



INTERNATIONAL CONTROL OF ATOMIC ENERGY

GENERAL ASSEMBLY
OFFICIAL RECORDS: FOURTH SESSION
SUPPLEMENT No. 15 (A/993, A/1045 and A/1050)

LAKE SUCCESS, NEW YORK

UNITED NATIONS

INTERNATIONAL CONTROL OF ATOMIC ENERGY



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NOTE

All United Nations documents are designated by symbols, i.e., capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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**INTERIM REPORT ON THE CONSULTATIONS OF THE SIX PERMANENT MEMBERS OF THE UNITED NATIONS ATOMIC ENERGY COMMISSION
APPROVED ON 24 OCTOBER 1949**

Document A/1045 and Corr. 1

[Original text: French]
[24 October 1949]

In paragraph 3 of General Assembly resolution 191 (III) of 4 November 1948, the representatives of the sponsoring Powers, who are the permanent members of the Atomic Energy Commission, namely, Canada, China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, were requested to hold consultations "in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons".

The first meeting took place on 9 August 1949. The consultations have not yet been concluded and are continuing but, in order to inform the General Assembly of the position which has so far been reached, the six sponsoring Powers have decided to transmit to it the summary records of the first ten meetings.

ANNEX

Consultations of the six permanent members of the United Nations Atomic Energy Commission

SUMMARY RECORDS OF THE FIRST TEN MEETINGS

[The document symbols for these summary records are A/PERMANENT MEMBERS AEC/SR.1 to 10 inclusive. The original texts were in English, and were issued on 24 October 1949.]

FIRST MEETING

*Held at Lake Success, New York,
on Tuesday, 9 August 1949, at 11.30 a.m.*

Members:

General A. G. L. McNAUGHTON, Canada;
Dr. T. F. TSIANG, China;
Mr. Jean CHAUVEL, France;
Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;
Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;
Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. BYRON PRICE, Acting Secretary-General;
Mr. C. E. ZINCHENKO, Assistant Secretary-General;
Dr. D. PROTITCH, Principal Director;
Dr. O. FREY, Secretary.

1. Opening of the meeting

In opening the meeting, Mr. BYRON PRICE (Acting Secretary-General) observed that on 22 July 1949 Dr. Tsiang (China), Chairman of the Atomic Energy Commission during that month, had requested the Secretary-General to inquire whether the other five sponsoring Powers of General Assembly resolution 1 (I) were in agreement with the view of the Chinese delegation that the sponsoring Powers should meet as requested by General Assembly resolution 191 (III) of 4 November 1948. Each of those Powers had agreed to the meeting being convened. Mr. Price said the Secretariat would be happy to give any assistance which might be required.

2. Chairmanship

Dr. TSIANG (China) proposed that the chairmanship rotate among the States represented at the consultations in the English alphabetical order of their names, each chairman to hold office for one meeting. The representative of China later accepted the suggestion of the representative of the United Kingdom that the chairman hold office for one day on which meetings were held.

The proposal as amended was accepted.

General McNaughton (Canada) then took the chair.

3. Agenda

The CHAIRMAN proposed that the agenda be paragraph 3 of General Assembly resolution 191 (III), which read:

"The General Assembly

.....

"3. Requests the six sponsors of the General Assembly resolution of 24 January 1946, which are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons, and to report to the General Assembly the results of their consultation not later than its next regular session."

Mr. TSARAPKIN (Union of Soviet Socialist Republics) noted that paragraph 3 only requested the members to meet and to consult. Therefore, when the substance of the resolution, which was embodied in paragraph 1, was to be discussed, he

wished to have the USSR draft resolution of 25 February 1949 (AEC/37),¹ the draft proposals of 11 June 1947 (AEC/24)² and the draft convention of 19 June 1946 (AEC/7)³ included in the agenda.

The CHAIRMAN observed that if the agenda were limited to paragraph 3 of the General Assembly resolution, the agenda would set forth only the purpose of the consultations, which was "to determine if there exists a basis for agreement". In working towards that end, there was no objection to the introduction by the delegations of any draft proposals which were considered useful.

The members later agreed unanimously that only paragraph 3 of the resolution would be placed on the agenda and that each delegation would be free to submit any proposal which it felt would make a useful contribution to the work of the group.

4. Secretariat assistance

The members requested the Secretariat:

(a) To provide consecutive interpretation into the English and French languages;

(b) To prepare summary records of each meeting;

(c) To prepare a *communiqué* of each meeting, the *communiqué* to be approved at the close of each meeting and to be issued to the Press immediately thereafter.

At the request of Mr. TSARAPKIN (Union of Soviet Socialist Republics), simultaneous interpretation into the Russian language was also to be provided.

Dr. TSIANG (China) reserved the right of other delegations to request a similar service.

The CHAIRMAN proposed that the meetings be held in closed session in order to facilitate the exchange of views on a confidential basis.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) suggested that it might be better to have open meetings; but, if the other members preferred closed meetings, he would not insist on his proposal.

It was agreed that closed meetings would be held for the present, and, if it were believed advantageous to open them later, the matter could be reconsidered.

5. General discussion

Mr. HICKERSON (United States of America) recalled that the consultations were being held at the request of the General Assembly to determine whether the existing deadlock could be broken, whether a fresh approach to the subject could be made and whether agreement could be achieved, and then to report to the General Assembly. He emphasized that the United States Government continued to support fully the plan of control and prohibition approved by both the Commission and the General Assembly at Paris. His Government approved the plan because it was the only feasible

one which had been advanced so far. It was possible that human ingenuity might produce some alternative scheme which would commend itself to all. On the other hand, the USSR proposals were unacceptable to his Government because they fell far short of the indispensable safeguards which must be devised. However, if the USSR or any other delegation had new proposals to make, his Government was prepared to give them its most sympathetic consideration.

Sir Alexander CADOGAN (United Kingdom) stated that his delegation found itself in very much the same position as that set forth by the representative of the United States. However, he thought the members ought to try to find a new approach to the problem and to avoid repeating the arguments which had been advanced during the past three years.

As a new approach to the problem, the United Kingdom representative proposed that the majority plan might be dissected and a list made of the fundamental points on which the plan depended. The whole problem might then be seen in better perspective and some advance made towards settling it. He said he would be willing to confer with some of his colleagues and prepare such a list if they thought one desirable. He suggested that perhaps the USSR delegation might wish to prepare a similar list covering its proposals.

The members agreed that such a list would be valuable, and the CHAIRMAN asked the United Kingdom representative to undertake its preparation. The Chairman suggested to the representative of China, who was to be chairman at the next meeting on Tuesday, 16 August, at 10.30 a.m., that the proposal be the main topic for consideration.

A communiqué was approved and issued as Press release No. AC/211.

The meeting rose at 1.15 p.m.

SECOND MEETING

*Held at Lake Success, New York,
on Tuesday, 16 August 1949, at 10.30 a.m.*

Chairman:

Dr. T. F. TSIANG, China;

Members:

General A. G. L. McNAUGHTON, Canada;

Mr. Jean CHAUVEL, France;

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;

Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;

Dr. D. PROTITCH, Principal Director;

Dr. O. FREY, Secretary.

1. General debate

Sir Alexander CADOGAN (United Kingdom) read a list of topics which his delegation had circulated on 11 August 1949. He pointed out that the list, which had been prepared to serve as a possible basis for the discussions, included the fundamental points of the majority plan, which

¹ See *Official Records of the Atomic Energy Commission*, Fourth Year, No. 2, page 8.

² *Ibid.*, Third Year, Special Supplement, annex 3 (C).

³ *Ibid.*, annex 3 (A).

his delegation had supported, and that those points were essential to any effective control plan which might be devised. The topics had been listed in order of their importance. He was of the opinion that the list would assist the members in analysing and defining their differences and would avoid the repetition of the long debates which had taken place during the past three years. If other representatives were also to put forth their ideas in a similar form, he felt that that method might prove useful in determining how great the differences were and whether they could be reduced. He believed that the fundamental differences between the delegations, as well as the area of agreement, should be outlined during the consultations and reported to the fourth session of the General Assembly.

Sir Alexander then read a draft working paper (appendix) which his delegation had prepared and which contained the original list of topics and the essential points under each item.

(The meeting recessed from 11.15 a.m. to 12.05 p.m. in order that copies of a revised draft of the working paper could be prepared.)

Mr. TSARAPKIN (Union of Soviet Socialist Republics) observed that the "International system of control" was listed as point 1 and the "Prohibition of atomic weapons" as point 4. He did not believe that that order of topics reflected the substance of the atomic energy problem, as the prohibition of atomic weapons was the principal problem to be solved. The problem of international control was only a derivative of prohibition. If there were no prohibition, there would be no reason to set up a system of controls. Therefore, he proposed that points 1 and 4 be combined under the heading "Prohibition of atomic weapons and the international system of control".

Sir Alexander CADOGAN (United Kingdom) said the USSR proposal might be good enough in logic but not in experience. Although prohibition might be primordial, it was a point of fact that those who possessed atomic weapons must be protected before they would give them up. While it might be possible to consider the two questions together, he had tried to direct the discussions along the new line and to avoid the well-known general arguments.

Mr. HICKERSON (United States of America) emphasized that there must be a single-package solution to the whole problem. There was a certain logic in the order of the United Kingdom list. If points 1 and 4 were combined, he felt it would be only logical to consider all of the points at the same time.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) stated that he had referred to the order of the discussion of the topics when he proposed that points 1 and 4 be amalgamated. He said the USSR position was well-known. It was that both conventions—that on prohibition of atomic weapons and that on the establishment, in connexion with prohibition, of an international control system—should be concluded and put into force simultaneously. The USSR representative did not agree with the United States representative that the combining of points 1 and 4 might lead to the combining of all the items. His delegation would not object to the separate consideration of the two basic aspects of the problem, prohibition and con-

trol, as long as they constituted a whole. However, prohibition should be considered first, because, in the absence of prohibition, there would be no need for establishing any kind of control.

The CHAIRMAN, speaking as the representative of China, observed that the USSR proposal, in effect, meant that point 4 would become point 1. While the Chinese delegation saw the logic in the order suggested by the United Kingdom delegation, the order of consideration should not be allowed to create difficulties. Therefore, his delegation would agree to the change in the list of topics. He added that members realized that all the topics were related and that agreement on one, without agreement on all the others, would not achieve the desired results.

Sir Alexander CADOGAN (United Kingdom) observed that the members were nowhere near agreement on control and, until a system of control had been worked out and had proved effective, there would be no prohibition. Devising a system of prohibition would be rather simple and require only a few articles. Therefore, he felt the most practical approach would be to try to reach agreement on a control plan.

Mr. HICKERSON (United States of America) said he would prefer to leave the list in its present form, as it had been prepared to facilitate the discussions. However, the order was of little consequence as long as it was kept clearly in mind that a one-package solution to the problem must be evolved. Mr. Hickerson believed that if no atomic weapons were in existence, Member nations would still wish to have an international system of control established in case such weapons were invented. He recalled that the first report stated that outlawing the national production and use of atomic weapons was an essential part of the international system of control.

While considering the order of the United Kingdom list of topics practicable, Mr. CHAUVEL (France) did not believe the order of discussion was of excessive importance as long as the reversal of points 1 and 4 did not imply the reversal of the measures entailed therein.

While noting that the list of topics had generally commended itself to the members, General McNAUGHTON (Canada) had no objection to considering the fourth topic first. The order was not important if all the topics were discussed. Therefore, he suggested that point 4 be discussed at the next meeting and no decision be made as to which point should be considered next.

As there was no objection to the Canadian representative's suggestion, the CHAIRMAN announced that point 4, "Prohibition of atomic weapons", would be considered at the next meeting.

In noting that the members had agreed at the request of the USSR representative to consider point 4 first, General McNAUGHTON (Canada) expressed his hope that the USSR representative would give his views on the question at the opening of the meeting.

While stating his delegation's willingness to participate, Mr. TSARAPKIN (Union of Soviet Socialist Republics) considered it uncommon to compel a particular representative to open a discussion.

General McNAUGHTON (Canada) assured the USSR representative that he had not intended to bind him to speak first. However, he did believe if the USSR representative were to elaborate on some of his earlier remarks, it would benefit the work of those taking part in the consultations.

After the Chairman had read a draft of the Press communiqué, Mr. TSARAPKIN (Union of Soviet Socialist Republics) suggested that the topic to be discussed at the next meeting be included in order to keep the public informed.

Mr. HICKERSON (United States of America) and General McNAUGHTON (Canada) believed it would be tantalizing to the public to mention the question being discussed without reporting any of its details. Therefore, they proposed that no mention of a substantive matter be made.

While agreeing with the Chinese and USSR representatives that such a communiqué was hollow, the members decided to omit, for the present, all reference to substantive questions.

Press release No. AC/212 was approved.

The CHAIRMAN announced that the third meeting would be held on Friday, 19 August, at 10.30 a.m.

The meeting rose at 1.15 p.m.

APPENDIX

LIST OF TOPICS PREPARED BY THE REPRESENTATIVES OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

1. *International system of control*

(a) There should be a strong and comprehensive international system for the control of atomic energy and the prohibition of atomic weapons, aimed at attaining the objectives set forth in the resolution of the General Assembly of 24 January 1946. Such an international system should be established, and its scope and functions defined by an enforceable multilateral treaty in which all nations should participate on fair and equitable terms.

(b) Policies concerning the production and use of atomic energy which substantially affect world security should be governed by principles established in the treaty. Production and other dangerous facilities should be distributed in accordance with quotas and provision laid down in the treaty.

2. *International Control Agency*

(a) There should be established, within the framework of the Security Council, an international control agency, deriving its powers and status from the treaty under which it is established. The agency should possess powers and be charged with responsibility necessary and appropriate for the prompt and effective discharge of the duties imposed upon it by the terms of the treaty. Its powers should be sufficiently broad and flexible to enable it to deal with new developments that may hereafter arise in the field of atomic energy.

(b) The personnel of the agency should be recruited on an international basis.

(c) The duly accredited representatives of the agency should be afforded unimpeded rights of ingress, egress, and access for the performance of their inspections and other duties into, from and within the territory of every participating nation, unhindered by national or local authorities.

3. *Exchange of information*

(a) The agency and the participating nations should be

guided by the general principle that there should be no secrecy concerning scientific and technical information on atomic energy.

(b) The agency should promote among all nations the exchange of basic scientific information on atomic energy for peaceful ends.

4. *Prohibition of atomic weapons*

(a) International agreement to outlaw the national production and use of atomic weapons is an essential part of this international system of control.

(b) The manufacture, possession and use of atomic weapons by all nations and by all persons under their jurisdiction should be forbidden.

(c) Any existing stocks of atomic weapons should be disposed of, and proper use should be made of nuclear fuel for peaceful purposes.

5. *Development of atomic energy*

(a) The development and use of atomic energy even for peaceful purposes are not exclusively matters of domestic concern of individual nations, but rather have predominantly international implications and repercussions. The development of atomic energy must be made an international co-operative enterprise in all its phases.

(b) The agency should have positive research and developmental responsibilities in order to remain in the forefront of atomic knowledge so as to render itself more effective in promoting the beneficial uses of atomic energy and in eliminating the destructive ones.

(c) The agency should obtain and maintain information as complete and accurate as possible concerning world supplies of source material.

6. *Control over atomic materials and facilities*

(a) The agency should hold all atomic source materials, nuclear fuels and dangerous facilities in trust for the participating nations and be responsible for ensuring that the provisions of the treaty in regard to their disposition are executed.

(b) The agency should have the exclusive right to operate and manage all dangerous atomic facilities.

(c) In any matters affecting security, nations cannot have any proprietary right or rights of decision arising therefrom over atomic source materials, nuclear fuels or dangerous facilities located within their territories.

(d) The agency must be given indisputable control of the source materials promptly after their separation from their natural deposits, and on taking possession should give fair and equitable compensation determined by agreement with the nation concerned.

(e) Activities related to atomic energy, which are non-dangerous to security, such as mining and milling of source material, and research, may be operated by nations or persons under licence from the agency.

7. *Means of detecting and preventing clandestine activities*

The agency should have the duty of seeking out any clandestine activities or facilities involving source material or nuclear fuel; to this end it should have the power to require reports on relevant matters, to verify these reports and obtain such other information as it deems necessary by direct inspection or other means, all subject to appropriate limitations.

8. *Stages*

The treaty should embrace the entire programme for putting the international system of control into effect, and should provide a schedule for the completion of the transitional process over a period of time, step by step, in an

orderly and agreed sequence leading to the full and effective establishment of international control of atomic energy and prohibition of atomic weapons.

THIRD MEETING

*Held at Lake Success, New York,
on Friday, 19 August 1949, at 10.30 a.m.*

Chairman:

Mr. Jean CHAUVEL, France;

Members:

General A. G. L. McNAUGHTON, Canada;

Dr. T. F. TSIANG, China;

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;

Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;

Dr. O. FREY, Secretary.

1. *Prohibition of atomic weapons*

In opening the discussion, the CHAIRMAN observed that the members had agreed to consider point 4, "Prohibition of atomic weapons", of the United Kingdom list of topics (appendix to the summary record of the second meeting). While the order of the list of points was not binding, the order of their discussion would not prejudice their order of application in any plan which might be adopted. He also pointed out that any delegation was, of course, free to introduce new items at any time.

Mr. HICKERSON (United States of America) considered the outline under point 4 a good summary of the essential characteristics on the question of prohibition to be included in an acceptable system of control. Naturally, there were many details to be filled in later, but his Government could accept such a system within the general framework of the plan on international control and prohibition approved by the General Assembly.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) said his delegation had examined point 4 of the United Kingdom working paper and wished to submit amendments thereto (appendix) which he then read. He pointed out that amendments (a), (c) and (d) were modifications of the three sub-paragraphs of the United Kingdom draft and amendment (b) was an addition. The representative of the Union of Soviet Socialist Republics realized it would be difficult to commence the discussion of point 4 before an official translation of the USSR amendments had been distributed. Therefore, he suggested that the Secretariat circulate the translation as soon as possible and that the discussion of point 4 be postponed until the next meeting.

While agreeing with the Chairman that it would be difficult to consider the amendments immediately, Sir Alexander CADOGAN (United Kingdom) thought the amendments raised a procedural question. If the members waited until the next meeting to consider the USSR amendments, the

discussion at that time would have a close family resemblance to those of the past. Therefore, he suggested that it would be helpful if any delegation having amendments to any of the topics submitted them at the outset of the consultations. The representatives would then have an over-all view of the problem, which might prevent them from straying into a long, detailed and, possibly, repetitive discussion of each point of difference.

In supporting the United Kingdom suggestion, the CHAIRMAN expressed his hope that those delegations having amendments to any of the topics would submit them as soon as possible in order that the discussions could be held on the broadest possible basis.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that point 4, "Prohibition of atomic weapons", should be discussed at the next meeting, as had been decided upon at the previous meeting. If amendments were submitted thereto, naturally, they should be discussed in connexion with that point.

The representative of the Union of Soviet Socialist Republics observed that the remaining points, with the possible exception of point 3, "Exchange of information", pertained to the problem of the international system of control and its derivatives. Although the questions of control and prohibition were closely related, he felt it would be difficult to consider all of the points simultaneously without losing sight of the original and basic problem—prohibition of atomic weapons. Therefore, he felt that the representatives should first discuss point 4 and any amendments thereto.

The CHAIRMAN did not believe that it had been suggested that all eight items be considered together. The United Kingdom representative had proposed that amendments to all eight topics be submitted as soon as possible so that the members would have a general view of the whole problem. The Chairman observed that in reading the USSR amendments, it appeared that points 1 and 4 were integrated. However, there was no objection to discussing point 4 first, with the bearing it might have on the problem as a whole.

While noting that the members had decided to consider point 4 first, Sir Alexander CADOGAN (United Kingdom) said that if the delegations having in mind amendments to all eight topics would submit them, the representatives would then have a birds-eye view of the existing divergencies of opinion. He believed such a procedure would assist the representatives in determining whether it were possible to fulfil their terms of reference, i.e., if there was any possibility of reaching agreement on the problem as a whole.

Mr. HICKERSON (United States of America) recalled that his delegation was not particularly concerned with the order of discussion. It was participating in the consultations in response to the General Assembly resolution requesting the six sponsoring Powers to meet to determine if the existing deadlock could be broken. His Government continued to support the plan prepared by the Commission and approved by the General Assembly as the only feasible plan on control and prohibition which had been introduced. The two questions were inseparable, and the inter-relationship between them must be worked out. Therefore, until acceptable substitute proposals were

submitted, the United States Government would continue to support the plan approved by the General Assembly.

Mr. Hickerson said that his Government had no intention of giving up its atomic weapons until an effective control system had been established which ensured that no nation would be able to make atomic weapons with any degree of impunity. He did not believe anyone could expect his Government to do differently.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) observed that the United Kingdom representative had suggested a method of procedure at the first meeting which had been accepted by the other members. Substantially, it provided for dividing the subject into its component parts and examining each one separately to determine if a general plan, acceptable to all delegations, could be evolved. It was then decided to discuss, first, the main link in the plan—prohibition of atomic weapons. If the members were successful in evolving a solution to the prohibition question, they could progress to the other points of the plan—the international control system.

The representative of the Union of Soviet Socialist Republics observed that the United States representative now appeared uninterested in such a method of work. Mr. Tsarapkin believed that if the members were to go back to the international system of control as devised by the majority, there was no real prospect of reaching final agreement on a plan acceptable to all. On the other hand, if the method of work decided upon at the previous meetings were followed, there was hope of agreeing. Therefore, he believed that the members should concentrate their efforts on solving the prohibition question.

As the representatives had agreed to begin their discussion with point 4, the CHAIRMAN said the discussion of that topic and the USSR amendments thereto should be commenced at the next meeting.

While agreeing with the Chairman on the question of discussing point 4, General McNAUGHTON (Canada) believed that other points would be involved in reaching agreement on point 4. Therefore, he thought it desirable to have any amendments to the other seven points submitted as soon as possible.

In disagreeing with the representative of Canada, Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that the conclusion reached on prohibition would influence the attitude of the representatives on the other questions. The problem of an international control system was only of secondary, derivative importance, and as compared with the problem of prohibition of atomic weapons, the problem of control would emerge as and when agreement was reached on prohibiting atomic weapons.

General McNAUGHTON (Canada) stated that he was able to follow the sense of the USSR amendments from the interpretation sufficiently well to know that it was not practical to attempt to discuss them without reference to other portions of the United Kingdom working paper. He, therefore, ventured to suggest again that if the USSR representative had amendments to the other points,

it would be helpful to the other members if they were to submit them now.

Dr. TSIANG (China) observed that his delegation accepted the Chairman's earlier statement that point 4 and the USSR amendments thereto would be discussed at the next meeting. With regard to the future consultations, Dr. Tsiang observed that the United Kingdom delegation had submitted an outline of the whole question under consideration and that the Chinese delegation appreciated the necessity of having the amendments to the other points submitted as soon as possible. If they were not, his delegation would have to reserve its judgment on the amendments to point 4 until it had had an opportunity to study amendments to the other points which might be submitted later.

The CHAIRMAN concluded that it would be helpful if the USSR representative were able to give the other members a general idea of the amendments which his delegation was going to present on the other points. If not, it would be necessary, in discussing point 4 at the next meeting, to ask numerous questions on the problem as a whole.

Press release No. AC/213 was approved.

The CHAIRMAN announced that the fourth meeting would be held on Thursday, 25 August, at 3 p.m.

The meeting rose at 12.25 p.m.

APPENDIX

AMENDMENTS SUBMITTED BY THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO POINT 4 OF THE LIST OF TOPICS PREPARED BY THE REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

4. Prohibition of atomic weapons:

(a) An international convention outlawing the production, use and possession of atomic weapons is an essential part of any system of international control of atomic energy. In order to be effective, such a convention should be supplemented by the establishment of a universal system of international control, including inspection to ensure that the provisions of the convention are carried out and "to protect States observing the convention from possible violations and evasions".

(b) The Atomic Energy Commission should forthwith proceed to prepare a draft convention for the prohibition of atomic weapons and a draft convention on control of atomic energy, on the understanding that both conventions should be concluded and brought into effect simultaneously.

(c) Atomic weapons should not be used in any circumstances. The production, possession and use of atomic weapons by any State, agency or person whatsoever should be prohibited.

(d) All existing stocks of finished and unfinished atomic weapons should be destroyed within three months of the date of entry into force of the convention for the prohibition of atomic weapons. Nuclear fuel contained in the said atomic weapons should be used for peaceful purposes.

FOURTH MEETING

*Held at Lake Success, New York,
on Thursday, 25 August 1949, at 3 p.m.*

Chairman:

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Members:

Mr. Arnold C. SMITH, Canada;
Dr. T. F. TSIANG, China;
Mr. Jean CHAUVEL, France;
Sir Alexander CADOGAN, United Kingdom of
Great Britain and Northern Ireland;
Mr. John D. HICKERSON, United States of
America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-
General;
Dr. O. FREY, Secretary.

1. Prohibition of atomic weapons

In opening the discussion, the CHAIRMAN observed that the members had agreed to discuss point 4, "Prohibition of atomic weapons", of the United Kingdom list of topics and the USSR amendments thereto (appendices to the summary records of the second and third meetings, respectively).

Dr. TSIANG (China) gave a short résumé of the proceedings of the previous consultations as background information to the discussion of point 4. He then observed that he had studied the USSR amendments and found they were not confined only to point 4 but touched upon several of the other points. He observed that:

1. The first sentence of the USSR amendment 4 (a) covered the same problem as point 4 (a) of the United Kingdom working paper, and the second sentence touched upon points 1, 6 and 7.

2. USSR amendment 4 (b) and United Kingdom point 1 covered the same subject, although there was considerable difference in their substance.

3. USSR amendment 4 (c) was identical in meaning to point 4 (b) of the United Kingdom working paper.

4. USSR amendment 4 (d), with one exception, was identical with point 4 (c) of the United Kingdom list of topics. The exception was the three-month time limit provided for the destruction of atomic weapons. Point 8 of the working paper touched upon that question.

Dr. Tsiang said he had come to two conclusions. First, the USSR amendments to point 4 touched upon several of the other points. Secondly, the amendments, in so far as they related to point 4, were substantially in agreement with the principles set forth in the United Kingdom working paper. The representative of China did not consider phraseology important at that stage of the discussions as the representatives were not drafting a treaty. However, in substance, the Chinese delegation accepted the following parts of the USSR amendments pertaining to point 4:

"(a) An international convention outlawing the production, use and possession of atomic weapons is an essential part of any system of international control of atomic energy.

"(c) Atomic weapons should not be used in any circumstances. The production, possession and use of atomic weapons by any State, agency or person whatsoever should be prohibited.

"(d) All existing stocks of finished and unfinished atomic weapons should be destroyed. . .

Nuclear fuel contained in the said atomic weapons should be used for peaceful purposes."

Dr. Tsiang believed that the representatives were in agreement on the substance of point 4. Unless other representatives wished to speak on the amendments, in relation to point 4, he suggested that they consider the amendments in relation to point 1. He recalled that the USSR representative had proposed at an earlier consultation that points 4 and 1 be amalgamated.

Mr. CHAUVEL (France) stated that his delegation agreed with the views expressed by the Chinese representative on the USSR amendments in so far as they pertained to point 4. He considered the United Kingdom working paper to be an analytical statement of the problems to be solved in evolving an effective plan of international control and prohibition while the USSR amendments approached the problem from a synthetic point of view.

Although the General Assembly had requested the six sponsoring Powers to report on their consultations to the fourth session, Mr. Chauvel did not think the discussions had advanced to a stage where it was possible to formulate statements of delegation positions on any given point. The French representative observed that his delegation would be happy to hear comments on point 4 from other representatives. He suggested that they then pass on to the topic most closely related to point 4, which appeared to be point 1, the "International system of control".

While stating that he was in agreement with much of what his Chinese colleague had said, Mr. HICKERSON (United States of America) summarized the situation as follows: He believed all delegations favoured the prohibition of atomic weapons. The United States Government had advocated effective prohibition, made effective by controls, ever since the Atomic Energy Commission was first convened in June 1946. He thought that the USSR amendments were obscure in regard to controls. Although the amendments touched on the various aspects of control covered in the United Kingdom outline, they were not sufficiently clear to cause the United States delegation to believe they met the problem or would break the impasse in the Commission. In fact, the amendments reintroduced the same USSR proposals which had been submitted to the Atomic Energy Commission from 1946 to 1949 and which had previously been discussed in great detail.

The representative of the United States said that the question of prohibition and control was a single problem which required one integrated solution. His Government favoured effective prohibition of atomic weapons based on that integrated solution. The Commission's plan of control and prohibition, approved by the General Assembly, provided a workable and effective solution to the problem. Therefore, his Government would continue to support that plan until a better one was devised. His delegation was prepared to give sympathetic consideration to any proposals which would lead to effective control and prohibition. While the United Kingdom list was acceptable as a basis for discussion, Mr. Hickerson did not believe the representatives should be tied to any particular procedure.

In agreeing with the French representative that

the principal issue was effective control, which would make prohibition itself effective, the representative of the United States proposed that, unless other members wished to speak on point 4, they pass on to points 1 and 2 of the United Kingdom working paper. They could return to point 4 whenever a representative wished.

The CHAIRMAN, speaking as the representative of the Union of Soviet Socialist Republics, noted that the representatives of China, France and the United States had commented on the USSR amendments and had agreed to certain parts of the amendments. Mr. Tsarapkin emphasized that any attempt to extract certain portions of the amendments and to discuss those portions in connexion with the item on control was not in conformity with the intent of the USSR amendments.

As the United States representative had said he regarded prohibition and control as an indivisible whole, Mr. Tsarapkin thought that the representatives ought to attempt to reach an understanding on the basic issues first, i.e., those principles governing the prohibition of atomic weapons. His Government considered the prohibition of atomic weapons the core of the problem and control a derivative of it. Without prohibition, there was no need for control.

Mr. Tsarapkin stated that his delegation's amendments raised certain issues of principle, and had been submitted because several provisions of the United Kingdom working paper were unacceptable. He then made the following analysis of point 4 of the United Kingdom working paper and the USSR amendments thereto:

Paragraph 4 (a) and amendment 4 (a). The United Kingdom text provided for the outlawing of the national production and use of atomic weapons but did not mention the question of ownership. The USSR delegation believed it was also essential to outlaw the ownership of atomic weapons. The word "national", in point 4 (a) of the United Kingdom list of topics, narrowed the significance of prohibition, which must be extended over all countries, persons and agencies, including the international control agency. The Soviet amendment to point 4 (a) eliminated the narrowing effect of the United Kingdom proposal in 4 (a) and extended the ban on the production and use of atomic weapons not only to States but also to any international agency or organization. The outlawing of production, use and possession of atomic weapons by anyone became all the more important since point 6 of the United Kingdom proposal provided that the Agency should own all the atomic materials and facilities in all the countries throughout the world. The USSR delegation did not agree with the view held by other delegations that the part of the amendment concerning the question of control should be discussed later because it related to other points. The question of ownership was one of the basic principles which must be agreed upon.

USSR amendment 4 (b). Both conventions on the prohibition of atomic weapons and on the control of atomic energy should be concluded and brought into force simultaneously. The discussions had made it clear that each delegation was in favour of prohibiting atomic weapons and establishing, in connexion with the prohibition of atomic weapons, a system of control. Therefore, the

USSR delegation had submitted its amendment directing the Atomic Energy Commission to draw up the conventions at once. The amendment did not propose any details, but was simply a statement on basic principles.

Paragraph 4 (b) and amendment 4 (c). Point 4 (b) of the United Kingdom proposal contained the statement that nations and all persons under their jurisdiction were prohibited from manufacturing, possessing and using atomic weapons. This form of words could be construed to mean that the Agency was not so prohibited (point 6), which was unacceptable to the USSR delegation. The Soviet amendment 4 (c) eliminated the possibility of such an interpretation.

Paragraph 4 (c) and amendment 4 (d). The USSR amendments in connexion with the prohibition of atomic weapons provided for the destruction, within a definite stated period, of all stocks of atomic weapons, whether in a finished or unfinished condition. If all delegations agreed that atomic weapons should be prohibited, there could be no reasonable objection to setting a time limit for the destruction of all stocks of atomic weapons, both finished and unfinished.

In conclusion, Mr. Tsarapkin said that the USSR amendments restated the basic principles of the issue, to which no representative could object. He felt that the basic principles of a control plan should be discussed as soon as the consideration of point 4 had been completed. He recalled that the Chinese and United States representatives had suggested that the question of prohibition be deferred and the problem of control be considered. He did not know how the representatives could discuss the question of control without first agreeing on prohibition. If the members agreed with the USSR amendments to point 4, "Prohibition of atomic weapons", of the United Kingdom list of topics, then that agreement should be put in the record, after which the members could proceed to consider the next topic, control resulting from the prohibition of atomic weapons.

Mr. SMITH (Canada) noted that the meetings had been called in order that the six sponsoring Powers could try to reach agreement on the main principles covering the entire field of prohibition and control. He, of course, hoped they would agree, as such agreement was an essential preliminary step to drafting a convention.

The Canadian representative stated that while all the representatives wished to prohibit the atomic weapons, it was evident that there would be no prohibition without an effective system of control. There could not be effective prohibition without effective control. The USSR amendments also made that fact clear. They read, in part: "In order to be effective, such a convention should be supplemented by the establishment of a universal system of international control. . ." Therefore, control and prohibition were interdependent. The cardinal point then, in the opinion of the Canadian delegation, was the question of control. It was that question which had created the deadlock in the discussions in the Atomic Energy Commission and which must be solved by the six sponsoring Powers.

Mr. Smith observed that the United Kingdom working paper outlined the basic principles essential to an effective system of international control

and prohibition, principles which his Government accepted. He recalled that, at the previous meeting, it had been suggested that all delegations having amendments to the United Kingdom working paper, submit them as soon as possible. If that procedure were followed, he felt it would facilitate the discussions. The Canadian delegation had studied the paper and had no amendments to propose.

Sir Alexander CADOGAN (United Kingdom) said that while several representatives had noted there was general agreement on prohibition, no one expected to get it unconditionally. There must be an effective system of control. The representative of the United Kingdom recalled that the USSR representative had said it was useless to talk about control without having agreed on prohibition. He felt that some one might retort that the reverse was true. Recalling that the USSR representative had proposed at a previous meeting the amalgamation of points 4 and 1, Sir Alexander thought it would prove difficult to continue the discussion on point 4 much further and suggested that the system of control be considered next.

The CHAIRMAN noted that a number of the representatives had indicated that the discussions should be more general, including both prohibition and control. The Chairman, speaking as the representative of the Union of Soviet Socialist Republics, recalled that, from the very beginning of the discussions, he had proposed that points 4 and 1 be amalgamated under the heading "Prohibition of atomic weapons and the international system of control". If that were the desire of the other representatives, the consultations would proceed on that basis.

Mr. HICKERSON (United States of America) observed that the six sponsoring Powers had been requested to hold informal conversations to determine whether a basis for agreement could be found. The United Kingdom working paper was a list of topics, with some elaboration, which had been submitted to serve as a basis for discussion. As it was not a formal document, Mr. Hickerson did not believe the representatives should attempt to amend it.

The United States representative stated that the USSR representative had said that control without prohibition would be meaningless and that others thought prohibition without control would be meaningless. It was clear that there were two interrelated problems which must be considered together. Therefore, Mr. Hickerson suggested that the two questions be discussed in an informal manner and that no attempt be made to amend the United Kingdom working paper. Since two meetings had been devoted to considering the question of prohibition, he suggested that the question of control be taken up at the next meeting, recognizing that it would probably be necessary to return to the former from time to time.

Dr. TSIANG (China) remarked that the representatives were working at a disadvantage since they did not have verbatim records. He was not sure he had understood the Chairman's remarks correctly, and he was certain that parts of his own statement had been misunderstood.

While agreeing with the USSR representative's statement that "control without prohibition was

meaningless", Dr. Tsiang considered the statement of the other representatives, "prohibition without control was meaningless", equally true. He recalled that at a previous meeting the USSR representative had proposed that the prohibition and control questions be amalgamated.

The representative of China had discussed only those parts of the USSR amendments pertaining to point 4 because he preferred that the discussions proceed from topic to topic and because he desired additional information on those parts pertaining to other points. He wished it made clear that he had taken no position on any parts of the amendments not related to point 4. Dr. Tsiang accepted, in principle, those parts of the amendments pertaining to point 4. He realized there were differences between the United Kingdom working paper and the USSR amendments; some were verbal and some were indeterminate at that time. However, he thought there was sufficient agreement on prohibition to proceed to the consideration of the control system.

The Chinese representative did not believe that the omission of the phrase "semi-finished atomic weapons" was important since it was stated that nuclear fuel should be used for peaceful purposes. If the USSR delegation preferred the inclusion of the phrase "semi-finished atomic weapons", Dr. Tsiang would not object. He was not in a position to discuss the three-month time limit and reserved his position until point 8, "Stages", was considered.

The CHAIRMAN, speaking as the representative of the Union of Soviet Socialist Republics, recalled that several representatives had stressed the fact that prohibition without control was meaningless and inconceivable. He did not believe any representative had suggested prohibition without control. The USSR amendments provided for the implementation of a convention on prohibition with one on control, both to be concluded and brought into force simultaneously.

Mr. Tsarapkin observed that each of the representatives had agreed to the prohibition of atomic weapons. Such prohibition was embodied in amendments (a), (c) and (d). Therefore, he thought the representatives should record their agreement and pass on to the next question, the control system.

Mr. Tsarapkin said there was a basic issue which could not be evaded and of which all other questions were derivatives, i.e., the prohibition of atomic weapons. His delegation recognized that it was necessary to have controls to have effective prohibition. Although the USSR delegation had agreed that the two conventions should be prepared simultaneously, Mr. Tsarapkin pointed out that they were two different questions. Prohibition of atomic weapons was the core of the problem while control was subordinate to it and was a derivative of it.

Mr. Tsarapkin noted that the Chinese and Canadian representatives had emphasized the second sentence of amendment 4 (a). He believed the Canadian representative had indicated his agreement to the USSR amendments. He then read the USSR amendments and suggested that if the representatives were in agreement in principle on the USSR text, they should record informally such agreement and take up the next important, but derivative, item.

Mr. HICKERSON (United States of America) recalled that he had stated, in his opening statement, that the USSR amendments were unacceptable to his Government. While all the representatives wished to prohibit atomic weapons and to establish an effective system of international control, he did not believe the members had reached the point of formulating agreements but were in the discussion stage. He thought the discussion had been carried as far as it possibly could be at that meeting. Therefore, he suggested that it be recorded that no agreement whatsoever had been formulated and that the meeting be adjourned.

The CHAIRMAN asked the United States representative to clarify his remark to the effect that no agreement had been reached on the question of the prohibition of atomic weapons. He did not believe that that statement was in conformity with the statements of certain representatives.

In reply, Mr. HICKERSON (United States of America), emphasizing that he spoke only for his delegation, observed that various aspects of the question were being considered. While there might well be agreement as the discussions progressed, he did not feel the members were in a position to record formal agreement on any phase of the problem until all of its aspects had been examined.

Mr. SMITH (Canada) agreed with the United States representative that members were not ready to record agreement. The representative of Canada said he had not accepted the second sentence of the USSR amendments. He had stated that while all the delegations wanted to prohibit atomic weapons, prohibition was inconceivable without an effective system of international control. Mr. Smith recalled that the USSR representative had also stated that there must be established a universal system of international control, including inspection. He felt it was clear that no formal agreement on any aspect of the question could be recorded at the present stage in the consultations and he supported the motion for adjournment.

Press release No. AC/214 was approved.

The CHAIRMAN announced that points 4 and 1, "Prohibition of atomic weapons and the international system of control", would be discussed at the fifth meeting, which would be held on Thursday, 1 September, at 3 p.m.

The meeting rose at 5.55 p.m.

FIFTH MEETING

*Held at Lake Success, New York,
on Thursday, 1 September 1949, at 3 p.m.*

Chairman:

Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;

Members:

General A. G. L. McNAUGHTON, Canada;

Dr. T. F. TSIANG, China;

Mr. Jean CHAUVEL, France;

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;

Dr. D. PROTITCH, Principal Director;

Dr. O. FREY, Secretary.

1. Prohibition of atomic weapons

The CHAIRMAN recalled the agreement of the representatives to deal with points 4 and 1 of the United Kingdom list of topics. On point 4 they seemed to be agreed as to the general desirability of prohibition. There was not yet an agreement in detail but this was not necessary as they were searching for an area of agreement in principle and were not drafting. The eight points which had been presented were interdependent and none could be decided in isolation. However, the first point led towards a control system and it would be logical to proceed with it.

2. International system of control

After having perused the record of the previous meeting, Mr. CHAUVEL (France) concurred in the observation of the representative of the Union of Soviet Socialist Republics that each of the representatives had agreed to the prohibition of atomic weapons. Indeed, no basic difficulties existed which could not be resolved in a drafting session. However, the divergence was more serious when the USSR representative tried to secure agreement on the text of his amendments. In this regard they should bear in mind the fact that they were discussing principles and not a text. Moreover, the USSR amendment did not deal only with prohibition but also introduced the question of stages. The difference in views between the USSR Government and the other Governments in this question could not be overlooked when it appeared in the amendment.

While it might be asserted that the question of control would not arise if there were no prohibition, it was equally true that the question of prohibition would not arise if there were no atomic bomb. In logical reasoning they should follow the facts. While control might be meaningless without prohibition, Mr. Chauvel believed that prohibition would exist only to the extent that there was effective control. It was in this sense that it might be said that there was agreement on the principle of prohibition.

The question then arose of what was effective control. Mr. Chauvel observed that the dominant fact was that the processes of production for peaceful and warlike uses of nuclear fuel were the same. If the sole object of control was to secure compliance with the prohibition of atomic weapons, it would only be necessary to ensure that there were no plants to assemble weapons. However, all Governments recognized that it was essential also to control facilities for peaceful purposes and that their development should follow quotas fixed by treaty. Thus, the basis for control was the danger inherent in the production and possession of nuclear fuel. This derived from the fact that nuclear fuel could be used for either peace or war and, though the process might be complex, a weapon could be made quickly. The situation was in contrast to the problem of converting industrial plants for the production of conventional armaments. The latter procedure was time-consuming and easy to detect, while the diversion of nuclear

fuel to military purposes could be accomplished rapidly and in secrecy. Accordingly, it was necessary to control nuclear industry.

Moreover, the General Assembly never envisaged the subordination of control to prohibition. In the resolution of 26 January 1946, the Commission was instructed to make proposals for (b) the control of atomic energy and (c) the elimination of atomic weapons from national armaments. In the resolution of 14 December 1946 the Assembly requested the preparation of "a . . . convention or conventions for the creation of an international system of control and inspection, these conventions to include the prohibition of atomic . . . weapons . . . and the control of atomic energy". Both because of those terms of reference and because of other facts the French delegation agreed with the text of point 1 (a) of the United Kingdom working paper in giving equal importance to control and to prohibition.

With regard to point 1 (b), Mr. Chauvel desired to comment that the peaceful development of atomic energy should follow a plan based primarily on the requirements of international security and only secondarily on the economic factors. However, as no nation would allow an agency to decide its allotment of production plants, the quotas for plants and for nuclear fuel should be written into the treaty.

In brief, the views of the French Government were: that control and prohibition were equally necessary; that control should embrace all nuclear industry; and that the peaceful development of atomic energy should be subject to regulation. As the text presented by the United Kingdom covered these points, the French delegation endorsed it.

The CHAIRMAN remarked that point 1 stated principles of the control system broadly and should cause no difficulty. The question was elaborated in point 6, which they might discuss next.

Mr. HICKERSON (United States of America) reasserted that the object of his Government was to reach a broad agreement. Until a better alternative appeared it would support the majority plan which had been endorsed by the Assembly. The essential elements of this plan were covered by the United Kingdom list, and the order of consideration was immaterial to the United States delegation. However, point 6 seemed to go to the heart of the matter and it would be well to deal with it.

Dr. TSIANG (China) observed that there were two differences between point 1 and the views presented in the USSR amendment. Firstly, while the United Kingdom list advocated a single multilateral treaty, the USSR proposed two. The question did not seem to be of major importance, being one of form, provided that the substance of the two conventions was acceptable. The USSR amendment, which would add control as a supplement to prohibition might, however, have substantial significance. The Chinese delegation desired effective prohibition and to this end effective control was necessary. Consequently, the phrases "effective prohibition" and "effective control" were substantially the same. There was no object in debating the relative positions of prohibition and control.

Secondly, the USSR amendment stated that there should be a system of control, "including

inspection to ensure that the provisions of the convention are carried out". Not only was there no indication of what there should be besides inspection but also the form and punctuation suggested that it was inspection which would ensure compliance. Before reaching any decision they should discuss the substance of the system.

Point 1 (b) of the United Kingdom list seemed to Dr. Tsiang to deal with procedure rather than substance. They should go on to the principles involved. This could be done by considering point 6, and then they could learn what the USSR proposed in addition to inspection.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) recalled the suggestion of the United Kingdom representative that it would be better not to repeat previous discussions. To this end the United Kingdom representative had, as he said, prepared a list of eight basic points, which had been endorsed by the representatives of Canada, China, France and the United States of America. These points, however, reiterated the basic provisions of the Baruch plan. These eight points seemed to be taken from the summary of the majority plan contained in annex 2 to the third report. At each meeting the representative of the United States had asserted that his Government would support the majority plan until a better alternative was presented. It appeared that the only improvement from the United States viewpoint would be a plan placing all atomic energy plants under the ownership of some body belonging to or controlled by that Government. The fact that the United States adhered to the majority plan did not influence the USSR delegation. The latter had shown why that plan was unsatisfactory and had adduced weighty arguments in support of that conclusion. The conclusion to be drawn from the United States insistence on the unacceptable majority plan was that the United States paid only lip-service to the principle of prohibition and in reality was opposed to it.

In reply to the request by the representative of China for information as to what control measures were visualized by the USSR in addition to inspection, Mr. Tsarapkin set forth the following basic provisions of the control system, as described in the USSR proposals of 11 June 1947¹:

"1. To ensure the use of atomic energy for peaceful purposes only, in accordance with the international convention on the prohibition of atomic and other major weapons of mass destruction and also with the purpose of preventing violations of the convention on the prohibition of atomic weapons and for the protection of complying States against hazards of violations and evasions, strict international control shall be established simultaneously over all facilities engaged in the mining of atomic raw materials and in the production of atomic materials and atomic energy.

"2. To carry out measures of control of atomic energy facilities, there shall be established, within the framework of the Security Council, an international commission for atomic energy control to be called the International Control Commission.

"3. The International Control Commission shall have its own machinery for inspection.

¹ See *Official Records of the Atomic Energy Commission*, Third Year, Special Supplement, annex 3 (c).

"4. The terms and organizational principles of the international control of atomic energy, and also the composition, rights and obligations of the International Control Commission, as well as provisions on the basis of which it shall carry out its activities, shall be determined by a special international convention on atomic energy control, which is to be concluded in accordance with the convention on the prohibition of atomic weapons.

"5. In order to ensure the effectiveness of international control of atomic energy, the convention on the control of atomic energy shall be based on the following fundamental provisions:

"(a) The International Control Commission shall be composed of the representatives of States members of the Atomic Energy Commission established by the General Assembly decision of 24 January 1946, and may create such subsidiary organs as it finds necessary for the fulfilment of its functions.

"(b) The International Control Commission shall establish its own rules of procedure.

"(c) The personnel of the International Control Commission shall be selected on an international basis.

"(d) The International Control Commission shall periodically carry out inspection of facilities for the mining of atomic raw materials and for the production of atomic materials and atomic energy.

"6. In carrying out the inspection of atomic energy facilities, the International Control Commission shall undertake the following measures:

"(a) Investigate the activities of facilities for mining atomic raw materials and for the production of atomic materials and atomic energy, and check their accounts;

"(b) Check existing stocks of atomic raw materials, atomic materials, and unfinished products;

"(c) Study production operations to the extent necessary for the control of the use of atomic materials and atomic energy;

"(d) Observe the fulfilment of the rules of technical exploitation of the facilities prescribed by the convention on control, and work out and prescribe the rules of technological control of such facilities;

"(e) Collect and analyse data on the mining of atomic raw materials and on the production of atomic materials and atomic energy;

"(f) Carry out special investigations in cases when suspicion of violations of the convention on the prohibition of atomic weapons arises;

"(g) Make recommendations to Governments on questions relating to the production, stockpiling and use of atomic materials and atomic energy;

"(h) Make recommendations to the Security Council on measures for prevention and suppression with regard to violators of the conventions on the prohibition of atomic weapons and on the control of atomic energy.

"7. For the fulfilment of the tasks of control and inspection entrusted to the International Control Commission, the latter shall have the right of:

"(a) Access to any facilities for mining, pro-

duction and stockpiling of atomic raw materials and atomic materials, as well as to the facilities for the exploitation of atomic energy;

"(b) Acquaintance with the production operations of the atomic energy facilities, to the extent necessary for the control of the use of atomic materials and atomic energy;

"(c) Carrying out weighing, measurements and various analyses of atomic raw materials, atomic materials, and unfinished products;

"(d) Requesting from the Government of any nation, and checking, various data and reports on the activities of atomic energy facilities;

"(e) Requesting various explanations on the questions relating to the activities of atomic energy facilities;

"(f) Making recommendations and presenting suggestions to Governments on matters concerning the production and use of atomic energy;

"(g) Submitting recommendations for the consideration of the Security Council on measures in regard to violators of the conventions on the prohibition of atomic weapons and on the control of atomic energy.

"8. In accordance with the tasks of international control of atomic energy, scientific research activities in the field of atomic energy shall be based on the following provisions:

"(a) Scientific research activities in the field of atomic energy must comply with the necessity of carrying out the convention on the prohibition of atomic weapons and with the necessity of preventing its use for military purposes;

"(b) Signatory States to the convention on the prohibition of atomic weapons must have the right to carry on unrestricted scientific research activities in the field of atomic energy, directed towards discovery of methods of its use for peaceful purposes;

"(c) In the interests of an effective fulfilment of its control and inspectorial functions, the International Control Commission must have the possibility to carry out scientific research activities in the field of discovery of methods for the use of atomic energy for peaceful purposes. The carrying out of such activities will enable the Commission to keep itself informed on the latest achievements in this field and to have its own skilled international personnel, which is required by the Commission for practical execution of the measures of control and inspection;

"(d) In conducting scientific research in the field of atomic energy, one of the most important tasks of the International Control Commission should be to ensure a wide exchange of information among nations in this field and to render necessary assistance, through advice, to the countries parties to the convention, which may request such assistance;

"(e) The International Control Commission must have at its disposal material facilities, including research laboratories and experimental installations, necessary for the proper organization of the research activities to be conducted by it."

These proposals, said Mr. Tsarapkin, embraced the fundamental provisions for establishing a

strict system of control to prevent the use of atomic energy for military purposes and ensure its use for peaceful purposes only. In this respect, the USSR plan differed from the United States proposals and from point 6 of the United Kingdom list, which would substitute for effective control a sort of super-trust above States and Governments which would have exclusive ownership of atomic energy plants and resources. On the other hand, the USSR proposals contained the essentials of an effective system and on their basis a satisfactory solution could be reached.

The CHAIRMAN stated that they would proceed to discuss point 6, "Control over atomic materials and facilities", at the sixth meeting, which would be held on Thursday, 8 September, at 3 p.m.

Press release No. AC/215 was approved.

The meeting rose at 4.45 p.m.

SIXTH MEETING

*Held at Lake Success, New York,
on Thursday, 8 September 1949, at 3 p.m.*

Chairman:

Mr. John D. HICKERSON, United States of America;

Members:

General A. G. L. McNAUGHTON, Canada;

Dr. T. F. TSIANG, China;

Mr. Jean CHAUVEL, France;

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;

Dr. D. PROTITCH, Principal Director;

Dr. O. FREY, Secretary.

The CHAIRMAN recalled that the representatives had agreed to proceed with point 6 of the United Kingdom list of topics.

General McNAUGHTON (Canada) said his delegation believed that the topic now before them was a most important aspect of the problem. It was of the considered opinion that the five paragraphs under point 6 of the United Kingdom list represented the essential elements in a system of effective control and, therefore, of effective prohibition. It accordingly endorsed the form in which the matter had been put before them.

Mr. CHAUVEL (France) said that his delegation agreed with point 6 since it covered the aspects of concern to his Government and all matters essential to effective control.

The CHAIRMAN, speaking as the representative of the United States of America, said that the items presented under point 6 were acceptable as a part of the "one-package solution". Commenting upon the statement made by the representative of the Union of Soviet Socialist Republics presenting the USSR proposals of 11 June 1947, Mr. Hickerson gathered that the intention had been to make clear the proposed content of a control con-

vention to accompany the convention on prohibition. It was not useful to discuss further whether there should be one or two conventions, for the important question was the contents. Moreover, there was no real question relating to prohibition since all agreed that any treaty should include prohibition.

The problem raised by the statement of the USSR representative was whether these proposals were the only basis acceptable to the USSR delegation for further negotiations. These proposals, Mr. Hickerson observed, had been debated in the Atomic Energy Commission and in the General Assembly and both bodies had decided overwhelmingly that the USSR proposals were not acceptable. However, the sponsoring Powers had agreed to explore all avenues. The United States delegation was prepared to renew discussion upon the proposals of 11 June 1947 and, if it seemed to repeat old arguments, it was because old proposals had been re-introduced. The United States Government desired a solution to the problems of prohibition and control. It would continue its support of the plan endorsed by the Assembly until better proposals materialized.

The USSR proposals implied that nations would continue to own explosive atomic materials in dangerous quantities and to own and operate plants producing or using dangerous quantities. The United States did not feel that prohibition of the national use and possession of atomic weapons could be enforced if nations had such powers. A treaty which prohibited atomic weapons but permitted nations to own atomic explosives would be a contradiction in terms. Such a system, which left the development and use of atomic explosives in national hands, would not merely fail to ensure the enforcement of prohibition but also would keep national rivalries alive. The task of an agency supervising such activities would be an impossible one. It would have to deal with well entrenched national commissions and frictions inevitably would arise. There would follow mutual suspicions and mistrust, and each nation would defend its own interests. Rivalries would be the more dangerous because of the false sense of security. No country sincerely desiring effective prohibition would wish to be a party to such a system, which would be no more than a fraud.

The representatives of the sponsoring Powers should be clear on the question of national ownership of material in dangerous quantities and of plants handling such quantities. Mr. Hickerson gathered from the statements of representatives of the Union of Soviet Socialist Republics since 1946 that their Government would not accept any other basis for negotiation. If this impression was incorrect and the USSR would negotiate on some basis other than national ownership and management, the United States delegation would like to know it. Then the whole problem, and particularly other aspects of control, would become clearer. On a question of this importance possibly the USSR representative would wish to consult his Government and doubtless the representatives would agree that the necessary time should be given.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) remarked that one objection made to the introduction of the USSR proposals was that they were not new. The same, however, was true of point 6 and also the other points in the United

Kingdom list. These were all drawn from the majority proposals contained in part II of the second report. Consequently, the argument that the USSR proposals had been considered and rejected carried no conviction, for the same was true of the United Kingdom text, the contents of which were known to be unacceptable to the Union of Soviet Socialist Republics.

The representative of the United States had said that certain facilities should not be owned or operated nationally and that nations should not handle dangerous quantities of nuclear fuel (though the meaning of "dangerous quantities" was not made clear). The question then was where such facilities and stockpiles would be located. Mr. Tsarapkin stressed the inescapability of the fact that they would have to be situated on national territory. The mere ownership of plants and stockpiles by the control organ would not really alter the possibility of establishing some form of control by the country on whose territory the plants and stockpiles were located. Thus the thesis against national ownership was clearly unfounded.

The control organ visualized would own all nuclear industry and have other vital functions. Mr. Tsarapkin invited attention to the practical results of such a course. Atomic energy installations were vast enterprises and accordingly were of great economic significance to nations. If their policies were independent of the nation in which they were located and subject to an outside international organ, there would follow disturbances in and interferences with the economic life of the nation as a result of arbitrary acts of the control organ. Such action on the nation's territory would be a violation of its sovereignty. In short, the plan was fantastic both economically and politically.

What an "international agency" signified could be seen from the experience of such organs as the International Monetary Fund and the International Bank for Reconstruction and Development, which bore the international label but the policies of which were closely connected to those of the United States. The adherence of the United States to its plan was tantamount to a general renunciation of prohibition and control.

Various meanings could be attached to the word "control". The United States and Wall Street interpretation was apparently "ownership", remarked Mr. Tsarapkin, while the Soviet Union saw it as meaning a system of measures for inspection and checking, i.e., designed to ascertain whether the parties to the convention on the prohibition of atomic weapons were fulfilling their obligations under the convention. The measures in question should be carried out with the specific purpose of not permitting or eliminating the possibility of infringements of the convention. The proposed system of inspection and other realistic measures provided for feasible controls. The arguments that these proposals did not meet scientific or technical requirements were unfounded. On the other hand, the United States plan to invest an international agency with the ownership was absurd, impracticable, and unacceptable. If the question were dealt with more realistically the USSR proposals of 11 June 1947 could serve as adequate basis for agreement.

The representative of the United States, while claiming to favour prohibition, had said that either the United States plan should be accepted

or an armaments race would follow. Mr. Tsarapkin believed that this attitude exposed the United States basic policy, for it was aware of the unacceptability of its plan and used the threat of an armaments race to force its acceptance. The constant repetition by the United States representative that he favoured the majority plan would not lead to understanding, since that plan was unacceptable.

No doubt there were States which had nothing to lose if the United States plan were adopted, therefore they could readily accept it but the Soviet Union could not agree to that plan. The USSR insisted upon strict control but opposed the transfer of ownership to the international agency, which would then not be a controller but an owner. If agreement were sought on the basis of the equality of nations, they should return to the USSR proposals which provided for the necessary control, not for ownership. The six sponsoring Powers should consider the proposals item by item in a detailed discussion. It was futile to make categorical and baseless assertions that they were ineffective.

The foregoing were in the nature of preliminary remarks upon the statement of the United States representative, and Mr. Tsarapkin wished to speak on the subject in detail at a later date.

The CHAIRMAN, speaking as representative of the United States of America, observed that he had been careful to avoid any such statement as had been attributed to him by the representative of the USSR regarding his Government's attitude toward the majority plan. He had said that his Government would endorse the majority plan until a better plan emerged, not that there should be the majority plan or none. The remarks of the USSR representative upon ownership and control were helpful, for they convinced Mr. Hickerson that the Commission's plan was not understood. Clearly further discussions and explanations were necessary, for the USSR representative could not have spoken as he had if he had grasped the majority plan which set out, for example, the principles to govern the stockpiling of nuclear fuels.

Mr. Hickerson was prepared to explain in detail what was involved in the majority plan, though he had hoped that after some three years there would exist a general comprehension of it. The criticisms of the USSR representative appeared to be based on a charge that the Commission's plan would lead to invasions of national sovereignty. Such a result, it was true, was inescapable. It had, however, been recognized after long study that no effective system would fail to do so. The criticism was therefore correct, but it should be recognized that the plan provided adequate safeguards to prevent more interference than was necessary. Vast or arbitrary powers would be insured against. Mr. Hickerson said he would go into greater detail at the next meeting in an endeavour to ensure a full comprehension by the USSR representative of the majority plan.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) stated, with reference to his understanding of the majority plan, that his comments had been based upon point 6 of the United Kingdom list. A reading of paragraphs (a), (b), (c), and (d) in point 6 would serve to confirm the force of what he had said. These had been offered as the basic points relative to the control of atomic ma-

terials and facilities and had been endorsed as such by the United States. The majority plan was quite clear. Mr. Tsarapkin said he had dealt with the question of ownership and shown both how an attempt was being made to replace control by ownership and how unreal and impossible the concept was.

Perhaps the representative of the United States was referring to the secondary matters in paragraph (c) of point 6 when he stated that there would be guarantees against arbitrary actions. Mr. Tsarapkin considered that the provisions of that paragraph were inadequate, and that the essence of the plan was clear from the four preceding paragraphs. The inconsistency of the proposal for ownership by the control organ as a measure to remove "dangerous" quantities of materials and "dangerous" facilities (whatever "dangerous" might mean) from national hands had been amply demonstrated by Mr. Tsarapkin's argument that in any event both would have to be located on national territories. Plainly the thesis that ownership by the control organ would provide a safeguard was absurd and inconsistent.

With regard to the next meeting, the incoming Chairman, General McNAUGHTON (Canada) proposed that it be held at 3 p.m. on Wednesday, 14 September.

This was agreed upon.

Press release No. AC/216 was approved.

The meeting rose at 5.25 p.m.

SEVENTH MEETING

*Held at Lake Success, New York,
on Wednesday, 14 September 1949, at 3 p.m.*

Chairman:

General A. G. L. McNAUGHTON, Canada;

Members:

Dr. T. F. TSIANG, China;

Mr. F. DE ROSE, France;

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;

Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;

Dr. D. PROTITCH, Principal Director;

Dr. O. FREY, Secretary.

Before proceeding with the discussion the CHAIRMAN said the delay in distributing the record of the previous meeting until that morning had caused him to speak to the Secretariat. He had been assured that arrangements would be made so that delegations would receive future records by the third day after a meeting. This he considered satisfactory as it would enable them to study statements before the subsequent meeting.

Referring to the discussion in the previous meeting on point 6 of the United Kingdom list of topics, the Chairman stated his belief that the exchanges between the representatives of the USSR

and the United States had illuminated the diversity in meanings attached to the majority proposals. The representative of the United States had expressed his intention of clarifying these proposals. However, the Chairman thought it might be well first to ask the representative of the United Kingdom how, in his view, the list of topics embraced the subject before them.

Sir Alexander CADOGAN (United Kingdom) said he would be glad to make a general reply to the remarks of the representative of the USSR. The latter had criticized point 6 for having drawn its contents from the majority proposals. These indeed were the source of the material and, in introducing the paper, Sir Alexander had stated that it included the fundamentals of the majority plan which were points essential to an effective plan. In this respect Sir Alexander's views were similar to those of the United States representative, that is, he supported the majority plan but would consider any superior proposals.

A second criticism had been that point 6 merely listed principles of the majority plan. This was true, and it had never been pretended that the paper offered more than a list. It was only a number of headings which needed clarification or qualification. What these would be could be seen from an examination of the majority proposals.

The third criticism of the representative of the USSR had been that the majority plan would violate national sovereignty. Sir Alexander observed that if sovereignty were to remain in a static condition, the world could expect little progress. The trend was rather in the opposite direction. All signatories to the United Nations Charter by that act surrendered a measure of their sovereignty. The same held true in varying degrees of other treaties. The USSR proposals themselves would involve a sacrifice of some sovereign rights. It was merely a question of degree. Sir Alexander viewed the majority plan as one advocating a pooling of sovereignty rather than any violation of it. One of the attributes of sovereignty was the ability to yield a part of it.

The USSR representatives had frequently asserted that the majority plan was designed to confer a monopoly on the United States. Sir Alexander believed rather that at the present time, as a result of its technical and scientific skills (and some initial aid from the United Kingdom), the United States had in practice a monopoly. The United States was proposing to share this monopoly. If, however, the meaning of the USSR representatives was that the international agency would be so rigged as to become the tool of the United States they should say so and it would be possible to understand one another.

Mr. HICKERSON (United States of America) recalled the opinion he had expressed at the previous meeting that the comments of the representative of the USSR indicated his failure to understand the majority plan. Mr. Hickerson said that the details explanatory of the basic principles given in point 6 were to be found in the "Recommendations of the Atomic Energy Commission . . ." (AEC/C.1/77/Rev. 2). Herein was the agreed detail of the agency's powers and functions, and the limitations thereon, necessary for effective prohibition through effective control. A study of the plan showed that the agency had been given only those powers and functions which were

justified by the needs of security. The plan, moreover, emphasized the removal of decisions affecting security from the powers of the agency and the provision of principles and policies on such matters in the treaty. The agency would be the servant of the signatory States to carry out the policies they approved in the treaty. The agency, in short, would be unable to become the tool of one party or to follow policies differing from those of any signatory.

On the question of sovereignty, Mr. Hickerson preferred the concept of voluntary sharing to that of invasion. No effective control was possible without some derogation from national sovereignty. Any treaty, including the USSR proposals, would have this effect. They must either share sovereignty or forego effective control.

The safeguards against arbitrary acts by the agency would be provided by including in the treaty the principles governing the quotas for the distribution of facilities and the production and stockpiling of nuclear fuel and the rights of appeal against the agency. Specifically, the Commission plan stated in document AEC/C.1/77/Rev. 2 in specific proposal XI:

"The international agency shall distribute its production facilities and other facilities containing dangerous stocks of nuclear fuel, key substances, and source material and its stockpiles of nuclear fuel, key substances, and source material in accordance with the quotas, provisions, and principles laid down in the treaty or convention governing geographical location of dangerous activities and stockpiling."¹

There followed certain of the principles, and then specific proposal XII stated:

"The international agency shall keep the production of nuclear fuel, in a form suitable for ready conversion to use in atomic weapons, at the minimum required for efficient operating procedures necessitated by actual beneficial uses, including research and development. The agency shall not be authorized to increase existing stocks of nuclear fuel for any contemplated requirement, except where it is necessary to produce nuclear fuel for use in facilities whose location, design, construction and financing have been definitely decided by the agency and the nation concerned."

The following proposal gave the agency the power to determine distribution by nations, but in accordance with the treaty provisions. Thus, the agency was offered no arbitrary powers. Further, paragraph (a) under XI above stated:

"(a) A distribution is necessary which will avoid the possibility of nations achieving a military advantage by the seizure of existing stockpiles and facilities within or adjacent to their territories. Location of ores, refineries and facilities necessary for production, location of stockpiles of nuclear fuel and of source material, and location of facilities utilizing nuclear fuel or key substances are factors that must be considered in determining a distribution which would minimize the effects of seizure."

Thus, it was provided that no nation should be given any military advantage through the location of stockpiles.

The representative of the USSR had asserted that only the location of the stockpiles was important, and not who held them. Mr. Hickerson disagreed, maintaining that both factors were important. If nations held nuclear fuels they might accumulate quantities clandestinely before discovery. Further, whatever the rules of technological exploitation, plants might be so designed that the rapid withdrawal of nuclear fuel was possible. If the agency, however, held all plants it could avoid this danger by appropriate design.

Other safeguards against arbitrary powers on the part of the agency were furnished, for example in chapter 6 of document AEC/C.1/77/Rev. 2. These were designed to ensure that the agency became the servant and not the master of the signatory States. If the anxieties of the representative of the USSR were not yet allayed, Mr. Hickerson was prepared to go into further detail.

It had been suggested by the representative of the USSR that they discuss further aspects of the 11 June 1947 proposals. These provided for periodic inspection of declared facilities and the majority opinion clearly was that such limitations would make it practically impossible to prevent diversion between inspections and would invite clandestine operations. It appeared, however, that the USSR delegation would negotiate only on the basis of periodic inspection of declared activities. If this impression was incorrect it would be helpful to know so that the position of the Soviet Union could be taken into account in considering other aspects of the USSR plan and in other discussion.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) observed that the representative of the United States had tried to clarify the substance of the majority plan by references to documents. The material referred to was familiar to the USSR delegation, which considered it the equivalent of what had been proposed by Mr. Baruch: that is, there was nothing novel in it. The unacceptability of the scheme and the cogent arguments against it had been demonstrated by various USSR representatives. Nevertheless, Mr. Tsarapkin had listened with attention to the United States representative in the hope of getting some clarification on certain vital questions. These, however, had been avoided.

Among the important matters upon which Mr. Tsarapkin had hoped for illumination was how the representative of the United States viewed the problems of prohibition and control. Did the latter believe that the two conventions should be signed and brought into effect simultaneously or had he other views? Further, was the United States in favour of the immediate application of control simultaneously over all stages of production from mines to plants producing a finished article in the form of nuclear fuel? These were most important matters, yet they had not been dealt with by the United States representative. He passed them over in silence.

With respect to the position of his delegation regarding the periodic inspection of declared facilities as the basis of a plan, Mr. Tsarapkin wished to draw attention to paragraph 6 (f) of the 11 June 1947 proposals, which stated that the control commission should:

¹ See *Official Records of the Atomic Energy Commission*, Fourth Year, Special Supplement No. 1, page 19.

"(f) Carry out special investigations in cases when suspicion of violations of the convention on the prohibition of atomic weapons arises."

This provision should serve to allay the anxiety of the United States representative that periodic inspections would invite clandestine operations and fail to detect them. Here was the provision for special investigations to uncover them when suspicion arose. This had been elaborated upon in the reply to the letter of 11 August 1947¹ from the representative of the United Kingdom. In his letter of 5 September 1947, Mr. Gromyko (Union of Soviet Socialist Republics) had stated in reply to the fourth question (d):

"In cases where suspicions of violations of the obligations assumed by the States in accordance with the convention on the prohibition of atomic weapons arise, special investigations will be carried out. The grounds for suspicion may be:

"(1) Reports from one or several Governments;

"(2) Conclusions made by the International Control Commission itself. The basis for the conclusions of the latter may be:

"(a) Discrepancy between nuclear fuel available and accounting data;

"(b) Reports by inspectors." 2

These provisions for periodic inspections supplemented by special investigations, if fully applied, would be quite sufficient to ensure effective control.

Mr. DE ROSE (France) remarked that the discussion was tending to wander from the topic before them which was point 6 in the United Kingdom paper. The representative of the USSR had touched upon the question of stages, which was dealt with in point 8. Mr. de Rose had not been aware that their debate would embrace this matter and he was not prepared to present his delegation's views thereon at present. The representative of the USSR had also spoken of the detection of clandestine activities. This again was a point which properly was not before them as it was covered by point 7 and would be reached in due course.

The basic question confronting them was the nature of the controls over installations for the production, processing and consumption of nuclear fuels in order to prevent their diversion, which had been recognized as one of the principal dangers. The views of the French Government on this matter had been formed on the basis of the information brought forward in the Commission and on the advice of its own scientific experts. The considerations which were the bases of these views had not been challenged. It was apparent to Mr. de Rose that, if the facts on which they were based were not challenged, neither could the conclusions be challenged.

The facts were that the nuclear fuel used for atomic weapons was the same as the nuclear fuel used in power reactors having peaceful applications. The processes for producing nuclear fuel were the same whether the intended uses were

peaceful or warlike. It followed that the development of peaceful nuclear industry would result in there being nuclear fuel (which was the same as nuclear explosive) located on national territories. The inherent dangers were evident, particularly if the conditions were compared with the situation relating to conventional armaments. Mr. de Rose pointed out that a nation with large steel or chemical industries was not necessarily a military power, for several years were required to convert the industries to military purposes. Nuclear industry was different, for a nation with large production facilities for nuclear fuel was at once a great military power in the field of atomic weapons since conversion could be effected immediately. These circumstances fortified the thesis that installations producing, processing or consuming nuclear fuels should be under the management of the agency.

This, however, was only one reason why the USSR proposals were unsatisfactory. These proposals offered periodic inspection of declared activities as a basis for control. Mr. de Rose pointed to the known fact that the radiation hazards made it impossible to have full access to large installations where operations were conducted by remote controls. Accordingly it was not possible to verify the material accounting and it followed that periodic inspection was inadequate. Even if it were possible to check the materials on hand without personal hazards, it would be necessary to shut down and "clean up" the plants, and this would result in the very interference in economic life to which the USSR representative objected. Yet periodic inspection was the basis of the USSR proposals. The French Government therefore could not accept a control system built upon them and had arrived at management as a basis.

Rather than avoid the issue by passing on to point 7 or point 8, Mr. de Rose believed they should discover whether the USSR representative accepted the premises on which the majority based their position. If he did not, then the reasons should be shown, the argument refuted, and a new basis for discussion offered. The representatives could then examine this basis and find out whether it was acceptable to their Governments. If the USSR representative was unable to refute their premises, Mr. de Rose was unable to understand the logic of his insistence upon a system based on periodic inspection.

Dr. TSIANG (China) said the discussion clearly showed the difference between the USSR position and point 6 of the United Kingdom list. The latter went much further than periodic inspection and special investigations. The Chinese delegation found the USSR plan inadequate, for its working was too uncertain to offer the safeguards nations might expect. The USSR proposals were only half measures in the direction of control and Dr. Tsiang had never understood the reasons for avoiding absolute control.

The question of sovereignty had been dealt with ably by the representative of the United Kingdom. Dr. Tsiang pointed out that most scientists held the opinion that the only solution was world government. This might be going too far, but arguments criticizing abridgments of sovereignty could only be described as retrograde.

Another objection made to the majority plan was the possible hegemony of the United States. However, in the present Atomic Energy Commis-

¹ See *Official Records of the Atomic Energy Commission*, Third Year, Special Supplement, page 25.

² *Ibid.*, page 27.

sion, and no doubt in the future agency, the majority of governments represented would have neither atomic weapons nor atomic power. It was evident to Dr. Tsiang that such governments would desire absolute prohibition and therefore absolute control. The agency, therefore, would insist on the certainty that atomic energy was not used for military purposes. If the USSR desired effective prohibition it would be on the side of the majority in the agency. And if the United States were to try to work against the interests of the nations forming the majority these would hardly allow themselves to be used as the instruments of United States policy. The fears of the USSR, in short, were groundless.

With regard to the matter before them, Dr. Tsiang stated that his delegation found the USSR plan inadequate and supported the position outlined in point 6.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) said he felt that he had already answered the questions of the United States representative relating to inspection. With regard to the inquiry by the representative of France as to whether the USSR delegation thought that control should be based on ownership or not, Mr. Tsarapkin remarked that the representative of France had so entangled himself in his argument that he had claimed the USSR plan was impossible to execute. The claim was technically unsound and the arguments about access, remote controls, radiation hazards, etc., had been elaborated to the point of confusion.

Mr. Tsarapkin recalled his previous statement that control was one thing and ownership quite another. The USSR Government favoured control and its proposals of 11 June 1947 would ensure control. No one had proved that this was not the case.

A careful reading of the 11 June 1947 proposals would furnish answers to all the questions, including that put by the representative of France. The proposals, moreover, offered the foundations for a convention which would create controls and ensure effective prohibition of atomic weapons. The system envisaged would require competent international personnel who were aware of the latest developments and processes. Mr. Tsarapkin pointed out that provision had been made for this in paragraph 8 (c), which read:

"(c) In the interests of an effective fulfilment of its control and inspectorial functions, the International Control Commission must have the possibility to carry out scientific research activities in the field of discovery of methods for the use of atomic energy for peaceful purposes. The carrying out of such activities will enable the Commission to keep itself informed on the latest achievements in this field and to have its own skilled international personnel, which is required by the Commission for practical execution of the measures of control and inspection."

In conjunction with this there should be noted paragraphs 6 (c), (d) and (e) which stated that the control commission should:

"(c) Study production operations to the extent necessary for the control of the use of atomic materials and atomic energy;

"(d) Observe the fulfilment of the rules of

technical exploitation of the facilities prescribed by the convention on control, and work out and prescribe the rules of technological control of such facilities,

"(e) Collect and analyse data on the mining of atomic raw materials and on the production of atomic materials and atomic energy."

Moreover, the seventh proposal gave additional rights to the commission as follows:

"(a) Access to any facilities for mining, production and stockpiling of atomic raw materials and atomic materials, as well as to the facilities for the exploitation of atomic energy;

"(b) Acquaintance with the production operations of the atomic energy facilities, to the extent necessary for the control of the use of atomic materials and atomic energy;

"(c) Carrying out weighing, measurements and various analyses of atomic raw materials, atomic materials and unfinished products;

"(d) Requesting from the Government of any nation, and checking, various data and reports on the activities of atomic energy facilities;

"(e) Requesting various explanations on the questions relating to the activities of atomic energy facilities;

"(f) Making recommendations and presenting suggestions to Governments on matters concerning the production and use of atomic energy."

If the sum of these provisions was considered, it was clear that the USSR proposals would afford the international control commission the rights necessary to ensure strict and comprehensive control through the medium of its inspectorate. The representative of France had tried to justify the majority proposals for ownership, which had originally been submitted by the former United States representative, Mr. Baruch, by saying that technological control of plants by inspectors was not feasible. Such a conclusion, in the opinion of Mr. Tsarapkin, was inconsistent technically.

The remarks of the representative of China had not touched the substance of the question, for he had contented himself with calling the USSR proposals inadequate half measures and asserting the need for absolute ownership to ensure absolute control. Such juggling with words was useless. Mr. Tsarapkin observed that the representative of China had not given the basis for his conclusions for the excellent reason that none could be derived from experience, since the USSR plan had not yet been implemented.

In conclusion, Mr. Tsarapkin reiterated that the proposals of the USSR, on which an international convention on atomic energy control should be based, would guarantee strict control and prohibition and ensure the use of atomic energy for peaceful purposes only.

Mr. DE ROSE (France) said that there seemed to be some difficulty of interpretation since the representative of the USSR had referred to ownership, which Mr. de Rose had avoided mentioning. On the other hand the representative of the USSR had failed to deal with the points raised which were management and operation. Mr. de Rose therefore could not consider his questions answered. He had not thought his own remarks

very technical but only references to matters generally known within the Commission. No doubt the representative of the USSR was aware of the report of the Scientific and Technical Committee which was an essential element in their work and upon which the French delegation based its arguments. They could not deal with the problem without referring to some simple but inevitable facts.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) replied that perhaps the representative of France had failed to understand him when he had dealt with the attempt to prove that control on the basis of the USSR proposals was impossible. The French contention had been that, for technical reasons, there could only be an effective system if facilities were managed by the agency and not by the present owners. The USSR proposals, on the other hand, provided that the ownership and management of atomic energy enterprises should continue on the existing basis and that there should be established strict and effective control to prevent violations of the prohibition of atomic weapons. The representative of France was opposed to this system and evidently meant that the agency should manage and regulate all activities of nuclear fuel installations. Moreover, the representative of France had said he accepted point 6 of the United Kingdom list, which in paragraph (a) made the situation clear, stating:

"(a) The Agency should hold all atomic source materials, nuclear fuels and dangerous facilities in trust for the participating nations and be responsible for ensuring that the provisions of the treaty in regard to their disposition are executed."

Therefore, there were no grounds for the representative of France to object that he had not spoken of ownership, or to suggest that there was a difficulty in interpretation. The French position appeared to be quite clear, but Mr. Tsarapkin said he would like to be informed if he was wrong in understanding that the French delegation supported the provisions set forth in point 6.

The CHAIRMAN suggested that a misunderstanding had arisen out of the translation of the phrase "hold in trust" contained in paragraph 6 (a), which he was informed had been rendered by the Russian equivalent of "own". It would be useful for them to make clear the difference between the two concepts and indicate the extent to which the Commission's thinking in this regard had been modified in the course of three years.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) was of the opinion that the modifications concerning ownership referred to by the Chairman had not actually taken place, and drew attention to paragraph 6 (b), which stated:

"(b) The Agency should have the exclusive right to operate and manage all dangerous atomic facilities."

This, in substance, was the same as ownership. Further, paragraph 6 (c) provided that:

"(c) In any matters affecting security, nations cannot have any proprietary right or rights of decision arising therefrom over atomic source materials, nuclear fuels or dangerous facilities located within their territories."

No change was evident here, for clearly it would be the agency which had the proprietary rights.

With regard to the next meeting the incoming Chairman, Dr. TSIANG (China) proposed that they convene at 3 p.m. on Thursday, 22 September, unless there were meetings of either the General Assembly or the General Committee. In view of the connexion between the two topics, Dr. Tsiang proposed that together with point 6 they discuss point 7 "Means of detecting and preventing clandestine activities".

This was agreed upon.

Press release No. AC/217 was approved.

The meeting rose at 6.05 p.m.

EIGHTH MEETING

*Held at Lake Success, New York,
on Thursday, 29 September 1949, at 3 p.m.*

Chairman:

Dr. H. R. WEI, China;

Members:

General A. G. L. McNAUGHTON, Canada;

Mr. Jean CHAUVEL, France;

Mr. S. K. TSARAPKIN, Union of Soviet Socialist Republics;

Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;

Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;

Dr. O. FREY, Secretary.

The CHAIRMAN observed that the representatives had agreed to proceed with points 6 and 7 of the United Kingdom list of topics.

Mr. HICKERSON (United States of America) recalled that, at the previous meeting, he had indicated that he would comment at a later date on the USSR representative's statement that atomic energy materials and facilities must remain in national hands rather than be operated by the international agency, as provided by the Atomic Energy Commission plan approved by the General Assembly. Mr. Hickerson also recalled that the representative of the Soviet Union had stated that the USSR Government's proposals for control, which provided for periodic inspection of declared facilities, supplemented with special investigations in cases where suspicion of violations of the prohibition convention arose, should serve to allay the anxiety of the United States representative that periodic inspections would invite clandestine operations and fail to detect them. Mr. Hickerson said that the USSR representative's statements did not allay his Government's anxieties on the matter, not because it did not wish to believe but because the technical facts of the production of atomic energy did not permit control by means of periodic inspection and special investigations. He stated that additional experience in the production of atomic energy confirmed and strengthened the testimony of many experts given during the spring and fall of 1946. That testimony and those technical facts had forced the Atomic Energy Commission to conclude that not only periodic

inspection but even continuous inspection could not prevent the diversion of nuclear fuels and atomic materials from atomic energy plants. Mr. Hickerson then enumerated particular problems involved in the production of atomic energy which illustrated the difficulty of technological control. He added that a more detailed account could be found on pages 130-136 of the *Sixth Semiannual Report of the [United States] Atomic Energy Commission*. He felt that other nations who had acquired experience in the field would add their confirmation.

Mr. Hickerson said that, in order to make as complete an inventory as possible, the inspectorate, provided by the USSR proposals, would have to shut down an entire installation. That would not only interfere with the economic life of nations but made it more evident that the USSR proposals were not satisfactory. He also noted that "unaccountable" losses, and sometimes "surpluses" of materials within an atomic energy installation aroused suspicions even when there was no other cause to suspect the honesty of the management.

Mr. Hickerson also said that an inspectorate whose sole function was to determine whether or not a particular management was trying to circumvent the inspection system would have, on top of its ordinary burdens, the impossible one of attempting to determine the motives of the management. Such a situation would only breed friction and suspicion and would certainly not promote international good will and co-operation in the field.

For those reasons, Mr. Hickerson said that, even before the Atomic Energy Commission first met, United States scientists had convinced his Government that a control system to be effective must provide for exclusive international operation and management of all dangerous materials held in trust by the international agency on behalf of the signatory Powers. Not only would such a system make control, and therefore prohibition, effective, but it would also promote the peaceful development of atomic energy in a co-operative world. The United States representative said it was for those same reasons that his Government supported the Commission's plan for control and prohibition. It would continue to support it until an equally or more effective and workable plan was devised. However, his delegation would give sympathetic consideration to any proposals which had a similar objective.

The CHAIRMAN noted that he had read the material in the *Sixth Semiannual Report of the [United States] Atomic Energy Commission* and recommended it to everyone interested in the subject.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) thought that a reference to the *Sixth Semiannual Report* should be included in the summary of the United States representative's statement rather than appending quotations from that report to the record of the meeting, as was now suggested. The document had been published by the United States Government and had no direct bearing on the work of the group.

The CHAIRMAN announced that reference to the document would be included in the summary of the United States representative's statement.

Mr. CHAUVEL (France) said his delegation

wished to give its views on the ownership of facilities processing, producing and consuming nuclear fuels, which had been so often referred to during the discussion of point 6. For reasons previously given, the French delegation believed that the management and operation of those plants should be entrusted to the international control agency. Management and operation were normally among the rights of ownership. It followed that the nations on whose territories plants were situated should renounce the exercise of some of the most important powers conferred by ownership. Did this mean they envisaged the complete devolution of the rights of ownership to the international agency? On this point, Mr. Chauvel observed that the Commission's reports provided that the agency would not have the right to close power plants; that it should conform to national public health legislation, and that construction of plants should be according to an agreement between the agency and the nations concerned. The reports also showed that the agency would not be free to determine the production policy for nuclear fuel, which would follow treaty provisions. The treaty also would fix by countries quotas for production and consumption. Clearly the legal situation created would constitute a precedent in national and international law and the term "ownership" was used with a meaning different from the ordinary one. As a matter of fact, the Commission's reports and the United Kingdom text showed that the agency would act as trustee for the international community.

With regard to the other rights conferred by ownership, which had not been dealt with in the reports, it seemed to Mr. Chauvel that their disposition should follow a simple principle. If there were rights, the exercise of which could impair the effectiveness of control, States should renounce them. Otherwise they should retain them.

In the view of the French Government, the main point was not to establish international ownership of those plants, but rather to agree that States should renounce certain rights which normally went with ownership if their exercise would affect control. The question was their attitude towards measures of control and not towards "ownership" which, in this connotation, had a peculiar meaning. Their problem was to find out if all agreed that States should renounce the right of managing and operating certain plants and should entrust their management and operation to an agency acting for the international community. If this were agreed, the agreement was basic and wording would be no obstacle. If this were not agreed, it should be clearly stated so that the world might know that the differences between the Powers were no mere quibble over words but went to the heart of the problem of control.

Mr. Chauvel also wished to define his Government's position on the question of the abridgments of sovereignty which States should accept for effective control. It admitted that it seemed fantastic, considering existing traditions, to envisage international management of plants playing an important part in a nation's economy. However, it was equally fantastic, having in mind traditional thinking, to suppose that a man could destroy a hundred thousand men in an instant. It was in the desire to avoid such catastrophes that France was prepared to draw conclusions in the realm of national sovereignty and government

prerogatives. On this point, its principle was defined in its constitution which stated in the preamble that, subject to reciprocal action, France would agree to the limitations of sovereignty required for the organization and defence of peace.

On these two questions, ownership and sovereignty, France had an objective attitude. It did not judge the worth of a control plan in terms of the encroachments upon its rights of ownership or sovereignty. Its sole standard was its effectiveness in ensuring security. Accordingly an argument that any provision was unacceptable because it infringed rights of ownership was irrelevant. In other words, the ideas of sovereignty and ownership were not arguments against its position since the problem was security.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) observed that the United States representative had spoken again on the technical side of the problem, quoting experts and reports dealing with the problem of control. He recalled that the United States representative had said that the United States plan could be effective whereas the plan advocated by the USSR delegation could not. That thesis, which had been repeated numerous times in the Atomic Energy Commission and during the consultations, was unfounded and could not be proven by referring to numerous reports. He also recalled that Committee 2 had asked the Scientific and Technical Committee whether effective control of atomic energy was possible. The experts had stated that: "We do not find any basis in the available scientific facts for supposing that effective control is not technologically feasible".¹ Nevertheless, he said the United States representative continued to maintain that technologically control was not feasible. That position was in direct contradiction to the conclusions reached by the experts. Mr. Tsarapkin stated that technologically control as envisaged in the USSR proposals was possible, that control was recognized as possible by the Scientific and Technical Committee and that the basis for such a control plan was contained in the USSR proposals of 11 June 1947.

Mr. Tsarapkin stated that additional statements had been made by the United States and French representatives but they contained nothing new. The picture presented by them was distorted, and the technical difficulties involved were imaginary and exaggerated. Representatives continued to support the United States plan, and no move had been made to solve the question. The United States plan was only a plan for management and ownership and not one for effective control. The control question must be solved as envisaged in the USSR proposals, i.e., atomic energy to be used for peaceful purposes only and atomic weapons prohibited. He said that the USSR delegation could not accept the United States plan. It did not provide for effective control but was concerned only with management and ownership, which entailed intervention in the economic life of other nations and violated their sovereignty. While some representatives had stated that their Governments were prepared to waive their sovereignty provided the United States plan were accepted, Mr. Tsarapkin said his Government could not agree to it. His Government desired effective control of atomic energy, and so the USSR delegation

could not accept a plan which turned over all facilities, as well as all finished and unfinished products, to an international authority.

Mr. Tsarapkin stated that his delegation had asked the United States representative, at a previous meeting, two important questions and that it had not received answers to them. The first question was whether the United States Government took the position that two conventions, the one on prohibition and the one on control, should be concluded and brought into force simultaneously. The second question was whether the United States Government was in favour of controls being established simultaneously over all stages of production from concerns engaged in extraction of atomic raw material to the installations producing atomic materials or whether it maintained its previous position.

Mr. Tsarapkin said he presumed the United States delegation, as well as the other delegations, maintained their previous position that control over the ultimate phases of production would be left open to the distant future. If the United States delegation persisted in maintaining that position, installations producing finished atomic products would remain uncontrolled for a considerable time. That position was unacceptable to the USSR delegation. Therefore, Mr. Tsarapkin thought it desirable to receive answers to his questions as soon as possible.

Mr. HICKERSON (United States of America) said that there had not been sufficient time at the last meeting to answer the questions but that he welcomed any questions the USSR representative wished to ask in clarifying the Commission plan. He observed that the United States representative in the Atomic Energy Commission had answered those same questions in detail during the Commission's deliberations last spring.

In reply to the first USSR question, Mr. Hickerson said that prohibition and control were inseparable parts of an integrated whole and that a solution must be found to the control and prohibition problems, whether in one or two treaties.

With reference to a remark made by Mr. Tsarapkin and in answering the second question, Mr. Hickerson acknowledged with some pride that his Government had presented a United States plan of control and prohibition which had been discussed in great detail in the Atomic Energy Commission. Improvements were made in that plan in the Commission, and it had become a United Nations Atomic Energy Commission plan. In that plan, each phase of control would go into effect with a corresponding phase of prohibition. He then quoted point 8 of the United Kingdom list of topics, which read:

"The treaty should embrace the entire programme for putting the international system of control into effect, and should provide a schedule for the completion of the transitional process over a period of time, step by step, in an orderly and agreed sequence leading to the full and effective establishment of international control of atomic energy and prohibition of atomic weapons."

Mr. Hickerson referred to his references to the technological difficulties in checking quantities of nuclear fuel. He observed that the USSR representative had interpreted the scientific and technical report as meaning that technical control was feasible. A careful reading of the entire report,

¹ See *Official Records of the Atomic Energy Commission*, first report to the Security Council, page 37.

he believed, would make it clear that technical control was feasible only if it included management and ownership by an international agency.

The CHAIRMAN, speaking as the representative of China, said that the representatives must find a basis for agreement rather than merely determine if such a basis existed, as requested in the group's terms of reference. The representatives must forget their pride and prejudices and decide what was right. From the beginning there had been agreement on prohibition of atomic weapons, and in so far as words were concerned, each delegation wanted effective control. The problem was how effective control could be established so that atomic materials and facilities would be used for peaceful purposes only.

Dr. Wei considered technological testimony to be important. If the scientific advisers had not advised the Commission that technical control was feasible, the representatives would not be holding consultations. Nature could only be controlled if natural laws were observed, and this was true of atomic energy, which was a phenomenon of nature. On that basis he thought the representatives could go back to the scientific and technical report which all the Governments had endorsed. That report pointed out the dangers of diversion, clandestine activities and seizure. Dr. Wei read the following extracts from the report:

"If therefore the strictest safeguards are not taken to prevent the material in the installations producing nuclear fuel from being diverted, the danger is extremely serious."¹

"Clandestine manufacture of atomic weapons from nuclear fuels diverted from stocks or from the plants producing such fuels would be extremely difficult to discover, because the operations involved can be carried out in comparatively small installations which could easily be concealed. This emphasizes again the importance of preventing the diversion of nuclear fuels which we have stressed in the previous chapter."²

Dr. Wei noted that he had taken part in the discussions of the Scientific and Technical Committee and Committee 2, at which the representatives concluded that the only effective control was management and operation by an international agency. The representatives had not intended to have all facilities managed by the international agency but only the dangerous ones, i.e., the isotope separation plants, the large reactors and the chemical extracting plants, for which management was absolutely necessary to safeguard the security of the world.

Dr. Wei recalled that, at the last meeting, the USSR representative stated that the USSR Government favoured control, that its proposals of 11 June 1947 would ensure control, and that no one had proved that that was not the case. Dr. Wei maintained that no one had proved that that was the case. However, it had been proved that they were not adequate to ensure effective control. The United States representative, representing a nation which had the technical "know-how", and he himself, as a scientist of a nation which did not have the "know-how", were convinced of the necessity for management of certain installations by

the international agency. It was understood that all members of Committee 2 in 1946, including the representatives of the Union of Soviet Socialist Republics and Poland, were convinced of that necessity. Dr. Wei then read the following two statements from the summary record of the fourteenth informal conversation of Committee 2 (AEC/C.2/W.15):

"Professor Alexandrov (USSR)," in talking about isotope separation plants, "said that he would be satisfied if the following points were included in the document: that, inasmuch as isotope separation plants produced dangerous concentrated material, the control authority should pay particular attention to this stage of production; that, inasmuch as methods of production in isotope separation plants had moved faster than the development of scientific control of the plants, the Committee was not in a position to indicate other methods of control which might be possible. He suggested that scientists of various countries might be asked to work on improving methods of technical and scientific control but, until those methods were worked out, one would be forced to depend on managerial control."

"Professor Zlotowski (Poland) thought that a statement should be added saying that isotope separation plants had to be under managerial operation by the controlling agency so long as one based his conclusions on present knowledge."

Dr. Wei said that the international agency was being given the minimum power on reactors where managerial control was necessary. If there were another facility that could be decontrolled to the extent that there could be national management, it would be done. Dr. Wei felt it was important at that stage, while attempting to find a basis for agreement, that the same arguments not be repeated. The USSR proposals had been given up because the testimony of scientists and engineers had convinced the representatives that they did not provide the necessary safeguards. Whenever it could be proved that inspection was a sufficient safeguard, he was quite sure that its application and usage would be extended.

Dr. Wei, speaking as CHAIRMAN, suggested that the discussion be continued at the next meeting, as he wished to read from two letters which the Secretariat had received regarding the communications issued at the close of each meeting. One was from the President of the United Nations Correspondence Association and the other from Messrs. Kihss and Hamilton of the *New York Herald Tribune* and *The New York Times*, respectively. They both requested that the correspondents be given as complete a briefing as possible of the plan of work and the point reached in the consultations.

General McNAUGHTON (Canada) said he had also intended to bring up the question of Press communiqués at that meeting, because of the public's great interest in the outcome of the consultations. He thought the public should be reminded that the consultations were being held at the request of the General Assembly, that a report would be submitted to it during the present session, and that provision for consideration of that report had been included in its agenda. He also believed it would be well to mention that the basis for the consultations was a frank review of the whole problem. To that end, the representatives needed to have the opportunity to state their views

¹ See *Official Records of the Atomic Energy Commission*, first report to the Security Council, page 33.

² *Ibid.*, page 35.

with complete freedom in relation to the various matters as they came under discussion. For that reason, it had been concluded that the effective conduct of those conversations required the continuance, for the time being, of the present practice of closed meetings.

General McNAUGHTON then read the text of the communiqué he had suggested.

As there were no objections, the CHAIRMAN announced that Press release No. AC/218 was approved.

In reply to a question by the Press Officer about additional information, General McNAUGHTON thought the communiqué should be strictly adhered to, as anyone who did anything to upset the progress of the meetings would be incurring great responsibility.

The incoming Chairman, Mr. CHAUVEL (France) proposed that the next meeting be held at 3 p.m. on Thursday, 6 October.

At the suggestion of Mr. Tsarapkin (Union of Soviet Socialist Republics), it was agreed that the agenda would include points 6, 7, and 8 of the United Kingdom list of topics.

The meeting rose at 5.30 p.m.

NINTH MEETING

*Held at Lake Success, New York,
on Thursday, 6 October 1949, at 3 p.m.*

Chairman:

Mr. Jean CHAUVEL, France;

Members:

General A. G. L. McNAUGHTON, Canada;
Dr. H. R. WEI, China;
Mr. J. A. MALIK, Union of Soviet Socialist Republics;
Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;
Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;
Dr. O. FREY, Secretary.

The CHAIRMAN observed that the representatives had agreed to proceed with points 6, 7 and 8 of the United Kingdom list of topics.

General McNAUGHTON (Canada) drew attention to statements by USSR representatives, including one made at the previous meeting, to the effect that the majority plan of the Commission was the equivalent of the Baruch proposals and contained nothing new. Such an attitude implied depreciation of the clarifications of and additions to the original proposals. However, these reiterations might reflect a misunderstanding of the Commission's plan rather than propaganda purposes and General McNaughton wished, therefore, to analyse the important differences between the original United States proposals and the plan approved by the General Assembly.

The Commission was indebted to the United States for the initiative in presenting imaginative proposals which had been taken as a basis for dis-

cussion and of which much had been acceptable on its merits. However, the Commission had decided to evolve its own conclusions upon effective control and had organized its own inquiries and developed its own proposals.

Firstly, according to the Baruch proposals, ownership of all uranium and thorium would have been vested in an international authority which would have undertaken all mining, even in cases where the uranium or thorium might be only a minor constituent in the ore. General McNaughton observed that the Commission's plan, while recognizing the need for the international agency to be fully informed upon the occurrence of these minerals and to license their mining, recognized that the agency need not own the mineral properties. Security demanded only that the source materials pass into agency possession after they had been separated from their deposits. The main future sources of uranium might be ores where it occurred in low concentrations with other valuable minerals. It had been found that adequate security could be provided and therefore the agency need not take possession of the uranium until it was separated from the other constituents. The operations and scope of the agency required for effective control, compared to the set-up envisaged by Mr. Baruch, had been substantially reduced and the field for national or private development had been enlarged.

The second essential difference developed in the Commission related to the functions and powers of the agency. The United States proposals had contemplated broad and general powers for an authority which might have enabled it to extend its operation and control into areas not necessary for effective control. The Commission sought means of establishing an agency with specifically defined duties confined to those necessary for security. The agency would not be a powerful autonomous authority responsible itself for initiating the methods of control.

General McNaughton recalled the Commission's realization that needless difficulties would arise if the agency were vested with important powers of decision relating to national economies. The Commission therefore had agreed that a system of quotas should allocate materials and facilities to nations and should be established in advance by treaty. Their plan provided that the agency should hold and use the quotas of materials and facilities for the benefit of the nation in question. That had given rise to the concept of "ownership in trust" or "holding in trust" of dangerous materials and facilities in contrast to the idea of "monopoly ownership" by the authority, alleged to have been implicit in the original proposals. The "trust" concept meant that atomic energy should be administered on behalf of the nations for which the trust was created. The purpose of vesting "ownership in trust" in the agency was to assure to it the undisputed right to carry out the treaty provisions relating to the use of dangerous quantities of materials and to eliminate the possibility of conflicting jurisdictions.

Thirdly, the Commission's plan provided against possible abuses of power by the agency. General McNaughton pointed out that such limitations had not been contemplated in the Baruch proposals. However, the second report laid down procedures for securing warrants and authorizations for inspections through appropriate national or interna-

tional courts. That more democratic concept of administration would make the agency more responsible to the peoples of the world and would provide against the arbitrary invasion of private rights of individuals.

The fourth difference related to the stockpiling of materials. Nothing specific in that regard appeared in the Baruch proposals, but the Commission plan, following a suggestion in the Acheson-Lilienthal report, provided that production of nuclear fuel should be restricted to the quantities required for plants actually entering into production. That measure would prevent dangerous stockpiling of materials and enhance security, particularly in the considerable period before atomic power became economical.

The fifth difference concerned the extent of the functions and powers of the agency to enforce control and punish violators and the point at which reliance would have to be placed on the right of individual or collective self-defence. The importance of averting the danger of the surprise use of atomic weapons had been pointed out in the Acheson-Lilienthal report. General McNaughton believed the majority in the Commission recognized that, in the event of a long war between Powers having atomic facilities, there could be no certainty of preventing the eventual use of atomic weapons. Accordingly, consideration had been directed towards measures to prevent the possibility of a surprise atomic attack. Fear of such an attack would be a principal factor and, in a condition of strained relations between major States possessing atomic weapons, probably the greatest single cause which might precipitate a conflict. The Commission therefore had sought methods of eliminating secrecy in atomic matters and substituting standards of openness and co-operation. To that end, there had been proposed an agency with emphasis on co-operative development and use which, by surely providing information, would furnish the needed sense of security. Through the measures outlined in the second report it was expected that, even after atomic power was in wide use, timely warning could be given of any violations or evasions indicating preparations for atomic war.

The emphasis in the Commission, therefore, had shifted from the unattainable objective of prevention and the punishment of violators by an autocratic and powerful authority to the more reasonable and realizable purpose of setting up an effective system to ensure adequate warnings.

General McNaughton saw two important consequences of the intention to define in the treaty the powers of the agency. Firstly, it could be provided that information relating to security would be passed to nations automatically and without delay either in the agency or in the Security Council. Secondly, by establishing agency policies and prescribing national quotas in the treaty, the agency would be prevented from constituting the "monopolistic trust" conjured up by the USSR representative. Full protection against arbitrary action by the agency was furnished as was an assurance that nations would receive their fair share of the benefits.

The foregoing differences between the Commission plan and the Baruch proposals had been indicated by General McNaughton not in order to criticize the original proposals but to show that

the plan approved by the United Nations could not truthfully be ascribed to any single delegation. A variety of representatives on the Commission had emphasized in the past the co-operative way in which the plan had been evolved and the fact that substantial modifications of the original proposals had been made. However, it had appeared useful to make a statement upon the evolution of the Commission's proposals since confusion on such matters detracted from the responsibility and authority of the Commission. To assert that the Commission's plan amounted to the proposals of one delegation was to ignore events in the Commission. General McNaughton hoped that his explanations would carry some elucidations to the USSR representatives and lead to a real understanding of the majority position. He wished also to give assurances of his belief that the majority proposals were as much in the interests of the peoples of the USSR as in the interests of those whom the majority represented.

Mr. HICKERSON (United States of America) believed that the combination of three items in their discussions lent support to the contention that all parts of the problem were integral parts of the whole and that there must be evolved a single comprehensive solution, whether in one or two treaties.

Mr. Hickerson stated that he would elaborate on the preliminary answer he had given at the last meeting to Mr. Tsarapkin's question on point 8, "Stages". Before commencing that elaboration, he read the following quotation from the summary record of that meeting:

"Mr. Tsarapkin said he presumed the United States delegation, as well as the other delegations, maintained their previous position that control over the ultimate phases of production would be left open to the distant future. If the United States delegation persisted in maintaining that position, installations producing finished products would remain uncontrolled for some time. That position was unacceptable to the USSR delegation."¹

Mr. Hickerson stated that his Government had never maintained that control over the ultimate phases of production would be left open to the distant future. The United States delegation had disclaimed Messrs. Gromyko's, Malik's and Tsarapkin's statements that that was the United States Government's position and had asked them what grounds they had for making them. The United States representative had pointed out in the Commission and during the consultations that his Government had never taken any position in regard to stages other than by adhering to the statement which appeared in the first report and which Mr. Gromyko had approved in principle in early 1947. Therefore, Mr. Hickerson felt that Mr. Tsarapkin's statement was unwarranted and was not supported by the facts.

The United States representative in the Commission had answered questions similar to those then before him. Mr. Hickerson then read the following quotation from an answer given at the

¹ Subsequent to the reading of this quotation, USSR corrigenda (A/1045/Corr. 1, dated 8 November 1949) have been incorporated in the 2nd to 10th meetings inclusive.

forty-eighth meeting of the Working Committee on 9 June 1949¹ to one of the questions raised by Mr. Malik (Union of Soviet Socialist Republics):

"The United States agrees to control by an international agency over all stages of production, from the mines to the production of the finished product, as provided in the recommendations of the United Nations Atomic Energy Commission which were approved by the General Assembly. These recommendations do not propose the order in which controls would be put into effect. They do not propose that mines be controlled first, or that nuclear fuel plants should be controlled first, or that all controls should be put into effect simultaneously. The plan approved by the General Assembly simply states that the treaty which covers both prohibition and control should provide 'a schedule for the completion of the transitional process over a period of time, step by step in an orderly and agreed sequence, leading to the full and effective establishment of international control of atomic energy.' The Atomic Energy Commission, in its Third Report to the Security Council, stated that 'until agreement on the basic principles of control has been reached, the elaboration of proposals to cover these remaining topics would be unrealistic and would serve no useful purposes.' The words 'these remaining topics' include stages.

"The United States is wholly in accord with these conclusions of the third report and, accordingly, has never taken a position on the order of the various stages."

In clarifying the question of controls, Mr. Hickerson stated that his Government was not in favour of the application of the USSR-proposed controls, whether simultaneously or otherwise, over the entire nuclear industry. That was not because his Government opposed controls in that field, but because the USSR-sponsored controls would not work and would be more dangerous than no controls at all. They would delude the people of the world into thinking that atomic energy was being controlled when in fact it was not. The United States Government would not be a party to such a fraud and insisted upon effective controls.

With regard to implementation of controls, Mr. Hickerson stated that the United Nations plan envisaged establishment of an international control agency to which nations would turn over their atomic materials and dangerous facilities to be held in trust in behalf of all the signatory States. The agency would operate and manage the dangerous facilities. Obviously the agency could not overnight assume such tremendous responsibilities. It would have to recruit its personnel and acquire experience as it assumed more responsibilities until finally all atomic materials and activities would come under its control. As the activities in national hands were prohibited to nations, they would come under the full control of the agency. In other words, the dangerous aspects of those activities would simultaneously and automatically be prohibited to nations as they were assumed by the agency. When controls were fully established, nations would be prohibited from manufacturing, possessing or using atomic weapons and would be subject to controls so effective that the world would be assured that prohibition would be enforced. Actually, nations would not have the means of producing atomic weapons. Such a sys-

tem would provide effective control, and therefore effective prohibition, and the whole world would benefit rapidly and equitably from the co-operative development of peaceful uses of atomic energy.

Mr. Hickerson observed that the Commission plan had not given the details of the stages of transition. The United States Government had not tried to do so either. Such a detailed plan could not be worked out until it was known what type of control system was to be adopted. It was also conditional on the technical developments and the state of world security existing at the time the nations were prepared to agree on the international control of atomic energy. When agreement was reached on an effective system of control, the question of stages could be negotiated and written into the treaty.

While not spelling out the details of the stages, Mr. Hickerson stated that the principle of how those stages were to go into effect had been established. That principle was contained in point 8, which read:

"The treaty should embrace the entire programme for putting the international system of control into effect, and should provide a schedule for the completion of the transitional process over a period of time, step by step, in an orderly and agreed sequence leading to the full and effective establishment of international control of atomic energy and prohibition of atomic weapons."

In addition, the recommendations approved by the General Assembly stated:

"In order that the transition may be accomplished as rapidly as possible and with safety and equity to all, this Commission should supervise the transitional process, as prescribed in the treaty or convention, and should be empowered to determine when a particular stage or stages have been completed and subsequent ones are to commence."¹

The Commission referred to in the second quotation was the United Nations Atomic Energy Commission, the rules of procedure of which provided that decisions should be taken on the basis of affirmative votes of a majority of the members. Therefore, Mr. Hickerson did not see how the USSR representative was justified in repeatedly charging that the United States Government would prolong indefinitely the stages of transition and that it did not intend to turn over its atomic materials and facilities to the control of the international agency.

Mr. MALIK (Union of Soviet Socialist Republics) asked the Canadian representative if he considered that the differences he had enumerated between the "Baruch-Acheson-Lilienthal" plan and the "majority" plan were the essential and fundamental features of the latter.

General McNAUGHTON (Canada) replied that he had endeavoured to point out certain features in the majority plan which departed from the Baruch plan and had made no attempt to enumerate the valuable features of the Baruch plan which had been retained.

As no representative wished to continue the discussion of points 6, 7 and 8 at that time, the

¹ See *Official Records of the Atomic Energy Commission*, Fourth Year, Special Supplement No. 1, page 5, paragraph 5.

¹ See document AEC/C.1/PV. 48.

CHAIRMAN pointed out that points 2, 3 and 5 had not yet been considered. He also observed that the fact that an atomic explosion had taken place within the boundaries of the Union of Soviet Socialist Republics had not been mentioned during the consultations. Although it might not affect the foundations of the discussions, the public wished to know to what extent it had been taken into consideration. Since the question had been raised by the public at large, the Chairman believed that it was incumbent upon him to ask the views of his colleagues in that respect so that if the matter were not discussed in these meetings, that should clearly appear as the result of a deliberate decision and not as a result of deliberately ignoring that information.

In supporting the Chairman's suggestion, Sir Alexander CADOGAN (United Kingdom) thought it rather absurd and unrealistic that the representatives had not referred to the atomic explosion in the Union of Soviet Socialist Republics. Under the new circumstances, he wondered if there might not develop more useful and practical discussions. In the past, some delegations had complained that they had had to take on trust technical information which was vouchsafed to them by other delegations. Now no such disadvantage existed, and he felt there might be a franker exchange of views. It might be possible for those representatives believing that inspection was sufficient for all purposes to give specific reasons why they held that view. It might be possible to place the conversations on a more practical level and to reach agreement on some of the vital points of the problem.

Mr. MALIK (Union of Soviet Socialist Republics) observed that he had not yet had an opportunity to study in detail the records of the consultations. However, the statements made by the representatives of the United States and Canada at that meeting impelled him to call attention to some important points. The Canadian representative had tried to prove there were great differences between the "Baruch-Acheson-Lilienthal" plan and that of the majority and that the USSR representatives did not understand the majority plan. Mr. Malik emphasized that his delegation understood perfectly the Baruch and majority plans and the intentions of their authors and supporters. Moreover, Mr. Malik considered strange the Canadian representative's statement that that lack of understanding was real and did not stem from propaganda purposes. Such a conclusion implied that, in the Canadian representative's opinion, the USSR statements made in open meetings were used for propaganda purposes. He objected to any such interpretation and stated that propaganda purposes were ascribed to the delegation of the Soviet Union only by those who did not wish to prohibit atomic weapons nor to control atomic energy. The Canadian representative's statement had not been intended to clarify the substance of the problem but was aimed at distracting the group from fundamental issues. He considered that the supporters of the majority plan were making propaganda so as to deceive public opinion on the question of the prohibition of atomic weapons and the control of atomic energy. In fact the alleged differences between the two plans had no significance in substance and were only secondary questions. The fact was proved by the Canadian answer to Mr. Malik's question.

The statement made by the United States repre-

sentative was the best proof that there was no difference between the "Baruch-Acheson-Lilienthal" plan and that of the majority. In both plans, prohibition of atomic weapons was postponed to the indefinite future, an unknown stage to which no one referred precisely. It would be put into effect only after the establishment of a control plan. Both plans focused attention on first controlling raw materials. Mr. Malik observed that the United States representative had declared that neither the United States Government nor its delegation had taken any position in regard to stages except that outlined in the majority plan. However, the majority plan stated that the logical starting point of any system of control lay with the control of raw materials, which were the source of uranium and thorium, and that international control must begin with strict control of raw materials. He believed in that plan everything was reversed. There was no logic in maintaining that control of raw materials was the primary question and that control of the production of atomic materials and atomic energy should be regarded as secondary considerations and established at some later stage.

Mr. Malik noted that the United States representative had referred to a statement made in the Working Committee on 9 June 1949. It read:

"The United States agrees to control by an international agency over all stages of production, from the mines to the production of the finished product, as provided in the recommendations of the United Nations Atomic Energy Commission, which were approved by the General Assembly."

But, as had already been stated, those recommendations stated that: "... the logical starting point of any system of control lies with the raw materials. . . ." ¹ Mr. Malik did not consider such proposals acceptable or reasonable. It was clear in the majority plan that the first stage was the control of raw materials. Nuclear fuel producing plants would be brought into the control system at some indefinite date in the future, after the establishment of control over the first stage, i.e., raw materials. Therefore, Mr. Malik could not understand why his delegation's contention that the United States Government did not wish to have a control system providing for the establishment of strict international control simultaneously over all undertakings engaged in the extraction of atomic raw materials and the production of atomic materials and atomic energy was incorrect.

Mr. Malik observed that the United States representative had implied that he was afraid of establishing control over nuclear fuel producing plants and raw materials simultaneously, as proposed by the USSR delegation, and that he had also said that such simultaneous control over all stages of production would be worse than no controls. Mr. Malik thought the latter statement had some logic from the point of view of the United States delegation's position. While attempting to control at once all the raw material producing areas of the world, in the Belgian Congo and other areas for example, the United States Government did not wish to have its own plants producing atomic materials and atomic energy controlled simultaneously with the establishment of control of raw materials. Of course the Soviet Union

¹ See *Official Records of the Atomic Energy Commission*, Second Year, Special Supplement, page 29.

could not accept such a control plan, which could not constitute genuine control, since nuclear fuel producing plants would remain free of all control for an indefinite period.

Mr. Malik objected to the United States representative's contention that the USSR proposals, which provided for simultaneous control over raw materials and all stages of production, could lead to the deception of public opinion. On the contrary, the USSR representative believed that the statements of the United States representative as well as the provisions of the majority plan, to the effect that control must begin with the strict control of raw materials were an attempt to deceive the public and reflected a lack of desire to control nuclear fuel producing plants. The United States representatives had argued that the international agency would not be in a position to organize at once all stages of control. Therefore, the agency should commence with the control of raw materials and by stages broaden its scope of activities. In the beginning, it would not be permitted to extend control over nuclear fuel producing plants. Mr. Malik asked how it could be contended that raw materials were more dangerous than nuclear fuels and atomic bombs. He said there was no logic in the position of the United States delegation nor in that of its supporters. If an international agency were to be set up, its terms of reference must ensure complete control over all stages of atomic energy. Then the activities of such an agency would be channelled along the correct line from the beginning. Otherwise the agency would be invalid, and there would be no effective control.

Mr. Malik recalled that the United States representative had quoted paragraph 5 of part III of the first report. It read:

"In order that the transition may be accomplished as rapidly as possible and with safety and equity to all, this Commission should supervise the transitional process, as prescribed in the treaty or convention, and should be empowered to determine when a particular stage or stages have been completed and subsequent ones are to commence."

Mr. Malik did not understand where equity or equality existed in the majority plan. The United States Government wanted to begin at once, pursuant to the Atomic Energy Commission recommendations, control over raw materials throughout the world but refused to establish simultaneous control over nuclear fuel producing plants in the United States. There was no equality in that position.

With regard to the question of ownership, Mr. Malik observed that both the Baruch and the majority plans provided that the international agency should have the right of ownership of all plants producing atomic materials and atomic energy. Consequently, the Canadian representative did not face reality in attempting to prove that the agency would not be a super-monopoly. In that connexion, the United States delegation and its supporters had changed their position regarding inspection, which change the Canadian representative did not recognize. The Baruch plan provided for a system of inspection, while the supporters of the majority plan now attempted to avoid inspection. The USSR delegation could not accept that approach.

Mr. Malik stated that a study of the documents submitted during the consultations indicated that neither the United Kingdom delegation nor any other delegation had submitted any proposals which were not contained in the Baruch plan. That fact convinced the USSR delegation that the other delegations did not desire to achieve prohibition of atomic weapons nor to introduce simultaneous control over all stages of atomic production. It was the same attempt to begin with control of raw materials only and to leave the question of control of the production of atomic materials and atomic energy open for an indefinite period. The Canadian representative had stated at that meeting that production of nuclear fuel should be limited to the needs of plants actually in production, and Mr. Malik had not heard of any such facilities in the territory of the United Kingdom, Canada or France. Therefore, he felt that the authors of the majority plan wished to limit the production of nuclear fuel only to the requirements of United States atomic plants alone in order to let them monopolize all production and prohibit the production of atomic materials and atomic energy in other countries. Mr. Malik said he would leave the correctness of such an approach to the judgment of the delegations themselves.

Mr. Malik said that the Baruch plan had been based on the illusion of a continuing monopoly of the secret of the production of atomic energy. There was no monopoly and there was no secret. If the United States Government continued to maintain its plan and not depart from its original proposals, which had been submitted over three years ago, then it was difficult to see how agreement could be reached. Mr. Malik said that the members had a right to expect new concrete proposals from the United States delegation. The foregoing remarks, in answer to the statements of the Canadian and United States representatives, were only of a preliminary nature. Mr. Malik requested that the discussion of point 8 not be concluded at that meeting.

In replying to the USSR representative's statement, Mr. HICKERSON (United States of America) requested that the Secretariat be instructed to append the complete text of his statement to the summary record because he felt Mr. Malik had completely distorted his statement, which had been prepared with great care. He also asked the USSR representative to indicate where the plan of control approved by the General Assembly provided that control should start with raw materials. Mr. Hickerson challenged Mr. Malik to find it there. The United States representative said he could not, with dignity, reply further to the remarks of the USSR representative.

While attaching importance to questions and answers in reaching agreement on the whole problem of atomic energy, Mr. Hickerson recalled that he had not yet received an answer to the question he had asked the delegation of the Soviet Union at the sixth consultation on 8 September. He had asked if he were correct in assuming that the USSR Government was prepared to negotiate only on the basis of national ownership of atomic materials and national ownership and management of facilities making or using dangerous quantities of such materials. If the representative of the Soviet Union were prepared to reply to his question, Mr. Hickerson would be interested in the answer.

During a procedural discussion on whether or not the complete text of the United States representative's statement should be appended to the summary record, both the United States and the USSR representatives returned to certain points they had made in their previous statements.

Mr. MALIK (Union of Soviet Socialist Republics) contended that, since he had spoke extemporaneously and no verbatim record of his remarks was available, he would be placed in an unfavourable position if his statement were summarized and that of the United States representative included in full. Mr. Malik also noted that it had originally been agreed that no verbatim records would be prepared. Further, he felt that he had properly understood the substance of Mr. Hickerson's statement but he would be very happy to study the full text.

Mr. HICKERSON (United States of America) asked the Secretariat to make a copy of his statement and deliver it to Mr. Malik during the meeting. He suggested that Mr. Malik might wish to strike from the record any statements made that were based on a misunderstanding.

The CHAIRMAN observed that, as a draft summary record would be circulated, each representative would have an opportunity to correct his own remarks. Therefore, he proposed that no texts of statements be appended to the summary record.

The Chairman's suggestion was accepted.

The Chairman observed that undoubtedly the time was approaching when the *Ad Hoc* Political Committee of the General Assembly would discuss atomic energy and would be interested in an interim report on the progress of the consultations.

At the suggestion of the Canadian representative, it was agreed that the question of an interim report would be discussed as the first item on the agenda of the next meeting.

The Chairman announced that the USSR representative had requested that the discussion on point 8 not be closed and that points 2, 3 and 5 remain to be considered.

Mr. MALIK (Union of Soviet Socialist Republics) thought it would aid their discussions if the United Kingdom representative, as author of the list of topics, were to make an introductory statement on each item. Particularly, he believed it would be helpful to have the views of the United Kingdom representative on the time table he envisaged under item 8.

The CHAIRMAN suggested that the USSR representative might wish to address his question to the United Kingdom representative at the next meeting.

There was no objection to the Chairman's suggestion that the press communiqué mention only the fact that a meeting had been held in accordance with General Assembly resolution 191 (III) and the date of the next meeting.

Press communiqué No. AC/219 was approved.

The incoming Chairman, Mr. MALIK (Union of Soviet Socialist Republics) proposed that the next meeting be held at 3 p.m. on Thursday, 13 October 1949.

The meeting rose at 7.05 p.m.

*He'd at Lake Success, New York,
on Thursday, 13 October 1949, at 3 p.m.*

Chairman:

Mr. J. A. MALIK, Union of Soviet Socialist Republics;

Members:

Mr. Arnold C. SMITH, Canada;
Dr. H. R. WEI, China;
Mr. Jean CHAUVEL, France;
Sir Alexander CADOGAN, United Kingdom of Great Britain and Northern Ireland;
Mr. John D. HICKERSON, United States of America.

Secretariat:

Mr. C. E. ZINCHENKO, Assistant Secretary-General;
Dr. O. FREY, Secretary.

The CHAIRMAN observed that the representatives had agreed first to discuss the advisability of submitting an interim report to the General Assembly on the status of the group's work and then to consider points 2, 3, 5 and 8 of the United Kingdom list of topics.

Mr. CHAUVEL (France) recalled that, during the previous meeting, he had suggested the desirability of an interim report. It was quite possible that the problem of atomic energy would be considered in the *Ad Hoc* Political Committee during the next week, and he had given thought to the best method of reporting on the consultations. Obviously, it was not yet possible to state that agreement existed. The report could not prejudice the final results nor was it possible to state that the representatives held common views which would resolve the problem. Therefore, Mr. Chauvel proposed that a short report, listing the number of meetings which had been held and stating that the consultations had not been concluded, together with the summary records, be forwarded to the General Assembly. Mr. Chauvel then read his draft interim report (appendix 1).

Mr. Chauvel observed that any representative could, of course, submit to the General Assembly, either orally or in writing, any specific comments which he might wish to add.

In supporting the French draft interim report, Sir Alexander CADOGAN (United Kingdom) expressed the belief that the members of Assembly Committees, when discussing the atomic energy question, would recall that the Assembly had requested the six sponsoring Powers to consult and report to the present session. They were bound to be called to account. It seemed impossible to enlarge on the draft report, which would neither encourage nor assist very much the discussion of the problem in other United Nations organs. Therefore, he welcomed the suggestion that representatives might wish to supplement the draft report with further indications of the nature of the differences which separated them.

Dr. WEI (China), in endorsing the French draft report, considered the submission of the summary records to the General Assembly the most effective method of presenting the substance of their consultations.

In supporting the French draft report, Mr. HICKERSON (United States of America) considered the simple text to be non-controversial. He likewise noted that each Government would be free to make, orally or in writing, such observations on the work of the group to the General Assembly as it deemed wise.

The CHAIRMAN, speaking as the representative of the Union of Soviet Socialist Republics, stated that he did not object to the principle of forwarding an interim report to the General Assembly. However, the suggested form for the report was somewhat unusual in that, in the past, committees had presented their reports in the form of a report with the resolutions and records annexed. He expressed his regret that the summary records had not previously been translated into the Russian language, which would have promoted better mutual understanding. He requested the Secretariat to have Russian translations circulated prior to the next meeting. He would like to examine them in the Russian language and possibly, during the course of the next meeting, clarify or supplement the position of his delegation. He would then be prepared to vote on the French draft report. Mr. Malik added that, when the report was submitted to the General Assembly, the summary records referred to in it would be translated automatically. However, it would have been both proper and efficient to have had the translations of the summary records made as each one was prepared.

Mr. Malik asked the representative of France if it were his intention that any supplementary statements be appended to the report or whether he was referring to the type of statement any member was entitled to make in any committee of the United Nations.

Mr. CHAUVEL (France) replied that he had not had any clear-cut plan in mind. Since the report was a neutral account of the group's work, he thought that those wishing to clarify their positions might wish to do so orally or in writing.

Mr. Chauvel also asked that a French translation of the summary records be prepared.

Dr. WEI (China) reserved his delegation's right to request Chinese translations.

In reply to questions, Dr. FREY (Secretariat) stated that it would take the Secretariat five working days to prepare the Russian translation of the existing summary records. When the Secretary-General had extended the services of the Secretariat for the consultations, it was understood that the meetings would be informal and would be held in secret. The delegations had never requested any summary records other than the English text, and the Secretariat had thus been able to preserve the confidential character of meetings by limiting the personnel working on the records. If any delegation had requested translations of the summary records, they would, of course, have been made. Since the records were now to be made public, the Secretariat would make every effort to have their French and Russian translations circulated within one week.

Dr. WEI (China) observed that the summary records could only be translated, not modified, and that the English text was the original. He questioned the wisdom of including further material in the report, and observed that, of course, repre-

sentatives were free to present their views in any form they wished. He proposed that the words "United Nations" be referred to in the title of the draft report.

Mr. SMITH (Canada) observed that the group was not a United Nations committee, but was a series of meetings of representatives of six Governments, consulting together at the request of the General Assembly. At the first meeting of the group, the Acting Secretary-General of the United Nations had undertaken, as a courtesy rather than as a matter of course, to provide secretarial and translation services. The six Governments had the inescapable duty to report to this session of the General Assembly. In courtesy to the Members of the United Nations not participating in the talks, Mr. Smith felt that the six Governments should give the delegations to the Assembly as much time as possible to study the results of the consultations before they had to come to a conclusion on them, and should therefore report at the earliest practicable date. Since the conversations had shown that substantial differences remained and that there was not even full agreement on the significance of the differences, Mr. Smith thought that the French suggestion regarding the form of report was a good one, since it was non-controversial. The only practicable alternative to agreement on publishing the summary records which Mr. Smith could see would be to agree that there would be no agreed report: each Government would then exercise its right and duty, imposed on it by the General Assembly, to send in its own report to the Secretary-General for transmission to the Assembly.

Mr. MALIK (Union of Soviet Socialist Republics) said that he was not interested in having the Russian translation of the summary records after the draft interim report had been voted on but in having them to study before a decision was taken. He wished to read them to determine if there were any errors and if it were necessary to supplement or clarify them. With regard to the servicing of the consultations, Mr. Malik recalled that although the group was not an official committee of the United Nations, it had been established by the General Assembly. If the Secretariat could make translations of the records within five or six days, he would need only two or three additional days to study them. Then a meeting could be held to take a decision on submitting an interim report. He did not believe the *Ad Hoc* Political Committee would reach the question of atomic energy before that time.

During a discussion of the status of the summary records, the representatives of CHINA, CANADA, UNITED STATES OF AMERICA, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and FRANCE pointed out that it was their understanding that, since an opportunity had been given to all delegations to correct the draft summaries, the records had implicitly been approved. Consequently, there could be no question of changing the records. In this connexion, the Canadian representative quoted the following note from the top of the draft summary records of the meetings:

"If corrections are received, a revised summary record will be circulated; if no corrections are submitted within forty-eight hours, the summary record will be considered to have been approved."

Mr. HICKERSON (United States of America) suggested that a vote be taken at that meeting on the French draft interim report, which he considered non-controversial and which could include the summary records of the first nine meetings.

The CHAIRMAN, speaking as the representative of the Union of Soviet Socialist Republics, said that no one had suggested that any modifications be made to the summary records. He only wished to have the translations checked for errors and to study the contents of the records before they were submitted to the General Assembly. He did not believe it was proper to vote on the French draft report at that meeting, since all rules of procedure in the United Nations provided that a delegation should have at least twenty-four hours to study any drafts or proposals.

Mr. SMITH (Canada) agreed that the USSR representative should have twenty-four hours to consider the French proposal before being required to vote on it. He stressed the desirability of an early decision, however, and suggested that a meeting should be called for the next day, or for the day after that, for that purpose. He pointed out that since it was now agreed that the summary records of previous meetings could not be altered, there would be no point in postponing a decision on publication of those records until they had been translated into other languages.

Mr. CHAUVEL (France) suggested that a meeting be held the following week in order to take a decision on his delegation's draft report. If one of the General Assembly Committees were to take up the following week the question of atomic energy the Chairman could, of course, convene an earlier meeting.

The incoming Chairman, Sir Alexander CADOGAN (United Kingdom) proposed that the next meeting be held at 3 p.m. on Thursday, 20 October.

Press release No. AC/200 was approved.

The meeting rose at 6.20 p.m.

APPENDIX

DRAFT INTERIM REPORT ON THE CONSULTATIONS OF THE SIX PERMANENT MEMBERS OF THE ATOMIC ENERGY COMMISSION SUBMITTED BY THE REPRESENTATIVE OF FRANCE ON 13 OCTOBER 1949

[Official translation]
[Original text: French]

In paragraph 3 of General Assembly resolution 191 (III) of 4 November 1948, the representatives of the sponsoring Powers, who are the permanent members of the Atomic Energy Commission, namely, Canada, China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, were requested to hold consultations "in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons."

The first meeting took place on 9 August 1949 and there have been meetings to date. The consultations have not yet been concluded and are continuing but, in order to inform the General Assembly of the position which has so far been reached, the six sponsoring Powers have decided to transmit to it the summary records of the first meetings.