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Chairman: Mr. JAROSZEK (Poland)

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ENGLISH

Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament /48/

General and complete disarmament /49/:

- (a) Report of the Conference of the Committee on Disarmament;
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Strengthening of the role of the United Nations in the field of disarmament: report of the Ad Hoc Committee on the Review of the Role of the United Nations in the Field of Disarmament /50/

Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons /116/

The meeting was called to order at 10.45 a.m.

AGENDA ITEMS 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50
AND 116 (continued)

Mr. SENANAYAKE (Sri Lanka): Mr. Chairman, in spite of those formidable provisions of the rules of procedure I would wish to congratulate you and the Bureau of this Committee on your election. I have no doubt that, in your able hands, the work of this Committee will be accomplished not only with dispatch, but also with success.

The question of disarmament in all its aspects is one of the major subjects discussed by the General Assembly each year. There is no need to justify this, for the very nature of the subject shows, without any need for rhetorical or other embellishment, not only why the question is important, but also why it is one needing the urgent and concentrated attention of the whole international community.

In the course of the debate on this subject in the Committee so far, many speakers have cited specific examples and instances to show how, over the last 30 years, the weapons of destruction created in the name of peace have become more and more terrible. The most devastatingly destructive of these, naturally, are the nuclear weapons. These weapons are today carried not only on the ground, and in ships on the surface of the sea, and in submarines beneath the surface of the sea, and in the air; they are even placed in space, in orbit around the earth, tracking targets and ready to be unleashed if their owner feels the need should arise --- and all this done for the maintenance of a balance of the power of destruction, spuriously called peace.

Nor is it only in the field of nuclear weaponry that such a degree of sophistication has been reached over the last 30 years. In the entire range of conventional weapons, their carriers, and their modes of delivery, developments and improvements have been achieved which have turned the destruction of man and his environment into a precise and meticulous science whose results are as guaranteed and assured as the premises and conditions for setting this destruction into motion are, to say the least, uncertain, subject to malfunction, and prey to the imponderable factor of human error.

(Mr. Senanayake, Sri Lanka)

Nor yet is it only in these two areas that the science of the means of destruction is perfecting itself. Nations today, if they have the means to do it, can use the forces of nature as weapons of war. The weather and climate can be modified as a means of beating a nation to its knees; fields and forests can be destroyed. It seems that man is conquering the locust of nature to replace it with an artificial one of his own creation.

The preparation for war today is total. It has been intensified to a far higher degree and to a far wider extent than ever before in history. It has bent not only science, but also environment and ecology to this end.

If this in itself were not an adequate reason for nations to consider the need for disarmament, there are other factors which make it even more compellingly so.

(Mr. Senanayake, Sri Lanka)

The 1976 Yearbook of the Stockholm International Peace Research Institute has provided some data that make interesting reading. It points out that, at constant 1970 prices, cumulative world military expenditure since the end of World War II amounts to something like \$4,500 billion.

It goes on to make certain comparisons. It states that total world military expenditure is equivalent to the combined gross national product of 65 countries in Latin America and Africa; it is equivalent to total world-wide government expenditures on education; it is about three times as large as government expenditures on health; it is about 15 times as large as the value of all official assistance to developing countries.

Furthermore, over an eight-year period (1968-1975) an estimated \$129 million were spent on improvements to a certain air-to-air missile. Over the same period WHO conducted a major programme to eradicate smallpox in the world which absorbed only about \$83 million.

Here then is the added reason, a stronger and a more powerful one, for the need for disarmament. The world today is one in which the majority of the nations are struggling to provide their people with an existence that is consistent with the dignity of a human being. I am bold enough to venture, Mr. Chairman, that this need is felt not only in those countries which are called developing countries, but in other countries too. Moreover, the vagaries and vicissitudes of economic misfortune may conceivably bring yet other nations slowly to the point where their needs and problems are not very different from those of developing countries. In the midst of all this dire necessity and need, we see, not only vast financial resources, but other kinds of resources as well, and not only material resources, but also scientific and technological capabilities of the highest order being devoted to the end of armaments production. While on the one hand a large segment of the world's population is crying to be given an opportunity to create for themselves an existence consonant with their due as human beings, on the other hand, an enormous potential that could be devoted to this constructive end is being diverted towards piling up newer and more formidable means of destruction in case they need to be used.

Elucidation, debate and discussion are not enough. There is the need to do something. It is in the awareness of this need for action that Sri Lanka has taken certain initiatives in this field.

(Mr. Senanayake, Sri Lanka)

My Prime Minister some years ago, proposed to the General Assembly of the United Nations, the creation of a zone of peace in the Indian Ocean which would free it from great-Power rivalry. It would also eliminate the prospect of armed confrontation and thus, in one part of the world at least, provide a climate of peace in which the nations of the area might develop to the fullest extent of their potential.

Since the proposal was accepted by the twenty-sixth session of the General Assembly in its resolution 2832 (XXVI), the idea has continued to gain support as is evinced by the voting pattern on resolutions on this subject over the last five years. Not only did the number of votes in favour increase from 61 for resolution 2832 (XXVI) at the twenty-sixth session to 106 for resolution 3468 (XXX) at the thirtieth session, but the number of abstentions fell from 55 to 25, and not a single vote was cast against.

As all members of the Committee are doubtless aware, one of the main concerns of the Ad Hoc Committee on the Indian Ocean during the past two years has been the convening of a Conference on the Indian Ocean, for which agreement in principle has emerged among the littoral and hinterland States of the area. Support for such a conference has also come from the non-aligned States who, at their recent Summit in Colombo, while noting that this agreement had been reached, decided to pursue concerted action in co-operation with the Ad Hoc Committee and the littoral and hinterland States towards the convening of such a conference.

However, my delegation would be less than frank if it were to say that it was satisfied with the progress made in advancing our work in this matter. It is with great regret that we note that one of the main reasons for this has been the lack of support on the part of the great Powers and major maritime users who, with notable exceptions, have not yet found it possible to co-operate with the Ad Hoc Committee which was set up by the General Assembly.

It has been made clear on numerous occasions that this zone of peace, far from circumscribing the freedom of navigation on the high seas, would rather ensure the safety of international navigation. It is my hope that the great Powers and major maritime users who have not hitherto co-operated with the Ad Hoc Committee, will find it possible to do so.

(Mr. Senanayake, Sri Lanka)

We can no longer afford the luxury of procrastination. As my Prime Minister, Mrs. Sirimavo Bandaranaike, stated in her opening address to the Non-Aligned Summit Conference in Colombo, the implementation of the peace zone declaration has today assumed a new urgency. The Non-Aligned Conference itself expressed its concern that as a result of recent developments, the Indian Ocean area could become the focus of great Power rivalry in Asia. Such a development would lead to tension and conflict in the Indian Ocean through growing great-Power competition for naval superiority in the area. In these circumstances it is imperative that the Indian Ocean peace zone proposal be implemented with the least possible delay as a contribution to international peace and security.

In a few years' time the Disarmament Decade will come to an end. While significant bilateral initiatives have been taken, and efforts made, with some progress, it is a sad reflection that, so far, moves towards achieving a significant level of general and complete disarmament on a global scale have not yet met with any success.

(Mr. Senanayake, Sri Lanka)

I will not recount the history of this question, nor even endeavour to tabulate its progress from the Declaration at the twenty-fifth session of the General Assembly in 1970, since the background is well known to all here. Suffice it to say that over the years we have had three important bodies set up by the General Assembly at various times which have concerned themselves with the various aspects of this question. These are the Conference of the Committee on Disarmament, the Ad Hoc Committee on the World Disarmament Conference, and the Ad Hoc Committee on the Review of the Role of the United Nations in the Field of Disarmament. The Secretariat is also being strengthened in its work in this field.

These bodies have, within the framework of the mandates given them, and to the fullest extent to which it has been possible, done good work. However, significant progress towards general and complete disarmament continues to elude us still. For instance, the report of the Ad Hoc Committee on the World Disarmament Conference (A/31/28), which was so ably introduced some days ago by the distinguished Ambassador of Iran, states in paragraph 37, and I quote:

"No consensus with respect to the convening of a World Disarmament Conference under present conditions has yet been reached among the nuclear-weapon States, whose participation in a World Disarmament Conference has been deemed essential by most Members of the Organization."

It is the belief of my delegation that a global reduction of tensions based on the active participation of all nations is the surest guarantee of world peace and security. In this process general and complete disarmament plays a key role.

My Prime Minister, Mrs. Sirimavo Bandaranaike, said, addressing the General Assembly on 30 September, and I quote:

"The non-aligned nations, which have consistently rejected the notion that world conflict is inevitable, have no stake in war. On the other hand, they do not accept the thesis that disarmament is the special preserve of Powers that possess the paraphernalia of war. Every nation and every individual has a right to peace, and just as peace is indivisible so is the responsibility for its preservation. Hence the call of the non-aligned nations for a special session of the General Assembly devoted to disarmament and agreement for a world conference." (A/31/PV.11, p. 13)

(Mr. Senanayake, Sri Lanka)

It is in this setting and in the light of the imperatives I have outlined in my preliminary remarks, that my delegation supports the call for a special session of the General Assembly on disarmament. It is the view of my delegation that such a special session will be able to give this question, with all its ramifications and complexities, the kind of concentrated attention it needs which could lead to the achievement of positive results. To make such a session successful, it is necessary that the ground be adequately prepared so that the session will have before it all material relevant to the various aspects of the question as will ensure the kind of consideration that will bring us closer to our common goal.

It is expected that a preparatory committee will be set up to prepare for this session. It is also hoped that the existing bodies including, naturally, the Secretariat of the United Nations, which deal variously with the question of disarmament in pursuance of the appropriate resolutions of the General Assembly, will continue the work they have hitherto done, and in a heightened manner, so that the prospects for achievement by a special session will not be affected by insufficient preparation.

Thirty-two countries have co-sponsored a draft resolution which has been distributed today (A/C.1/31/L.7) on the convening of a special session and it is the expectation of my delegation that it will receive wide support.

If we, Mr. Chairman, lay stress on progress in the field of general and complete disarmament, it is because we see that the vast human and material resources now being directed to the perfection of the means of destruction of man and his environment, can be devoted rather to their betterment. The latter way is a surer way to the consolidation and maintenance of peace. Unfortunately we do not yet appear to have realized this. As the Prime Minister of Sri Lanka said in her statement to the General Assembly, and I quote:

"It is, indeed, a sad reflection on the moral and intellectual standards of the twentieth century and of its values and priorities that so much of the world's resources, which might have been devoted to the eradication of poverty, ignorance, disease, and hunger, are being committed instead to the production of monstrous weapons which, we are earnestly assured from time to time, are never to be used in aggression. If all these weapons, on all sides, are defensive, where are the aggressors?"

(A/31/PV.11, p. 13)

Mr. KOOIJMANS (Netherlands): It has never been easy to be optimistic in disarmament affairs. In the years since the Second World War few problems in international affairs have been the subject of such lengthy consideration by scholars, diplomats and scientists from all over the world as the dangers of the on-going arms race. The rate of progress in disarmament negotiations seems to be inversely proportionate to the amount of words and documents spent on them. This lack of progress seems to have created a feeling of apathy and helplessness among the peoples of the world.

I certainly do not wish to deny that there have been accomplishments during these years. After all, there is the Partial Test Ban Treaty of 1963, the Treaty of Tlatelolco of 1967, the Non-Proliferation Treaty of 1968, the Sea-Bed Treaty of 1971 and the Convention on the Prohibition of Biological Weapons of 1972. At the same time we have to recognize the indisputable fact that the effect of these treaties on halting, or even slowing down, the continuing build-up of destructive arms has been negligible. The list of what has not been achieved remains far longer than the list of what has been achieved.

Nevertheless it can be said that the year 1976 presents a slightly less gloomy picture than its immediate predecessors.

(Mr. Kooijmans, Netherlands)

The Conference of the Committee on Disarmament completed its negotiations on a convention prohibiting the use of environmental modification techniques for hostile purposes. Another measure which could be categorized as an arms control accomplishment is the bilateral treaty between the United States and the Soviet Union on underground nuclear explosions for peaceful purposes, based on the threshold test ban treaty, and signed on 28 May this year. I must confess, however, that I feel no great satisfaction with the substance of either of these achievements.

The real problems of disarmament and arms control, such as implementation of the Vladivostok accords through limitation, and subsequent reduction, of the numbers of strategic nuclear weapons possessed by the two major nuclear Powers, conclusion of a comprehensive test ban agreement, prohibition of the production and stockpiling of chemical weapons -- to mention just a few questions -- remain largely unresolved. On the contrary, the massive build-up of ever more destructive and sophisticated weaponry continues unabated. We thus face the tragic paradox that the nations of the world, in the pursuit of their national security, take actions which result in fact in more insecurity, both for individual nations and for the world as a whole.

Certainly the most pressing challenge confronting the international community is to strengthen the régime against the proliferation of nuclear weapons and -- I emphasize -- against the spread of other nuclear explosive devices. We cannot over-estimate the value of the Non-Proliferation Treaty of 1968 and its attached safeguards system, operated by the International Atomic Energy Agency (IAEA). Although this Treaty is now accepted by 100 nations, several States have decided, for various reasons, not to accede to it. This does not necessarily mean that these States deliberately wish to keep the nuclear weapons option open. Yet the course of events in international life is often unpredictable. The dangers attached to the further spread of nuclear weapons -- not to speak of the catastrophic consequences which an actual atomic war would have -- are too great to gamble with. Additional measures are clearly needed.

My Government will therefore study with keen interest the recent statement by the United States on curbing the spread of certain nuclear materials and technologies. In that statement several interesting ideas were put forward for

(Mr. Kooijmans, Netherlands)

building an inherently safer nuclear fuel cycle, one that cannot easily be misused for the fabrication of nuclear weapons or other nuclear explosive devices, and which at the same time does not hamper the use of nuclear energy for peaceful purposes.

In my view a most important aspect of the United States statement is that it asks for a dialogue between nuclear supplier and recipient States. Indeed, only with a real dialogue between all countries concerned can one expect broad acceptance of the technical measures which have to be taken to prevent the further proliferation of nuclear explosive capability. My country will be active in stimulating such a dialogue in appropriate forums.

I must add, however, that in the view of my Government one of the greatest contributions to the success of non-proliferation policy would be the curbing of vertical proliferation. I feel obliged, therefore, to urge the nuclear Powers, parties to the Non-Proliferation Treaty (NPT), to take their commitments seriously. My delegation does not underestimate the complexities involved, but I fervently hope that the second part of the Strategic Arms Limitation Talks (SALT II) will gain a new momentum and lead to speedy results, enabling the parties to enter into negotiations which would lead, for the first time in history, to significant reductions in nuclear arsenals.

Let me now turn to arms control and disarmament issues dealt with in the CCD.

In the first place, I should like to note that the sessions of the CCD this year were characterized by more specific discussions than in previous years. At the insistence, among others, of my country, informal meetings were held on several issues. The establishment of a working group of the whole, which conducted intensive negotiations on the draft convention on the prohibition of environmental warfare, was a notable success.

These recent developments indicate that the CCD is able to improve its effectiveness in dealing with complex issues. The CCD will again discuss its procedures next spring. We should, however, keep in mind that successful negotiations will depend primarily on the will to reach agreement. If there is enough common basis on a specific issue, new procedures will, if need be, automatically evolve, as was the case this year for environmental warfare.

(Mr. Kooijmans, Netherlands)

Four years after the CCD last reached agreement on a draft convention relating to arms control and disarmament, a new result has been submitted to the General Assembly for endorsement. The draft convention on the prohibition of military or any other hostile use of environmental modification techniques is the result of intensive negotiations in the CCD. In those negotiations my country participated actively. We consider the draft convention before us a considerable improvement on the one submitted in August 1975 by the United States and the Soviet Union. Although we should have preferred a convention of a more comprehensive nature, the present draft is certainly acceptable to my Government as a compromise which takes into account the views of most CCD members.

I should like to make a few additional remarks, in particular with respect to the scope of the convention and to its complaints procedure.

At the start of the negotiations the Netherlands Government was rather doubtful about the restriction of the prohibition to only those activities which had "widespread, long-lasting or severe" effects. We thought that a comprehensive ban would be a more meaningful measure from a disarmament point of view. We also thought that the criteria "widespread, long-lasting or severe" would lead to all kinds of interpretation problems. We gave expression to our doubts in the CCD, before the co-sponsors clarified the meaning of these words. These clarifications are now contained in the "agreed understandings", which form a valuable tool in assessing the meaning of the convention. After careful consideration of these "understandings", my Government came to the conclusion that it could accept the so-called "threshold" approach. Indeed, there seem to be only very limited possibilities for hostile uses of environmental modification techniques without surpassing the threshold. We furthermore attach considerable importance to that part of the agreed understandings in which it is explicitly stated that hostile activities mentioned in the illustrative list would result, or could reasonably be expected to result, in widespread, long-lasting or severe destruction, damage or injury, and are therefore always prohibited by the convention.

The draft convention thus prohibits, in our view, nearly all potentially hostile activities in this field. After listening to the statement by the distinguished Foreign Minister of Mexico, my delegation has a strong feeling that a misunderstanding exists on the meaning of the convention in this respect.

(Mr. Kooijmans, Netherlands)

During the spring session of the CCD the Netherlands delegation expressed its fundamental misgivings on the complaints procedure envisaged in the original draft. We suggested an intermediate fact-finding procedure before a State would lodge a complaint with the Security Council when it suspects that the convention is being violated. During the summer session, Sweden and the Netherlands, supported by others, proposed amendments providing inter alia for a consultative commission of about 15 States party to the convention. The task of this committee would be to consider complaints and to act as a kind of steering committee for expert fact-finding. In further negotiations a somewhat different solution was found, contained in article V of the draft convention and in its annex. We consider the proposed solution suitable for this convention, but not necessarily for other future measures in the field of arms control and disarmament.

I would also like to touch upon the question of the peaceful uses of environmental modification techniques which could affect other countries. Although article III is rather short, the extremely lengthy and difficult negotiations on this issue indicated the concern that many countries feel about the potential dangers of peaceful environmental modification (ENMOD) activities, dangers which are perhaps more acute than the hostile uses of such techniques. The members of the CCD recognized that the question of peaceful uses of ENMOD techniques which could affect other countries should not be regulated in the context of arms control negotiations. I do think, however, that the need for international regulation in this field, bilateral, regional and worldwide, has been amply demonstrated by the CCD discussions. We would regard the United Nations Environment Programme (UNEP) an appropriate forum to consider this issue.

I hope that the draft convention on the prohibition of the use of environmental modification techniques for hostile purposes will be recommended to Member States for ratification by this session of the General Assembly. Nothing could really be gained by sending the convention back to the CCD for further consideration. On the contrary, further discussions would take up a lot of time which could be spent on more important questions -- such as the test ban and the chemical weapons problem -- and the result would probably be about the same. The convention is a compromise between a great majority of the CCD members, including

(Mr. Kooijmans, Netherlands)

practically all the militarily important ones and many third world countries. Moreover, it is stated in the convention that during the review conference particular attention will be paid to the scope of the convention. In view of these considerations, my country became a co-sponsor of resolution L.5 to recommend the convention for ratification now. It certainly is a hopeful step forward in curbing potential dangers.

My Government regrets that only very limited progress could be made on two far more important items on the CCD agenda, viz., the chemical weapons question and a comprehensive test ban. However, as to the first item potential prospects are offered by two recent developments. On the basis of previous proposals of other countries and of a United States statement in the CCD spring session, the United Kingdom introduced a draft convention on chemical disarmament, providing for a ban on the production of all lethal chemical weapons and for a phased destruction of present stockpiles. In the same period bilateral talks between the United States and the Soviet Union on their announced joint initiative started. These recent developments demonstrate that the time has come for fruitful discussions on this issue. Although my Government is of the opinion that our final goal must be a comprehensive ban on all chemical weapons, including non-lethal agents, we fully recognize the complexities of the two most crucial problems involved, viz., defining the agents to be banned and devising adequate verification procedures. We, therefore, can support the approach whereby, as a first step, negotiations be directed towards reaching early agreement on a ban on all lethal chemical weapons. My Government intends to participate actively in the forthcoming discussions. We are in favour of international co-operation with regard to protection measures against chemical warfare.

In reaching a comprehensive nuclear weapons test ban (CTB), the second major issue on the CCD agenda, the Committee made hardly any progress this year. As I repeatedly stated on earlier occasions, my Government does not regard the participation of all nuclear weapon Powers as a necessary precondition for the entering into force of a CTB. Neither do we believe that the verification issue needs to be a problem, once a solution is found for the peaceful nuclear explosion (PNE) question under CTB. Last May the United States and the Soviet Union, after

(Mr. Kooijmans, Netherlands)

lengthy and complicated negotiations, succeeded in concluding a treaty on peaceful nuclear explosions, based on the threshold test ban treaty of 1974 banning underground nuclear weapons tests above 150 kilotons. The PNE-agreement provides for detailed verification arrangements, including the possibility of access to explosion sites. Both treaties establish a limit of explosive power of 150 kilotons. Apparently, the parties were unable to make a technical distinction between explosions for peaceful purposes and explosions for weapons development. The PNE-agreement has, therefore, not given us a clue how to solve the problem of conducting PNEs under a CTB. It has, however, other interesting features, such as certain verification provisions which could be of importance for future arms control and disarmament agreements.

The question of verification of a CTB was also touched upon in a recent memorandum by the Soviet Union in which the opinion was expressed that the problem of verification has been artificially inflated for quite some time now. In addition, however, the memorandum stated the Soviet Union's willingness to find a compromise on the question of on-site inspection. We welcome this sign of flexibility, and I hope that progress can now be achieved in the CCD.

I confirm our strong support for the work of the ad hoc group of scientific experts to consider international co-operative measures to detect and identify seismic events, which was established this year under the auspices of the CCD. We noted with pleasure the statement by the distinguished delegate of Czechoslovakia last week, in which he gave recognition to the work done in this field. We regret, however, that certain areas of the world are not represented in the seismic group. From a scientific point of view this is a pity. I hope that in particular those countries which maintain that seismic verification measures are adequate for the moment in the context of a CTB will participate in the seismic ad hoc group.

Speaking about the CTB, I also wish to make a few observations on the problem of nuclear explosions for peaceful purposes. As the members of this Committee may remember, my Government took a keen interest in this question in recent years. My delegation actively participated in the negotiations during last year's General Assembly which resulted in General Assembly resolution 3484 A (XXX). The report of the ad hoc group of governmental experts, which under the auspices of the

(Mr. Kooijmans, Netherlands)

International Atomic Energy Agency is examining the aspects of peaceful nuclear explosions, is due to be ready next year. In addition, there is the treaty between the United States and the Soviet Union on peaceful nuclear explosions which I just mentioned, and the negotiating experience of these two nations. Therefore, a considerable amount of recent information is available which needs to be carefully examined. I would expect that the CCD could have a fruitful debate during next year's sessions on the PNE question under test ban conditions.

(Mr. Kooijmans, Netherlands)

Coming now to a new item on the CCD agenda --- the Soviet proposal to prohibit the development of new types of weapons of mass destruction and new systems of such weapons --- I should like to underline that the idea behind this proposal is a good one. However, I doubt whether the approach chosen --- i.e., a convention encompassing all new types of weapons one can think of, or even only dream of --- will contribute to a realistic solution of this problem. Until now, arms control and disarmament measures have been directed to specific types of weapons. Each category of weapons has its own characteristics, forms a specific risk and must be verified in a specific way. It seems impractical to try to cover many different types of weapons in one single convention.

Furthermore, at the moment I do not see a particular category of realistically possible new weapons of mass destruction. Several of the examples given until now are already covered by existing treaties or are the subject of ongoing negotiations. Of other examples, their potential as a weapon of mass destruction has not been demonstrated convincingly. Although the question raised by the Soviet Union certainly deserves our attention, it seems more rewarding to devote our energy to more practical measures we can negotiate in CCD. Chemical disarmament and measures to stop nuclear testing and promote nuclear disarmament should have the highest priority, and all efforts should be directed towards reaching these goals.

Last year, I expressed the hope that in 1976 substantial progress could be made with respect to internationally accepted prohibitions or restrictions on the use of certain conventional weapons.

A number of proposals were introduced by a number of countries, mostly Western and non-aligned, at the Conference of Government Experts in Lugano and in the Ad Hoc Committee of the third session of the Diplomatic Conference on the Reaffirmation of Humanitarian Law in Armed Conflicts. The Netherlands delegations to these conferences took an active part in the discussions and, together with other countries, proposed measures on the use of land mines and other devices and on the use of incendiary weapons. Much to my regret and against my expectations, it did not prove possible to reach agreement on any of the proposals under discussion.

(Mr. Kooijmans, Netherlands)

It is my firm belief that States have a duty to demonstrate that considerations of military expedience can be subordinated to humanitarian concerns. My Government hopes that it will still be possible to come to meaningful results in the near future. In my view, early agreement can be reached on the proposal to prohibit the use of weapons that injure by fragments which in the human body escape detection by X-rays. There is a growing consensus on the necessity of regulating the use of mines, and booby-traps. With respect to incendiary weapons, the situation is more complex. Agreement on this issue will in large measure depend on the willingness of States to reach a compromise.

I have taken note with interest of current efforts to set up tests for determining the effects of small-calibre ammunitions in a standardized way. The establishment of standard testing procedures could certainly give us a valuable tool for assessing new developments. In this connexion, I wish to point out that the examination of conventional weapons from the point of view of humanitarian law has to be a continuing process. Every year, huge sums are being spent on research and development in the field of weaponry. We must expect that many new types of weapons will become available in the future. International law stipulates that each country has a duty to determine whether new weapons are consistent with humanitarian principles. Several countries, such as Canada, Sweden and the United States, have adopted internal procedures for taking humanitarian aspects into account when deciding on the acquisition or development of new weapons and weapons systems.

In my country, the Minister of Defence set up this year a high-level advisory committee on conventional weapons, on which are represented the joint chiefs of staff, the military procurement office, the medical service, the legal service and the general policy and arms control branch. This committee has the task of advising the Minister in order to ensure that his decisions with regard to the procurement and the planned use of conventional weapons and ammunition are consistent with and take account of existing and future norms of international law applicable in armed conflicts. The committee is entitled to ask the advice of others and to have studies carried out by appropriate institutions. It would be interesting to learn from delegations here whether other countries have taken similar steps. For humanitarian reasons, it seems highly desirable that all countries should adopt equivalent procedures.

(Mr. Kooijmans, Netherlands)

National procedures will, however, not suffice. I submit that there will remain a need for international procedures through which new developments in conventional weaponry can be tested on criteria of humanitarian law and through which, if necessary, appropriate measures can be negotiated. I should like to repeat here a suggestion made by my country at the Diplomatic Conference on Humanitarian Law in Geneva, for the purpose of assisting both States in their national consideration of the humanitarian aspects of weapons and possible international conferences to be held on this question. We suggested there that some sort of special institute would be set up which would collect data on the actual and possible effects of certain types of conventional weapons. It should be borne in mind that many data on the battlefield effects of certain weapons are at present not readily accessible, for instance because the medical personnel involved did not have time to gather and register these data on a systematic basis. The suggested institute could also organize conferences to prepare common rules in this field.

Many possibilities with respect to the status and structure of such an institute are conceivable. It could be connected with the International Committee of the Red Cross, or with the World Health Organization, or with the Secretariat of the United Nations. It could also be an independent institute situated in a neutral State. Undoubtedly other forms of co-ordination can be thought of for the same purpose. The essential thing is to organize in some way future international co-operation in the examination of conventional weapon developments from humanitarian points of view.

At the thirtieth session of the General Assembly, the Swedish delegation took the initiative for a review of the role of the United Nations in the disarmament field, to be carried out by an open-ended ad hoc committee. My Government has taken a positive stand towards this initiative from the beginning, although realizing that the solution of really important disarmament problems would depend more on the attitude of the main military Powers than on increased procedural efficiency in the ongoing disarmament negotiations. Under the able chairmanship of Mrs. Thorsson, the Ad Hoc Committee managed to conclude its task within the time-limit set by resolution 3484 B (XXX) and was able to agree by consensus on a set of recommendations.

(Mr. Kooijman, Netherlands)

Although a number of countries did not participate in the work of the Ad Hoc Committee, I hope that its report will be endorsed and approved by the General Assembly. As regards the effects of the recommendations, one cannot expect that political obstacles which for several years have prevented the realization of various disarmament agreements will vanish as a result of procedural reforms. What can be expected realistically is a development towards a strengthened role for the United Nations in disarmament matters, possibly a more effective functioning of United Nations disarmament negotiating bodies and the availability of more information about the disarmament situation. In my view, those effects, modest as they may be, can still prove to be of importance in the long run.

(Mr. Kooijmans, Netherlands)

Although the financial consequences of the proposed measures are still under consideration, we should not forget, before raising objections, that the costs involved are totally insignificant compared to the astronomic amounts of money spent on arms and arms developments.

Apart from the recommendations of the Ad Hoc Committee the position of the United Nations in relation to disarmament matters could possibly be strengthened by the convening of a special session of the United Nations General Assembly on disarmament, a proposal endorsed by the Conference of Non-Aligned Countries in Colombo. In the introduction to his report on the work of the Organization, the Secretary-General indicated that the United Nations may well be able to play a major role in generating a new approach to the disarmament problem, and that the convening of a special session on disarmament could offer such a new approach.

My Government, in principle, favours the idea of a special session on disarmament, which could create a new impetus for disarmament negotiations. I should like to emphasize that the outcome of a special session on disarmament will to a large extent depend on a well-organized and successful preparatory stage and on the participation of all major military Powers. A special session without positive results could create a situation in which the solution of many pressing problems might be even more difficult than under present circumstances.

If a decision should be taken on the convening of a special session on disarmament, to be held in 1970, we shall have ample time for thorough preparations. The recent Conference of Non-Aligned Countries suggested that the agenda of a special session would include inter alia, the promotion and elaboration of a programme of priorities and recommendations in the field of disarmament. The history of disarmament negotiations has shown that in order to reach concrete results, it is often better to be modest and to concentrate on the step-by-step approach and on specific subjects. However, if a situation arose in which it would be possible to give new impetus to the disarmament debate by concrete binding political commitments, then my Government would whole-heartedly support more ambitious schemes or strategies for the implementation of general and complete disarmament.

(Mr. Kooijmans, Netherlands)

As we know, the Ad Hoc Committee on the World Disarmament Conference in its last report could not report any progress on the question of convening such a conference. I would suggest that under these circumstances the activities of this Committee be suspended.

I should like to recall that in his statement before the General Assembly the Netherlands Minister for Foreign Affairs went into the problem of restraining the export of conventional arms. He called for international measures to regulate and control the international arms trade and wished to give priority to this problem when a special session of the General Assembly on disarmament was convened.

Several delegations during this debate have already commented on the question of the international conventional arms trade and expressed their concern about present developments. In my view it is important that this Committee should start thinking about ways and means in which international action on this issue could be initiated. In this connexion a suggestion was made by the distinguished delegate of Japan for a study on the current state of arms transfers with a view to the exercise of self-restraint by the States concerned in the export and acquisition of conventional arms. I should like to support this suggestion, without excluding at this time other possible approaches.

The study undertaken during the last year by the Group of Experts, in conformity with resolution 3463 (XXX), represents a further step towards the realization of the possibilities of the reduction of military budgets as a complementary disarmament measure.

Although much remains to be done, especially in the field of verification, my delegation was impressed by the thoroughness and seriousness of the present report of the Group of Experts. With regard to the recommendation on testing the validity of the international reporting system, I am glad to announce my Government's willingness to take part in the operational development of this system.

Last year I said in this Committee that as a result of technological revolutions now in progress some basic traditional concepts of international politics may well become obsolete. I think this was a rather euphemistic way of

(Mr. Kooijmans, Netherlands)

expressing myself. An unquestionable effect of technological change since the beginning of the industrial revolution has been to increase the potential destructiveness of warfare which, with the advent of nuclear weapons, has reached dimensions that are beyond all human comprehension. Men once took it for granted that human nature made war inevitable. But I think that we can no longer afford to indulge in such fatalism. There is also the other, better, half of human nature which is that human beings are endowed with the power of reason. I therefore wish to reiterate my firm conviction, also expressed last year, that disarmament and arms control should be an integral part of rational politics for any nation. A commitment to the cause of arms control is simply a commitment to the cause of reason which is, in our era, nothing less than the cause of the survival of mankind.

Mr. MUNDELEER (Belgium) (interpretation from French): Mr. Chairman, like previous speakers I should like to convey the sincere congratulations of the Belgian authorities to you on your election to the chairmanship of this Committee. Not only have we known your personal qualities for many years, but you represent a country with which Belgium has very cordial relations and this is a twofold reason for our gratification. Since the beginning of our work here you have demonstrated great mastery of your functions and I am therefore particularly pleased to be able to assure you of the whole-hearted co-operation of the Belgian delegation in the performance of your task.

We should like to confine ourselves in this statement to some general reflections and concentrate on the main subjects of our debate. We shall therefore deal in turn with the general state of work and negotiations on the subject of disarmament, the institutional framework within which this work and these negotiations are going on.

(Mr. Mundeeler, Belgium)

We shall then mention two of the most important objectives set by the international community on non-proliferation of nuclear arms and the cessation of nuclear tests. And finally, we shall comment very briefly on the initiative envisaged by Belgium with a view to examining the regional aspects of disarmament.

In his statement on 29 September last in the General Assembly, the Belgian Foreign Minister devoted a large portion of his speech to the problems of disarmament and regulation of arms. He was thus offering the testimony of a country which, because of its geographical situation, has, in the course of its history, often been the scene of international conflict. Belgium has always been somewhat painfully aware of the risks involved in the difficulties of harmonizing relations among States. If distrust and fear which are too often characteristics of these relations are not overcome in time, they may yet plunge the peoples of the world into war.

It was thus an expression of dissatisfaction and concern that the Belgian Foreign Minister wanted to convey to the Assembly. It is not that Belgium wishes to shut its eyes to the positive developments in international life, whether it be the signing of a treaty, a conference with encouraging results, reduction of tension in a given area or the improvement of relations between States or groups of States. On the contrary, our country is naturally delighted at any development which would be favourable in international relations.

But the note of concern struck by the Belgian Foreign Minister was dictated by the analysis of a whole set of disturbing factors in the field of the arms race and in the field of working negotiations on disarmament and the regulation of armaments.

Belgium particularly deplores the situation because the positive events which have just been mentioned more often than not tend to create favourable political conditions which should make it possible if not to eliminate, at least to reduce, the scope of these disturbing factors, the most important of which I should like to say something about.

First and foremost, I place the development, unprecedented in the history of the world, of military arsenals both nuclear and conventional. This phenomenon is particularly disturbing because in time it coincides with the standstill in

(Mr. Mundeleer, Belgium)

international work on disarmament. This standstill is in large measure explained by the absence of any dialogue between the primary military Powers, particularly the nuclear Powers, and this lack of dialogue is no doubt the cause, maybe even the consequence, of an unsatisfactory institutional situation for work and negotiation. And these difficulties are to be explained particularly by the over-doctrinaire stands taken by many Governments on the subjects debated and priorities in measures to be taken. These attitudes inevitably engender a climate of distrust and suspicion about efforts, from whatever source, to bring about disarmament. In this climate of distrust, States are most often hesitant as to the best way of ensuring their own security and sometimes also doubt whether it could really be strengthened by arms regulation agreements. Thus the agreements concluded, limited in terms of participation as well as substance, do not always win the general approval of the international community. The implementation of these agreements -- and this is particularly the case with the Non-Proliferation Treaty -- thus becomes a subject of controversy and uncertainty which could endanger the very existence of the agreement. All these difficulties lead, in the work on disarmament, to what one might describe as an inversion of priorities, both with regard to institutions and with regard to the substance of the subject-matter. On the one hand, we have proposals for creating new machinery, in the hope that certain obstacles will be overcome; on the other hand, the orientation of negotiations towards errors which no longer directly affect existing armaments.

Without wishing to go into detail about all these different factors, it does seem to me that certain general considerations are worth mentioning, if we really want to consider the possibilities for the international community of exercising more effective control over a situation which is becoming ever more unsatisfactory and disturbing.

In this regard, Belgium believes that the General Assembly has a part to play in the reorientation of efforts.

Thus, our country supported last year the creation of the Ad Hoc Committee on the Review of the Role of the United Nations in the Field of Disarmament and participated actively in the work of this Committee.

(Mr. Mundeleer, Belgium)

But this Committee's recommendations which it submitted to this session of the Assembly are, we must admit, particularly modest and well below what a number of delegations had hoped for. This rather disappointing result is due particularly to the fact that some of the disturbing factors I just mentioned affected the deliberations of the Committee throughout its work. But initiatives have just been taken which may make it possible to consider some new developments within this context. I would mention the proposal made in Colombo by the non-aligned countries to hold a special session of the General Assembly on disarmament, a proposal which Belgium has greeted with some interest. The principle of the special session having been conceded, it still remains for our Governments to ensure its success. This presupposes proper preparation and adequately pursued consultations. The participation of all nuclear Powers which we would logically expect is already a reason to hope for fruitful results from this Assembly. The preparations and previous consultations should carry with them the conviction that this special session will not degenerate into sterile controversy and fruitless confrontation. Nothing, in fact, could be worse for the prevailing atmosphere in international relations, than that such an important Assembly were to end in a stalemate. The immediate consequence would be an arms race which would proceed at an even greater pace and remove us ever further from the prospects of negotiation.

Furthermore, Belgium has always stated, ever since the proposal was made, that in principle it was in favour of a world disarmament conference if certain conditions were met, particularly, above all, if it were certain that all the major military Powers, and particularly the nuclear Powers, were to participate. The work of the Conference of the Committee on Disarmament in Geneva is really suffering from the fact that only three of the five nuclear Powers are taking part in its work. We should not prolong this institutional cleavage in other bodies; if we did, it would make dialogue even more remote, the dialogue we hope for between the nuclear Powers on security and disarmament.

Following the special session of the Assembly, we should have a better idea of whether the conditions for success of a world conference could be met. A meeting at that time of the Ad Hoc Committee of the World Disarmament Conference might then resume the debate on the convening of the world conference.

(Mr. Mundeleer, Belgium)

Before leaving the area of institutions, the Belgian delegation would like to make a brief comment on the subject of the future of the Conference of the Committee on Disarmament. Although it has never been a member of the Geneva Committee, Belgium has always followed its work with particular attention and has always taken pleasure in the concrete results obtained and results which may still be obtained. The CCD is a negotiating body which the international community must have available to it if it really wants to set up at the world level treaties on disarmament and the regulation of armaments. In spite of hard work and sustained effort on the parts of many Governments, the CCD has had some difficulty in working out new prohibitive measures which would relate to existing arms. These difficulties will persist and will even get worse, as long as all the nuclear Powers do not meet around the negotiating table. Efforts must be made to put an end to this unsatisfactory situation. The countries primarily concerned should all display some flexibility in the search for a solution which would make it possible to give the world community a negotiating body which would respond better to the prevailing conditions of international life and which would make possible to hope for effective prohibition measures in the field of disarmament, including both chemical and conventional arms.

(Mr. Mundeeler, Belgium)

In less than four years, the second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons is to be held at Geneva. The meeting will be an important one, judging from the intensity of the debate now going on about the peaceful use of nuclear energy and the risks of the proliferation of nuclear arms to which this use is liable to lead.

For countries like Belgium which have acceded to the Non-Proliferation Treaty, when their industry had, from the very outset, been actively engaged in civilian nuclear activities, this debate is of vital importance. The contribution of nuclear energy to the development of the international community is becoming better understood each day.

What is important is to strengthen the system of safeguards for transactions involving nuclear and fissile material. Thus, Belgium recently proposed to the Twentieth General Conference of the International Atomic Energy Agency (IAEA) that the acquiring State, whether or not it be a party to the Non-Proliferation Treaty, should be invited by the supplying State to place the entire nuclear fuel cycle under the control of the Agency.

Belgium has, furthermore, participated in the various efforts undertaken in recent years to limit distortions produced by competition and risks of proliferation. However, these efforts will only be effective if they safeguard the economic and technical interests of States, both importing and exporting.

Belgium remains committed to the objective of horizontal non-proliferation of nuclear weapons. The increase in the number of nuclear-weapon States will only serve to further endanger international security. The important thing in the immediate future is for the nuclear Powers to discharge the special responsibilities which they have towards the international community because of the overwhelming monopoly which they enjoy in this area.

To quote from the statement by the Belgian Minister for Foreign Affairs to the Assembly:

"The nuclear States parties to the Non-Proliferation Treaty should make a particular point of working out provisions relating to free access to nuclear technology. The voluntary subordination of civilian activities to the control of IAEA would be further proof of goodwill on the part of the nuclear States parties to the Treaty. So far, only two of the three nuclear States have decided to do this. The nuclear States should also commit

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themselves further to bring about the objective laid down in article VI, namely, nuclear disarmament." (A/31/PV.10, p. 12)

Beyond the Non-Proliferation Treaty, the responsibility of the nuclear States as a whole remains of the greatest possible importance. In this context, Belgium together with very many States in the international community, remains devoted to the objective of the total cessation of nuclear tests. The Moscow Treaty of 1963 constituted an important collateral measure which undoubtedly has saved humanity from accidents due to radio-active fall-out. It is regrettable that the various nuclear States have not acted in a way which is in keeping with the spirit, if not the letter, of the Treaty.

With regard to underground tests, the Threshold Treaty between the United States and the USSR, which is about to enter into force, constitutes a further stage in a particularly slow and difficult negotiation process. While the ultimate objective remains the halting, everywhere and by all, of nuclear tests, the Moscow Treaty and the Threshold Treaty have proved that it is not absolutely essential for all nuclear States to be present at the negotiating table for results to be achieved in this field.

Recent statements made at this very rostrum have suggested to us that the continuation of talks between the major nuclear Powers might lead to satisfactory arrangements for the verification of an agreement which would be more ambitious than the 1974 agreement. I hope our interpretation is not belied by the facts.

We would not like to leave the subject of nuclear disarmament without recalling the appeal to all nuclear Powers made on 29 September by the Belgian Minister for Foreign Affairs:

"I should like to call on all the nuclear States to turn their back on ideological quarrels and to display a higher degree of pragmatism and mutual understanding and to undertake this work of negotiation, which alone will make it possible to make disarmament a reality." (A/31/PV.10, pp. 13-15)

Before concluding, it seems appropriate for me to give the Committee some explanation of the passage relating to regional disarmament which appears in the speech of the Belgian Minister for Foreign Affairs to the Assembly, where Mr. van Elslande referred to a possible initiative on the part of Belgium.

(Mr. Mundeleer, Belgium)

The Belgian authorities believe that, apart from work and negotiations of a universal nature, the regional approach offers disarmament possibilities which perhaps have not yet been sufficiently explored. However, security requirements are perhaps sometimes more easily perceived between States from the same region. The elements for negotiation in these cases can sometimes be more rapidly identified, whether it be a matter of stabilizing or reducing forces, nuclear-weapon-free zones, the arms trade, or any other measure liable to increase confidence among States in a given region.

Perhaps the General Assembly in the past, apart from the problem of nuclear-weapon-free zones, has not given sufficient attention to the regional approach to disarmament.

The initiative contemplated by the Belgian Minister for Foreign Affairs would be to recommend to our Assembly to call on the Secretary-General, with the assistance of qualified governmental experts, to undertake an over-all study of the regional aspects of disarmament. The Belgian delegation is now ready to hold consultations on this subject with all interested delegations. It intends to go into this question in greater detail when our Committee comes to discuss the relevant item on the agenda.

If we look at the history of disarmament efforts since the creation of the United Nations, we are tempted to identify two distinct periods: first, the period of over-all plans and abstract theses which coincided in time with the cold war; second, the beginning of concrete negotiations which led to the preparation of the beginnings of international legislation. Today, we cannot help feeling there has been a certain slackening in the multilateral efforts of the second period, which began in the 1960s.

We therefore have to find our second wind, because we have to expand the dialogue, establish new frameworks, and explore new avenues of negotiation. It is within this context that we believe the initiative of Belgium finds its place, and this is a subject on which we shall dwell at greater length at a subsequent stage of our work.

The CHAIRMAN (interpretation from French): I thank the representative of Belgium for the very kind words he addressed to me personally. I specially appreciate his generous reference to the cordial relations that exist between his country and mine.

Mr. BISHARA (Kuwait): The political history of the world may be told in terms of changes in military technology and military organization. However, in the disarmament field, modern technical changes have made the world an unimaginably more dangerous place to live in. Intercontinental ballistic missiles and satellite launching pads have become the new military reality, so that natural barriers of seas and mountains or conventionally trained and armed military forces have suddenly lost meaning as effective security devices.

The advances in military technology portend gloom and disaster. It seems probable that in a war fought with atomic weapons, there will be no victor. An atomic war would end, not in victory and defeat, but in mutual annihilation. The invention of the atomic weapon and its aftermath made it evident that war could no longer be used effectively as an instrument of policy. It would thus seem paradoxical that the two super-Powers are in the unprecedented position of accumulating ever more overwhelming destructive power for the declared purpose of preventing its use. The irrationality of the situation has been described as an uncertain and unsatisfactory balance of terror which an accident, miscalculation or madness can change into all terror and no balance.

The central concept of the intercontinental ballistic missile system is stable nuclear deterrence: the situation in which surprise attack by one side could not prevent retaliation by the other. Neither side, then, would rationally initiate an attack that could result only in its own destruction. Current strategic arms limitation talks are probably founded on the premise that under such a system it is possible to limit the size of the deterrent and thereby to halt the nuclear race. The SALT arms agreements, however, have limited the quantitative size of the deterrent without imposing any restrictions on its quality. In this sense the SALT Agreements have not brought about any changes of a vital character in the arms race. Since it is possible to maintain a military balance at a fixed level -- or on a downward plane, rather than on an upward plane -- one can safely say that the SALT agreements have not really achieved a military balance on a downward plane, since the nature of continued technological qualitative improvement by far offsets any quantitative reductions.

The question is often raised whether real disarmament agreements can be reached before political conflicts are resolved. According to one view, arms

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races arise as a result of political conflicts, are kept alive by them, and subside with them. The late Dag Hammerskjold seemed to have a different view on the matter. He was quoted in a book entitled "The United Nations and United States Security Policy" as saying: "It is quite true that there is an interplay between political factors -- the political atmosphere -- on the one side, and disarmament on the other. But, when people say, in those simple terms, that if the political situation improves disarmament will follow and that, for that reason, it does not make sense to discuss disarmament, they overlook one essential factor, that the very study of disarmament may be the vehicle for progress towards greater international understanding. That is to say, disarmament is never the result only of the political situation, it is also partly instrumental in creating the political situation."

The Charter makes no distinction between one weapon and another, but between use of force for aggression and for self-defence. Though the distinction is critical it has not been of much help in slowing the arms race or reducing the stockpiles in arms arsenals.

Article VI of the NPT calls on the super-Powers to "undertake to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control". This they have not done so far. Instead, they have established quantitative restrictions on their sophisticated weapons. The absence of qualitative limitations leaves open the possibility that strategic arms competition would be channelled into improvements in the capability of the forces once increases in the number of launchers had been ruled out and limits on MIRV missiles established.

What we are witnessing now is an explosion in technology. It is for this reason that future talks between the super-Powers should not be centred merely on further quantitative reductions but should also be addressed to the qualitative limitation problem.

The report of the CCD does not record any substantial progress achieved in any field. Negotiations concerning the conclusion of a chemical weapon treaty have not met with any real success, and the prospects of such a treaty ultimately

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emerging are more remote than ever. One cannot emphasize too strongly the need to move without delay from the prohibition of biological agents and toxins to the outlawing of chemical weapons.

Both super-Powers continue underground nuclear tests, and any restrictions they may have agreed to impose on such tests are small and do not substantially affect their power to test most of the nuclear weapons they intend to develop in the future. As has been pertinently said in this respect: "The 1974 testing agreement legitimizes more than it stigmatizes continued super-Power efforts at qualitative improvements of nuclear weapons." In the absence of a complete test-ban agreement both sides can rely on continued testing to make possible the qualitative improvement of nuclear warheads.

The pretexts for not accepting a truly comprehensive multilateral test-ban treaty are based on the impossibility of detecting suspicious seismic activity. Major studies, however, are available which show that underground explosions can be detected, located and identified using national seismic detection capabilities.

Even a cursory review of the disarmament agreements concluded so far reveals their real character. The partial test ban treaty has been justly described as an anti-pollution measure. The SALT agreements fall within the category of economy measures dictated by the exorbitant costs of armament. The Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and the Subsoil thereof prohibited the stationing of strategic weapons in perhaps the only places in the ocean environment the two super-Powers declared were infeasible for their policies of nuclear deterrence. The real threat from under-water missiles comes from highly mobile submarines, not from stationary emplacements. Similarly, the Conventions on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction backed away from a ban on chemical weapons and prohibited only those bacteriological agents and toxins which were so dangerous and noxious that even the countries that produced them had come to doubt their value and wanted to destroy them. We are not attempting to belittle the Biological Weapons Agreement which has been truly described as the only real disarmament agreement in the true and meaningful sense of prohibiting some types of weapons and destroying their stockpiles. However, this Agreement loses a lot of its value unless it is coupled with a ban on chemical weapons.

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The draft convention on the prohibition of military or any other hostile use of environmental modification techniques is the newest and most recent example of an additional disarmament instrument that falls short of fulfilling the expectations of the international community. My delegation would like to associate itself with the remarks made by His Excellency García Robles, the Minister for Foreign Affairs of Mexico, on 1 November, when he exposed the inadequacy and ambiguity of article I of the draft Convention. We agree that, according to the present wording, every State party will be entitled to engage in military or any other hostile use of environmental modification techniques provided that they do not have widespread, long-lasting or severe effects. We should like to add our voice to the appeal that the ban should be absolute, categorical and comprehensive. A revision of the text is therefore imperative.

The lack of progress within CCD has cast grave doubts on its work and even its future existence. Since 1971, CCD has been unable to develop new areas of agreement or even to determine what subject it might most fruitfully discuss next.

The main weakness of CCD stems from the fact that it was not formally established as part of the United Nations structure. Whatever legitimacy CCD has derives from its close association with the United Nations. Its protagonists stress the need for a permanent multilateral negotiating forum smaller than the General Assembly. Though the two super-Powers in the early days of CCD made some use of it as a negotiating forum, their tactics have changed; since 1969 a new framework has taken form for their negotiations, which have been rotating between Vienna and Helsinki.

My delegation believes that the Ad Hoc Committee on the Review of the Role of the United Nations in the Field of Disarmament has done an excellent job. We particularly welcome the valuable information given in document A/AC.181/2, which contains a wide range of suggestions on strengthening the role of the United Nations in the field of disarmament. These suggestions are not of an academic nature; they are concrete and practical in substance and await action by the General Assembly.

My delegation shares the view that, at present, the reports of CCD are not intelligible enough and do not keep us informed of progress made within CCD. The

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CCD report should contain a summary of the debates and give an up-to-date assessment and evaluation of new trends that may emerge or any encouraging signs for future negotiations.

However, the main fault does not lie in the report, but in the work of CCD itself. My delegation has already communicated to the Secretary-General its views on improving the work of CCD. We believe that a mechanism should be formed to enable the United Nations to take an active part in disarmament negotiations. All Members of the United Nations should be allowed to submit to the Secretary-General concrete disarmament proposals which he, in turn, would communicate to CCD. CCD should submit annual reports on its reaction to these proposals and the reasons for not implementing them. The Secretary-General should draw his conclusions from the disarmament negotiations and submit a detailed analysis to the General Assembly so as to bring moral pressure to bear on the super-Powers.

Multilateral disarmament conventions should be subjected to the same procedures as are applicable to treaties in general. States should be afforded an ample opportunity to participate in their drafting and adoption. It is true that, in the early stages, these conventions may be negotiated among a limited number of advanced military Powers. However, the scope of these conventions should be widened so as to protect the interests of all countries, big or small. Draft disarmament conventions should not be treated as sacrosanct, but must be open to substantial amendments by all member States.

The root of the problem probably lies in the fact that the major disarmament negotiations are conducted outside the framework of the United Nations. One way of remedying this defect is to incorporate CCD in the structure of the United Nations and to create an organic link between the disarmament negotiations conducted particularly between the two super-Powers and the United Nations. The United Nations should not play the merely passive role of approving and endorsing. It should take initiatives and expect the right kind of response from the two super-Powers, which should conduct their future negotiations under the aegis of our Organization and in the presence of a representative of the Secretary-General.

We are aware of the argument that the real fault does not lie in the organizational structure but merely in the lack of political will that exists

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among those most immediately involved. My delegation, however, takes the view that procedural, organizational and substantive matters go hand in hand, and that any improvement in procedures and organization cannot fail to have a salutary effect on future disarmament negotiations.

My Government has consistently supported the call for the convening of a world disarmament conference as the proper forum in which the views of all nations, big or small, would be taken into consideration. The preliminary work for holding such a conference has shown that the prospects are not encouraging, at least in the near future. My delegation would therefore endorse the proposal to convene a special session of the General Assembly on disarmament as being a more practicable measure at the moment.

The special session, however, should not be convened in haste. Governments should be invited in the preparatory stages to submit working papers and other documents expressing their views on disarmament matters. These views should be analysed and sifted beforehand to reflect areas of agreement and disagreement. Once the contentious issues are clearly defined, they should be isolated and treated as a subject for intensive negotiations. The special session should not be allowed to repeat the proceedings of the First Committee, though at a higher level of representation. Nothing can be more harmful than to have a special session which is intended to be used as a propaganda forum by one or other of the two super-Powers. We see the special session as a forum in which the non-aligned countries, which are the authors of convening such a session, will bring their moral force to bear on the conduct of the major military Powers.

The special session, however, should not supplant the projected world disarmament conference. It should be viewed as another step in the direction of convening, in due course, a world disarmament conference. After all, the special session of the General Assembly is an ad hoc measure, while the world disarmament conference is viewed by many as a permanent body which will hold periodic meetings to review progress in the field of disarmament and to provide new incentives for further efforts in this field.

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While having these lofty objectives in mind, we should not neglect improving existing United Nations facilities for the collection, compilation and dissemination of information on disarmament issues. My delegation therefore has sympathy for the Swedish proposal of establishing a permanent structure within the United Nations for studies in the field of disarmament. Such a centre should compile up-to-date data on the political, military, social and economic aspects of disarmament and make them available to Member States which, in turn, should utilize their publicity media to the maximum in order to make such valuable material available to public opinion in their countries. Such a centre should be seen as the starting point for organizing a campaign to discredit rearmament and its protagonists. At the same time, we should as much as possible avoid duplication, which is already visible in many other aspects of United Nations work.

From the outset, Kuwait supported the Declaration of the Indian Ocean as a Zone of Peace. My Government believes that the littoral States should refrain from granting military and naval facilities to foreign Powers. The establishment of military bases in some islands of the Indian Ocean is by no means conducive to the relaxation of tension and the elimination of rivalry between major Powers in the Indian Ocean.

My delegation is in favour of convening a conference on the Indian Ocean. We believe that the conference should be attended by the States of the region as well as by the major Powers and major maritime users of the Indian Ocean. Much time has already been wasted on such minor matters as the date, duration and venue of the conference. The real issue is the elaboration of measures that will ensure security in the zone and prevent rivalry between the great Powers and major maritime users. We should like to take this opportunity to call on the great Powers to collaborate in implementing the Declaration and safeguarding the nature of the Indian Ocean as a zone of peace.

May I say a few words on the comprehensive study of the question of nuclear-weapon-free zones in all its aspects. My Government believes that the study is timely and informative. Kuwait believes that the establishment of nuclear-weapon-free zones is indeed an effective means of rescuing the countries in the zones from the horror and devastation of nuclear warfare.

(Mr. Bishara, Kuwait)

The Government of Kuwait takes the view that, although some countries are frequently in favour of establishing such zones, their efforts may be thwarted by the intransigence of other countries within their region which are reluctant to co-operate in the establishment of such zones. The case in point is our region -- the Middle East -- where the Arab countries of the region have expressed their willingness and eagerness to establish a nuclear-weapon-free zone.

Kuwait is one of the countries of the Middle East which solemnly proclaimed its willingness to become a party to the Treaty on the Non-Proliferation of Nuclear Weapons, provided Israel also became a party to it. It is well known that Israel already possesses nuclear weapons and eventually may use them against the peace-loving peoples of the Middle East. Israel's intransigence and refusal to become a party to the Treaty on the Non-Proliferation of Nuclear Weapons has so far prevented the establishment of a nuclear-weapon-free zone in the region of the Middle East. Kuwait believes that accession to the Treaty by all States of the region is a prerequisite for establishing an effective nuclear-weapon-free zone.

My country also believes that the nuclear Powers should co-operate to promote the establishment of such zones. The question of the establishment of nuclear-weapon-free zones should be isolated from power politics and the strategic plans of some big Powers.

Mr. UPADHYAY (Nepal): I am taking the floor today to make some brief observations regarding the world disarmament conference.

One of the most frequently discussed items on disarmament during recent years has been the question of holding a world disarmament conference. The United Nations and several other international conferences have been forums for discussion on this question. The recent Colombo summit conference of non-aligned countries and the previous four summit conferences all stressed the need and usefulness of convening a world disarmament conference.

In 1973, during the twenty-eighth session of the General Assembly, an Ad Hoc Committee was established in accordance with resolution 3183 (XXVIII) with a view to pursuing more effectively the objective of convening a world disarmament conference. The Ad Hoc Committee, comprising 40 non-nuclear States, has for the last three years devoted considerable time and energy in trying to fulfil its

(Mr. Upadhyay, Nepal)

mandate. The dynamic chairman of this Committee, Mr. Hoveyda of Iran, has carried out his duties in a most gratifying manner. My delegation would like to express its appreciation of all the efforts he has made in connexion with the work of the Committee. However, we note from the Committee's report, which Mr. Hoveyda presented to the First Committee on 3 November, that only three nuclear-weapon States participated in the work of the Committee last year and that the two other Powers merely maintained contact with the Committee. This limited, to a great extent, the full and active role that the Ad Hoc Committee might otherwise have played in the execution of its mandate.

The report of the Ad Hoc Committee notes that the majority of the Members of the United Nations favour the convening of a world disarmament conference as soon as possible, but that they also feel that the participation of all nuclear-weapon States in such a conference is essential. However, there is no sign of a common position of the nuclear Powers on the convening of a world disarmament conference.

My delegation feels that the time has come to consider seriously the idea of convening a world disarmament conference. Such a conference will have to examine the problem in all its aspects. It will have to examine all the efforts made in the past and try to develop guidelines for the future. Obviously, the nuclear Powers have the greatest capacity to contribute to the process of disarmament, because they have the largest stockpiles of various types of arms, nuclear as well as conventional. Although the nuclear arms race poses the greatest danger to humanity, curbs on nuclear arms will not ensure world peace. The alarming rate of growth in conventional armament also poses a great danger. If nuclear war would destroy mankind as well as other life on earth, a war carried out with present-day conventional weapons would bring about unimaginable suffering to mankind, in terms of both lives and materials.

(Mr. Upadhyay, Nepal)

A voice in support of the convening of a world disarmament conference underlines the conviction that the problem of disarmament cannot be primarily left to the big Powers or to the two super-Powers alone. The pace of the so-called negotiations on arms limitation has clearly revealed that there is a lack of political will which is essential for a viable agreement. A world public opinion and an atmosphere of universal awakening to the needs of speedy progress in the field of disarmament have become rather urgent. Only a world conference, and not bilateral negotiations, can arouse such a universal feeling.

Although there does not seem to be much substantive progress in the current bilateral or multilateral negotiations, we have welcomed every positive step in the direction of arms control. But we think that these measures are not adequate by themselves. They need to be further supplemented, and a world disarmament conference will play a very significant role in this respect.

My delegation has for many years now fully supported the idea of convening a world disarmament conference. We have expressed our support for such a conference during United Nations meetings as well as at other international conferences. We hold the view that an issue as important and vital as that of disarmament should be discussed in an appropriate forum. Disarmament has to be a global aim and it should, therefore, be a subject of universal discussion and action. No less a forum than a world disarmament conference will be capable of tackling, in an effective manner, the myriad problems that lie in the road towards the goal of complete and general disarmament.

While supporting the idea of convening such a conference, my delegation has always reiterated that such a conference should be universal in nature if success is to be expected. All countries of the world should be invited to participate in such a conference in which all the nuclear-weapon States must participate if it has to have any significance at all. The question of the convening of a world disarmament conference should not be dismissed on the basis of presumptions. The world political climate now is more suitable than ever before to engage in serious efforts towards genuine disarmament, and we should try to make the most of the prevailing atmosphere of détente.

(Mr. Upadhyay, Nepal)

The prevailing situation in the field of disarmament negotiations does not give us any reason to feel happy. On the contrary it makes us feel frustrated. This situation needs scrutiny from all of us -- all States, big, medium and small. However, the question of having a world disarmament conference can be examined more carefully and in all its aspects by a special session of the United Nations General Assembly, which seems to have gained considerable support by now.

The Fifth Summit Conference of the Non-aligned Countries, held in Colombo last August, proposed the convening of a special session of the General Assembly. My delegation fully supports the convening of such a session. The session in itself should not be viewed as a substitute for or an alternative to the world disarmament conference, but rather as a step further in that direction.

Since we hold the view that the special session should not be viewed as a substitute for the world disarmament conference, we feel the necessity of the continuation of the Ad Hoc Committee on the World Disarmament Conference. My delegation is aware of the fact that our immediate preoccupation for some time now, I hope, will be the special session. However, my delegation feels that we should not try to do anything which might give the impression that since the special session is being held, the idea of a world disarmament conference has been altogether dropped. Therefore, my delegation suggests that the mandate of the Ad Hoc Committee be extended and that it be requested to report to the General Assembly during the thirty-third session, also taking into full account the views expressed during the special session.

Mr. MARIN BOSCH (Mexico) (interpretation from Spanish): The purpose of my statement is formally to put before the First Committee the draft resolution which will be found in document A/C.1/31/L.4 dated 3 November 1976. At the same time I should like to make some additional comments regarding the question of the prohibition of environmental modification techniques for hostile purposes, a matter that was dealt with in detail by the head of my delegation in his statement on 1 November when the discussion on disarmament questions was begun. I am happy to note that the delegation of Kuwait agrees with the views that were expressed by the Minister for Foreign Affairs of my country.

(Mr. Marin Bosch, Mexico)

The draft resolution which, on behalf of the delegations of Argentina, Cyprus, Dominican Republic, Ecuador, Grenada, Haiti, Mauritius, Panama, Peru, Trinidad and Tobago, Venezuela and Mexico, I have the honour to submit to the First Committee for its consideration, is intended to ensure that the process of negotiations on a draft treaty on the prohibition of military or any other hostile use of environmental modification techniques -- incidentally, a process which began this very year in the CCD, following the adoption of General Assembly resolution 3475 (XXX) and which has still not ended -- should continue in order to arrive at a text that will be widely acceptable to Members of the United Nations.

As stated in the first operative paragraph of the draft resolution, the Conference of the Committee on Disarmament should continue such negotiations "without prejudice to the priorities established in its programme of work". In other words, the negotiations on the text of an agreement to prohibit the use of environmental techniques should not divert the attention of the CCD from the matter of the total prohibition of nuclear weapon tests, to which the CCD must continue to grant maximum priority, nor should it divert it from the consideration of the elimination of chemical weapons, to which the General Assembly has attached a high priority.

We are convinced that with a little more effort the CCD might come to an agreement on a text which will not create insuperable difficulties for a large number of delegations. There are good grounds for such a conviction. First of all, as a result of the great efforts made in the course of the summer session, the members of the CCD have agreed on the content of almost all the articles of the draft convention and, secondly, the spirit of co-operation and the frankness which characterize the process of negotiations in 1976 will make it possible to arrive at a solution satisfactory to all in 1977.

(Mr. Marin Bosch, Mexico)

The procedure proposed by the co-sponsors of draft resolution A/C.1/31/L.4 is quite in keeping with the practice adopted in the General Assembly during the last seven years with regard to the draft of multilateral agreements on disarmament prepared by the CCD. In 1970 the draft treaty on the prohibition of emplacement of nuclear weapons and other weapons of mass destruction in the sea-bed and ocean floor and the subsoil thereof obtained a general consensus before it was referred to the General Assembly as "a final draft". That procedure was also followed in the case of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction so that the consensus after all is one of the basic rules governing the work of the CCD. May I add, on behalf of the delegation of Mexico at this point that the text of the draft convention that some delegations contend should be favourably welcomed by the General Assembly and "open to signing and ratification as soon as possible" does not, I repeat, does not enjoy the general support of the countries participating in the work of the CCD. Quite the contrary to what was stated by the delegation of Finland at our last meeting on Friday, the CCD never "recommended" that the Assembly approve that draft convention. I must admit that we were rather surprised that the distinguished representative of Finland -- who as the special representative of the Secretary-General was for a number of years able to follow very closely the work of the CCD, and whose Government as he himself indicated to us last year set up a special permanent office in Geneva "to follow the work of the CCD more closely" -- seems to have overlooked or forgotten the fact that consensus is one of the basic rules of that organ and has misinterpreted the content of the report of the CCD on the matter. Nowhere in that report will any recommendation to that effect be found. What will be found is an account of the work of the Working Group that was established this year by the CCD to negotiate the text of an agreement. The text of the so-called draft treaty reproduced in the report of the Working Group is followed by "observations of some delegations" on it "as well as contrary, or dissenting opinions and reservations entered".

As drafted at present, the text of article 1 would legitimize the use of certain environmental modification techniques for military or other hostile uses so long as those techniques were not widespread, long-lasting or serious in their effects. Basically, it is nothing more or less than a partial prohibition and,

(Mr. Marin Bosch, Mexico)

already, a number of times the Chairman of my delegation has stressed the serious dangers inherent in such a prohibition. Furthermore, any partial prohibition carries inherent with it an additional risk. Experience has proved to us that partial prohibitions in matters of disarmament have, in fact, become an incentive to increase research development and the sophistication of new methods of destruction below the threshold that has been prohibited. To prove this suffice it to recall that the number of nuclear weapon tests after the signing of the Moscow treaty in 1963 grew dramatically. The quantitative as well as the qualitative development of nuclear weapons has also been intensified. A similar case occurred with regard to the arms race in outer space and in the sea-bed, which speeded up enormously after the entry into force of the respective multilateral instruments.

This becomes obvious to anyone who has even from a distance followed the problems of disarmament. It was obvious a mere two years ago to some delegations who now want the General Assembly to endorse another draft convention that spells only a partial prohibition. This applies to some of the co-sponsors of the draft circulated in document A/C.1/31/L.5. At the 2001st meeting of this Committee on 25 October 1974, the delegation of Mongolia stated that "any action influencing the climate and environment for military purposes would in itself be indiscriminate and could serve as a means of mass annihilation and destruction." And later he said:

"... all States which possess the most powerful military and scientific and technical potential should assume responsibility not to develop meteorological, geophysical or any other scientific and technical means to influence the environment and climate incompatible with the interests of international security, human well-being and health; neither should they under any circumstances resort to such means of influencing the environment and climate, or proceed to their elaboration and use.

And at the same meeting to which I refer the delegation of the German Democratic Republic pointed out:

"It is totally inadmissible that the achievements of science and technology should be used once again for the destruction of human life and natural resources."

(Mr. Marin Bosch, Mexico)

On the next day the Hungarian delegation stated:

"Joint efforts are needed to make sure that the achievements of scientific research -- from which mankind may derive a great many benefits -- will not be used by anybody at any time in the future for the mass destruction of human beings and entire peoples, in any direct or indirect manner whatever ... we are not indifferent if others are engaged in developing new weapons the use of which, as the result of either an intentional act or an uncontrollable process, might affect our people as well."

In the course of the debate held at the twenty-ninth regular session of the General Assembly, it became obvious that whereas the immense majority of the States Members of the United Nations advocated a total prohibition of environmental warfare, the statements of a very small number of delegations hinted at a preference on the part of a minority for a partial prohibition. For reasons that are difficult to justify, that minority opinion is now being adduced as the prevailing view.

One of the arguments adduced in favour of the draft treaty on the partial prohibition of environmental warfare techniques is that the present text of article 1 is the maximum that can be achieved and is the result of intensive negotiations. I think it would not be amiss to stress the fact that, although there were negotiations on the contents of a number of articles of secondary importance, such negotiations never took place on the key provision, namely, the scope or the extent of the prohibition. From the very outset, one of the super-Powers considered that the contents of article 1 of the identical texts submitted by the United States and the Soviet Union respectively was not up for negotiation. The other super-Power, that a mere few months earlier had advocated total prohibition, found it very easy to modify its original position. Upon becoming co-sponsor of the draft resolution in document A/C.1/31/L.5, as was announced yesterday, the Soviet Union has now given determined support to the legitimate use of certain environmental war techniques. And at this point I think it only timely to point out that on Friday, 29 October, in this same Committee, we concluded consideration of the item on the non-use of force in international relations on which subject the Soviet Union submitted a draft treaty according to which the use of any type of weapons was to be prohibited. Now, we wonder how this nuclear super-Power can reconcile that proposal with its support for the draft in resolution A/C.1/31/L.5

(Mr. Marin Bosch, Mexico)

My delegation had not intended to make a second statement a mere week after the debate began. Far less, did we intend once again to take up a subject which -- compared with others on our agenda -- is of secondary importance. However, we have been constrained to do so in order to reiterate our opposition to a partial prohibition and to counteract the tendency on the part of some delegations to distort facts. The statement made today by the representative of the Netherlands confirms the timeliness of our asking for the floor for this purpose.

The Minister for Foreign Affairs of that country has added his voice to the voices of those delegates who wish to give the impression that, despite the opposition of a number of delegations, the CCD has requested the General Assembly to "endorse" the so-called draft.

The CCD did no such thing. Finally, we were surprised that the representative of the Netherlands tried to justify his support of the so-called draft convention alleging that "this is a compromise between a great majority of the CCD members, including practically all the militarily important ones and many third world countries" (supra).

As far as I, myself, am concerned, the purpose of the negotiations in the CCD was never that of seeking agreement that would be acceptable only to the militarily important countries and a few other Members. Were that to be the case, then Mexico would never have agreed to participate in its work.

The CHAIRMAN: I thank the representative of Mexico for introducing the draft resolution in document A/C.1/31/L.4.

Before adjourning the meeting I should like to inform the Committee that the Lao People's Democratic Republic, the Philippines and Romania have become co-sponsors of the draft resolution in document A/C.1/31/L.7, distributed earlier this morning.

The meeting rose at 1.05 p.m.