion we noted with great interest the analysis presented by the distinguished delegate of the Netherlands on 26 June. He identified two conditions which should be attached to an undertaking by nuclear-weapon States not to attack non-nuclear-weapon States with nuclear weapons. One of these was that the non-nuclear-weapon States must give a binding commitment that they were indeed non-nuclear-weapon States. My Government would attach fundamental importance to this point. We believe that adherence to the non-Proliferation Treaty would be the clearest commitment. But, as my Government's assurance states, there are "other international binding commitments" which would have the same effect. What is important is that there should be a clear undertaking by non-nuclear-weapon States not -- in everyday language -- to go into the nuclear weapons business.

I should comment here on a further point which appears in the formula for a convention contained in document CD/23. By relating the proposed assurance to the non-stationing of nuclear weapons on the territories of States, it introduces an additional idea which is in practice of rather limited application, since it could be relevant only in a particular part of the world. This is clearly a controversial proposition, and would not seem to my delegation to provide a basis for a draft intended to secure universal acceptance. I note in this connexion paragraph 4 of the informal working paper submitted by Pakistan. This recognizes the limitations which attach to the concept of security assurances as applied to members of military alliances when these alliances have nuclear weapons at their disposal.

In sum, as representatives of my Government have already made clear on several occasions, we doubt whether the path to a convention is a fruitful one to pursue.

Now, turning from the question of a convention to my second strand -- the idea that the security assurances already given would be strengthened if they could in some way be harmonized. Of course the reason the present assurances are different from each other is that they reflect the different perceptions of security to which I have already referred. There is always a risk attached to a common formula, since it would inevitably involve some degree of compromise -- some element of the "highest common factor". The risk is that it could end up offering less protection to non-nuclear-weapon States than that contained in the declarations already made.

(Mr. Marshall, United Kingdom)

For this reason I was surprised to hear a distinguished speaker this morning criticize the British assurance on the grounds that we had not renounced the use of nuclear weapons against non-nuclear-weapon States in all circumstances.

Now the only exception envisaged in our guarantee is self-defence in the event that we or our allies were attacked by a non-nuclear-weapon State in alliance or association with a nuclear-weapon State.

In other words, our guarantee is valid for all non-nuclear-weapon States which do not attack us in those particular circumstances. I cannot therefore share the view that our guarantee is less satisfactory than others he mentioned.

For example, it is certainly not clear that the absolute undertaking my Government has made could be rendered more effective. It should be borne in mind that the British negative security assurance is already operative. It does not require, nor does it depend on, any bilateral negotiations to bring it into force.

However, my delegation was impressed by the exposé on this point given to this Committee earlier in the week -- again by Ambassador Fein. He drew attention to the fact that the nuclear-weapon States were already on record with various statements which had a greater similarity than perhaps many of us had realized.

This observation seems to shed new light on the subject, and my delegation will certainly be looking further into it. It would be valuable to have clarification in the Committee from the delegations concerned of the extent to which the statements referred to by our distinguished colleague may be taken as a basis for further examination of this question.

As regards the last strand of my remarks -- the third element -- I can be very brief. It concerns the possible strengthening of security assurances by procedural means, as distinct from the reconsideration of their substance, about which I have just been speaking.

It has been suggested that greater weight, in both the legal and moral sense, would be imparted to the security assurances as they now stand if they could be the subject of solemn international recognition -- perhaps within the framework of the United Nations. I will simply say that my delegation regards this as a very promising approach which should certainly be examined further.

I have tried to offer some reflections on the subject under discussion. As I said at the outset, my Government attaches importance to this subject and will give serious consideration to any proposal for strengthening the security of non-nuclear-weapon States.

Mr. DUMONT (Argentina) (translated from Spanish): This is the first occasion on which I have had the opportunity of replying to the kind expressions of welcome extended to me as a new member of the Argentine Delegation by the distinguished delegates who have taken the floor at formal meetings of the Committee. With deep gratitude towards them all, I wish to assure you that the Argentine Delegation will continue to co-operate with all of you in the search for solutions to the difficult problems we face.

When confronted, at the thirty-third session of the General Assembly of the United Nations, with the item that concerns us today, the Argentine Delegation gave firm support to and assisted in the preparation of resolutions 33/72 A and B which, among other decisions and documents, have resulted in a portion of our work being devoted to consideration of the possibility of achieving "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

On that occasion, we stated in the First Committee that: "the elimination of nuclear arsenals has first priority and that all nuclear-weapon States possessing such weapons bear a special responsibility". In other words, no agreement which may be reached with regard to guarantees to the non-nuclear-weapon States can replace or reduce the responsibility incumbent upon the nuclear-weapon Powers to proceed to genuine nuclear disarmament which, in our judgement, is the only real guarantee that we can secure.

We were pleased to see that Ambassador Israelyan, the distinguished representative of the Union of Soviet Socialist Republics, in his statement of 26 June agreed with the line of thinking I have just set forth, though it should be noted that the draft convention contained in document CD/23, submitted by seven socialist countries, imposes no nuclear disarmament obligation on the nuclear-weapon States apart from a general reference, in the preamble, to the wish to contribute: "to the prevention of the wider proliferation of nuclear weapons and to promote the cessation of the nuclear armaments race and the adoption of effective measures directed towards nuclear disarmament".

(Mr. Dumont, Argentina)

In this connexion, I should like to stress what we said in the First Committee at the thirty-third session of the General Assembly: "The quid pro quo of the renunciation of the production and acquisition of nuclear weapons cannot be merely an undertaking not to use nuclear weapons against those States that voluntarily accept this limitation on their sovereignty. This commitment must be indivisibly supplemented by contractual nuclear disarmament obligations. In other words, the counterpart to non-proliferation is the elimination of nuclear weapons".

We consider that, even though resolutions A/33/72 A and B are not incompatible or mutually exclusive, the second constitutes a better frame of reference as regards the aspect just mentioned, as does the draft convention contained in document CD/10.

Without departing from this postulate, which we regard as a basic one, we realize that the initiative now before us is a further step towards disarmament.

I have already referred to the draft convention submitted by a group of socialist countries (CD/23) and, although it is not my intention to make a detailed study of that draft on this occasion, it is interesting to note that the term it uses when referring to the "non-nuclear-weapon States" mentioned in the title of our agenda item is "non-nuclear States".

I am sure that, in the negotiations which are yet to take place on the draft texts submitted, this will be duly clarified and the expression which we regard as the correct one, namely, "non-nuclear-weapon States", will be used, thus avoiding any mistaken interpretation that might give rise to the impression that the production of nuclear energy for peaceful purposes could be a reason for exclusion from the benefits of the agreement.

In this connexion, we regard as very useful the comment made by the distinguished representative of Czechoslovakia, in his statement of 26 June, when he said: "we consider it our duty to stress that non-nuclear States -- parties to the Treaty -- should not be limited in any way as to the utilization of nuclear energy for peaceful purposes".

With regard to guarantees, the Argentine Delegation interprets the expression "effective arrangements" in paragraph 59 of resolution S-10/2 -- the final document of the tenth special session of the General Assembly -- as a commitment to include specific obligations in any international instrument which

(Mr. Dumont, Argentina)

may be negotiated, considering as it does that assurances given by heads of State or Government, such as those mentioned at length by the distinguished representative of the Netherlands in his statement of last Tuesday, are not sufficient -- however worthy of our respect they may be.

On the same principle, assurances regarding non-proliferation given at the same level by non-nuclear-weapon States would make the Non-Proliferation Treaty or the safeguards system unnecessary.

These are the few minor points that occur to us on this item at the present stage of its consideration, and we shall revert to it at the appropriate time.

I wish to express the gratitude of the Argentine Delegation to the sponsors of the two drafts we have before us, the group of seven socialist countries and the delegation of Pakistan, the latter not only for document CD/10, which we are studying with great interest, but also for the informal working paper, a major part of which is devoted to the form of the guarantees to be examined.

Furthermore, we wish to point out that we are prepared to support the creation of the informal working group proposed in that document.

Mr. DE LA GORCE (France) (translated from French): The French Government attaches the greatest importance to the question of negative guarantees. My delegation has therefore followed our debate with a great deal of interest.

It wishes to call to mind the principles governing France's policy in this field:

The first of these principles is the maintenance of security. However, security depends on political and strategic conditions which differ from one region of the world to the other.

It is important therefore -- and this is the second principle -- to take account of regional conditions. There is a geography of security.

This geography reveals two major zones at the world level: in one -- the one in which France is situated -- nuclear weapons exist and constitute, in prevailing conditions, a factor of political and strategic equilibrium, and hence a security factor. The non-nuclear-weapon States of this zone which are associated with alliances benefit, on this account, from what certain speakers in this debate have called a positive guarantee.



(Mr. de la Gorce, France)

The problem with which we are dealing -- that of negative guarantees -- concerns the other zone, or zones, where there are no nuclear weapons; according to the view generally expressed in our discussion, this problem arises for all non-nuclear-weapon States which have entered into a commitment not to acquire or manufacture such weapons.

The French Government understands the legitimate concern of States that have entered into such a commitment that they should not be discriminated against in the matter of security; it considers that the guarantees which may be given to these States constitute a fair counterpart for the contribution they make by this commitment to the régime of non-proliferation of nuclear weapons.

There are two main schools of thought concerning the form of these guarantees. Some of our partners show preference for a convention of universal scope. We do not believe that this formula corresponds to the present conditions of the international community. Security conditions are too different, depending on regions and political and strategic situations, for it to be possible to enter into uniform commitments.

Other Governments have chosen another way: that of statements which endeavour to take account of these differing situations. To this end they have been led to introduce a special condition covering States members of alliances, which would participate in an attack in association with a nuclear State.

The French Government also wanted to take account of the specificity of situations. It has attached importance to nuclear-free zones and is prepared to enter into commitments of a conventional nature in respect of them. Addressing the General Assembly of the United Nations last year, the President of the French Republic said the following on this point:

"... the decision by the States of a region to preserve a nuclear-free status should entail an obligation for the nuclear-weapon States to refrain from seeking a military advantage from the situation. Nuclear-weapon States should in particular preclude, according to a formula to be defined, any use or threat of the use of nuclear weapons against States that are part of a nuclear-free zone ... France would welcome it if continents decided to become either wholly or partially nuclear-free zones. While it is not up to my country to take the initiative in regions to which it does not belong, France is prepared to encourage this process by negotiating the necessary agreements with these zones in order to give a contractual and binding form to the commitments I have mentioned".

(Mr. de la Gorce, France)

The French delegation sincerely hopes that the initiatives, already taken or envisaged, and the proposals and ideas which have been put forward will be examined in the Committee; it hopes that this examination will reveal similarities of approach. The Committee will probably not be able during this session to reach comprehensive conclusions on a subject of such importance and complexity; but we hope that it will be able to adopt, for the attention of the General Assembly, a recommendation expressing our will to make progress.

If we are to achieve this result we shall probably need a little more time than our programme of work has provided for. But the question of guarantees is unquestionably one of those where the results we might achieve justifies some flexibility in our timetable -- flexibility we have already in principle recommended in respect of questions that might lend themselves to negotiation. With the same desire for efficiency, we support the proposal that we should continue our debate on negative guarantees in a working group.

Mr. PÖHLMANN (Federal Republic of Germany): My Government took part in the discussion and adoption of the Final Document of the special session devoted to disarmament last year, and thereby agreed to the formulae contained in articles 32 and 59 of the Document dealing with the item of strengthening guarantees of the security of non-nuclear-weapon States. My Government also voted in favour of the two resolutions adopted by the General Assembly of the United Nations at its thirty-third session -- one put forward by the Soviet Union (33/72 A), and the other by Pakistan (33/72 B). Consequently, my delegation agreed to include the item "... effective international arrangements to assure non-nuclear-weapon States against the use or threat or use of nuclear weapons" in the CD's agenda for 1979 (CD/12), as well as in the Programme of Work for the second part of this year's session (CD/19).

We consider this item highly important for all States -- non-nuclear-weapon States as well as the nuclear-weapon States. We therefore welcome this first exchange of views in the CD which allows us to look thoroughly and from various aspects at this very complex subject. The five nuclear-weapon States have given pledges not to use nuclear weapons against non-nuclear-weapon States, but these commitments differ in form and content due to their specific concepts of their and their allied partners' security needs.

(Mr. Pöhlmann, Federal Republic of Germany)

As to our own position, the State Secretary of the Federal Foreign Office, Mr. van Well, clearly stated the position of the Government of the Federal Republic of Germany on the subject when he addressed this Committee at its inaugural meeting on this year:

"My Government welcomes the declarations made by the United States of America and the United Kingdom during the special session of the General Assembly. During the thirty-third session the two Governments emphasized once more that in so doing they had taken obligations upon themselves which went beyond the general prohibition of the use of force under existing international law. The Federal Republic of Germany reaffirms its support for those declarations and considers that they serve the security interests of all concerned better and more comprehensively than a world-wide convention could".

We are aware of the fact that our view on this subject is somewhat different from what some other countries are proposing. In particular, we cannot agree that unilateral declarations are merely statements of intention and therefore not effective. We are convinced that unilateral declarations are self-executing, legally binding and recognized in international law. This has been confirmed by the International Court of Justice in The Hague.

The conclusion of a multilateral convention may, certainly, be considered as a possibility to formulate guarantees to non-nuclear-weapon States. At the present time it seems, however, difficult to conceive such a convention on this very sensitive element of the security of States. We all know that security interests of States in various regions differ; this fact has been widely recognized by studying several problems in the field of disarmament, among others the establishment of nuclear-weapon-free zones. Security assurances must correspond to these differing interests.

The operative parts of the two draft conventions which have been submitted to the Committee unfortunately make no reference to the non-proliferation of nuclear weapons.

(Mr. Pöhlmann, Federal Republic of Germany)

The Federal Republic of Germany renounced the production of nuclear weapons as early as 1954 and accepted the obligations of the Non-Proliferation Treaty. It holds the view that non-nuclear-weapon States, in order to obtain guarantees from nuclear-weapon States, would have to undertake a firm commitment to renounce the production or any other form of acquisition of nuclear weapons.

The five nuclear-weapon States obviously have different views on how to assure non-nuclear-weapon States against the use or threat of use of nuclear-weapons. Considering also the differing security needs of States in various regions of the world, it seems hardly possible to find common ground for concluding a convention, at least not for the time being. But we are grateful to the delegation of the Netherlands which has put forward some interesting thoughts on the question.

If, at a certain stage, and for example at the forthcoming Second Review Conference of Parties to the NPT, in the framework of the Security Council or of the General Assembly, a way could be found to place the texts of all existing unilateral declarations in a multilateral context, we would certainly welcome all efforts to this end. In this respect we consider the proposal put forward this morning by the delegation of the United States of America a very valuable one.

Mr. KAMANDA WA KAMANDA (Zaire) (translated from French): Mr. Chairman, since I am speaking for the first time during this second part of the 1979 session of the Committee on Disarmament, I should like first to express my delegation's satisfaction at seeing you presiding over our work. Your qualities as a skilled negotiator and eminent diplomat have already enabled us to make some important progress since you have been in the Chair.

I would be failing to perform a very agreeable duty if I did not address some words of welcome also to Sir James Plimsoll, Ambassador of Australia, Mr. Alberto Dumont, Ambassador of Argentina, and Mr. Kazem Radjavi, Ambassador of Iran. I am certain that their valuable assistance will be indispensable to the Committee on Disarmament, and I would like to assure them that we shall collaborate with them in every way.

(Mr. Kamanda Wa Kamanda, Zaire)

On other occasions, my delegation has drawn attention to the link which exists not only between disarmament and development but also between security and development, particularly for the developing countries which have precarious economies and are therefore obliged to give priority to the advancement of their peoples.

In the times of crisis (and not only the energy crisis) which we are passing through today, the discussion of the question of "Effective international arrangements to assure non-nuclear-weapon States" is highly opportune, and a concrete solution of this problem is highly necessary.

The world of man today seems to invite us -- and one wonders why -- to accustom ourselves to doubt, to exist in insecurity and to live in fear and uncertainty regarding tomorrow. This, as you know, is particularly true of us, the unprivileged and the poor, the weak and the exploited -- the developing countries which do not possess ordinary weapons and even less nuclear weapons, but which also have the right to live in peace and security so that we can devote ourselves more fully to priority development tasks.

Now, the crisis syndrome which is observable in our time is being aggravated by the spectre of nuclear destruction, at the very time when people are talking of the new international economic order, of trusting co-operation and concertation between nations in solving problems of common interest, and of the efficient organization of interdependence and the democratization of international relations.

We say, then, that there are thresholds beyond which all causes are condemned. And this situation is a sign that the cause is no longer a good cause.

So long as part of our world lives under the threat of nuclear destruction, no genuine and effective co-operation will be possible; no true peace will reign and the weak will always try to make up for their weakness by more or less licit means while the strong will be more and more tempted to use their strength to achieve their objectives. Today, people are no longer being tortured only with branding irons, and not only in times of war and not only by declared enemies. There is a form of torture which resembles blackmail and which seems henceforward to belong to the arsenal of the normal instruments of power.

(Mr. Kamanda Wa Kamanda, Zaire)

How much insêcûrity there is in the world!

This is why the United Nations General Assembly at its thirty-third session entrusted the Committee on Disarmament with the priority task of giving a satisfactory answer to the question of the genuine guarantee to be given to non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Though we note with satisfaction the unilateral declarations by the nuclear Powers that they will not use or threaten to use nuclear weapons against non-nuclear-weapon countries, we still believe that we need genuine and recognized guarantees established on an international legal basis in order to relax tension in existing international relations.

A procedure whereby the Security Council would solemnly take note of these declarations would certainly be an important step forward; but it is impossible to stop there since the interests and survival of mankind are at stake.

Genuine guarantees, internationally established on legal bases accepted by all Powers, will give more credibility to the Treaty on the Non-Proliferation of Nuclear Weapons, to which many States have acceded and which is soon to be reviewed; because, once the fear of this type of weapon is removed, one of the main reasons for acquiring it will also be eliminated.

The removal and, I hope, the abolition of the nuclear threat will thus to a large extent enable the developing countries, which form the largest group of non-nuclear-weapon States, to devote themselves much more calmly to their development effort, rather than to try to use the best of their material and human potential for protecting themselves against possible enslavement by nuclear weapons.

In any case, in our African region, a convention guaranteeing the non-use of atomic weapons against non-nuclear-weapon States would help to strengthen security or feeling of security.

In our African region, the only Government in the world which has elevated criminal apartheid into a political system and a system of government is trying to acquire nuclear weapons with the obvious intention of perpetuating the enslavement of the African people of that country and intimidating the liberation movements and the States of Africa in their legitimate liberation struggle, which is recognized by the international community in the United Nations.

(Mr. Kamanda Wa Kamanda, Zaire)

Possession of such weapons by that country would constitute a serious threat to peace and international security. Judging from the way in which that country uses other types of weapons -- prohibited by civilized mankind -- against our countries, and from the perpetual blackmail which it exercises against Africa and the world with its military power, it is easy to foresee how it might use nuclear weapons.

The example of Africa illustrates with sufficient clarity the general situation in the world of today; the greater part of mankind is living powerless under the threat and fear of nuclear weapons.

Nuclear weapons are, to a great extent, the determining factor in the system of alliances in the modern world. In order to ensure their very survival, non-nuclear-weapon States are obliged to place themselves under one or another atomic umbrella; and this alone maintains the cycle of fear and implicitly invites peoples to join in the arms race.

We believe that the non-nuclear-weapon States which have had the courage to commit themselves not to acquire nuclear weapons and to renounce military pacts and alliances are entitled, in return, to receive guarantees that nuclear weapons will not be used against them and that their fears will be stilled once and for all; otherwise the Treaty on the Non-Proliferation of Nuclear Weapons would be a swindle.

For all these reasons, we think it is time that a treaty on "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of nuclear weapons" should be signed. We believe that with goodwill we can even now, on the basis of the unilateral declarations of the nuclear Powers and also of the documents submitted by Pakistan and the socialist countries (CD/23), identify the essential elements of a possible agreement.

In this delicate and complex matter, the nuclear Powers should know that what others think is also important. And the others, particularly the developing countries, believe that they have grounds to be afraid and to feel insecure.

In conclusion, my delegation reiterates its determination to work together with all members of the Committee to remove, once and for all, the spectre of fear and this sword of Damocles of a new kind which is hanging over the heads of the non-nuclear-weapon States and particularly the developing countries.

Mr. DJOKIĆ (Yugoslavia): The issue on our agenda during the course of this week, namely, effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, is both old and new at the same time. Old, inasmuch as it has already been much discussed in the past, from one or another aspect, particularly at the time the Treaty on the Non-Proliferation of Nuclear Weapons was concluded and the First NPT Review Conference was held, and, on other occasions at the United Nations and outside of its framework as well. It is also new, as this is the first time it has been placed on our agenda.

The issue in question here is a component part -- and I would say an inseparable one -- of the whole problem of international security. It is, therefore, imperative that it should be considered within its natural framework, and it is primarily in this context that appropriate solutions for it must be sought. Here I have in mind above all the prohibition of the use of force in international relations, the prohibition of the use of nuclear weapons and the taking of effective measures with respect to nuclear disarmament which constitute an essential prerequisite for the true removal of threats and possibilities of the outbreak of a nuclear war, as well as for the strengthening of international security, including the security of the non-nuclear weapon States.

In this context, the issue of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, or, as it is often called, the issue of negative guarantees, acquires its true place and meaning.

Together with other non-aligned countries, Yugoslavia consistently strives for the creation of such a system of international relations and security in the world that would lay a firm and lasting basis for the strengthening of peace and the unhindered development of all the members of the international community. The establishment of such a system cannot be based upon the present precarious balance of military-political blocs and the arms race, but precisely on the overcoming of the bloc division of the world, with a view to building a system of security founded on Article 2 of the Charter of the United Nations which embodies, as one of its fundamental principles, the prohibition of the threat or use of force against the territorial integrity or political independence of any State.



(Mr. Djokić, Yugoslavia)

At the last session of the United Nations General Assembly, Yugoslavia was one of a large number of countries which sponsored the resolution on the non-use of nuclear weapons and prevention of nuclear war (33/71 B), which, inter alia, emphasizes the conviction "that nuclear disarmament is essential for the prevention of nuclear war and for the strengthening of international peace and security" and stresses:

"(a) The use of nuclear weapons will be a violation of the Charter of the United Nations and a crime against humanity;

"(b) The use of nuclear weapons should therefore be prohibited, pending nuclear disarmament".

This resolution contains important provisions regarding the prohibition of the use of nuclear weapons, and its implementation would represent a true contribution to the strengthening of international peace and security and, within that context, the security of non-nuclear-weapon States as well.

During the preparations for the special session of the General Assembly devoted to disarmament, and in the course of the special session itself, Yugoslavia, along with other non-aligned countries, constantly strived for the incorporation into the Programme of Action of the provisions with regard to: the total and unconditional prohibition of the use or threat of use of nuclear weapons against any non-nuclear-weapon State, without discrimination and additional obligations; the cessation of the production of nuclear weapons; the urgent start of negotiations on halting the nuclear arms race and effecting a progressive reduction of stockpiles of nuclear weapons and delivery systems, leading to their final and total destruction and elimination; and the withdrawal of military forces and of nuclear weapons from foreign territories.

It follows from the aforementioned that the issue of negative guarantees is linked, in our opinion, primarily with the urgent need to undertake concrete measures which will eliminate the possibility of the use of nuclear weapons not only in relations between nuclear-weapon and non-nuclear-weapon States, but also in relations between the nuclear-weapon States themselves. That is how we interpret paragraph 59 of the Final Document of the special session.

Two working papers concerning the question of negative guarantees are before the Committee on Disarmament. The first, submitted by Pakistan is entitled "Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", and in its annex it contains

(Mr. Djokić, Yugoslavia)

a draft international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (CD/10). The second, submitted by the group of socialist countries, is entitled "Draft international convention on the strengthening of guarantees of the security of non-nuclear States" (CD/23).

The Pakistan draft envisages, in article I, that "nuclear-weapon States Parties to this Convention ... pledge themselves not to use or threaten to use nuclear weapons against non-nuclear weapon States not parties to the nuclear security arrangements of some nuclear-weapon States", and that "This undertaking is without prejudice to the obligations of States Parties to this Convention arising from treaties establishing nuclear-weapon-free zones".

Article I of the draft of the group of socialist countries, in turn, envisages that "nuclear-weapon States Parties to this Convention pledge themselves not to use or threaten to use nuclear weapons against non-nuclear States Parties to this Convention which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons in their territory or anywhere under their jurisdiction or control, on land, on the sea, in the air or in outer space".

Apart from that, article II of the Pakistan draft contains the significant provision that "nuclear-weapon States Parties to this Convention also undertake to avoid the possibility of the use or threat of use of nuclear weapons in any contingency and to achieve nuclear disarmament, resulting in the complete elimination of nuclear weapons, in the shortest possible time". In other words, the obligation of nuclear-weapon States contained in article I of the Pakistan draft is understood as a first step towards the complete ban on the use or threat of use of nuclear weapons. A similar provision is not contained in the draft of the group of socialist countries.

Both drafts, however, set certain limits with regard to the category of non-nuclear-weapon States that are to be given negative guarantees. In the Pakistan draft the guarantees have to do only with those non-nuclear-weapon States which are not parties to the nuclear security arrangements of some nuclear-weapon States. According to the draft of the group of socialist countries, however, the right to negative guarantees would be enjoyed only by those non-nuclear-weapon States which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons on their territory or anywhere under their jurisdiction or control. During the course of further consideration of this matter in our

(Mr. Djukić, Yugoslavia)

Committee, it would be useful to obtain clarifications from the sponsors of the draft submitted by the group of socialist countries as to which non-nuclear-weapon States they have in mind in that respect, since it is possible to encounter different cases and situations here.

At the beginning of our statement we explained our position of principle on the problems of international security and, within that context, the security of non-nuclear-weapon States. According to our profound conviction, the true way to remove the danger of an outbreak of nuclear war and, by the same token, to strengthen peace and security in the world as well as the security of non-nuclear-weapon States, lies in the prohibition of the use of force in international relations, the prohibition of the use of nuclear weapons and in the taking of resolute measures regarding nuclear disarmament. The formal negative guarantees given to the non-nuclear-weapon States can, therefore, be only of relative value since, should a nuclear conflict arise, and because of the characteristics of contemporary arms, non-nuclear-weapon States would not be spared the horrors that such a conflict would bring about.

If, nevertheless, we are speaking of negative guarantees, they should, in our opinion, be given to all non-nuclear-weapon States without any conditions or limitations. The obligation of the nuclear-weapon States to the effect that they will in no circumstances resort to the use of nuclear weapons nor threaten to use such weapons against non-nuclear-weapon States must be clear, precise and without any reservation. With respect to the manner in which such an obligation could be formulated, different possibilities exist and they will by all means be considered during the course of our further discussions of this issue.

Mr. GARCÍA ROBLES (Mexico) (translated from Spanish): International interest in the question of what in United Nations parlance have come to be called "negative guarantees", and which appears on the 1979 agenda of the Committee on Disarmament under the heading of "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" antedates the examination of the first drafts of the Treaty on the Non-Proliferation of Nuclear Weapons which, it will be recalled, were submitted in August and September 1965 by the United States and the Soviet Union respectively.

In fact, the securing of such guarantees for which Pakistan has fought with praiseworthy determination over the past 10 years constituted, from the first session of the Preparatory Commission for the Denuclearization of Latin America, held in Mexico in March 1965, one of the principal concerns of the Latin American States members of that Commission which set up at that juncture an ad hoc working group responsible for conducting negotiations to that end.

(Mr. García Robles, Mexico)

The work of the Preparatory Commission for the Denuclearization of Latin America on this subject was to culminate in what is today Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America -- the Treaty of Tlatelolco, the text of which appeared as a draft as early as May 1966 in the "Proposals" approved by the Commission itself.

The provisions referred to include, it will be recalled, the three following undertakings by the nuclear-weapon Powers which are parties to the Protocol:

- (a) "Not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty";
- (b) To respect "in all its express aims and provisions" the "status of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth in the provisions of the Treaty" and
- (c) "Not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies".

In view of the fact that originally one of the nuclear-weapon States suggested the adoption of unilateral declarations as a possible substitute for the Protocol, from 1970 onwards the General Assembly included an uninterrupted series of solemn declarations to that effect in all the numerous resolutions adopted on the signing and ratification of the above-mentioned Protocol, the most recent appearing in its resolution 33/61 of 14 December 1978. In these declarations, the Assembly reiterates emphatically:

"... its firm conviction that, for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol".

In the light of the brief summary I have just given, I think it may be asserted without fear of contradiction that the most effective way of obtaining the "negative guarantees" which are being sought is by the establishment of nuclear-weapon-free zones, in view of the fact that as Additional Protocol II to the Treaty of Tlatelolco shows, undertakings may be secured in this way from the nuclear-weapon States which go beyond the prohibition of the use or threat of use of nuclear weapons against States which belong to the nuclear-weapon-free zone.

Unfortunately it does not seem that all the non-nuclear-weapon States can in the near future -- in some cases despite their manifest wishes -- become integral parts of such zones. For this reason, the achievement of the objective which is sought in a general form implies recourse to procedures such as those envisaged in the draft

(Mr. García Robles, Mexico)

conventions which have been submitted to us respectively by the delegation of Pakistan (CD/10 of 27 March 1979) and by the delegations of the Soviet Union and six other socialist States (CD/23 of 21 June 1979). My delegation is fully in agreement with the aim of these working papers and with the procedure suggested to us by the Chairman of the Committee -- that a working group should be set up to conduct the difficult negotiations which undoubtedly will be required to arrive at a generally acceptable international instrument. The many interventions which have been made here since we started consideration of this agenda item undoubtedly contain many observations and suggestions which will be useful in such negotiations. In this connexion, my delegation would like to add one comment to stress that the General Assembly, in all the declarations contained in its resolutions on Additional Protocol II to the Treaty of Tlatelolco, to which I referred earlier, included the word "likewise" in referring to the necessity that the undertakings requested from nuclear-weapon States should be given in a formal international instrument, which undoubtedly implies that the General Assembly considered that the corresponding commitment on the part of States which do not possess such weapons of mass destruction -- to maintain a completely weapon-free régime -- should also appear in an instrument of the same nature. This comment leads me on to another related one, namely, that it is very likely that the Convention agreed upon will have to include procedures for the due verification of and control of compliance with the respective commitments made by both groups of States, that is, by both nuclear-weapon and non-nuclear-weapon States.

I would not wish to conclude without stressing that the Mexican delegation, while not underestimating in any way the obvious importance of achieving success on the subject which we are examining at the moment, continues to be convinced that it should never lead us to forget that the best way to put an end to the dangers which threaten the very survival of mankind consists in always bearing in mind and adopting as guidelines for international negotiations some of the basic concepts which abound in the Final Document of the first special session of the United Nations General Assembly devoted to disarmament. By way of example, I will quote in conclusion the following two which seem to me particularly pertinent:

"Enduring international peace and security cannot be built on the accumulation of weaponry by military alliances nor be sustained by a precarious balance of deterrence or doctrines of strategic superiority". (paragraph 13).

"Nuclear weapons pose the greatest danger to mankind and to the survival of civilization. It is essential to halt and reverse the nuclear arms race in all its aspects in order to avert the danger of war involving nuclear weapons. The ultimate goal in this context is the complete elimination of nuclear weapons". (paragraph 47).

The CHAIRMAN: I now have the pleasure of introducing to the Committee Ambassador Jaipal, Secretary of the Committee and Personal Representative of the Secretary-General.

As a matter of fact, I think that Ambassador Jaipal needs no introduction, neither for those who know him personally nor for those, like myself, who have not yet had that privilege but know him through his record and can well assess the most valuable contribution that he will make to the proceedings of our Committee.

On behalf of the Committee, may I extend a very warm welcome to Ambassador Jaipal, on the occasion of his starting work in our midst.

Mr. JAIPAL (Secretary of the Committee, Personal Representative of the Secretary-General): Mr. Chairman, permit me to thank you most sincerely and most warmly for your very kind and gracious words of introduction. At the same time, I should like to extend to you and to the distinguished members of the Committee my apologies for arriving after the commencement of the meeting today.

In assuming the responsibilities of the Secretary of the Committee on Disarmament and also Personal Representative of the Secretary-General, I would like to assure the Committee and its distinguished members of my full co-operation and assistance in the important work of this Committee. It is a matter of much pleasure and personal satisfaction to see so many distinguished members here whom I had known earlier in another capacity. I am glad also to have this opportunity to renew and develop further old friendships, and to get to know those other members whom I have not yet had the pleasure of meeting.

The present Committee on Disarmament has been hailed as opening a new phase of the disarmament effort, and also as reflecting a profound change in the international approach to the problem of disarmament. The General Assembly in its Final Document of the tenth special session drew attention to the great importance of the participation of all nuclear-weapon States in the work of this Committee. I hope that this particular wish of the General Assembly will be fulfilled quite soon -- if not at the current session, then perhaps at the next session.

I may recall in this connexion that the tenth special session declared that disarmament, particularly in the nuclear field, had become a necessity for the survival of mankind and for the elimination of the danger of nuclear war. The participation of all nuclear-weapon States would therefore serve to reassure the Member States of the United Nations, who are increasingly interested in the work of this Committee and whose expectations are understandably great.

(Mr. Jaipal, Secretary of the Committee, Personal  
Representative of the Secretary-General)

As the Secretary-General said in his message to the opening session of this Committee in January this year, "disarmament is a cause which in its very nature requires universal involvement and a steady mobilization of world public opinion". Many interesting proposals have already been made in this Committee, and no doubt many more will follow. As the Secretary-General said, what is now needed is a methodical approach and concentration on what is achievable.

There is one other matter to which I should like to draw attention, and that is another statement of the tenth special session that while "the United Nations should facilitate and encourage all disarmament measures -- unilateral, bilateral, regional or multilateral -- it should be kept duly informed of all disarmament efforts outside its aegis, without prejudice to the progress of negotiations". I might recall in this context the hope expressed by the Secretary-General that the parties engaged in negotiations, would "consider ways and means to bring them within the purview of this Committee, at least through a regular system of reporting which would provide information on areas of agreement and divergence".

In conclusion, I should like to extend my sincere greetings to all the members of this Committee and wish them much success in the attainment of the objective of disarmament, which Ambassador García Robles has rightly referred to as being "one of the most noble to which man may devote himself".

Mr. MARKER (Pakistan): I would like to make a brief statement, Mr. Chairman, to associate my delegation very warmly with the welcome that you have extended to Ambassador Jaipal, I would like to assure him of our closest co-operation in our future work. Speaking personally, I have had the privilege of working with him for a very short time and I look forward very much indeed to a continuation of this association.

The CHAIRMAN: Distinguished delegates, after consultations with members of the Committee, it is my understanding that we should hold an informal meeting immediately after the closure of this formal one, in order to deal with procedures concerning the item on our agenda, namely security guarantees.

At the same time I think we could take advantage of our informal meeting to give some thought to the way in which we should proceed next week with the item that should be taken up on Monday -- the third item in our programme of work.

The next plenary meeting of the Committee will be held on Tuesday, 3 July 1979, at 10.30 a.m.

The meeting rose at 4.55 p.m.