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Chairman: Mr. Ismail FAHMY
(United Arab Republic).

AGENDA ITEM 96

Conclusion of a convention on the prohibition of the use of nuclear weapons (*continued*)* (A/6834)

GENERAL DEBATE (*continued*)

1. Mrs. GOPI DAS (India): The item under consideration has great relevance to our time as the threat of the use of nuclear weapons hangs over us like the sword of Damocles. It is surely not necessary for me to recount in any detail the catastrophic consequences of a nuclear war, or indeed of the use of nuclear weapons of any kind. The recent report of the Secretary-General on the effects of the possible use of nuclear weapons has most effectively drawn our attention to the horrors of the use of nuclear weapons. The report states:

“There is one inescapable and basic fact. It is that the nuclear armouries which are in being already contain large megaton weapons every one of which has a destructive power greater than that of all the conventional explosive that has ever been used in warfare since the day gunpowder was discovered. Were such weapons ever to be used in numbers, hundreds of millions of people might be killed, and civilization as we know it, as well as organized community life, would inevitably come to an end in the countries involved in the conflict. Many of those who survived the immediate destruction, as well as others in countries outside the area of conflict, would be exposed to widely-spreading radio-active contamination, and would suffer from long-term effects of irradiation and transmit, to their offspring, a genetic burden which would become manifest in the disabilities of later generations.”
[A/6858 and Corr.1, para. 1.]

2. In the opinion of the Indian delegation, anything which can be done to prohibit or ban the use of such weapons can have only a salutary effect, not only on the future of disarmament negotiations but also on the conscience of mankind.

3. We are fully aware of the ramifications of the problem and of the fact that nuclear weapons today form an important element in the global strategy of the major Powers. My delegation, nevertheless, feels that, on the basis of considerations of humanity alone, the prohibition of the use of such weapons is essential and that strategy or tactical consideration should not be given overriding importance in the matter. We also believe that the use of such weapons is prohibited under international law, as has been affirmed in General Assembly resolution 1653 (XVI). This resolution declares, *inter alia*, that the use of nuclear and thermo-nuclear weapons is a direct violation of the Charter of the United Nations and is contrary to international law on account of the indiscriminate sufferings which it would cause.

4. As early as 2 April 1964, the late Prime Minister of India, Jawaharlal Nehru, spoke as follows in connexion with the hydrogen bomb tests carried out that year:

“There can be little doubt about the deep and widespread concern in the world, particularly among peoples, about these weapons and their dreadful consequences. But concern is not enough. Fear and dread do not lead to constructive thought or effective courses of action. Panic is no remedy against disaster of any kind, present or potential.

“Mankind has to awaken itself to reality and face the situation with determination and assert itself to avert calamity.

“The general position of this country in this matter has been repeatedly stated and placed beyond all doubt. It is up to us to pursue as best we can the objective we seek.

“We have maintained that nuclear (including thermo-nuclear chemical and biological bacterial) knowledge and power should not be used to forge these weapons of mass destruction. We have advocated the prohibition of such weapons by common consent and immediately by agreement amongst those concerned, which is at present the only effective way to bring about their abandonment.”

5. In the light of that, the delegation of India would support a proposal which would prohibit the use of nuclear weapons and we therefore welcome the commendable initiative taken by the Soviet Union in bringing forward this item for consideration at the present session of the General Assembly [A/6834].

6. It is our view that a convention of this nature should have the active support of all nuclear weapon States. The Government of India, in its reply¹ to the Secretary-General's inquiry pursuant to resolution 1653 (XVI), stated

¹ See *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 26, document A/5174, annex II.

* Resumed from the 1537th meeting.

that to be effective a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes would require the active support of all States, particularly the States possessing those weapons, and that it should be negotiated at a conference. It may be recalled that, in a memorandum of 14 September 1964, submitted by the delegations of Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic it was stated that:

“We have supported the Ethiopian proposal for convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear weapons. However, we have also expressed the view that, if the convention is to be effective, it will require the active support of all States and more particularly of States which possess such weapons.”²

7. My delegation is aware of the long history of this problem at the United Nations, that is, the problem of concluding a convention prohibiting the use of nuclear weapons. I do not want to go into it now, as it is a matter of common knowledge. I would, however, like to refer here to General Assembly resolution 41 (I) of 14 December 1946 which, *inter alia*, proclaimed the objective of the elimination of atomic and other weapons of mass destruction from national armaments and also the prohibition of the use of atomic energy for military purposes. It is a sad commentary on our time that, instead of this objective being implemented, we have witnessed a further refinement of those weapons of mass destruction.

8. As I stated in commending the inclusion of this item in our agenda, my delegation is moved by the basic consideration of humanity which is ever important and which would be the first casualty of a nuclear attack. It is true that considerations of humanity are not identical to rules of international law—at least, not in all cases, regrettably enough. Nevertheless, as far as this subject is concerned, it is our conviction that the use of nuclear and thermo-nuclear weapons is contrary to the basic purpose of the United Nations and contrary to the Charter of the United Nations as well as to customary international law.

9. Before concluding, I should like to refer to a statement made by Jawaharlal Nehru regarding the development of the hydrogen bomb. He stated:

“These are horrible prospects and affect us—nations and peoples everywhere—whether we are involved in wars or power blocs or not. From diverse sides and parts of the world have come pronouncements which point to the dreadful features and ominous prospects of the hydrogen bomb era.”

Mr. Nehru went on to say:

“We must endeavour with faith and hope to promote all efforts that seek to bring to a halt this drift to what appears to be the menace of total destruction.”

10. We are of the view that consideration of the item that we now have before us is welcome as it directs our efforts

² *Official Records of the Disarmament Commission, Supplement for January to December 1964, document DC/209, annex 1, sect. N.*

towards the goal of eliminating the grim prospects of nuclear annihilation.

11. Mr. VINCI (Italy): The need for a condition in which all nations would no longer be in fear of becoming the victim of the threat or use of a nuclear weapon is deeply felt—so deeply felt indeed that our world Organization has not let one single year go by without trying to relieve mankind from this fear. The partial test-ban Treaty, signed in Moscow in 1963, and the outer space Treaty, contained in resolution 2222 (XXI) of the General Assembly, are the first two products of these relentless efforts. The treaty on the non-proliferation of nuclear weapons, now being negotiated, should become the third.

12. As we have been reminded by the representatives of the Soviet Union and of the United States, the proposal to prohibit the use of nuclear weapons is not a new one. Since 1946 and 1949, proposals and suggestions in that sense have been put forward from time to time not only by the major nuclear Powers but by many non-nuclear States. A Declaration to the same effect was eventually adopted six years ago by the General Assembly, in resolution 1653 (XVI), on the initiative of the delegation of Ethiopia.

13. I scarcely need to assure you that my delegation and, for that matter, the entire public opinion of my country share the view that nuclear weapons should never be used. Nevertheless, when we move from generalities to specific proposals on as important and vital an issue as the one under consideration, we feel that the subject matter must be studied in all its aspects and implications and in the context in which it certainly belongs.

14. On the basis of such premises, I wish to make some brief remarks which we intend as the contribution of the Italian delegation to the high-level discussion which has been taking place on this subject. We are encouraged to do so by the dispassionate, business-like introduction made by the First Deputy Foreign Minister of the Soviet Union [1532nd meeting] and by the constructive statements made by the speakers who have spoken since.

15. Despite all statements to the contrary, there is no doubt, in our view, that the proposal submitted by the delegation of the Soviet Union falls by its nature and scope in the field of disarmament. It is also a political matter; indeed, all disarmament matters are of a political nature. Otherwise they would not be dealt with by the First Committee of the General Assembly.

16. I turn now to the substance of the item under consideration. With regard to the prohibition of the use of nuclear weapons, my delegation has some hesitation in accepting the view that it would be a simple collateral measure. In all candour, I fail to see what a nuclear or thermo-nuclear weapon may be considered to be collateral to, as I also fail to see what the prohibition of its use may be collateral to.

17. In our opinion, this problem is the very core of the matter and involves issues which pertain to the substance of the long and difficult process of disarmament. We certainly do not want nuclear weapons; still less do we want them to be used. No one in his right state of mind can think

differently. But, first and foremost, we want peace, freedom and security for all. I think there is no harm in repeating this concept. In the huge building of weapons and weapons systems that States have erected for their own defence and that of their allies, can we conceive a single measure aimed at neutralizing its main component without impairing and nullifying the effectiveness of all the others?

18. We have serious doubts on the feasibility or advisability of this measure alone, detached from other measures, as we would have serious doubts about the possibility of furthering only nuclear disarmament at the expense of conventional disarmament. There would be indeed little consolation in thinking that one's country can be overrun only by large conventional armies and not by nuclear weapons. I personally believe in the fundamental goodness of man but unfortunately his weaknesses are stronger. That is why it is always wiser, why it is a good policy not to leave open dangerous temptations. Indeed we have always maintained that the process of disarmament must be carried out by gradual, agreed and balanced steps so as not to impair the security of all States, both nuclear and non-nuclear.

19. It has been said that the prohibition of nuclear weapons would paralyse these weapons politically and would make their physical destruction easier. On the first point I would say that, as long as States physically possess such weapons, nothing will assure us that they will not be used. They would presumably be employed in the exercise of legitimate defence or in a case where a State found its vital interests seriously threatened, no matter how solemn and unequivocal the commitment entered into by it. This might be an ominous thought, a pessimistic vision, but, before embarking on a new initiative, we should like to be perfectly sure that we are indeed working in order to change the prospect of a nuclear war, as Ambassador Makonnen has so well put it, into a prospect of nuclear peace. As the Secretary-General himself has pointed out in his impressive, sombre report on the devastating effects of the possible use of nuclear weapons "the risk of nuclear war remains as long as there are nuclear weapons" [*A/6858 and Corr.1, para. 41*].

20. May I, at this point, by way of parenthesis and with due respect to my colleagues who have touched this subject, submit that the comparison with the precedent of the 1925 Geneva Protocol prohibiting the use of bacteriological and chemical warfare is not such a convincing argument as it would appear at first sight. As the Chairman of the Italian delegation to the sixteenth session of the General Assembly stated before this Committee at the 1191st meeting, the belligerents in the Second World War knew that the use of chemical, toxic and bacteriological weapons would not prove decisive and would merely provoke immediate retaliation; the ban was observed out of self interest rather than for humanitarian reasons, or, I would add, in compliance with the Geneva Protocol of 1925. Besides we should not forget two other facts: first, that fourteen years after the conclusion of that agreement, and, as the representative of Canada so rightly reminded us yesterday [*1537th meeting*] not long after the Briand-Kellogg Pact³ the most devastating war in the history of

mankind started. The second fact is that the Geneva Protocol, and, for that matter, the Briand-Kellogg Pact, did not help disarmament and did not stop the arms race.

21. I am not contending at this moment that this would be the main result of a Convention prohibiting unconditionally the use of nuclear weapons. Let there be no misunderstanding. I ask for the indulgence of the Committee. I am just trying to point out how the item under consideration requires careful study and hard thinking. I have mentioned some facts which are of course open to question. Many others, and certainly more valid ones, could be cited.

22. In the light of this ominous experience, is it wrong to feel that an engagement accepted by nuclear States not to use nuclear weapons under any circumstances might induce a false sense of security and diminish what is perhaps the strongest incentive towards general and complete disarmament and towards the effective elimination of all nuclear stockpiles, means of delivery and conventional weapons?

23. Finally—and I make this remark with a great deal of hesitation lest it be misunderstood—we believe that the road to general and complete disarmament has proved so hard and slow because of a basic mutual mistrust among the Powers which are engaged in it. To accept in this field without scrutiny an important proposal that would imply, on the contrary, an atmosphere of mutual confidence, which although being gradually restored, is far from prevailing in the international community, would be taking for granted what we have been trying so hard to build up in recent years. We have made some progress, but we are still not as close to the goal as we should like.

24. Short cuts are sometimes deceiving. You take one in order to reach the main road further up and you find yourself further down from the point where you started. What is worse you might even lose your way altogether.

25. Let us suppose, for a moment, that the proposal now under consideration is adopted in its present form. That would leave a few States in possession of huge nuclear stockpiles, which they could have admittedly undertaken not to use but which would nevertheless remain available to them. Furthermore, as no prohibition on the manufacture of nuclear weapons would have been simultaneously agreed upon, those stockpiles would eventually go on increasing, while no control, no verification could be made.

26. What about non-nuclear States? They would remain at the mercy of huge conventional armies without any hope that a possible invader might be deterred from aggression. The First Deputy Foreign Minister of the Soviet Union has also emphasized that the treaty would not come into force until the nuclear Powers party to the treaty have ratified it. But what happens—may I respectfully ask—if one or more nuclear Powers do not become party to the treaty? That is a point which, if I am not wrong, was raised a few minutes ago by the representative of India. Obviously, in that case, non-nuclear nations would still remain the possible object of nuclear blackmail. All in all, that danger cannot be fully eliminated by merely prohibiting the use of nuclear weapons: it can be eliminated only by stopping the nuclear arms race, by reducing nuclear arms stockpiles and, finally, by physically destroying such weapons.

³ General Treaty for Renunciation of War as an Instrument of National Policy, signed at Paris on 27 August 1928.

27. Those are some of the thoughts and observations that come to our mind when we consider the item which this year has been submitted by the delegation of the Soviet Union [A/6834]. I have mentioned some facts which are, I repeat, open to question; many others, equally or more valid, could also be invoked in favour or against the proposal submitted by our Committee. However, we have reason to believe that the matter demands careful study and hard thinking, and that, if we wish to avoid unpleasant disappointment, it would be wise not to change course but to strive even harder in order to agree on a comprehensive, balanced, gradual and phased programme of general and complete disarmament under strict international control.

28. The report of the Secretary-General, from which I have already quoted, also contains a wise conclusion from which I should like to extract one single sentence that seems to coincide with the main thought behind my statement. It has already been quoted by my good friend Ambassador Piñera of Chile. It reads:

“Security for all countries of the world must be sought through the elimination of all stockpiles of nuclear weapons and the banning of their use, by way of general and complete disarmament.” [A/6858 and Corr.1, para. 91.]

29. May I point out that the preference for an agreement on general and complete disarmament has been expressed by all sides, including—unless I am mistaken—the representatives of the eastern European countries.

30. Before concluding, may I join previous speakers in saying that we have welcomed the opportunity which the Soviet delegation has offered us of discussing a question to which all of us attach such great, indeed vital, importance. I wish, therefore, to assure you that my preceding remarks were not inspired by the idea of underestimating the importance of the Soviet proposal, as we acknowledge its merits. Our remarks were, rather, inspired by the intent to clarify the main issues involved and give our own contribution to the constructive discussion which is taking place in our Committee on this item. We believe that a clear view of these issues and of the various existing positions with regard to the problem are a prerequisite for a sound judgement on the steps to take in order to bring about our ultimate goal of general and complete, balanced and controlled disarmament.

31. Allow me, therefore, to sum up the position of my delegation as I have explained it in my preceding comments:

(a) first of all, we do not possess any nuclear weapons, we do not wish to produce them and we do not want to see them used;

(b) we acknowledge, however, that the existing nuclear stockpiles function as an effective deterrent preventing any temptation to resort to general war as an instrument to settle political problems, and the fears they raise are so far the most effective incentive to disarmament;

(c) we are fully aware of the necessity of achieving general and complete disarmament and we want to cooperate unreservedly to that end;

(d) we are also aware that the goal of general and complete disarmament cannot be achieved in a very short time and that a satisfactory and comprehensive programme of gradual, balanced and controlled measures should be agreed upon and put into effect;

(e) to that intent, we consider that, while gradually reducing armaments, both nuclear and conventional, we should aim at maintaining an adequate balance of defensive armaments in order to guarantee to all peoples the security they are entitled to;

(f) to facilitate the above-mentioned process of disarmament, we favour the adoption of collateral measures, provided they are really collateral to the core of the matter and do not upset the balance of defensive armaments existing at the time of their adoption. The sincerity of our purpose is demonstrated by the proposal Italy made in 1965 to the Eighteen-Nation Committee on Disarmament for a three year moratorium in the manufacture of nuclear weapons;⁴

(g) we believe that the best way of achieving the elimination of the use of nuclear weapons is to continue, through the Eighteen-Nation Committee on Disarmament, the discussion of all aspects of disarmament;

(h) we feel, therefore, that the proposed convention could become an effective response to our expectations in the field of disarmament once the draft is submitted to a careful study in the appropriate forum and the final text meets the requirements we have mentioned.

32. However, we are ready to listen and give consideration to any other proposals which could be put forward with the intent of attaining the prohibition of the use of nuclear weapons within the framework of a comprehensive and balanced programme of general and complete disarmament under effective international control.

33. Mr. GHAUS (Afghanistan): The General Assembly, by its resolution 1653 (XVI), has solemnly declared that the use of nuclear and thermo-nuclear weapons is contrary to the rules of international law and to the letter and spirit of the United Nations Charter, and that any State using those weapons of mass destruction is committing a crime against mankind and civilization.

34. In the struggle to dispel the dangers of a nuclear holocaust, that Declaration was indeed a significant step. It is not unreasonable that, while the search for an agreement regarding general and complete disarmament continues, the General Assembly should see fit to consider, in the face of dangers threatening the very existence of the international community, the advisability of adopting a convention on the prohibition of the use of nuclear weapons which would give force of law to the provisions of that historic Declaration.

35. The negotiations concerning disarmament are progressing slowly. Owing to the complexities of the issues involved, it is not easy to foresee any tangible results in this

⁴ Official Records of the Disarmament Commission, Supplement for January to December 1965, document DC/227, annex 1, sect. D.

field in the very near future. Meanwhile, man's ability to develop weapons of mass destruction has outpaced his efforts aimed at their control and their eventual elimination.

36. There is no doubt that general and complete disarmament under effective international control is the best solution in this regard, but experience has shown, much to our dismay, that this ultimate goal cannot be reached quickly. The state of international affairs being what it is, what are the alternatives open to the world community? What should be the choice? Should we wait until conditions become more propitious for the signing of a comprehensive treaty on general and complete disarmament, or should we try to consider, pending such agreement, other partial or independent measures, aimed at banning weapons of mass destruction? Would the interests of mankind be best served if the major nuclear Powers adhered strictly to the concept of nuclear deterrence, even if each new technological advance could very well threaten this delicate equilibrium? Or would it be better if they agreed, in this period of uncertainty which separates us from our final aim, on creating a new balance which would derive from an obligation not to use nuclear weapons under any circumstances? And this in spite of the fact that the binding force of such a commitment, because of considerations that we all know, has to rest on moral compulsion.

37. We submit that, the very survival of the human race being at stake, the merits and the disadvantages of these alternatives should be carefully weighed by all Powers, big and small, nuclear and non-nuclear. The thorough examination of this vital problem should not be dismissed lightly.

38. The delegation of Afghanistan warmly welcomes all constructive and positive initiatives in the field of disarmament. We are guided in this respect mainly by our views as a non-aligned country free from considerations imposed by military alliances and by our unbiased analysis of the problems confronting the world.

39. The stalemate brought about by difficulties inherent in the process of disarmament should, in fact, become an incentive and, in the absence of a better solution, should lead us to seek ways and means of adopting collateral, partial or independent measures which would slow down the armaments race and would, in turn, facilitate the achievement of general and complete disarmament.

40. We are happy to note in passing that it was not impossible to reach agreement on the partial test ban Treaty, the outer space Treaty and the Treaty on the denuclearization of Latin America [A/C.1/946], which are partial measures in the field of disarmament. The adoption of these international instruments has contributed, without any doubt, to the welfare of mankind and the betterment of international relations.

41. The signing of a convention prohibiting the use of nuclear weapons would not only be an effective step towards the prohibition of weapons of mass destruction, but it would also eliminate, to some extent, the difficulties existing in the path of general and complete disarmament. This measure, in reducing world tension, would strengthen the confidence of peoples everywhere as to the security of

the world and the future of mankind. The expectations of the peoples of the world, living in constant fear of annihilation, should not remain unanswered.

42. The small countries with no aspirations to become nuclear Powers, and without any ambition to participate in a nuclear adventure, have a right to ask the major Powers which possess these terrible arms of mass destruction to seek ways and means of effectively guaranteeing their survival and to prevent, by adequate measures, the occurrence of a nuclear conflagration which would destroy large and small Powers alike.

43. We read in the Secretary-General's report that:

"The effects of all-out nuclear war, regardless of where it started, could not be confined to the Powers engaged in that war." [A/6858 and Corr.1, para. 40.]

And again it is stated in the same document, regarding the so-called tactical nuclear wars, that:

"the destruction and disruption which would result from so-called tactical nuclear war would hardly differ from the effects of strategic war in the area concerned" [ibid., para. 35].

44. The nuclear fall-out, in the event of a nuclear war, would be sufficient in itself to bring in its wake untold miseries to the innocent peoples of the countries which were not among the belligerents.

45. The serious situation of the countries not directly involved in a nuclear war is envisaged in paragraph 1 (c) of the Declaration on the prohibition of the use of nuclear weapons which states:

"The use of nuclear and thermo-nuclear weapons is a war directed not against an enemy or enemies alone but also against mankind in general, since the peoples of the world not involved in such a war will be subjected to all the evils generated by the use of such weapons."

46. It has been said that the prohibition of nuclear weapons at this stage of disarmament will not prevent war itself. However, it should be borne in mind that it will not be possible to eliminate war if the means of waging war, be they nuclear or conventional, are permitted to exist.

47. The dangers emanating from nuclear weapons lie not only in their eventual use in a declared war, but also in the possibility of an accident or miscalculation. As far as the argument regarding the impairment of the right of self-defence is concerned, it should be remembered that a convention on the prohibition of the use of nuclear weapons would be signed, it is hoped, by all States possessing nuclear weapons. It is, in fact, this provision which would create a balance of obligations among nuclear States and would hamper aggression. It is evident that the convention will be unsatisfactory, if not utterly meaningless if it is not accepted and ratified by all nuclear Powers.

48. It has been argued that the signing of a convention prohibiting the use of nuclear weapons might create a false sense of security and retard the conclusion of a comprehensive treaty on disarmament. We are of the opinion that, once the effectiveness of a convention prohibiting the use

of nuclear weapons has been proved, States will be encouraged still further in their search for adequate measures which will lead to general and complete disarmament. It is difficult to understand that success in the field of the prohibition of the use of nuclear weapons will distract attention from more fruitful approaches regarding the elimination of nuclear war and the establishment of an effective world security system.

49. May we state in this regard that in the draft convention presented by the Soviet Union [A/6834], it is envisaged that the parties to the convention would agree to make every effort in order to reach agreement on the cessation of production and the destruction of all stockpiles of nuclear weapons in conformity with a treaty on general and complete disarmament under effective international control.

50. In conclusion, may I state that, in this matter of great importance, unanimity among all States is of paramount importance. In this connexion, we recognize the particular concern and interest of nuclear States. It is therefore imperative that all major Powers be given an opportunity to study carefully any draft regarding the convention on the prohibition of the use of nuclear weapons. The draft presented by the delegation of the Soviet Union can be taken as a useful basis for further desirable elaboration and improvement.

51. Mr. HOPE (United Kingdom): My Government fully understands the deep concern of all countries, including especially those which do not possess nuclear weapons, with the need to avoid the horrors of a nuclear war. We also fully understand the support by countries, which do not possess nuclear weapons, of proposals aimed at the total prohibition of the use and the manufacture of nuclear weapons. Indeed, we support the objectives in the second operative article of the draft convention which has been placed before us by the representative of the Soviet Union [A/6834]. This sets out the need to arrive, as soon as possible, at agreement on the cessation of production and the destruction of all stockpiles of nuclear weapons in conformity with a treaty of general and complete disarmament under effective international control. This is also the aim of my Government, and we are glad to see that similar wording is included in the draft non-proliferation treaty at present under discussion in Geneva.

52. I should now like to turn to the first article in the proposed convention which refers to a solemn undertaking by each party to refrain from using nuclear weapons, from threatening to use them and from inciting other States to use them.

53. You will recall that, during the debate on item 91, concerning the Treaty for the prohibition of nuclear weapons in Latin America [A/C.1/946], my delegation had the pleasure of declaring [1508th meeting] the willingness of the United Kingdom Government to accept the obligations in Additional Protocol II of the Treaty not to use or threaten to use nuclear weapons against contracting parties to the Treaty. As we said then, it is our hope that other nuclear Powers will do likewise. On previous occasions when this subject has been debated, we have said that we welcome the creation of nuclear-free zones where geo-

graphical and other conditions are suitable, as useful steps towards non-proliferation and the establishment of international confidence. These conditions are that any nuclear-free zone should be created by the free and voluntary decision of the States to be included in the zone; that the existing military balance in the area should not be disturbed; that there should be arrangements for impartial international verification adequate to the circumstances of the region concerned; and that the zone should include all the militarily significant States, and preferably all the States, in the region. The Treaty of Tlatelolco meets these basic requirements. We would be willing to consider similar obligations not to use nuclear weapons against other zones where States have followed the example of the Latin American countries in combining together to establish viable nuclear-free zones and where these conditions are met.

54. But our willingness to accept these commitments and our wish to support fully the widely expressed demand for measures to end the armaments race and reduce the danger of nuclear conflict does not mean that we should accept proposals which we believe could weaken, rather than strengthen, international security.

55. The precarious freedom from nuclear war we have enjoyed for the past twenty years stems from what has become known as the philosophy of deterrence. One of the tenets of this philosophy is that the height of the nuclear threshold should be incalculable for any aggressor, who should always be kept fully aware of the risk that large-scale non-nuclear aggression might provoke a nuclear response. When we spoke in this Committee about the Treaty of Tlatelolco we drew attention to the fact that, like all other Members of the United Nations, the United Kingdom is obliged under the United Nations Charter to refrain from the threat or use of force. And I take this opportunity to repeat once more that my Government will not use any weapons at its disposal, either nuclear or conventional, for purposes of aggression.

56. My Government strongly sympathizes with all efforts to remove the danger of nuclear war and we understand the motives of those who have supported resolutions of this type in the past and their natural and justified desire to free the world of this peril.

57. Unfortunately, however, we do not believe that this danger can be eliminated by a simple and sweeping prohibition of the use of nuclear weapons. We have studied with care the arguments in the statements by those delegates whose Governments support the idea of a convention. But these arguments do not seem to us to take sufficient account of the nuclear facts of life, which are that, as long as these weapons exist, and as long as the danger of war exists, the danger of nuclear war will exist also.

58. Several delegations have drawn attention to the excellent report by the Secretary-General on the effects of the possible use of nuclear weapons [A/6858 and Corr.1]. The report makes it very clear that the greatest risk to those countries which do not possess nuclear weapons comes not from an open attack by a nuclear Power, as has been suggested by some previous speakers, but from a war

between nuclear Powers in which nuclear weapons were used.

59. One of the conclusions of the report is, and I quote:

“Security for all countries of the world must be sought through the elimination of all stockpiles of nuclear weapons and the banning of their use, by way of general and complete disarmament.” [*Ibid.*, para. 91.]

This is also the view of my Government.

60. If there were to be a war between nuclear Powers, what security could any of us derive from some previously concluded agreement to refrain from the use of such weapons? Indeed, the existence of an unenforceable prohibition on the use of these weapons would not contribute to security but might even impair it by breeding the false impression that aggressive action using conventional forces could be undertaken without risking nuclear war.

61. For these reasons my Government is convinced that the only way to remove the danger of nuclear war is by general and complete disarmament under effective international control with the aim of eliminating all means of waging war, both nuclear and conventional, and by the establishment of international machinery to keep the peace in a disarmed world.

62. We are, of course, willing to examine thoroughly every measure which will help to build international confidence and serve as a step towards general and complete disarmament. But for the reasons I have already given, my Government believes that the conclusion of a convention on the prohibition of the use of nuclear weapons, such as that proposed in the draft convention before us, cannot be effective while nuclear weapons still exist. Moreover, we believe that the very real problems with which this convention purports to deal can most suitably be examined by the Eighteen-Nation Disarmament Committee which reports regularly to the General Assembly on the whole field of disarmament which has been committed to its charge. We therefore believe that this proposal should be remitted to the Geneva Committee for further consideration.

63. Mr. TARABANOV (Bulgaria) (*translated from French*): The prohibition of the use of nuclear weapons is by no means a new problem for this audience, and its vagaries in the United Nations are well known.

64. As long ago as the end of the Second World War—or to be more precise, since the destruction of Hiroshima and Nagasaki by the two atomic explosions—the man in the street has realized that the murderous, destructive power of atomic energy must be dealt with. Ever since, the world has sought ways and means of putting an end to its use for military purposes calculated to destroy man and instead, placing nuclear energy at the service of mankind. Proposals have been made with a view to prohibiting the use of nuclear and thermo-nuclear weapons for military purposes, the first of them by the Soviet Union.

65. I need hardly dwell in this connexion on the statement by the United States delegation [*1532nd meeting*] that the

famous Baruch Plan was among these proposals. The sole aim of this Plan was to safeguard the American monopoly of atomic and nuclear energy, and definitely not to remove it from the military arsenals. What the Baruch Plan aimed to do was to establish American supremacy throughout the world and to enable the United States to speak to all other States and to the world in general from a position of strength.

66. I may have occasion to return to this matter later; for the moment I would merely like to say that it would be somewhat difficult at present to try to use the Baruch Plan as an argument or an excuse for refusing to conclude a convention on the prohibition of the use of nuclear weapons. If in putting forward the Baruch Plan the United States had really intended to prohibit the use of nuclear weapons rather than to safeguard its own monopoly, it is hard to understand why its delegation should now refuse to join in the efforts being made to prohibit their use throughout the world.

67. The Declaration on the Prohibition of the Use of Nuclear and Thermo-nuclear weapons, adopted by the General Assembly at its sixteenth session in resolution 1653 (XVI), on the proposal of Ethiopia, was a milestone in the efforts to reduce the danger of nuclear war. The Declaration proclaimed that:

“The use of nuclear and thermo-nuclear weapons is contrary to the spirit, letter and aims of the United Nations and, as such, a direct violation of the Charter of the United Nations.”

68. The efforts made by Ethiopia, supported by the socialist countries and by the great majority of the States Members of the United Nations, to convene a special conference for signature of a convention giving binding force to the Declaration, did not come to fruition because of the stubborn opposition of certain Western countries, headed by the United States.

69. The reasons that led the General Assembly to adopt a Declaration on the conclusion of a convention for the prohibition of the use of nuclear weapons five years ago are still valid. As a result of the arms race, the huge stocks of nuclear weapons have enormously increased. The danger of a nuclear war and the possible effects of such a war are explained in the introduction to the report of the Secretary-General on the effects of the possible use of nuclear weapons and the security and economic implications of the acquisition and further development of those weapons. Let me quote once again an extract which has been read out several times already:

“Were such weapons ever to be used in numbers, hundreds of millions of people might be killed, and civilization as we know it, as well as organized community life, would inevitably come to an end in the countries involved in the conflict. Many of those who survived the immediate destruction, as well as others in countries outside the area of conflict, would be exposed to widely-spreading radio-active contamination, and would suffer from long-term effects of irradiation and transmit, to their offspring, a genetic burden which would become manifest in the disabilities of later generations.” [*A/6858, para. 1.*]

70. Consequently, the Soviet initiative relating to the conclusion of a convention on the prohibition of the use of nuclear weapons [A/6834] is greatly to be welcomed. It would constitute an important step towards easing international tension, increasing confidence among nations, halting the arms race, and reducing the danger of the outbreak of a nuclear war. The conclusion of such a convention will undoubtedly be a substantial contribution to general and complete disarmament.

71. The efforts of the Conference of the Eighteen-Nation Committee on Disarmament which has the task of trying to bring about general and complete disarmament with a view to removing the danger of a nuclear war effectively, once and for all, are meeting with tremendous difficulties. We are firmly convinced that a measure like the conclusion of a convention prohibiting the use of nuclear weapons, even if only partial, will bring us closer to the ultimate goal of general and complete disarmament by creating a climate favourable to other measures in that direction.

72. What is at stake is not the interests of this or that group of States, but the survival of the whole of mankind. A future war would be disastrous for the entire human race. Hence, the proposed convention will not offer unilateral advantages to one State or one group of States to the detriment of another State or group of States, but will benefit all the parties concerned.

73. The conclusion of a convention prohibiting the use of nuclear weapons would be a crystallization of the principle in international law that the use of weapons of mass destruction is recognized as a crime against humanity; and nuclear weapons are of course essentially weapons of wholesale mass destruction. Examples from the recent past confirm the viability of such agreements. Declarations such as that of St. Petersburg of 1868,⁵ the Declaration of the Brussels Conference of 1874,⁶ the Conventions of the Hague Peace Conferences of 1899 and 1907, and the Geneva Protocol of 1925, played an important role in the development of modern international law and are an integral part of it.

74. It must not be forgotten, in particular, that the Geneva Protocol concerning the Prohibition of the Use in Time of War of Asphyxiating, Toxic or Similar Gases and of Bacteriological Weapons helped to prevent those types of weapons from being used during the Second World War. I emphasize the expression "helped to".

75. The outlawing of nuclear weapons by means of an international instrument having binding legal force would fully satisfy the fervent wish of the peoples of the world.

76. It may be well to point out, incidentally, that the convention in question requires no supervision of any kind for its application.

77. The argument that as long as nuclear weapons exist, prohibition of their use will not in itself suffice to remove the danger of a nuclear war, and that the risk of nuclear war will still remain, is pointless.

78. No one has ever claimed that it is possible by means of such a convention alone to eradicate the danger of nuclear war once and for all. On the contrary, stress has always been placed on the limited nature of the measure. It is precisely because certain States do not seem to be prepared to adopt a thoroughgoing solution such as the conclusion of an agreement on general and complete disarmament that resort is had to partial measures, one of them being the prohibition of the use of nuclear weapons.

79. The argument that the absence of control would make the prohibition completely ineffective is given the lie by existing practice. The most recent proofs are the partial prohibition of nuclear testing and the ban on placing in orbit objects carrying nuclear weapons.

80. It has also been argued that the prohibition of the use of nuclear weapons would actually be dangerous by creating a false sense of security.

81. My United Kingdom colleague said just now that it might create a false sense of security by breeding the impression that nuclear weapons would not be used to retaliate against aggressive action using conventional forces. If I understood the argument correctly, it is strange to hear it here. It is likewise astonishing to see the United States representative, and those of certain other Western nations, trying to create a diversion so as to convince us that the question of disarmament must be settled first and that we can think of a convention on the prohibition of the use of nuclear weapons later.

82. The statement by my Italian colleague just now was only another variation on the same theme. Yet such a convention, quite obviously, would be utterly useless by the time the problems of disarmament had been solved. In the meantime, the plain fact is that although they insist that only the solution of the problem of disarmament can prohibit the use of nuclear weapons, the United States of America and some of its allies stubbornly oppose not only every effective and reasonable proposal designed to solve the problem of general and complete disarmament, about which they have so much to say in this hall, but other parallel measures likely to lead to progress along the road towards disarmament.

83. Inconsistent in themselves, these arguments adduced by the delegations of the United States and some of its allies to justify their refusal to associate themselves with the conclusion of a convention to prohibit the use of nuclear weapons are presented side by side with arguments in favour of free play for the policy and practice of mutual nuclear deterrence.

84. In his statement of 20 November, the representative of the United States said that:

"Inherent in the preservation of that deterrence [*i.e.*, of nuclear weapons] is the existence of offsetting postures of deterrence . . ." [1532nd meeting, para. 58].

He also said that the policy of deterrence would be applied against countries which:

" . . . have massive stockpiles of nuclear armaments . . . as well as massive conventional forces . . ." /*ibid.*/

⁵ Declaration renouncing the Use, in Time of War, of Explosive Projectiles under 400 Grammes Weight.

⁶ Declaration on the Rules of Military Warfare.

85. This policy of deterrence, in other words the threat to use nuclear weapons even against those waging war with conventional weapons, takes on a particularly macabre quality at a time when the United States is engaged in a war of total destruction against the people of Viet-Nam, with armed forces committed on a scale enormous even for a Power like the United States. But we must also observe that the resistance of the Viet-Nameese people to aggression against their independence shows no sign of abating. On the contrary, their heroic resistance is increasing daily and frustrating the American plans. It is incredible that such statements should be made on the policy of nuclear deterrence while at the same time we hear voices—not from the American administration, admittedly, but from certain extremist circles in the United States—urging that this country should put an end to the heroic resistance of the people of Viet-Nam by all the means at its disposal and as soon as possible.

86. In the light of these events and of the troubled and tense situation throughout the world today—in Viet-Nam, the Middle East, Cyprus, and the other trouble-spots created by the policies of imperialism—the refusal of the United States of America to join in the effort to ban the use of nuclear weapons, and its statement that it prefers the policies of deterrence by the threat of the use of nuclear force, are becoming more and more significant and dangerous for the world, including the United States itself. Bluffing with nuclear weapons is playing with fire, and the kind of fire is nuclear holocaust. A false step in this game, a move from words to deeds, will lead purely and simply to nuclear catastrophe for the whole world.

87. The delegation of the People's Republic of Bulgaria hopes and trusts that the position adopted by the delegations of the United States of America and those who support it is not final. It would be desirable for those delegations once more to consider carefully the question under discussion and to seek ways and means of satisfying the fervent desire of all mankind to see the use of nuclear weapons prohibited through the signature of a convention of the kind proposed by the Soviet Union.

88. This is all the more necessary in that the conclusion of a convention on the prohibition of the use of nuclear weapons would—we are convinced of this, and all delegations surely share our conviction—instil new hope and new impetus into the efforts being made by the United Nations to achieve general and complete disarmament and thus ensure international peace and security.

89. Mr. FISHER (United States of America): I should like to exercise my right of reply to some of the comments made upon or in relation to my statement before this body on 20 November [1532nd meeting].

90. I should like to start by pointing out that although many of the arguments advanced in support of the draft convention on the prohibition of the use of nuclear weapons, which is offered in connexion with the Soviet item [A/6834], would appear to be directed to a much more limited undertaking than that contained in this draft convention, they are arguments that support a quite different treaty. This draft convention itself involves the

unqualified obligation not to use nuclear weapons under any circumstances. As I pointed out earlier, the obligation in this draft convention would apply whether or not all parties involved in a conflict had accepted the same obligation; its protections would extend even to a nuclear weapon State engaged in an armed attack, or to a non-nuclear weapon State engaged in such an attack and assisted by a nuclear weapon State. Its obligation would prevent nuclear weapon States signatory to the convention from using their nuclear power to assist a State that had forsworn nuclear weapons and was itself the victim of nuclear aggression. Finally, its terms would be applicable to prevent nuclear weapons from being used in self-defence or in retaliation in a conflict between nuclear weapon States.

91. As I review the debate thus far on the item now under consideration, it seems to me that two principal issues emerge in considering such a convention. The first is whether, prior to the elimination of nuclear weapons from national arsenals, an unqualified agreement not to use these weapons is a meaningful commitment or a dangerous deception. That leads us to the second question, which is, at what stage in the disarmament process can we realistically expect the elimination of nuclear weapons from national arsenals to occur?

92. On the first of these issues, the United States believes that the problem is one which has been created by the development of the atomic bomb and the creation of vast arsenals of nuclear weapons with very rapid means of delivery.

93. The problem of the possible use of nuclear weapons arose when the first nuclear weapon was developed. I make this statement in full recognition of the fact that it was the United States that first developed a nuclear weapon. The United States embarked on its programme to develop nuclear weapons at a time when the United States, the Soviet Union and other allies were fighting shoulder to shoulder against a common foe. We did so at a time when there was serious concern that, if we did not proceed promptly, our common foe might be the first to develop this awesome weapon. I need not speculate on what the results of such a development might have been. The war against this common foe was successfully ended before the nuclear weapon was actually developed. The weapon was used, as has been pointed out, over Hiroshima and Nagasaki. But are we naive enough to believe that if the United States had not developed the weapon, it would never have been developed? Are we to infer that, in the heat of the Second World War, any other developer of the weapon would not have used it, as did the United States, to bring that war to a speedy conclusion?

94. It is precisely because of its responsibility for the development and use of nuclear weapons that the United States has been so active in its efforts to bring them under control. Indeed, planning for these efforts was under way before the work on the weapon had been completed. And it is because of the insight into the nature of nuclear weapons which its work in their development had given it that the United States—when it had a monopoly on nuclear weapons—sought to remove them wholly from the military field through the principles of the Acheson-Lilienthal

Report⁷ and the Baruch Plan.⁸ We have recently heard a characterization of the Baruch Plan, with which—it will not surprise any delegation here to hear me say—I do not agree. I do not wish to take the time of this body to explain precisely the many points on which I think that this characterization is in error, but should like merely to say that I believe the record will speak for itself.

95. Unfortunately, these efforts based on the Acheson-Lilienthal Report and the Baruch Plan have not been successful. We have seen the problem aggravated by the growth of stockpiles and the development of new means of delivery. We have seen the problem compounded when one nuclear Power became two, then three, and now five.

96. This observation leads me to a point which I can best demonstrate by asking an almost rhetorical question. Before asking this almost rhetorical question, I should note that the Soviet draft convention does not require all the nuclear Powers to sign before it becomes effective; it merely requires those that do sign to ratify before it goes into effect. But for the purposes of discussion, let us assume that all the nuclear Powers were to sign and ratify this convention; then my almost rhetorical question is, would the nuclear Powers themselves, or the non-nuclear Powers, really believe that nuclear weapons would never be used, no matter under what circumstances, as long as stockpiles of nuclear weapons were maintained?

97. I submit that it is unrealistic to believe that nuclear Powers, under any and all circumstances, and even when their very national existence is at stake, will abstain from the use of the nuclear weapons in their arsenals simply because they have signed a convention prohibiting such use. As long as national nuclear stockpiles exist, it is clearly a dangerous game to contrive international agreements which may lead nations to believe otherwise. Not only may it prove to be a collective venture in self-delusion, but more importantly and more dangerously, it may create an illusion of security and divert attention from the main task; that is, the task of nuclear disarmament.

98. Until that task is completed, we must not be afraid to face the fact that the risk of nuclear war is being minimized by maintaining a position of mutual deterrence. Here, in the friendliest and, I hope, most constructive spirit, I should like to differ with the observation of the Soviet representative that the Soviet draft convention would make deterrence irrelevant because, nuclear weapons having been prohibited, there is nothing to be deterred. And I should like, again in a friendly spirit, to ask the question: does anyone really believe that the nuclear Powers would feel free to dismantle their nuclear deterrence or defence forces merely because a convention to outlaw their use had gone into effect? If this were indeed true, we should wonder why the draft convention did not contain a proposal for, as a minimum, an immediate halt, under effective international control, to the production of fissionable material for use in such weapons.

⁷ *A Report on the International Control of Atomic Energy*, prepared for the Secretary of State's Committee on Atomic Energy by a board of consultants (Doubleday, Garden City, N.Y. 1946).

⁸ See *Official Records of the Atomic Energy Commission, No. 1*, first meeting.

99. I shall not labour the next point in my reply, which has been dealt with by others; that is, the repeatedly made analogy to the Geneva Protocol on the prohibition of the use of gas and bacteriological weapons. I shall merely say that we cannot share the view expressed here by several delegations that it was respect for this Convention that prevented the use of poison gas in the Second World War. Simply, we believe that gas was not used in the Second World War because there would have been retaliation in kind. The capability of one side deterred the use by the other. And so it is with nuclear weapons. Mutual nuclear deterrence is the most realistic assurance against the use of those weapons until they have been eliminated.

100. I have studied with care the thoughtful observations of the representative of Sudan [*1537th meeting*], in which he disagreed with the position of the United States that prohibiting the use of nuclear weapons and then doing something about nuclear stockpiles was, in effect, putting the cart before the horse, or the plough before the ox. As I understand those observations, he seemed to be indicating in those thoughtful remarks that there was nothing to be gained by a reversal of those priorities, since, even if it were to be agreed that the elimination of stockpiles from national arsenals should take place, difficulties as to who should be parties or difficulties as to whether States which were parties were in fact complying, would still be with us and might prevent any such agreement from being effective. It is just for that reason that the United States position is that the elimination of national nuclear stockpiles should take place in the context of the completion of the process of general and complete disarmament.

101. At that stage—that is at the completion of the process of general and complete disarmament—the problem of necessary parties will have to have been resolved, strict and effective measures of international control will have been developed to provide firm assurance that all parties are honouring their obligations and progress in disarmament will have been accompanied by the strengthening of institutions for maintaining peace, including the development of an international peace force which can ensure that the United Nations can effectively curtail or suppress any threat or act of arms in violation of the purposes and principles of the United Nations.

102. I am aware that that seems to be a pretty large order and it may seem pretty far away, a place that is hard to get to but it is an order given to us by the agreement between the United States and the Soviet Union establishing the joint statement of agreed principles for disarmament negotiations.⁹ That document was not only agreed to by the United States and the Soviet Union but both welcomed and recommended by this body and by the General Assembly in its resolution 1767 (XVII). It is a delusion to think that we could eliminate nuclear weapons from national arsenals in any other context.

103. In conclusion, I should like to add the voice of my delegation to the discussion, in this context, of the report prepared for the Secretary-General by a distinguished group of consultants on the effects of the possible uses of nuclear

⁹ *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 19, document A/4879.

weapons and on the security and economic implications for States of the acquisition and further development of those weapons [A/6858 and Corr.1]. That report is certainly a useful document and it should be of great value in helping us to take those difficult steps which we must take towards reducing the dangers inherent in all nuclear weapons. The United States hopes, of course, to comment on that report at much greater length at the appropriate point in our agenda, but at this stage we should merely like to comment that it has been relied on by the supporters of the item now under consideration to prove two points.

104. The first is that all mankind has an interest in avoiding thermo-nuclear war. That point is indeed sustained by the report. It is a point on which we can all agree. The second point for which it is quoted, however, is in support of the Soviet draft convention [A/6834] and the approach contained in it that the way to handle this problem would be to agree that nuclear weapons should not be used and then to do something about the reduction of nuclear stockpiles in the context of general and complete disarmament.

105. With the greatest respect, I submit that the report does not support the Soviet approach. We have already heard quoted to us in previous meetings, and today, the only sentence in the report which deals with the subject matter now under consideration. That sentence has already been read, but I shall read it again.

“Security for all countries of the world must be sought through the elimination of all stockpiles of nuclear weapons and the banning of their use, by way of general and complete disarmament.” [A/6858 and Corr.1, para. 91.]

106. I would merely point out that the report sustains the two points which are crucial to the United States position. First, it points out that it does not recommend an unqualified non-use proposal as a meaningful document unless it provides for the elimination of nuclear weapons from national arsenals. Indeed, it links the two together and refers to “the elimination of all stockpiles of nuclear weapons” before referring to “the banning of their use”. Secondly, it indicates that that process can be accomplished only by way of general and complete disarmament.

107. The United States is, of course, sympathetic to the arguments which have been advanced that it will take us a great deal of time to reach our ultimate objective of general and complete disarmament under strict international control, and the argument which follows that, that we should therefore do what we can now in the field of arms limitation to work out measures to reduce international tension, to reduce the risk of war and to bring us closer to our ultimate objective.

108. We are sympathetic to and agree with that position and to prove that, as an indication of our sincerity in this respect, we have offered, as I indicated in my previous remarks on this item [1532nd meeting], a variety of proposals for properly safeguarded agreements, first to limit and to reduce both the material for making the nuclear weapons themselves and then the means of their delivery.

109. The question which faces us here is whether or not the draft convention is a proper item and one that could

precede general and complete disarmament, or whether there could be other proper items. We have submitted that there could be other proper items and that the one under discussion is not one which serves those purposes.

110. The Secretary-General's report considers measures short of general and complete disarmament, measures which the experts who worked out this report considered feasible and which could lead to the reduction of the level of nuclear arms, the lessening of tension in the world and the eventual elimination of nuclear arms. It mentions a variety of them. It mentions an agreement on the reduction of nuclear arsenals, it mentions a comprehensive test ban treaty, but nowhere in the report is an unqualified non-use agreement mentioned as a possible limited and separable measure which could be taken in advance of general and complete disarmament. Such a non-use agreement is mentioned only once, and then in the section that I have just quoted, as part of the process of elimination of all stockpiles of nuclear weapons by way of general and complete disarmament. That shows, I submit, that the considerations of credibility and verifiability, to which I have pointed, were just as persuasive to those twelve experts as they have been to the United States.

111. Mr. VRATUSA (Yugoslavia): For years efforts have been exerted to prohibit the use of nuclear and thermo-nuclear weapons. The initiative taken by the Soviet delegation for the signing of a convention on the prohibition of the use of nuclear weapons could also contribute towards the attainment of that goal. Such a measure could considerably facilitate negotiations on general and complete disarmament and stimulate the search for a solution to the urgent problem of nuclear disarmament, and contribute to the lessening of international tension.

112. The report of the Secretary-General on the effects of the possible use of nuclear weapons and on the security and economic implications for States of the acquisition and further development of these weapons [A/6858 and Corr.1] outlines very explicitly the devastating consequences of the possible use of such weapons resulting from the impact of explosion, heat wave and harmful radiation, as well as the fatal effects on human beings and animal and plant life, which can occur years after the use of atomic weapons. This meaningful document should be taken into account in all efforts towards disarmament which have as their aim to solve the problem of how to free mankind from the threat of destruction by accumulated armaments.

113. These fears are among the main reasons why constant efforts are being made with a view to achieving the gradual elimination of nuclear weapons. In this field, among others, the initiative of Ethiopia and several non-aligned and socialist countries, which resulted in the adoption of resolution 1653 (XVI), the Declaration on the prohibition of the use of nuclear and thermo-nuclear weapons is well known.

114. I wish to mention that, by this Declaration, the Assembly has proclaimed, *inter alia*, that any State using nuclear and thermo-nuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the laws of humanity and as committing a crime against mankind and civilization. The Declaration was

adopted by the General Assembly by a large majority. This indicates that mankind is aware of the perils unless the enormous energy which man's ingenuity has succeeded in harnessing and in placing at our service in the form of nuclear power is prevented from being used against humanity.

115. Since what is involved here is a danger threatening the very existence of mankind, we cannot be satisfied with general declarations on the urgency of the removal of that peril, regardless of how solemnly they are proclaimed. It is necessary, therefore, to give a clear legal definition of duties and responsibilities towards humanity of all of those who have, or those who could, in the future, acquire such destructive weapons. It is essential, therefore, to make it incumbent on all countries that they shall never resort to the use of such weaponry. As a matter of fact, the Declaration itself, in its last paragraph, calls for the conclusion of such a convention on the prohibition of the use of nuclear weapons.

116. In our opinion, the renewed consideration of this problem, under present international conditions, is of particular importance, especially so because war is still being used by many States as an expedient of a national policy in international relations.

117. War and the policy of force in international relations find their material basis in armaments. For that reason, the arms race by itself exercises a negative impact on the development of international relations and, ultimately, on security and peace in the world. Notwithstanding all this, the arms race is constantly expanding and intensifying. More sophisticated nuclear weapons are being fabricated. The possibility of the spread of nuclear weapons to an ever-increasing number of countries, as a result of an accelerated progress of science and technology, is gaining in momentum.

118. The Moscow Treaty on the partial prohibition of nuclear weapon tests, the agreement regulating the activities of States in outer space and celestial bodies as well as the agreement for the prohibition of nuclear weapons in Latin America, each of these, in its own way and within a given area, constitutes a significant step in the direction of general and complete disarmament.

119. The same is true of efforts directed towards the early conclusion of a non-proliferation treaty. Mankind is anxiously awaiting the results of those efforts. However, we cannot be satisfied with the state of affairs in terms of the settlement of other questions and measures of disarmament, in particular, in respect to the resolving of questions of general and complete disarmament which is being enmeshed in the labyrinth of constant delays.

120. In the given circumstances, every measure, regardless of how modest and limited it may be within the disarmament process, can be useful either as an indicator of the direction in which additional efforts should be exerted or else as an incentive towards solving specific problems, the solution of which is indispensable to further development of international relations. Such a reality, therefore, has made imperative the need to undertake a number of initial and partial measures for enhancing the solution of at least

some aspects of disarmament. Within a broader context of these measures, the prohibition of the use of nuclear weapons has its place and significance as well. We do not share the view that a limited success in prohibiting the use of nuclear weapons might cause an illusion that would lead us to a war with classical weaponry, as some seem likely to suggest in this connexion.

121. What would be the practical implications of a possible convention on the prohibition of nuclear weapons? First and foremost, the convention would render nuclear weapons unnecessary, since it would prohibit their purpose. This, in turn, would result in creating more propitious conditions for the realization of a series of partial measures in the field of disarmament, such as the prohibition of all nuclear weapon tests, the prevention of the proliferation of nuclear weapons and the establishment of denuclearized zones, as well as for the taking of a number of measures to curb the arms race, such as, for example, the cessation of the production of nuclear weapons and the elimination of existing stockpiles.

122. However, we should bear in mind that, even if such a convention were adopted, the existing nuclear weapons would remain intact and would continue to threaten world peace and security. That danger will be removed only with the elimination of nuclear weapons, that is, only when general and complete disarmament is ultimately reached. It is precisely the limited effect of the prohibition of the use of nuclear weapons which points to the necessity of having this measure viewed within the context of other initial and partial measures of nuclear disarmament, and, in particular, within the context of general and complete disarmament, which remains our basic goal.

123. Yugoslavia has always supported the idea and measures of achieving the legal prohibition of the use of nuclear weapons. It extended its full support, during the preparation and at the time of voting, to the Declaration on the prohibition of the use of nuclear weapons, as well as to other decisions taken by the General Assembly calling for action aimed at an urgent solution of this problem.

124. In its memorandum addressed on 3 May 1965 to the United Nations Disarmament Commission¹⁰ Yugoslavia pledged itself in favour of the adoption of a measure prohibiting the use of nuclear weapons, deeming it not only as an imperative of our time, but also as a realistic step that could facilitate the adoption of other measures in the field of disarmament. In this respect, Yugoslavia has always been of the opinion that the prohibition of the use of nuclear weapons, agreement on the prohibition of all nuclear tests, and agreement on the prohibition of further proliferation of nuclear weapons, constitute logically linked measures within a broader area of nuclear disarmament. The achievement of such measures would be conducive to a basis for initiating a genuine process of nuclear disarmament.

125. In supporting this measure, as well as all other partial and initial measures, we proceed from the concept that the policy of "all or nothing" as an approach for the settlement of any problem, especially the problem of disarmament,

¹⁰ *Official Records of the Disarmament Commission, Supplement for January to December 1965, document DC/216.*

does not lead anywhere. For that reason, it is natural not to agree either with the theses on the "balance of terror", as we are convinced that genuine peace in the world can be ensured only through healthy international relations which do not rest on fear and the constant threat of war and devastation, but on mutual respect and confidence serving as a basis of equal co-operation among all countries, big and small, developed and developing alike.

126. We are convinced also that only confidence and a sense of security can contribute to the solution of a number of other questions. Such a situation would stimulate the freeing of resources which the poor countries are now expending on armaments to be used for their economic and social development, which is of paramount importance not only for them and their independence, but for the entire international community and peace in the world as well.

127. That is why the Yugoslav delegation is ready, within the limits of its possibilities, to contribute also in the future towards the solution of the question that we are discussing, as well as to all other problems and measures of disarmament.

128. Mr. MARRASH (Syria) (*translated from French*): My delegation would like to add one or two points to the cogent arguments already advanced in favour of the draft convention on the prohibition of the use of nuclear weapons at present being discussed.

129. The study of a draft resolution such as that before us is clearly twenty years in arrears of the awakening of the world's conscience, which has already condemned in the most unanimous, unequivocal and categorical fashion possible the use of these weapons of mass destruction recognized by all mankind as monstrous. The extent of the devastation caused by these weapons is regarded by world public opinion as having no common measure with any conceivable justification or pretext. Their use even in the face of aggression has been censured—such is the unanimous verdict on their material and moral loathsomeness.

130. There is hardly a sphere of international life where public opinion and the feelings of the man in the street have been expressed so unanimously and unmistakably as here.

131. This undeniable fact is, I feel, an important and indeed a decisive element in the reply we have to give to the question now before us, namely whether the proposed draft convention on the prohibition of the use of nuclear weapons does or does not constitute a step forward along the right path towards peace and disarmament.

132. The determining factor here, it seems to me, is that people have a legitimate desire for security; they feel an unanimous revulsion, both vital and moral, against these weapons of mass destruction, and they condemn out of hand any use of such weapons. To respond to the aspirations and the demands of the people of the world is the fundamental duty of this Organization. To transcribe universal feelings into legal language and obligations under international law is our most obvious duty. Indeed, the accomplishment of this duty is in itself the supreme skill, the most tangible evidence of political wisdom on the part

of those who truly seek peace and disarmament. For when all is said and done, stable and lasting peace can only be achieved through progressive response to the aspirations of the people. Human awareness, human conscience, is the fountain-head of international law, and its vigour is, in the last resort, the most powerful and the surest guarantee of peace; it is through the development of universal awareness and international law that peace and disarmament will ultimately gain ground and be best safeguarded. The prohibition of the use of atomic weapons offers us an exceptionally suitable and fertile field for the application of these factors in the light of the unanimity and strength of world opinion on those weapons.

133. These are, we feel, the determining factors in regard to the question before us. To our way of thinking, the prohibition of the use of nuclear weapons is much more than a mere partial measure constituting simply one stage in the long and arduous process of negotiations leading ultimately to complete disarmament under adequate international control. It goes far beyond that framework, which though circumscribed is not distinct from or independent of the other broader factors I have just mentioned.

134. It is precisely these broader factors that seem to me decisive; but unfortunately they were either not mentioned at all or were watered down and attenuated in the statements made by certain delegations opposed to the draft before us.

135. Some of those statements struck me as being unduly restricted to the specific process of the current negotiations designed to bring about complete disarmament under adequate international control. They even seemed to assume that the question of war and peace was virtually no more than a matter of strategic balance or deterrent power.

136. But those factors, which are clearly always influential, and even predominate at times, are not the only factors; indeed they are less and less so in this century with the growth of the human conscience and international law since the war, particularly in and through the United Nations.

137. Far be it from me to overstate the importance and effectiveness as a factor of this growing universal human conscience and the progress of international law.

138. We ourselves recently experienced how inadequate and ineffective it can be in the field of aggression as such. But in the matter of the use of atomic weapons there is no dispute. It enjoys solid unanimity everywhere, and it is this that reinforces the prime importance of the factors I have mentioned, namely universal awareness, the legitimate aspirations of peoples and the evolution of international law established on this firm rock.

139. These views are all the more important in that considerations of world strategic balance and deterrent power cannot fully ensure the peace and security of the countries of the third world which are not parties to military pacts and can therefore be threatened with total destruction by tactical or localized atomic weapons, of which we hear more every day. Those countries can become the victims of such weapons of mass destruction even

without a world war or without the world's strategic balance necessarily being upset.

140. The nations of the third world therefore are entitled to demand instant prohibition of nuclear weapons, which represent for them a danger not adequately controlled or disposed of at present. It would be fair to say that for them, more than for others, the prohibition of nuclear weapons is so vital and so essential as to be far more important than any strategic or even purely political consideration.

141. By what I have said I do not in any way mean to imply that the arguments advanced by certain delegations which oppose the draft convention on grounds of world strategic balance or the need to keep in focus the various practical steps leading to general and complete disarmament under international control, or on the grounds of the desirability of sincere and *bona fide* general agreement in this field, are not valid or should not be taken into account. On the contrary, I regard them as valid and pertinent factors, but they are not in my view a reason for rejecting the draft convention before us; still less do they prove its ineffectiveness or futility. On the contrary, I believe that as it stands, even if not supplemented by other instruments, texts, or amendments designed to meet the wishes of delegations which have expressed reservations—though we would certainly welcome anything of the sort—once concluded, the convention will have a beneficial effect on the other aspects of the problem of disarmament and the world political situation in general. One definite effect will be to curb considerably the present race to stockpile atomic devices.

142. We need only imagine the universal outburst of rejoicing, the general relief from the feeling of insecurity, and the sudden burgeoning of faith and optimism it would bring in its train, to appreciate the importance and usefulness of the convention.

143. For this reason my delegation will vote in favour of the draft convention on the prohibition of the use of nuclear weapons which the Soviet Union delegation must be given the credit for initiating. We believe that if it is generously supported by the nations of the world this text will be a great step forward along the path to world peace and total disarmament. We also believe that even if it represented only the shadow and not the substance, to use a comparison already made, the shadow is so palpable, since it reflects a fundamental human aspiration, that it foreshadows and illumines the way to the substance itself. This has frequently happened throughout history when people have followed the path marked by their vital and legitimate needs.

144. Finally, the very arguments we have heard here in this debate have strengthened our conviction that large-scale action by international public opinion and by this Assembly is needed if the efforts to achieve peace and disarmament are to be brought to fruition.

145. Mr. SHAW (Australia): Items relating to the prohibition of the use of nuclear weapons are not new in the history of the United Nations. As has been pointed out in the course of this debate, we have considered this question

since the earliest days of the Organization and discussed it under various forms of items on our agenda. This year the delegation of the Union of Soviet Socialist Republics has again proposed, as an important and urgent matter [A/6834], the conclusion of a convention on the prohibition of the use of nuclear weapons.

146. The proposal of the Soviet Union has certain superficial attractions. The idea that we could remove the fears of the use of nuclear weapons by the simple device of signing a convention is a superficially attractive one. The Australian Government, no less than others, is fearful and alarmed because of the build-up of nuclear arsenals and the devastating effect which their use would involve. The Australian Government's policy has always been to do what lay in its power for the attainment of the purposes of the United Nations and, in particular, for peace and stability in the area in which we live. As part of that objective, we have worked for progress towards the achievement of general and complete disarmament under adequate control arrangements. We support agreements on balanced and phased partial measures of disarmament which, in conditions of mutual sincerity and adequate verification, would contribute to the easing of international tension and facilitate agreement on more far-reaching measures of disarmament.

147. But we cannot delude ourselves that our problems would be solved by a simple declaration prohibiting the use of nuclear weapons. The sponsors of this item argue that we should draft a convention to prohibit the use of these weapons and that this act would automatically lead to a relaxation of international tension and thus promote international peace and security.

148. It seems to us that any relaxation of tension which might result from such a process would be illusory so long as vast stockpiles of nuclear weapons continue to be retained in the hands of all the nuclear Powers. Nor can we believe that genuine international peace and security would be advanced through propagating the illusion that the mere prohibition of nuclear weapons would of itself "do away with differences between States which depended on whether they did or did not possess nuclear weapons" [1532nd meeting, para. 24] to quote the words of the first Deputy Foreign Minister of the Soviet Union in his statement last week.

149. In the Secretary-General's report on the effects of the possible use of nuclear weapons, it is recognized that

"... the problem of reversing the trend of a rapidly worsening world situation calls for a basic reappraisal of all interrelated factors. The solution of the problem of ensuring security cannot be found in an increase in the number of States possessing nuclear weapons or, indeed, in the retention of nuclear weapons by the Powers currently possessing them". [A/6858 and Corr.1, para. 91.]

This report goes on to state that

"Security for all countries of the world must be sought through the elimination of all stockpiles of nuclear weapons and the banning of their use by way of general and complete disarmament." [Ibid.]

150. This report, prepared by a group of consultative experts advising the Secretary-General, is further confirma-

tion of our belief that security cannot be sought solely through the banning of the use of nuclear weapons, but that our efforts must be broadly based on measures which would eliminate stockpiles of nuclear weapons, as well as ban their use, in the context of an agreement on general and complete disarmament.

151. We must recognize that the sort of measure that is proposed by the Soviet Union would be unenforceable. Its authority would rest on moral sanctions which, history has shown, are not always the most effective foundation for the security of States. It could not be expected that, on signing the proposed conventions, those Powers with nuclear capability would cease to base their defence policies on this capability. The First Deputy Foreign Minister of the Soviet Union said in this Committee on 20 November that

“... the prohibition of the use of nuclear weapons would dispel the suspicions entertained by some States of the intentions of others with regard to the possible use of nuclear weapons and would help to ease international tension and create a healthier international climate and greater trust between States”. [1532nd meeting, para. 15.]

He went on to say that

“... in conditions of a reciprocal prohibition of nuclear attack, the question of nuclear retaliation to such an attack would also become completely irrelevant” [Ibid., para. 26].

152. Against this statement we must compare another statement made on 5 September 1961 by the then First Secretary of the Communist Party of the Soviet Union and Chairman of the Council of Ministers of the Soviet Union, who said that

“... it would be untimely at present to say that in the event of war atomic weapons would not be employed. Anyone who made such a statement could turn out to be untruthful even though, when making such a pledge, he would be sincere and not be lying. Let us assume both sides were to promise not to employ nuclear weapons, while retaining stockpiles of them. What would happen if the imperialists unleashed war? If either side should in such a war feel it was losing, would it not use nuclear weapons to avoid defeat? It would undoubtedly use its nuclear bombs.”

This is from the speech of the then Chairman of the Council of Ministers of the Soviet Union.

153. We can hardly believe that thinking of this kind ceased to exist with the departure of the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics at that time, and, indeed, it may be that Mr. Krushchev's statement went to the core of the problem. How is it possible to have an effective undertaking not to employ nuclear weapons while retaining extensive stockpiles of these weapons without any enforceable system of safeguards and inspections? Indeed, some members of this Committee must see an inconsistency in the words of countries which both proclaim the need for a simple prohibition of the use of nuclear weapons and, at the same time, develop and deploy increasing numbers of nuclear missiles, and anti-ballistic missile systems and undertake experiments in new methods of delivering payloads from

orbital trajectories. How would it be possible in such circumstances to take comfort in a convention on the prohibition of the use of nuclear weapons?

154. I would remind the Committee of the fact that the history of the last twenty years, and throughout situations of acute crises, has shown that the possession of nuclear weapons by the existing nuclear Powers has not resulted in the use of these weapons in warfare. This nuclear stalemate cannot be regarded as a satisfactory situation—indeed it is a frightening one—but it is a fact that the very destructiveness of the weapons at the disposal of the nuclear Powers, and their realization that nothing that could be gained by the use of these weapons would be worth the cost, has contributed to an uneasy situation of mutual deterrence. Unfortunately, this situation of nuclear stalemate has not led to world peace, as the history of limited warfare since the Second World War will testify. But the disturbances to the world peace which have occurred in this period have by no means been attributable solely to the activities and policies of the nuclear Powers.

155. It is against this background that we must accept that we cannot simply separate the use of nuclear weapons from the use of so-called conventional weapons, which are also capable of causing immense destruction. It is for this reason that the scope of our efforts must embrace conventional as well as nuclear warfare, since efforts directed only at the latter could upset the balance of power and expose some countries to the threat of more powerful neighbours. Such a situation could result in the impairment of the right of self-defence, which is expressly recognized in Article 51 of the Charter of the United Nations.

156. It follows from what I have said that, while we sympathize with the views of those who wish to rid the world of the threat of nuclear weapons, we cannot agree that the proposal which has been submitted for our consideration would help us towards this end. We do not believe that a so-called “political solution” of this question could be separated from the reality that nuclear Powers possess, and are continuing to develop, stockpiles of nuclear weapons, and that many countries are also arming themselves with dangerous quantities of conventional armaments. We believe that the only solution to this problem, slow and difficult though it may be, is to persevere with efforts in the Eighteen-Nation Committee on Disarmament to make progress on measures which would lead to the limitation, reduction and eventual elimination of nuclear weapons in the context of a treaty on general and complete disarmament.

157. The CHAIRMAN: I now call on the representative of the Soviet Union to exercise his right of reply.

158. Mr. MENDELEVICH (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation today feels the need to exercise its right of reply in the literal sense of the word, since the representative of the United States asked some questions, and we should like to answer them right away. It is true that the representative of the United States said that they were rhetorical or almost rhetorical questions, but we think that they are serious and important questions and that they deserve serious answers.

159. These questions can be summarized as follows: if all nuclear Powers signed the convention on the prohibition of

the use of nuclear weapons, would they really believe that these weapons would not be used while there are stockpiles in existence and could they really in such an event do away with their nuclear weapons on the assumption that these weapons would not be used anyway?

160. Such were the questions posed by the representative of the United States. We have answers to them.

161. We are convinced that if the United States, the Soviet Union and other nuclear Powers signed the convention prohibiting the use of nuclear weapons, this would certainly create more confidence in the world and more assurance for the future among nuclear and non-nuclear States. There would be a better chance that nuclear weapons would not be used. Of course, even then one could not unilaterally do away with nuclear weapons immediately after the signing of the convention prohibiting the use of nuclear weapons. That is quite obvious. As long as these weapons are maintained the danger of nuclear war will persist, though we are convinced that if the convention prohibiting the use of nuclear weapons were to be signed this danger would diminish. And, because it was diminished, because there would be more confidence in the world, more favourable conditions would develop for an agreement to be reached on what further steps to take.

162. The convention prohibiting the use of nuclear weapons is one step of a series. After that had been signed

it would obviously become easier to agree on how to proceed further. This was mentioned today by the representative of Yugoslavia, who spoke of moving step by step towards general and complete disarmament.

163. If the convention on the prohibition of the use of nuclear weapons were to be concluded, we are convinced that the world would be the better for it. And we are not the only ones to think that. One delegation after another has said the same thing. Let me quote one statement only. At the 1536th meeting the representative of Madagascar said he was convinced that the prohibition of the use of nuclear weapons would slow down the arms race since States would understand that there would be no point in striving to manufacture and perfect weapons, since their use would be forbidden.

164. Many other delegations also agree that the situation would improve and this is also the belief of the Soviet Union.

165. Of course, it would be a long time before all was really well, but there is no doubt that the conclusion of the convention would improve matters.

166. This is what we wished to say in reply to the questions raised by the representative of the United States.

The meeting rose at 5.35 p.m.