CONFERENCE OF THE COMMITTEE ON DISARMAMENT

CCD/PV.727 3 September 1976 ENGLISH

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FINAL RECORD OF THE SEVEN HUNDRED AND TWENTY-SEVENTH MEETING held at the Palais des Nations, Geneva, on Friday, 3 September 1976, at 10.30 a.m.

Chairman:

Mr. Nicolo Di Bernardo

(Italy)

PRESENT AT THE TABLE

Argentina: NE. V.E. BERASATEGUI

Mr. J.M. OTEGUI

Brazil: Mr. G.A. MACIEL

Mr. L.H. PEREIRA DA FONSECA

Bulgaria: Mr. B. GRINBERG

Mr. I. PETROV

Burma: Mr. U THET TUN

Canada: Mr. R. HARRY JAY

Mr. J.T. SIMARD

Czechoslovakia: Mr. V. SOJAK

Egypt: Mr. A. MANSOUR

Miss L. EMARA

Ethiopia: Mr. W. BERHANU

Mr. G. DEMISSE

German Democratic Republic: Mr. G. HERDER

Mr. M. GRACZYNSKI

Germany, Federal Republic of: Mr. G.J. SCHLAICH

Mr. J. BAUCH

Hungary: Mr. M. DOMOKOS

Mr. I. KÖRMENDY

Mr. B.C. MISHRA India: Mr. P.K. GUPTA Mr. H. AMERI Iran: Mr. D. CHILATY Mr. N. DI BERNARDO Italy: Mr. V. VALDEVIT Mr. A. BIZZARINI Mr. M. OGISO Japan: Mr. T. SAWAI Mr. M. MARÍN Mexico: Mr. S. CAMPOS-ICARDO Mr. B. JARGALSAIKHAN Mongolia: Mr. P. KHALIOUNE Mr. L. BAYART Mr. A. SKALLI Morocco: Mr. J.M. RAHHALI Mr. A.J. MEERBURG Netherlands: . Mr. B. AKPORODE CLARK Nigeria: Mr. S.T. ADAMU Mr. K. SALEEM Pakistan:

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Mr. G. CHAUNY Peru: Mr. E. WYZNER Poland. Mr. H. PAC Mr. A. CZERKAWSKI Mr. C. ENE Romania: Mr. V. TUDOR Mr. G. TINCA Mr. C. IVASCU Mr. G. HAMILTON Sweden: Mr. U. REINIUS Union of Soviet Socialist Mr. V.I. LIKHATCHEV Republics: . Mr. Y.K. NAZARKIN Mr. A.N. KASHIRIN Mr. L.A. NAOUMOV United Kingdom: Mr. M.E. ALLEN . Mr. J.G. TAYLOR United States of America: Mr. J. MARTIN, Jr. Mr. D.P. BLACK Mr. N. WALDROP Yugoslavia: Mr. M. MIHAJLOVIC Zaire: Special Representative of the

Alternate Representative of the Secretary-General:

Secretary-General

Mr. A. CORRADINI

Mr. RISTO HYVÄRINEN

Communiqué of the meeting

The Conference of the Committee on Disarmament today held its 727th plenary meeting in the Palais des Nations, Geneva, under the Chairmanship of H.E. Ambassador Nicolo Di Bernardo, representative of Italy.

The representative of Argentina (Mr. V.E. Berasategui) made a statement on the report of the Working Group on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques (CCD/518).

The representative of Mexico (Mr. M. Marín) made a statement reserving the freedom of position and action of the Government of Mexico in the General Assembly of the United Nations regarding the draft convention contained in document CCD/518, for the reasons set forth in its working paper CCD/516.

The representative of the Federal Republic of Germany (H.E. Ambassador G.J. Schlaich) made a statement commenting on certain aspects of the draft convention on the prohibition of military or any other hostile use of environmental modification techniques.

The representative of Brazil (H.E. Ambassador G.H. Maciel) stated that his delegation did not oppose the submission of the draft convention to the United Nations General Assembly, but reiterated its reservations on the Committee Understanding relating to article I.

The representative of Morocco (H.E. Ambassador A. Skalli) stated that his delegation had no objections to the submission of the draft convention to the United Nations General Assembly, but reserved the position of his Government to make further statements on the draft convention at the next session of the General Assembly.

The representative of Yugoslavia (Mr. M. Mihajlovic) reiterated the reservation of his delegation as recorded in the report of the Working Group on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques (CCD/518).

The representative of Pakistan (Mr. K. Saleem) also reiterated the reservation of his delegation as recorded in the report of the Working Group on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques (CCD/518).

The representative of Italy (H.E. Ambassador N. Di Bernardo) made a statement on the question of the prohibition of military or any other hostile use of environmental modification techniques.

The representative of the United States of America (H.E. Ambassador J. Martin, Jr.) made a statement on the Committee's work and accomplishments during its 1976 sessions, especially noting the successful conclusion of the draft convention on the prohibition of military or any other hostile use of environmental modification techniques.

The representative of the Union of Soviet Socialist Republics (H.E. Ambassador V.I. Likhatchev) made a general statement in which he reviewed the results of the summer session, particularly stressing the importance of the elaboration of the draft convention by the Committee. He referred in positive terms to the results of the CCD discussion on the prohibition of new types and systems of weapons of mass destruction and on a ban on chemical weapons. He further stressed the urgent need for the speediest conclusion of the treaty on the complete and general prohibition of nuclear weapon tests and on the non-use of force in international relations. He also shared the view of a number of members that the CCD was the most appropriate and qualified international body to negotiate concrete measures of disarmament.

The CCD decided to hold informal meetings with the participation of experts on the question of new types and systems of weapons of mass destruction at its 1977 spring session. The date of the first meeting would be determined at the beginning of that session. The CCD took note of the proposal of the delegation of the USSR to start these meetings on 14 March 1977.

The representative of the United Kingdom of Great Britain and Northern Ireland (H.E. Ambassador M. Allen) commented on the decision to hold such meetings.

The Committee also decided to hold at the very outset of its 1977 session further informal meetings on the question of the comprehensive review of its procedure.

The CCD requested the Secretariat to undertake, if possible before the beginning of the Committee's 1977 session, a compilation of appropriate material from working papers and statements on the question of chemical weapons presented to the Committee in recent years.

The Co-Chairmen submitted the following document: "Draft report to the United Nations General Assembly and to the United Nations Disarmament Commission" (CCD/519).

After considering the draft report, the Committee adopted its report to the United Nations General Assembly and the United Nations Disarmament Commission (CCD/520). The Conference will reconvene on Tuesday, 15 February 1977, at 3 p.m.

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The CHAIRMAN (Italy) (translated from French): Ladies and gentlemen, I declare open the 727th plenary meeting of the Conference of the Committee on Disarmament Before turning to the list of speakers, I would suggest to you that we settle another matter. You will recall that yesterday the two Co-Chairmen proposed holding informal meetings with the participation of experts on the question of new types of weapons of mass destruction. You will also recall that, after some discussion, a decision on the question was deferred until today. I have now learnt that, following consultations in the course of yesterday afternoon, a form of agreement was reached on a statement that I will now read to you in English:

[Speaking in English]

"The CCD decided to hold unofficial meetings with the participation of experts on the question of new types and systems of weapons of mass destruction at its 1977 spring session. The date of the first meeting will be determined at the beginning of that session. The CCD took note of the proposal of the delegation of the USSR to start these meetings on 14 March 1977.".

[Resuming in French]

In connexion with this statement, I give the floor to the distinguished representative of Mexico.

Mr. MARIN (Mexico) (translated from Spanish): I believe that the formulation that has been found is acceptable, but I should like to point out that yesterday the delegation of Mexico suggested that, in addition, we might reflect on another decision which we could take today. The decision would be:

[Speaking in English]

"The Committee also decides to hold at the very outset of its 1977 session further meetings on the question of the comprehensive review of its procedure". [Resuming in Spanish]

I believe that it would be advisable for the CCD to adopt this, because we are already planning certain meetings with experts for the coming year.

Mr. MISHRA (India): There could hardly be any objection to the Mexican proposal for a comprehensive review. However, if we look at page 3 of the draft report submitted on 24 August 1976 by the Secretariat, under Section II -- Organization of Work for 1977 -- it will be found that: "The Committee agrees that, at the beginning of its 1977 session, it will determine appropriate working arrangements for considering the issues before it". I would suggest that the Mexican proposal falls within the

(Mr. Mishra, India)

scope of the decision which we have already taken, and today we might agree with the Mexican proposal to debate it in this connexion — in connexion with the decision which we have already taken. However, if the Mexican idea is different from what we have decided, we should like to have some clarification on it.

Mr. MARIN (Mexico) (translated from Spanish): My delegation's proposal is somewhat different from the statement which has been quoted by the representative of India, and which in turn is merely reproduced from document CCD/500. It is one thing. at the beginning of each session every year, to have a kind of organization of work for the year; and, in this case, we ought to postpone the decision on weapons of mass destruction until the coming year, when we would do what was mentioned by the distinguished representative of India -- in other words, we would agree on the programme of work for that year. On the other hand, the comprehensive review of the procedure of the Committee is a rather broader question than that, and should be considered with other questions that we have already raised on previous occasions. I believe that these are two separate things and that, since the beginning of this session, the difference between the organization of work for a year and an overall comprehensive review of the Committee's procedure has become clearly marked. Also, it must be remembered that this idea of the comprehensive review is not an idea of the Mexican delegation.

Mr. MARIIN (United States of America): First, we will support the compromise proposal on new weapons of mass destruction, but my Government has instructed me to say that this does not prejudge whether we will or will not send an expert to such meetings. Second, we support the Mexican proposal, as will become obvious when I get to my intervention.

Mr. ALIEN (United Kingdom): I have accepted the compromise text about meetings with experts on weapons of mass destruction, which has just been read out. I have done this because the United Kingdom thinks that it is important to adopt a positive and active attitude towards measures that may have a real bearing on disarmament. I made it clear in my statement of two days ago that we were sorry that the programme of work of the Ad Hoc Group of seismologists had been held up.

(Mr. Allen, United Kingdom)

I now wish to make it quite clear that we do not wish to hold up the work of the CCD on weapons of mass destruction, even though we have had some difficulty with the proposal for a meeting. On procedure, we hope that it will not be necessary in future to confront the members of the CCD with such a request without consultation beforehand. On substance, my Government has not yet had time to consider the records of the last meeting of the expert group, and we believe that the range of the next meeting on weapons of mass destruction requires serious examination and definition by this Committee. Our reason for taking this view will be abundantly clear to anyone who follows the record of the last meeting. We think it very important that the Committee should not spend further time on possible weapons which are covered by existing treaties or negotiations. Nor is it in the power of the CCD to prejudge what decisions the General Assembly will take on the subject of weapons of mass destruction.

Having said this, I can assure the Committee that we shall continue to co-operate fully in the examination of this subject in the spirit we think should characterize the attitude of all delegations towards serious proposals that are put forward, and we look forward to discussing the date of the next meeting of the experts at the beginning of the spring session of the CCD.

The CHAIRMAN (Italy) (translated from French): Thank you. We have before us, therefore, the proposal concerning informal meetings on weapons of mass destruction and a Mexican proposal to adopt the following text:

[Speaking in English]

"The Committee also decided to hold at the very outset of its 1977 session further informal meetings on the question of the comprehensive review of its procedure"

[Resuming in French]

supported, as you have already seen, by the distinguished representative of the United States.

Mr. BERASATEGUI (Argentina) (translated from Spanish): The Argentine delegation wishes to refer to the report of the Working Group on the prohibition of military or any other hostile use of environmental modification techniques (CCD/518) and, in particular, to the decision that the Committee will adopt in order to transmit it to the General Assembly.

The report in question contains, in addition to the comments, dissenting opinions and reservations of a number of delegations, the text of the draft convention considered in the Working Group.

During the negotiations held in the Group, the Argentine delegation sought to contribute to the preparation of a document that would reflect an appropriate balance between the various positions.

The draft convention contained in the report reflects an advance over the original text submitted by the co-sponsors (CCD/471 and CCD/472) that we consider should be emphasized. In this process designed to improve the draft, my delegation submitted specific proposals which commanded the support of other delegations, and we wish to thank them for their valuable co-operation.

The preamble to the draft convention now reflects more appropriately the objectives being pursued. Article III is certainly better than the original formulation and, although not entirely satisfactory, it is the result of a compromise reached after arduous negotiations. The first part of paragraph 2 of that article is especially important, in as much as it envisages, without room for any doubt, the effective exchange of information between the parties. Article V and the annex thereto were the subject of special attention by my delegation, as was article VIII concerning review conferences, a question which my country had already raised at the last session of the General Assembly.

In all these cases, the Argentine delegation acted flexibly, seeking at all times to harmonize its suggestions with those of other delegations.

Unfortunately, this process of harmonization of positions was not repeated in the case of articles I and II and their respective understandings. The text of article I has remained intact and only an imprecise understanding that does not dispel existing doubts regarding the scope of the prohibition has been added to it. The same may be said of article II and its understanding, the essential elements of which have not been changed, and in which a list of examples that, although illustrative, is nevertheless incomplete has been retained. In short, the two articles have not altered the original meaning of the texts of the Co-Chairmen.

(Mr. Berasategui, Argentina)

No one can doubt that the question of the scope of the prohibition is the most important and, we would even go so far as to say the essential aspect of any agreement in the field of disarmament. Indeed, it is this question which determines whether the prohibition will be complete or partial, what the obligations of the States parties will be, and also what the verification requirements will be.

My delegation repeatedly indicated its objections to the texts included in the original draft. Both in the plenary Committee (CCD/PV.695) and in the Working Group, we explained in detail the serious shortcomings of those articles.

However, we do not in this case find the same spirit of compromise which made it possible to reach agreement on other articles. In our opinion, this is the determining factor in the Committee's failure to reach a consensus on the draft.

For the reasons that I have given, the Argentine delegation cannot agree to the draft convention contained in paragraph 5 of the report of the Working Group (CCD/518).

Mr. MARIN (Mexico) (translated from Spanish): In relation to the draft convention on the prohibition of military or any other hostile use of environmental modification techniques, the text of which is reproduced in paragraph 5 of document CCD/518, the Mexican delegation fully reserves its freedom of position and of action in the United Nations General Assembly with regard to this draft.

This is because the prohibition envisaged in article I, paragraph 1 of the draft is a partial prohibition and, hence, totally unacceptable for the reasons explained in the statement made by the Minister for Foreign Affairs and the Chairman of the delegation of Mexico at the 724th meeting of the CCD, held on 26 August 1976, and reproduced in the working paper on the scope of a prohibition of military or any other hostile use of environmental modification techniques (CCD/516), of 1 September 1976.

Mr. SCHLAICH (Federal Republic of Germany): Very few days ago the Working Group of the CCD finished its negotiations on a text of the draft convention on the prohibition of military or any other hostile use of environmental modification techniques. We should, I feel, express our special appreciation that the Working Group has succeeded, in intensive and often difficult negotiations, in largely overcoming differences of opinion that existed with regard to political and technical problems.

(Mr. Schlaich, Federal Republic of Germany)

The delegation of the Federal Republic of Germany notes with satisfaction that, by and large, agreement has been reached on a text of the convention.

Because of the rapid sequence and the relatively large number of modifications to the text, discussed and negotiated especially in the latter stages of the Group's work, my Government is not in a position as yet to make any final comment on the draft which we welcome in principle.

Nevertheless, we should like beforehand to state our position on three points.

Concerning article I, my Government attributes great importance to the clear definition of the scope and criteria of the prohibition. We would have preferred to see the explanatory commentary in this respect become an integral part of the convention.

The "understanding" of the CCD now envisaged appears, of course, also to be a means of delimiting the scope of prohibition of the convention, and we regard this "understanding" as an authentic interpretation pertaining to article I which belongs to, and cannot be separated from, the final adoption of the convention.

Coming now to article III of the draft, it has required a great deal of discussion to reach agreement on its wording. With the formulation agreed upon it should be possible to take into consideration the interests of the areas which are in the stage of development and industrialization.

My Government attaches great importance to the international exchange of information in all fields. The Federal Republic of Germany promotes international economic, scientific and technological co-operation, and is constantly endeavouring to expand it. However, we want to underline that the legal and practical problems involved in international co-operation in the peaceful use of environmental modification techniques cannot be dealt with in an arms control agreement. The settlement of specific questions relating to the transfer of technology will continue to require in each case special agreements between the countries and organizations concerned. The CCD, owing to the different nature of its functions, is not the

(Mr. Schlaich, Federal Republic of Germany)

appropriate body to draw up agreements on matters of international technological co-operation. A number of other international institutions, such as UNCTAD, UNIDO and WIPO, in which the Federal Republic of Germany also plays an active part, are the ones to deal with this task.

Finally, referring to article V, I will only remark that my Government regards the provisions of this article and of the annex thereto, relating to the complaints procedure, as an important and indispensable improvement, though it does not want to imply thereby that it considers it as a model solution for future arms control agreements.

Mr. MACIEL (Brazil) Thank you Mr. Chairman. Further to my statement of 26 August, I would like to say that the Brazilian delegation is now prepared to submit to the General Assembly of the United Nations the draft convention on the prohibition of military or any other hostile use of environmental modification techniques, but I should like to reiterate, at the same time, the reservation of my Government on the draft understanding relating to article I as it appears in document CCD/518.

Mr. SKALLI (Morocco) (translated from French): The Moroccan delegation has no objection to transmittal of the draft convention to the General Assembly of the United Nations.

Since we have not had sufficient time to obtain instructions from our Government, because the Working Group was not able to conclude its work until yesterday, we should like to reserve our position in order to make comments on the draft at the next session of the General Assembly of the United Nations.

Mr. BERHANU (Ethiopia): As we decided yesterday to have the report of the Working Group (CCD/518) as an annex to the CCD report, I would like to request that the first sentence in paragraph 16 of document CCD/518, which states that the Ethiopian delegation reserves the position of the Ethiopian Government on the modified text of the draft convention, be lifted up from the annex and included in the body of the report. We are worried that it might be lost in the annexes, so we would like to have it included in the report.

Mr. DI BERNARDO (Italy): My statement of today will be devoted to the modified text of the draft convention on the prohibition of military or any other hostile use of environmental modification techniques which has been transmitted to us by the Working Group in its report.

As it has already been recorded in the report before us, we approve the amended draft convention at a delegation level, but reserve our right to pass our final judgement on its provisions in due time, when the Italian Government's position on the text is finalized.

Our approval of the draft convention in question stems from the basic assumption that the prohibition of military or any other hostile use of environmental modification techniques would represent a significant step towards the achievement of concrete progress in the field of disarmament. We expressed this view when the original draft was submitted last year by the delegations of the United States and of the Soviet Union, and our position remains unchanged.

We deeply regret that a consensus on the draft convention could not be reached despite commendable efforts on the part of all delegations participating in the proceedings of the Working Group, the state of the working Group, the working Group, the working Group of the working Group, the working Group of the working Group, the working Group of the working Group of

In this connexion, I would like to remark that, after all, and despite the partial results of the Working Group's endeavours, the CCD has demonstrated its vitality as a negotiating body.

Allow me now, Mr. Chairman, to put forward some considerations of ours which are not new to delegations here present, but still deserve, at least in our opinion, some attention.

As I said earlier, we approve the draft convention in its present version, although it does not give a satisfactory answer to the misgivings that we voiced during the spring session and later on during the proceedings of the Working Group. We are aware

(Mr. Di Bernardo, Italy)

that a multilateral agreement may originate only from a great deal of compromise, but still I would like to spell out the following remarks.

First of all, we think that article II of the draft convention could be improved by adding the words "or affecting" after the word "changing". In such a way we would significantly contribute to the understanding of the scope of the draft convention, making it clear that the provisions of article I, paragraph 1, also apply to the deliberate use of any technique which would have an adverse influence, other than a change, in the dynamics, composition or structure of the earth, etc.

As regards article III, we believe it essential for the safeguard of all States parties that a provision should be included which would enforce the responsibility of States for damages or injuries deriving from the use of environmental modification techniques for peaceful purposes. We think that such a provision would, inter alia, greatly contribute to preventing activities prohibited under the draft convention from actually being disguised as peaceful ones.

Finally permit me, Mr. Chairman, to offer some remarks on article V. This article provides, <u>inter alia</u>, that States parties undertake to consult one another and to co-operate in solving any problem which may arise in relation to the objectives of, or in application of the provisions of, the convention. To this end, article V stipulates that a consultative committee of experts will be set up, which shall undertake to make appropriate findings of fact and provide expert views relevant to the solution of problems arising, <u>inter alia</u>, from any alleged breach of the convention.

It is our belief that such a committee, according to the rules of procedure provided for in the annex, could hardly perform its functions constructively and effectively.

In our opinion the consultative committee is basically weak, since it is not entrusted with a capacity having legal effects. This very fact, in itself unfortunate, is likely, at least in perspective, to hamper rather than to stimulate co-operation among Member States, since the deliberations of the committee are not likely to have a practical impact on the decisions of the Security Council.

Mr. MIHAJLOVIC (Yugoslavia): I wish to reiterate the reservation of my delegation as recorded in the report of the Working Group (CCD/518).

Mr. MARTIN (United States of America): As the CCD concludes its 1976 session, the United States delegation sees considerable reason to be gratified by the results. Especially during the summer, the Committee displayed an energetic and committed approach to its work that resulted in a number of creditable accomplishments. The image of the CCD as a sterile debating society is clearly obsolete.

Without doubt, the Committee's most substantial achievement in 1976 was completion of a broadly agreed draft text of a convention on the prohibition of military or any other hostile use of environmental modification techniques. This text was negotiated on the basis of identical drafts tabled by the United States and Soviet Union in August 1975, and embodies a number of changes proposed by other delegations.

My delegation is, of course, aware that the modified text is not ideal from all points of view, including ours. It is the product of compromise and accommodation of views inherent in the multilateral negotiating process. It is our firm view, however, that the text worked out in the environmental modification Working Group this summer meets the basic goal set by the preamble of the draft convention. We remain convinced that the convention will effectively eliminate whatever serious dangers might be posed by military or any other hostile use of environmental modification techniques.

I might add that we do not regard the treaty, as one delegation has suggested, as providing a licence for hostile use of techniques having effects below the threshold levels, although the existence of the threshold obviously means that such

use would not be illegal. In fact, as I have said before, we think that the threshold, as interpreted in the agreed Committee understanding, raises a very strong practical inhibition against the hostile use of environmental modification techniques having, or that would be expected to have, effects anywhere near the threshold criteria. Given the lack of precise control over such techniques, it is highly unlikely that any party would attempt to use them to cause sub-threshold effects because of the risk of producing destruction, damage or injury above the threshold.

I also would like to correct another apparent misconception that seems to have arisen. This concerns the interpretation of the illustrative list of environmental phenomena mentioned in the agreed Committee understanding relating to article II. There is no element of permissiveness in the treaty with respect to the use of environmental modification techniques to produce any of the phenomena listed in that understanding. On the contrary, as is noted in its second paragraph, the hostile use of such techniques to produce any of the phenomena listed would be a violation of the understanding in article I. The understanding assumes that any such hostile use would, per se, be intended to cause destruction, damage or injury above the threshold.

The United States supports in its entirety the draft text that the Committee is forwarding to the General Assembly of the United Nations. This is so although the text reflects significant accommodation of the positions of the co-sponsors of the identical earlier drafts to views stated by other delegations, both in the plenary and in the environmental modification Working Group. That was to be expected in any genuine multilateral negotiating process. And therefore my delegation considers that all who participated in the work of the Committee and the Working Group deserve to feel considerable gratification over our success in producing a complete text. In this connexion, it would be remiss of me not to mention the invaluable contribution of the distinguished representative of India. Without Ambassador Mishra's resourceful and steadfast leadership in seeking solutions to several very complex problems, I doubt

that we could have finished our work this summer. We now hope that most delegations at the General Assembly will join us in the conclusion that the modified draft is a document worthy of endorsement.

There is another aspect to our successful completion of the draft convention. The text is the product of an innovative approach to the CCD's work which clearly has brought substantial rewards. I refer, of course, to the Committee's decision to set up a Working Group on the environmental modification treaty. Establishment of the Working Group was instrumental to our progress. It allowed delegations to focus closely and intensively on the specific project of working out the treaty text, taking into account modifications proposed by various delegations to the original drafts. And the Working Group certainly lived up to its name. Delegations became deeply engaged in the project, and the Committee itself gained a new sense of purpose and direction. My delegation considers the Working Group a highly successful procedural innovation, one that shows that the CCD has developed a new flexibility in adapting itself to the task at hand.

In this connexion, delegations will recall that, at the beginning of our spring session, the United States proposed that the Committee undertake a comprehensive review of its procedures. For a number of reasons, primarily because of problems concerning organization of work for 1976, such a review was not carried out this year. If there is interest in doing so, my delegation stands ready to take up the question of a comprehensive review during the 1977 session. A starting point might be consideration whether decisions taken for 1976, respecting the preparation of the report to the United Nations General Assembly and the communiqué of plenary meetings, should be adopted on a permanent basis.

Let me now return to substantive matters. The CCD this summer achieved significant progress in the important area of chemical weapons. The informal meetings with experts, convened on the basis of a proposal by the Federal Republic of Germany, contributed in a major way to increased awareness of the problems of verification involved in considering CW limitations. We sense broadening agreement

(Mr. Martin, United States)

in the Committee that, in light of these problems, a phased approach to an eventual comprehensive agreement would be the best course to pursue. We are gratified that suggestions made by the United States delegation in April regarding possible alternatives in taking such an approach seem to have assisted in the CCD's subsequent deliberations.

A major event — one that I have acknowledged previously — was the tabling of a draft CW convention on 12 August by the United Kingdom. As Ambassador Allen observed when tabling the draft, the action came too late in the 1976 session to permit considered comments before our adjournment. But we hope to join other delegations in offering such comment early in the spring session next year. In any event, we are confident that the United Kingdom's initiative will make a very large contribution to our future work in the CW field.

Also related to that work were the technical consultations between the United States and Soviet experts that recently took place here in Geneva. These talks were held pursuant to the 1974 Summit Agreement to consider further issues related to a possible joint CW initiative in the CCD. They concentrated on questions of defining the scope of prohibition and of verification. Both sides considered the consultations useful and agreed that they should continue at a future date to be determined. I wish to state that my delegation's view remains that continuation of such consultation should not in any way inhibit the CCD's ongoing work in this very important arms control area.

Before leaving this subject T would like to refer briefly to the suggestion by the delegation of Sweden in CCD/PV.712 concerning a compilation of appropriate material from working papers and statements on CW presented to the Committee. In the view of my delegation, this project could indeed be useful. However, we believe it would most appropriately be undertaken by the United Nations Secretariat, perhaps with the assistance of expert consultants. The United States would, of course, be prepared to co-operate in such a project as might be indicated.

In addition, we think the Japanese working paper CCD/515 on a toxicity spectrum presents a worthwhile subject for our consideration. Here too, the Secretariat could take the lead, possibly assisted by specialized international organizations.

Besides environmental modification and chemical weapons, the Committee did significant work in other substantive arms control areas as well. Notably, it has assumed sponsorship of a Group of Experts to examine the ability of a proposed seismological network to detect and identify seismic events. The work of the experts should lead to new insights into problems of verification central to consideration of restraints on nuclear testing. The experts' organizational meeting proceeded satisfactorily. We regret that differing views regarding the appropriate time and place occasioned a delay in the Group's next meeting. However, the CCD's endorsement in principle of the experts' proposed overall schedule should be of help in the planning of their substantive work. My delegation wishes the experts success, and shares the view expressed by others that participation by experts from regions of the world now unrepresented, or thinly represented, on the panel would make an especially valuable contribution to the project.

In conclusion, let me reiterate the encouragement felt by my delegation over the way the CCD functioned this year. We can all look back with gratification on a 1976 session marked by hard work and real results. If our renewed sense of dedication to the cause of rational arms control measures maintains itself, the 1977 session could be still more productive. My delegation will do its best to make it so.

Mr. LIKHATCHEV (Union of Soviet Socialist Republics) (translated from Russian): At the outset of my statement today, I should once again like to thank my colleagues, the distinguished representatives in the Committee on Disarmament, for the good wishes they extended to me as the representative of the USSR. I think we have worked quite well together during this session, and am especially pleased to note the spirit of co-operation and the fruitful working relations which have characterized our activities.

In their statements, members of the Committee have paid tribute to my predecessor, Ambassador Roshchin, and have asked me to convey to him their regards and good wishes for his health. I have done this with great pleasure. Now I should like to say that my friend Ambassador Roshchin, in turn, has asked me to state in reply that he is very touched by the expression of such friendly feelings, and conveys to his former colleagues in the Committee his gratitude and his very best wishes for success in their work.

I should also like to take this opportunity to welcome Ambassador Bintu'a-Tshiabola, the new representative of the Republic of Zaire, to the Committee on Disarmament.

The Soviet delegation would like to make some comments on the results of the session and to glance at our future work in the light of the tasks facing the Committee.

The 1976 summer session of the Committee on Disarmament, which is drawing to a close, has been distinguished by intensity of work, has been businesslike and purposeful and, as a result of all this, is ending with quite good results.

As always in the consideration and solution of complex problems on a multilateral basis, at times during the past session views which were far from convergent on all points emerged and were defended, difficult situations arose, and divergencies in approaches to the solution of particular problems became known. But this was not the main point. Much more important is the fact that each constructive proposal or comment was considered with interest. It is no less important that, when necessary, proposals were measured against existing realities. In brief, we have shown what is usually regarded as a constructive approach and a spirit of co-operation.

The active nature of the Committee's work and, on some questions, the practical results achieved, are the consequence of international processes towards strengthening the peaceful coexistence of States with different social systems and consolidating political détente by reducing tension in the military sphere. The Soviet Government considers that the true indicator in present-day international relations is the strengthening of the positions won by countries and peoples in the sphere of the relaxation of international tension and the intensification of the struggle for universal peace and security. The Committee on Disarmament is, of course, also called upon to make its contribution to this great task.

(Mr. Likhatchev, USSR)

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The Committee's work during this session has again confirmed that when there is the necessary political will, then however complex and difficult the problems may be, the final results of discussions on them can be positive. An example is the achievement of agreement in the Committee on the draft convention on the prohibition of military or any other hostile use of environmental modification techniques. We can report to the General Assembly that the Committee has worked out a new measure to close off yet another possible channel of the arms race.

The Soviet delegation notes with satisfaction the fact that the Committee has elaborated this draft convention. As is well known, this was not easy and what has been achieved is a compromise. The preparation of the draft was not a simple matter and required considerable efforts not only by the USSR and the United States of America, as the original sponsors of the identical drafts of a convention, but also by most of the other members of the Committee.

The result achieved is a confirmation of the fact that prevention of the emergence of new possible directions for the arms race can be achieved with less effort and more rapidly than the prohibition of types of armament that have already been developed and are to be found in arsenals.

We have already noted, in our statement of 17 August (CCD/PV.721), the great importance of the informal meetings held on the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons. Whereas at the spring session of the Committee on Disarmament the possible approaches to the solution of this problem were considered in very general outline and the discussion itself was rather one-sided, the discussion has now moved to a more specific and concrete plane and to questions of substance. In addition, representatives and experts from a considerably greater number of States than before have taken part in it. Of course, it would be premature to consider that all members of the Committee have already become sufficiently thoroughly convinced of the need to create in good time barriers to the misuse of new scientific and technological discoveries and inventions for the purpose of developing and manufacturing means of warfare that are even more destructive than existing ones.

However, the unclarified points and doubts which any representatives may have are temporary and transient, and we are sure that they will be dispelled during the course of further work. That is why we can only express satisfaction that what prevailed was the intention of members of the Committee to continue to study all the aspects of the question raised by the Soviet side and the specific proposals concerning the provisions of a future agreement (CCD/514). It has been stated that this study must be careful and constructive. We are of the same view, and intend to analyse what has been said in past discussions.

In accordance with the decision taken by the Committee, consideration of this pressing and important disarmament problem is to be continued at the 1977 spring session. The Soviet Union has proposed that informal meetings of the Committee should be held, with the participation of experts, beginning on 14 March 1977.

During the session there was a thorough discussion of the question of the prohibition of chemical weapons. We should again like to express our satisfaction that, as the discussion showed, differences of opinion among members of the Committee on aspects of the scope of the prohibition have narrowed significantly. The majority of representatives, while admitting the possibility of a step-by-step approach, have advocated a complete ban on chemical weapons as the ultimate objective. At the same time, there has been a narrowing of differences on the definition of the chemical agents to be subject to prohibition, and agreement on the need to adopt the "general purpose" criterion supplemented by the toxicity criterion.

The fact that additional clarity has been brought to the question of the validity of national verification, which would be supplemented by certain international procedures, can also be regarded as a substantial result. The fact that the point of view of the socialist countries regarding the adequacy of such forms of verification is meeting with increasing understanding among members of the Committee has not insignificant practical implications and will help to advance our work.

The United Kingdom of Great Britain and Northern Ireland introduced its draft convention on the problem of the prohibition of chemical weapons at this session. We shall study this document with all due attention.

(Mr. Likhatchev, USSR)

With regard to the proposal made by the representative of Sweden at the Committee's meeting of 15 July for a systematic compilation of material on the problem of chemical weapons contained in the Committee's working papers and records, we should like to state that this work can be done by the Secretariat.

I should like to inform members of the Committee that, in accordance with the agreement between the USSR and the United States reached on the basis of the communiqué of 3 July 1974 concerning a high-level meeting, bilateral Soviet-United States consultations were held in Geneva from 16 to 27 August 1976 for the further consideration of matters relating to a possible joint initiative in the Committee on Disarmament concerning the conclusion of an international convention relating to the most dangerous, lethal means of chemical warfare, as a first step towards the complete and effective prohibition of chemical weapons. The delegations at the meeting, which included technical experts, were headed by the representatives of the USSR and the United States to the Committee on Disarmament.

Problems, including technical problems, relating to the determination of the scope of a ban and control measures for a possible agreement on chemical weapons were discussed. The consideration of these and some other problems was useful.

The delegations will submit the results of the discussions to their Governments. Bilateral consultations will be continued when the matters considered have been studied. The date of such consultations will be decided upon later.

Taking into consideration the discussion of the problem of the prohibition of chemical weapons in the Committee on Disarmament and at the bilateral consultations, we draw the general conclusion that the discussion of this problem has been useful. There are obviously grounds for expecting that work on the solution of this problem at the spring session next year will continue to develop along positive lines.

At the summer session, in accordance with the recommendations of the thirtieth session of the General Assembly, the Committee carried out a detailed mid-term review of the Disarmament Decade. In our statement on this question on 27 July 1976, in referring to the tasks ahead in the sphere of disarmament, we drew attention to the need for the conclusion, as rapidly as possible, of a treaty

(Mr. Likhatchev, USSR)

on the complete and general prohibition of nuclear weapon tests, as well as a world treaty on the non-use of force in international relations as the most important and priority problems (CCD/PV.715).

The Soviet Union considers the conclusion of an international agreement which would place a complete ban on any testing of nuclear weapons by all States to be one of the most important tasks of our age. On the whole, despite the positive developments in respect of individual aspects of disarmament and the elaboration and implementation of a number of substantive measures to limit arms, and particularly strategic arms, it has not yet been possible to curb the nuclear arms race. It is continuing, stocks of weapons of mass destruction are growing, and the weapons themselves are being improved and are acquiring ever greater destructive power. Yet the nuclear-weapon Powers are far from unanimous in their approach to the question of halting nuclear tests. The Soviet Union is striving to ensure that the process which began with the signature of the 1963 Moscow Treaty banning nuclearweapon tests in three environments, which continued with the bilateral Soviet-United States Treaty on the limitation of underground nuclear-weapon tests, and which was further strengthened by the USSR-United States Treaty on Underground Nuclear Explosions for Peaceful Purposes, is brought as soon as possible to its conclusion, that is, the complete and general prohibition of nuclear testing.

At the same time, there are also nuclear-weapon Powers which are unwilling to assume an obligation to cease testing.

This difference in approach to this most important problem became particularly evident in connexion with the appeal addressed by the thirtieth session of the United Nations General Assembly to all nuclear-weapon States to reach agreement on the complete and general prohibition of nuclear-weapon tests and to enter into negotiations to this end. However, as we all know, owing to the position of other nuclear-weapon Powers, these negotiations have unfortunately not begun.

The draft treaty on the complete and general prohibition of nuclear-weapon tests submitted by the Soviet Union to the thirtieth session of the United Nations General Assembly is designed to provide the most effective possible means of limiting the nuclear arms race and, in consequence, of diminishing the danger of the outbreak of a nuclear conflict. By assuming an obligation to refrain from carrying out, to

prohibit and to prevent any explosions of nuclear weapons, the States parties to the treaty would in practice abandon the course of action through which nuclear weapons are improved. At the same time, according to the provisions of the draft treaty, access to the benefits of the peaceful applications of nuclear explosions would in no way be barred either to nuclear-weapon or to non-nuclear-weapon States. In other words, with the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests, there would be achieved something which is genuinely in the interests of all peoples and States: an end to the improvement of nuclear weapons without detriment to progress with regard to the peaceful use of nuclear energy.

The key element of the Soviet proposal for the complete and general prohibition of nuclear weapon tests is the indispensable participation in the treaty of all the nuclear-weapon Powers. Solution of the question otherwise than on the basis of the universal participation of the nuclear-weapon Powers would not be in conformity with the principle of not compromising the security of any of the parties; it would disrupt the established balance of forces in the world, and that could lead to an intensification of the arms race in non-nuclear regions. In a word, it would not contribute to the strengthening of international peace, but, on the contrary, might even increase the danger of nuclear war.

Matters are not changed by the proposal made by some that an agreement on the complete cessation of nuclear testing, initially limited in terms of the numbers of parties thereto, should be subject to certain time limitations on the grounds, allegedly, that in such a case the remaining nuclear-weapon Powers would be encouraged to accede to the agreement.

The historical experience of the late 1950s and early 1960s cannot be considered in any way encouraging in this respect. And, indeed, what is the basis of the calculations of those who try to prove that a party which had an opportunity to take advantage of the unilateral benefits of improvements in nuclear weapons, as opposed to States which had declared a moratorium on nuclear testing, would suddenly, in a fit of conscience, accede to the treaty? These are plainly unfounded hopes, especially if it is borne in mind that there are still statesmen who bluntly justify the continuation of nuclear testing on the grounds that they still have to catch up with or outstrip someone in the nuclear arms race.

(Mr. Likhatchev, USSR)

The Committee on Disarmament could make its powerful voice heard in the solution of the problem of the eneral and complete prohibition of nuclear weapon tests. Within the United Nations, and within the Committee on Disarmament itself, the feeling is emerging that the highest priority should be accorded to the conclusion of a comprehensive agreement on the banning of nuclear tests. We should like to emphasize that the position of the USSR on this matter is that negotiations should be held as soon as possible with a view to reaching an agreement on the complete and general prohibition of nuclear weapon tests.

In our opinion, the Committee on Disarmament must continue its consideration of this problem, and do so in such a way as to contribute to the speediest possible satisfaction of this most urgent of contemporary needs.

Four years ago the Soviet Union put forward a proposal to ban the use of all types of weapons, nuclear as well as conventional in order to create the necessary conditions for the prevention of armed conflicts. This was the proposal supported by the United Nations General Assembly concerning the non-use of force in international relations and a simultaneous permanent prohibition of the use of nuclear weapons. Circumstances have confirmed the extraordinary timeliness and importance of such a proposal. In an endeavour to make renunciation of the use of force and of threats of the use of force for the settlement of disputes a law of international life, the Soviet Union at the beginning of this year made its proposal more specific and suggested the conclusion of a universal treaty on the non-use of force in international relations. The consideration by States of practical measures to implement this proposal will, we are sure, become one of the most important practical tasks in the disarmament field.

In assessing the results of the work of the summer session of the Committee on Disarmament, we should also like to point out that the results are a further confirmation of the adequacy and effectiveness of the Committee's established methods of work. The wide range of procedures and methods adopted — the holding by the Committee of formal meetings and of informal meetings with the participation of technical experts, the creation of a Working Group to reach agreement on a certain convention, the organization of bilateral and multilateral informal consultations, etc. — all this, as we all have been able to see, ensures full, democratic and, at the same time, constructive examination of disarmament problems.

The concentration of the Committee's attention on the substance of the problems considered and the use in practice of established forms and methods of work have demonstrated with sufficient clarity what we have often said — namely, that the secret

of the success of the Committee's activities lies not in the machinery or procedure of negotiations, but in the political will of States to resol.e concrete disarmament issues.

The representatives of many States who have spoken at this session gave a positive assessment of the role of the Committee on Disarmament as the principal forum for the conduct of the negotiations involved. In their statements they maintained that the Committee has been and still is the most appropriate and best qualified international organ — and, it may be said, the only one of its kind — for conducting negotiations on concrete disarmament questions. We fully share this view and believe that, by its forthcoming work and its further contribution, the Committee on Disarmament will reaffirm its lofty mission by making a practical contribution to the solution of urgent disarmament problems of the present day.

In conclusion, we should like to mention the work done by the secretariat of the Committee, and to express our gratitude to our interpreters, to whom we gave a lot of work, which they have handled excellently.

Mr. SALEEM (Pakistan): I would just like to reiterate the comments of my delegation on the draft convention that were made in the concluding meeting of the Working Group and which are recorded in the report of the Working Group to the Plenary (CCD/518).

The CHAIRMAN (Italy) (translated from French): I have just been informed of a proposal by the two Co-Chairmen and will read it out to you: [speaking in English]

"The CCD requests the Secretariat to undertake, if possible before the beginning of the Committee's 1977 session, a compilation of appropriate material of the working papers and statements on chemical weapons presented to the Committee in recent years.".

It was so decided.

The CHAIRMAN (Italy) (translated from French): We have before us the draft report to the General Assembly of the United Nations and to the United Nations Disarmament Commission. You are familiar with this report because you have been dealing with it for a number of long and arduous days. You are thoroughly acquainted with it. I would like to ask whether any delegates wish to take the floor.

Mr. SCHLAICH (Federal Republic of Germany): I would like to draw the attention of the Committee to pages 101 and 102 of document CCD/519. I suggest that we separate paragraphs 568 and 369 to in icate that 369 does not belong to the heading "(9) Addition of a provision concerning review conferences." Regarding page 102, I note that, although reference has been made in the report to statements made at the 726th and 727th meetings, no summary from any statement made at the 726th meeting has been included in the subsequent paragraphs. I suggest an addition to this paragraph reading as follows: "Summaries of these statements follow below as they have not been incorporated in preceding parts of this report."

Mr. CORRADINI (Alternate Representative of the Secretary-General): I believe, Mr. Chairman, that there will be some additions regarding the 726th meeting. If this is correct, then reference to the 726th meeting will remain. If this is not true, then we will modify the sentence accordingly.

Mr. LIKHATCHEV (Union of Soviet Socialist Republics) (translated from Russian): For technical reasons on page 102 there is not at the present time a summary from the statement of the Soviet delegation at the 726th meeting. We are transmitting to the Secretariat the necessary material and understand it will be published in due course after paragraph 372.

Mr. U THET TUN (Burma): Mr. Chairman, there are a few minor corrections to be made. Perhaps I could hand them over to the Secretariat -- corrections which were agreed upon earlier, but which have not been incorporated in the present draft.

The CHAIRMAN (translated from French): Are there any other delegations that wish to take the floor? There do not seem to be any.

The report was approved.

Mr. MISHRA (India): I am grateful to Ambassador Martin for the kind words he has addressed to me. Although from the very beginning my delegation felt that the draft convention co-sponsored by the Soviet Union and the United States was largely adequate, still there were many proposals for amendment which stemmed from a genuine desire to improve the text, to clarify its provisions and to fill in some significant gaps. Taking this situation into account, my delegation felt that a serious effort was needed to achieve as broad an agreement as possible. In achieving such an agreement all delegations and especially the co-sponsors displayed a will to understand the

(Mr. Mishra, India)

differing points of view and a desire for compromise solutions. The fact that fundamental differences on one or two points continue to exist does not derogate from the hard work put in by all delegations. I hope that between now and the debate in the First Committee of the General Assembly in October-November, delegations will reflect upon the agreement already achieved and display the same constructive spirit in the First Committee as was displayed in the CCD this year.

I once again thank Ambassador Martin for his appreciative comments.

The CHAIRMAN (Italy) (translated from French): Before we turn to the communiqué, allow me to recall that, at the final meeting of the summer session, the Chairman makes a short closing statement. I shall refrain this year from any exercise in rhetoric. The hour is late and we are all in need of some rest and quiet; but I should like nevertheless to mention very briefly three points which deserve your consideration. First, I believe -- and I am sure that my distinguished colleagues will agree with me -- that the CCD can be credited this year with a period of a most intense, active and fruitful work. We have had very busy meetings. Apart from our plenary meetings, we have had a succession of informal meetings with the participation of experts; we have, again with the experts, considered a whole range of matters of the first order, of great importance in our programme and I feel that the documentation, the views that have been expressed and the work of further investigation that has been undertaken will be very useful to us in the future. We can tell ourselves that, this year, we have done constructive work and that the CCD as a whole -- in other words, all representatives, all delegations -- can be satisfied with the work accomplished. Secondly, it seems to me that the CCD is moving ahead. In fact, I believe that next year and the coming years will be characterized by a more intensive activity on the part We hope, obviously, that this will lead us to solve the important problems that have been entrusted to us; what is certain is that our contribution to the solution of these problems will be more thorough, more active, more fruitful in the The dialogue of the deaf -- i.e., those meetings at which we engaged in long speeches which came to nothing -- is now ended, at least for a long time. Thirdly, the CCD has carried out the mandate entrusted to it by the General Assembly -that is to say, to prepare a report, to prepare a convention on environmental weapons on the basis of the identical drafts submitted by the United States and the Soviet Union. I believe that this treaty, when it is signed, when it comes into force, will be of definite importance. It is a pledge, a guarantee that we have made for the future; and I hope that, through our instrument, the international community will be in a

position to prevent new weapons, terrifying weapons — we have heard the experts speak of them — from being added to the panoply of existing weapons. Naturally, like all human endeavours, our work, despite its felicitous outcome, has not satisfied everybody. Nevertheless, we have noted that the draft prepared by the CCD's Working Group was adopted by a very large majority and it may be considered that this work, this fruit of our activity, has been achieved with the intense and active participation of all—even those who, let us say, do not agree with, or are not in favour of, the text. I must point out that the two parties most concerned which entered very serious reservations regarding the text of the draft have been very active in the work of our Committee and of the Working Group; but, in this context, I must also place on record—and I believe that in doing so I am reflecting your feelings — the outstanding role played by our distinguished representative from India who, by his zeal, his intelligence, his dedication, his patience and his flexibility, has enabled us to present a document for submission to the General Assembly.

My dear friends, I have come to the end of my short statement. I hope that the coming weeks, before we meet again in New York for the General Assembly will be a short period of well-deserved rest and tranquility for you, and I wish to thank you. And now, with your permission, I will ask the Alternate Representative of the Secretary-General to read out the final communiqué. 1

Mr. CORRADINI (Alternate Representative of the Secretary-General) read out the draft communiqué.

The communiqué was adopted.

Mr. MARTIN (United States): Well, Mr. Chairman, if I start and you rule me out of order, my face will be red; but I did want to say that we didn't have time during our intervention to thank the Secretariat, particularly Ambassador Hyvärinen and Mr. Corradini, for the really spectacular work that they have done this year. I can't think of any time in the past when the Committee has been so free to give the Secretariat impossible jobs with impossible deadlines, and in each case they have done an extremely good job for us. I think it would be also remiss if I didn't, as Ambassador Likhatchev did, thank the interpreters particularly for their work in the informal group. Also,

^{1/} The text of the communiqué is to be found on p. 5 above.

(Mr. Martin, United States)

we cannot let this meeting pass without saying goodbye to our oldest, most faithful, most competent civil servant; I refer of course to Billie Gill, who is retiring and I know that I speak for all the Committee when we say that if it hadn't been for Billie during all these years this would have been a much tougher place in which to work and I — and I am sure all the rest of us — wish her all the luck in the future and may some day she hold a hand with thirteen trumps.

The CHAIRMAN (Italy) (translated from French): Before adjourning the meeting, I believe that I am speaking for the whole CCD when I express deep gratitude to the Secretariat, to Ambassador Hyvärinen, to Mr. Corradini, to the staff of the Secretariat, and to the interpreters for their extraordinary feats in being able to follow us, particularly in recent weeks. I would also express most cordial thanks to Mrs. Gill, who will be leaving us, who will be retiring in a few months' time, I believe. I wish you happiness, Mrs. Gill, a happy life, many peaceful years and a zest for life. Indeed, you are the embodiment of zest for life, Mrs. Gill. And now, dear colleagues, I believe the time has come to adjourn the meeting.

The meeting rose at 12.40 p.m.