



VERBATIM RECORD OF THE 42nd MEETING

Chairman: Mr. ROCHE (Canada)

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Distr. GENERAL
A/C.1/43/PV.42
23 November 1988
ENGLISH

The meeting was called to order at 10.30 a.m.

AGENDA ITEMS 51 TO 69, 139, 141 MD 145 (continued)

CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS ON DISARMAMENT ITEMS

The CHAIRMAN: This morning, we will begin our consideration and action on draft resolutions under disarmament agenda item with draft resolutions in cluster 15.

Mr. RODRIGO (Sri Lanka) : I should like to make a few remarks in respect to draft resolution A/C.1/43/L.12/Rev.1 on behalf of its sponsors, Argentina, Bangladesh, Brasil, Cameroon, Djibouti, Egypt, Ethiopia, Ghana, India, Indonesia, Iran, Jordan, Malaysia, Mexico, Morocco, Nigeria, Pakistan, Peru, Romania, Sudan, Suriname, Sweden, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zimbabwe and Sri Lanka.

Before I begin, I should like to draw the Committee's attention to an error appearing in the twenty-first preambular paragraph of the draft resolution, on page 3. The word "negotiations" appearing in that paragraph should be replaced with the word "efforts", to read as follows:

"Emphasizing the mutually complementary nature of bilateral and multilateral efforts".

As I indicated in my presentation of the original draft resolution (A/C.1/43/L.12), the objective of the sponsors has been to promote international co-operation for the achievement of the twin goals of preventing an arms race in outer space and ensuring that the vast potential of that domain be peacefully developed for the benefit of all mankind. It is in that context that, together with the sponsors of draft resolutions A/C.1/43/L.27, A/C.1/43/L.30 and A/C.1/43/L.36, we have pursued an exercise with the aim of achieving a single resolution acceptable to all.

(Mr. Rodrigo, Srínka)

While remaining firm in the convictions that prompted the sponsors of A/C.1/43/L.12 to present that draft resolution, we have been sensitive to the perceptions and concerns of others and have taken them into serious account, and, wherever possible, have sought to reflect those perceptions and concerns in the revised version (A/C.1/43/L.12/Rev.1).

When draft resolution A/C.1/43/L.12 was introduced, some detail was given of the thinking behind that draft. It was built upon the near-consensus of General Assembly resolution 42/33 of 1987 and also sought to mirror certain vital new developments as faithfully as possible. Thus, I need not repeat myself and will merely indicate in brief the major changes that have been made in the revised version to embody the concerns of others.

A paragraph that recalled the Charter obligation of all States to refrain from the threat or use of force, including in their activities in outer space, has been transferred from the operative section to the preambular section as its fifth paragraph, although we would have preferred it to remain as an operative paragraph.

We have also agreed to delete what had been the eleventh preambular paragraph of A/C.1/43/L.12, which articulated our deep concern that rapid progress in space technology leaves open the danger of weapons being deployed in outer space. The sponsors remain convinced of the reality of that danger but, in the time available, we were unable to find suitable language acceptable to all to express the paradox presented by advances in space technology - namely, its rich and promising potential for improving the security and well-being of all humanity, as well as the perils that lurk in any abuse of that technology.

The fourteenth preambular paragraph has been amended in the interest of securing an even more widely acceptable, general description of the work of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space during the past year.

(Mr. Rodrigo, Sri Lanka)

The fifteenth preambular paragraph is self-explanatory and contains additional measures that should be examined in the search for bilateral and multilateral

- agreement for the prevention of an arms race in outer space.

The sixteenth preambular paragraph of A/C.1/43/L/12 is amplified now in two new paragraphs, the ● sixteenth and seventeenth in the revision, and deal with the legal régime applicable to outer space. The new operative paragraph 2 on the same

- ◆ *et* ◆ combines operative paragraphs 3 and 4 of the original text, and is couched in language closely based on that of the Ad Hoc Committee.

The eighteenth and twenty-first preambular paragraphs, which amend the seventeenth and twentieth preambular paragraphs of the original text, deal with the mutually complementary nature of bilateral and multilateral negotiations and recognize that bilateral negotiations between the United States and the Soviet Union could facilitate the multilateral negotiations for the prevention of an arms race in outer space. We hope that such language will adequately cover that very sensitive issue.

Apart from changes already indicated, we have deleted operative paragraph 11 of A/C.1/43/L.12 and added, in the revised paragraph 7, reference to initiatives presented to the Ad Hoc Committee in 1988.

We harbour no illusions that the changes effected make the revision perfectly and completely satisfactory to all. Indeed, many of the changes have involved for the sponsors some significant sacrifices of deeply held views or their considerable dilution or descent into ambiguity in the interest of winning general acceptability. Of course, such compromises lie at the very heart of the negotiating process. If we have failed nevertheless to make draft resolution A/C.1/43/L.12/Rev.1 acceptable to all, it is because some concerns of the sponsors were too deep to submit to compromise or because we have been loath to exchange

(Mr. Rodrigo, Sri Lanka)

established consensus language for new formulations that were not of truly viable substance.

The sponsors do not see this whole exercise as the end of a process, although, thanks to Your gentle but firm gavel, Sir, consideration of and action on the disarmament items will conclude today. To any who still cannot accept draft resolution A/C.1/43/L.12/Rev.1, we offer continued dialogue so that differences may be addressed and common concerns expanded in the days to come in other forums as well. Indeed, much of the thrust of A/C.1/43/L.12/Rev.1 looks forward to continued co-operation in a domain of vital importance to all.

The process leading to A/C.1/43/L.12/Rev.1 has not been easy in that changes have been effected through considerable concessions. That this process has been at all possible is due in considerable measure to the patience and spirit of co-operation displayed by the sponsors of draft resolutions A/C.1/43/L.27, A/C.1/43/L.30 and A/C.1/43/L.36, respectively Ambassador Pugliese of Italy, Ambassador Nazarkin of the Soviet Union and Ambassador Fan of China and their delegations.

May I add a word of gratitude to the members of the non-aligned and neutral group, who tolerated the piling before them of interminable formulations and counter-formulations, and finally to Mr. Nabil Fahmy of Egypt, whose contribution to the entire exercise was indispensable.

Mr. HU Xiaodi (China) (interpretation from Chinese) : I wish to comment briefly on China's fundamental position on the question of the prevention of an arms race in outer space. In our view an arms race in outer space would constitute a serious threat to international peace and stability. Therefore, the prevention of an arms race in outer space has become a new priority item in the field of disarmament.

The prevention of an arms race in outer space has become a question of increasing concern to the international community and is inseparable from the activities of the two major space Powers to develop their space weaponry. The two countries with the greatest space capabilities therefore bear special responsibility for preventing an arms race in outer space.

An effective way to achieve this would be the prohibition of all space weaponry, including anti-ballistic-missile and anti-satellite weapons, and the disarming of outer space.

Because the legal instruments applicable to outer space are inadequate to prevent an arms race there, it is necessary to undertake negotiations on an international agreement on the prohibition and destruction of space weapons and the prohibition of the use of force and other hostile activities in outer space, from outer space or against outer space.

We hope the Soviet Union and the United States, which have the greatest space capabilities, will immediately adopt concrete measures committing them not to develop, test, manufacture or deploy space weapons, and to destroy all existing space weapons.

All countries, particularly those that have space capabilities, should make positive efforts towards the prevention of an arms race in outer space and should contribute, within their capabilities, to the peaceful uses of outer space.

(Mr. Hu Xiaodi, China)

The Conference on Disarmament in Geneva too should intensify its work in this regard.

Outer space is the common heritage of mankind, and the peaceful exploration and use of outer space is the common desire of all countries of the world. Activities there should be for the benefit of all mankind. The arms race must not be extended to outer space, which would endanger international peace and security.

In order to achieve the largest possible majority in favour of a draft resolution on the prevention of an arms race in outer space, the Chinese delegation has decided to support draft resolution A/C.1/43/L.12/Rev.1, and will not insist on draft resolution A/C.1/43/L.36 being put to the vote.

Mr. FUGLIESE (Italy): I am speaking on behalf of the sponsors of draft resolution A/C.1/43/L.27. That draft resolution reflects our approach to the problem of the prevention of an arms race in outer space. We believe that approach is valid and realistic. While reiterating their conviction that the Conference on Disarmament has a significant role in the consideration of issues related to the prevention of an arms race in outer space and has already carried out useful and constructive work, the sponsors look forward to positive developments in the bilateral negotiations between the United States of America and the Union of Soviet Socialist Republics on the subject. We believe that those negotiations can provide an effective foundation for significant progress in the multilateral domain, and that interference between the two processes should be avoided. We are convinced that our draft resolution is a valid contribution to our debate, and that its contents represent a sound basis for our future work.

(Mr. Pugliese, Italy)

On 7 November, when I had the honour to introduce the draft resolution on behalf of the delegation of Australia, Belgium, Canada, France, the Federal Republic of Germany, Japan, the Netherlands, Norway, Spain, Turkey, the United Kingdom and my own delegation, I expressed that the draft resolution was not intended to conflict with other draft resolutions on this subject and that its sponsors were fully prepared to consider positive suggestions from other delegations and to co-operate with them in a spirit of compromise and understanding.

We should like to express our appreciation for the understanding shown by many delegations. We regret that, in spite of the sincere willingness to co-operate with a view to achieving consensus in this Committee on the issue of the prevention of an arms race in outer space, our common efforts to attain that goal did not succeed. However, the delegations on whose behalf I have the honour to speak have taken into account the changes introduced in draft resolution A/C.1/43/L.12/Rev.1 and the common wish of many delegations for a single draft resolution on this item. Accordingly, with the understanding that this does not imply renunciation of their own approach to the question of preventing an arms race in outer space, the sponsors of draft resolution A/C.1/43/L.27 have decided not to press the draft resolution to a vote.

Mr. KOKOSOV (Union of Soviet Socialist Republics) (interpretation from Russian): The draft resolution contained in document A/C.1/43/L.12/Rev.1 fully reflects the international community's recognition of the urgent need to prevent an arms race in outer space. On behalf of the sponsors of draft resolution A/C.1/43/L.30, the Soviet delegation wishes to state that they will not insist on that draft resolution being put to the vote.

Mr. TAYLHARDAT (Venezuela) (interpretation from Spanish): My delegation wishes to comment on draft resolution A/C.1/43/L.12/Rev.1. It has been possible thus far to preserve outer space as "the province of all mankind", as stipulated in article I of the outer space Treaty.

Many of the activities carried out in space are of military significance. It is estimated that about three fourths of the man-made objects orbiting the Earth are carrying out military tasks.

(Mr. Taylhardt, Venezuela)

To date, however, so far as we know, no one has permanently stationed weapons in outer space. There is still time to prevent that from happening. There is still an opportunity to prevent the unleashing of an arms race in outer space.

We must take steps to prevent the technologically capable Powers from becoming involved in an arms race in outer space. The international community now possesses a body of legal instruments applicable to outer space and, as other delegations have recognized, that has so far made it possible to prevent the stationing of weapons in outer space. However, owing to the extraordinary progress that has been made in space science and technology, those legal instruments now fall somewhat short. Man is moving ever closer to the time when he will be able to station weapons in outer space. Therefore, the legal instruments that govern the activities of States in outer space no longer suffice to prevent the unleashing of an arms race in outer space.

The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, explicitly stipulated that States parties to the Treaty undertake not to station in outer space any objects carrying nuclear weapons or any other kinds of weapons of mass destruction. The Treaty does not, however, encompass other kinds of weapons, in particular the new weapons based on new technology that are currently being designed to become a part of strategic defence systems.

At the Conference on Disarmament Venezuela has supported a comprehensive approach to the question of the arms race in outer space. There must be a general and comprehensive prohibition on space weapons, which would include the development, testing, production, stationing and use of such armaments.

Where disarmament is concerned, it has been said that comprehensive approaches based on an all-or-nothing position cannot contribute to problem solving. In our

(Mr. Taylor, Venezuela)

view, a comprehensive approach need not necessarily mean that all or nothing must be achieved, nor does it imply that everything must be achieved all at once. A comprehensive approach means precisely that, namely, an approach, a way to embark upon an undertaking, a way to engage in an enterprise to reach a given goal. The course that must be followed to attain that goal is one of step-by-step progress, but the first step is the most important one. At the present time, that first step dictates that, once having recognized the existence of the problem, we enter into progressive negotiations to achieve the goal we seek.

Venezuela trusts that, on the basis of the draft resolution we are about to adopt and on the basis of the work accomplished so far by the Ad Hoc Committee of the Conference on Disarmament, the Conference will finally be able to begin concrete negotiations. That would be the best possible response to mankind's justified concern at the prospect that an arms race may well be unleashed in outer space, and sooner than might have been expected, an arms race whose scope, in terms of human and material and financial resources, would be incalculable and unjustifiable - even if its purpose is claimed to be that of putting an end to the nuclear threat.

We should like to emphasize the extent of the efforts made by the sponsors of the various draft resolutions before us on this subject. As was stated earlier this morning, the members have tried to reach a common text, but, unfortunately, that has not, apparently, been possible. However, we would still hope - albeit perhaps somewhat unrealistically - that the draft resolution before us on the prevention of an arms race in outer space might be adopted without any opposing votes. We would also like to pay a well-deserved tribute to Ambassador Rodrigo of Sri Lanka and Ambassador Pugliese of Italy for their efforts. We would like to commend the action taken by the representatives of China and the Western and Socialist Groups in withdrawing their own draft resolutions on the subject

(Mr. Taylor, Venezuela)

to give my to draft resolution A/C.1/43/L.12/Rev.1. We feel that that draft resolution may • orve to give a decisive impetus to the efforts of the Conference on Disarmament in this area at its nrxt • emmion.

The CHAIRMAN: I mhould like to associate myself with the comments madm by Me representative of Venezuela, who paid tribute to the representatives sponsoring the various draft resolutions on this • *ser*♦ who worked • o hard to bring us to this good result this morning.

I now call upon the Secretary of the Committee.

Mr. KHERADI (Secretary of the Committee) : I mbould like to inform members that the following coun tr ies have become co-sponsors of the following draft resolutions:

A/C. 1/43/L. 12/Rev.1: Ireland)

A/C.1/43/L. 35/Rev.1: Antigua and Barbuda, Bahamas, Barbados, Grenada, Saint Vincent and the Grenadines, Saint Kitts and Nevis;

A/C. 1/43/L. 61/Rev. 2: Sweden.

The CHAIRMAN: I now call upon those representatives who wish to make statements in explanation of vote *before the voting*.

Mr. DIETZE (German Democr atic Republic) : I have asked to • pmakin or&r to give a brief outline of my dele .ation's position on agenda item 59, "Prevention of an arms race in outer space" rnd the relevant draft resolution under consideration.

My country persistently works towards the prevention of an arms race in outer space, while advocating its termination on Earth. It is our firm conviction that outer space should be explored md umed • olwively for peaceful purposes to benefit the • cronomia and social development of nations.

(Mr. Dietze, German
Democratic Republic)

It is our common hope that the intensive negotiations between the USSR and the United States on a 50 per cent reduction of their strategic offensive arms in the context of compliance with the ABM Treaty will soon lead to concrete results.

The present régime of international law relating to outer space contains no important provisions designed to limit the military activities of States in space. We do believe, however, that further action-oriented negotiations, of both a bilateral and a multilateral nature, as well as confidence and verifiable agreements are needed in order to preclude forever an arms race in outer space.

From our point of view, two general approaches appear to be possible: first, the direct way of reaching the objectives would be an international agreement prohibiting the threat or use of force in outer space or from space against Earth; and, secondly, it also appears possible to achieve a comprehensive solution step by step, beginning with agreement on a ban on anti-satellite (ASAT) weapons.

Mongolia and my country put before the Conference on Disarmament a proposal to that effect, entitled "Main provisions of a treaty on the prohibition of anti-satellite weapons and on ways to ensure the immunity of space objects". I refer to document CD/777. That document suggests, inter alia, first, that space activities should be prohibited: the use of force against space objects or the threat of the use of such force; secondly, the deliberate destruction or damaging of space objects; and, thirdly, the development, testing and deployment of weapons, in particular, ASAT weapons. Moreover, such a treaty should stipulate that already existing ASAT weapons should be eliminated. A moratorium on the testing of ASAT weapons should be agreed on as an initial step.

(Mr. Dietze, German
Democratic Republic)

Compliance with such an agreement could be ensured through the use of verification methods such as an expanded exchange of information, the use of national technical means of verification, a multilateral consultative mechanism or an international system of inspection involving extensive rights, including the right to on-site inspections.

The Ad Hoc Committee of the Conference on Disarmament that deals with its agenda item 5 has indeed done valuable work in preparing multilateral negotiations on an agreement or agreements to prevent an arms race in outer space. We think that is a solid basis for the opening of a new stage in the preparation of negotiations to be held in 1989. At those negotiations, the concrete subject of negotiation, on such matters as the prohibition of ASAT weapons, should be refined, and consideration should be given to the main elements of the agreement or agreements to be concluded.

It would appear advisable at this stage of the Ad Hoc Committee's work to set up a group of experts whose task might be to provide the Committee with well founded and harmonized recommendations on the scientific and technological aspects of what should be covered by the ban, and on ways of monitoring compliance with the agreement or agreements to be concluded.

It goes without saying that the German Democratic Republic gives its support to all proposals that bring us closer to an exclusively peaceful use of outer space in the interest of all States. I wish to mention here the initiatives launched by the Soviet Union, the Six Nations, France and Venezuela.

In the light of such consideration, the draft resolution contained in document A/C.1/43/L.12/Rev.1 has the full support of my delegation. We welcome especially the fact that it has again been possible to agree on a single resolution on the issue of outer space.

The CHAIRMAN: We shall now proceed to the vote on the draft resolution contained in document A/C.1/43/L.12/Rev.1, taking into account the technical corrections referred to earlier by the delegation of Sri Lanka and the Secretary of the Committee.

Recorded votes have been requested on the eleventh and eighteenth paragraphs of the preamble and on operative paragraph 8.

We shall now proceed to vote on the eleventh paragraph of the preamble to draft resolution A/C.1/43/L.12/Rev.1.

A recorded vote has been requested.

A recorded vote was taken.

In favour : Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: united States of America

Abstaining: Belgium, Canada, France, Germany, Federal Republic of, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland

The following paragraph of the preamble to draft resolution A/C.1/43/L.12/Rev.1 was adopted by 121 votes to 1, with 13 abstentions.*

The CHAIRMAN: We shall now vote on the eighteenth paragraph of the preamble to draft resolution A/C.1/43/L.12/Rev.1. A recorded vote has been requested.

A recorded vote was taken.

In favour8 Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

* Subsequently the delegation of Mali advised the Secretariat that it had intended to vote in favour.

Against United States of America

Abstaining: Belgium, France, Germany, Federal Republic of, Israel, Italy, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland

The eighteenth paragraph of the preamble to draft resolution

A/C.1/43/L.12/Rev.1 was adopted by 121 voter to 1, with 11 abstentions.*

* Subsequently the delegation of Mali advised the Secretariat that it had intended to vote in favour.

The CHAIRMAN: The Committee will now vote on operative paragraph 8 of draft resolution A/C.1/43/L.12/Rev.1. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Belgium, Canada, France, Germany, Federal Republic of, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland

Operative paragraph 8 of draft resolution A/C.1/43/L.12/Rev.1 was adopted by 123 votes to 1, with 13 abstentions.*

The CHAIRMAN: The Committee will now vote on draft resolution A/C.1/43/L.12/Rev.1 as a whole. A recorded vote has been requested.

*Subsequently the delegation of Mali advised the Secretariat that it had intended to vote in favour.

A recorded vote was taken,

In favour: Afghanistan, Albania, ~~Algeria~~, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: None

Draft resolution A/C.1/43/L. 12/Rev.1, as a whole, was adopted by 137 votes to 1.

The CHAIRMAN: I wish to inform members of the Committee that the sponsors of draft resolutions A/C.1/43/L. 27, A/C.1/43/L. 30 and A/C.1/43/L. 36 do not wish to press those draft resolutions to the vote. Therefore we shall not take any action on those draft resolutions.

I shall now call on those representatives who wish to explain their votes.

Mr. HOULLEZ (Belgium) (interpretation from French) a I should like to explain my **delegation's** vote on draft resolution A/C.1/43/L.12/Rev.1. We had to abstain on paragraphs 11 and 18 of the preamble and on operative paragraph 8. We cast a favourable vote on the draft resolution as a whole since we consider that it is in the general interest of mankind as a whole to explore and use outer space for peaceful purposes. However, we regret to note that this draft resolution differs considerably from the text of General Assembly resolution 42/33, not only because of the addition or modification of a number of paragraphs but also because it changes the inner balance of the aforementioned text,

My delegation wishes to add that its acceptance of the fifth preambular paragraph covers also the reference to Article 51 of the United Nations Charter. We consider that, in a matter of such decisive scope, we should not underestimate the impact of the improving relations between the Soviet Union and the United States. This improvement has been expressed in particular by the continuation of negotiations on questions dealing with strategic nuclear weapons and the prevention of an arms race in outer space and should lead to the elimination of any sense of alarm. It is also said that everything will be done to ensure the most propitious climate possible so that in 1989, in optimum conditions, there will be resumed activity in the Ad Hoc Committee of the Conference on Disarmament that deals with this question.

Finally, we express the hope that the sponsors of the draft resolution will take these considerations into account at the forty-fourth session of the General Assembly and will work to restore the widespread support enjoyed by General Assembly resolution 42/33.

Mr. FRIEDERSDORF (United States of America) : The United States was unable to vote in favour of draft resolution A/C.1/43/L.12/Rev.1, entitled "Prevention of an arms race in outer space". There should be no doubt of the United States commitment to arm control in this area. Continuing bilateral nuclear and space talks between the United States and the Soviet Union are firm and positive evidence of it. The United States would like nothing better than to be able to reaffirm this well known commitment in this forum. Unfortunately, draft resolution A/C.1/43/L.12/Rev.1 does not permit this option. This resolution has over the years assumed an increasingly antagonistic and hostile posture with elements that are deliberately aimed at, and critical of, fundamental elements of United States policy. If we want to develop a draft resolution in this forum that will truly reflect consensus on this subject, draft resolution A/C.1/43/L.12/Rev.1 or its successor will have to be radically restructured.

Mr. WEIR (Canada) : Every State represented in this room recognizes the importance of regulating the military use of, and preventing an arms race in, outer space. That recognition led to the establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space in the Conference on Disarmament in 1985 and to its re-establishment at every session of the Conference on Disarmament since then. Whatever the importance of the issue, none of us here is in a position to argue that the Ad Hoc Committee has made truly significant progress since 1985. Useful work has been done but the Committee has to be quite modest about its attainments. The draft resolution on which the Committee has just voted is intended, through the provision of the considered views of the international community, to facilitate and guide the work of the Ad Hoc Committee. In the years that over the years the General Assembly resolution has been evolving in a

(Mr. Weir, Canada)

fashion that diminishes its usefulness in providing guidance to the Conference On Disarmament as regards the prevention of an arms race in outer space. There is a danger that if it continues to evolve in the direction it has been taking it will become part of the problem and not part of the solution. Why do we feel that way? We are all aware of the fundamental issues, including definitions of vital central concepts for which the Ad Hoc Committee must try to find solutions. We are all aware of the lack of common understanding of what is forbidden and what is permitted under the legal régime applicable to outer space.

(Mr. Weir, Canada)

We are all aware of the bewildering number and variety of proposals that have been submitted to the Ad Hoc Committee over the years and the different approaches that they represent. The difficulty which the Conference on Disarmament has experienced to date in resolving the problems referred to above springs essentially from two issues: the inability of the two major space Powers to arrive at the kind of understanding that would make greater progress in the multilateral domain realistically possible and the genuine complexity of the problems involved in the prevention of an arms race in outer space.

Regarding the first issue, Canada believes that the world community must keep constructive pressure on the major space Powers to resolve their problems. It is not constructive or particularly helpful either to try to diminish the intrinsic importance of the bilateral process or to underestimate the value of development in the bilateral sphere since late 1985. Refusal to face the facts diminishes the ability to achieve meaningful progress in the multilateral domain. In that regard, we see considerable room for improvement in the draft resolution just adopted.

Concerning the complexity of the problems the Conference on Disarmament must resolve, it is not and will not be productive to try to wish that complexity away by implying that it is a simple matter to ignore the issues that divide us and by moving to the negotiation of an agreement without resolving those divisive issues, nor is it particularly useful to try to resolve some of the complex issues, such as that of the legal régime, by in effect eschewing the negotiating process.

It is in the light of those considerations that my Government has carefully considered this draft resolution and its implications, particularly for our future work in the Ad Hoc Committee on Outer Space. Although Canada voted in favour of the resolution as a whole, we believe that portions of it could have been improved further with the view to strengthening - and I emphasize strengthening - the

(Mr. Weir, Canada)

and responsibility of the multilateral element in preventing an arms race in outer space.

We felt obliged therefore to obtain on the eleventh preambular paragraph and operative paragraph 8.

Miss SOLESBY (United Kingdom) : I should like to explain the reasons why, in voting in favour of draft resolution A/C.1/43/L.12/Rev.1 as a whole, my delegation found it necessary to obtain on certain of its paragraphs.

In our view, the draft resolution takes insufficient account of the bilateral negotiations between the United States and the Soviet Union on nuclear and space issues. As was said in draft resolution A/C.1/43/L.27, co-sponsored by my delegation but since withdrawn, the two Powers have made progress since 1985 in negotiations on a complex of questions concerning space and nuclear disarmament with the declared objective of, inter alia, preventing an arms race in outer space.

Those negotiations bring a positive and promising factor into the overall situation in that area, which is not reflected in part of the draft resolution. As a result, there are elements of imbalance and exaggeration in the text.

Basic understandings between those two Powers are necessary to provide a foundation for significant progress in the multilateral domain. The Conference on Disarmament can do useful work in the meanwhile in identifying problems which might be suitable for multilateral solution.

My delegation particularly welcomes the rewording of what is now the fifth preambular paragraph, replacing operative paragraph 1 of General Assembly resolution 42/33 with a clear reference to States' obligations in accordance with the United Nations Charter.

We would remind delegations that the Charter contains both Article 2, which refers to the obligation to refrain from the threat or use of force against the

(Miss Solesby, United Kingdom)

territorial integrity or political independence of any State, and Article 51, which pre-emptively the inherent right of individual or collective self-defence.

I understand that the views I have just expressed are shared by certain other delegations that also found it necessary to abstain on some paragraphs of the draft resolution.

The CHAIRMAN: The Committee has now concluded its action on draft resolution in cluster 15.

We now move to consideration of draft resolutions in cluster 10, which include draft resolution A/C.1/43/L. 22/Rev. 2, A/C.1/43/L. 28 and A/C.1/43/L. 35/Rev.1.

Mrs. URIBE de LOZANO (Colombia) (interpretation from Spanish) *a* Before a decision is adopted regarding draft resolution A/C. 1/43/L 22/Rev. 2, entitled "International arms transfers", we should like to thank all the sponsors for their valuable help on that draft resolution. I should particularly like to thank Ambassador Butler of Australia and his delegation, Mr. Engo of Cameroon and the delegation of Italy, in particular Mr. Lay, for their tenacity. I should also like to thank you, Mr. Chairmen, for serving as such a paragon of patience.

We are among those who consider that the human being is not condemned to violence and war and who believe that we not only have the right to live in *peace* but also the potential to achieve law and development in a world of freedom and *peace*.

But the world is experiencing a precarious *peace*. Many regional wars and conflicts threaten to break out into more generalised wars. Economic and social development processes are impeded by a number of factors in most nations, bearing the seeds of more violence among peoples.

(Mrs. Uribe de Lozano, Colombia)

In that ● aenario, international **arms transfers** play an important role. They play a predominant role in international trade. The **potential for armed confrontation is increased** and preparer people *for war* rather than contributing to paaoa.

However, **conf ronted** with these **sombre realities**, there are many **reasons** for hope that, while the **1980s** appear to be a period of turbulent **transition**, they will lead to a **renaissance** at the dawning of the third millenium.

(Mrs. Uribe de Lozano, Colombia)

In order to respond to that tremendous challenge in a positive way, we must begin with a complete understanding of the current tragic and disappointing realities relating to international arms transfers. We can no longer ignore the need to mobilize political will and ingenuity to solve this problem. It is high time we put an end to the human suffering caused by weapons, insecurity, terrorist violence and war, before this leads to a nuclear war.

Colombia has manifested solidarity and a desire to co-operate in responding to the problems faced by the international community. The initiative in the draft resolution on which the Committee is about to vote is a good example of that solidarity and desire to co-operate. The draft resolution embodies many of the concerns expressed over the years, as reflected and developed by the sponsors. We hope the draft resolution will enjoy wide support.

We are convinced that men and women can channel enormous material, spiritual and intellectual resources into an ethical and propitious future for mankind, however difficult it may be to reach that goal.

The sponsors of draft resolution A/C.1/43/L. 22/Rev. 2 hope the study requested of the Secretary-General in paragraph 5 can be financed under the 1990-1991 programme budget.

The CHAIRMAN: I wish to associate myself with the appreciation expressed to all delegations that worked so closely in the preparation of draft resolution A/C.1/43/L.22/Rev.2. I should like also to congratulate the delegation of Colombia on its outstanding leadership in this area.

I call now on delegations wishing to explain their vote or position before we take a decision on the draft resolutions before us.

Mr. NUÑEZ MOSQUERA (Cuba) (interpretation from Spanish) I wish to explain why my delegation must abstain in the vote on draft resolution A/C.1/43/L.22/Rev.2, on international arms transfers. First, I join in thanking the members of that draft resolution for their attempt to incorporate as many suggestions as possible from delegations.

The draft resolution, however, does not place sufficient emphasis on aspects relating to nuclear weapons, which constitute the greatest threat to mankind. Their use would lead to the disappearance of life on Earth and all the handiwork of civilization. Draft resolution A/C.1/43/L.22/Rev.2 focuses on conventional weapons, and seems to us to draw attention away from the same elements relating to nuclear weapons, which have been given no priority in the text. The draft resolution also makes international transfer of conventional arms appear to be a regional problem when they are in fact a global matter.

The major producers of weapons also possess the major arsenals; they cannot be allowed to continue to manufacture and accumulate them to the detriment of the security of others. Small countries cannot enter into commitments that would damage their own security.

Many other elements acknowledged by the international community, by consensus, are also missing from this draft resolution. Paragraph 12 of the Final Document of the first special session of the General Assembly devoted to disarmament is a good example of this. That paragraph speaks of the danger of the acquisition of armaments by racial régimes, but there is no reference to this in the draft resolution, we cannot talk about arms transfer without emphasizing that factor.

Neither does the text refer to the Security Council's embargo on the transfer of arms to South Africa, or to the need to enhance and implement that embargo.

(Mr. Nufiez Mosquera, Cuba)

There is a lack of due focus in the draft resolution's references to arms transfers. Paragraph 22 of the Final Document of the first session on disarmament states that there should be negotiations on the limitation of the international transfer of weapons, based on the principle of undiminished security for all States, and taking into account the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligations of States to respect that right, as well as the need of recipient States to protect their security. These are things that should have been stressed in this draft resolution.

Such principles are reiterated in the Final Document of the General Assembly, but are absent from draft resolution A/C.1/43/L. 22/Rev. 2. Paragraph 85 of the Final Document refers specifically to arms transfers:

"Consultations should be carried out among major arms supplier and recipient countries on the limitation of all types of international transfer of . . . weapons, based in particular on the principle of undiminished security of the parties with a view to promoting and enhancing stability at a lower military level, taking into account the need of all States to protect their security as well as the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligation of States to respect that right, in accordance with the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States". (resolution S-10/2, para. 85)

(Mr. Nufiez Mosquera, Cuba)

In our view, we cannot deal with such an important topic without giving it in its proper dimensions. Many exporters and suppliers of weapons also possess the largest arsenal; it is they that threaten the security, independence, sovereignty and territorial integrity of other States. We can see in these transfers the hostile, aggressive policy of some major Powers, along with their desire to use relationships based on force, their attempts to defend neo-colonial interests, and their attempts to destroy revolutionary processes. We must put an end to that situation.

(Mr. Nufiez Mosquera, Cuba)

In our view, the topic before us cannot be considered in isolation, nor can it be regarded as a regional problem. It has global implications and must be viewed in tandem with underlying causes.

Mr. TAYLHARDAT (Venezuela) (interpretation from Spanish) : Although my delegation fully agrees with the reasons which have prompted the submission of draft resolution A/C.1/43/L. 22/Rev. 2, and notwithstanding the fact that we recognize that a growing number of delegations consider that the problem of conventional disarmament is closely linked to the problem of licit and illicit arms transfers, my delegation has some technical difficulties with regard to the text.

Those difficulties are, inter alia, created by the fact that, first, draft resolution A/C.1/43/L. 22/Rev. 2 is too ambitious in its stated aim and, as a result, it is not, in our view, very realistic. Secondly, the draft resolution uses an a priori approach to the problem, because, even before the question has been sufficiently studied, the draft prejudices its effects and requests that States take measures, many of them unilateral. Thirdly, the draft resolution takes a position contrary to the one usually adopted in the United Nations in similar cases, because it begins by recommending the adoption of measures and then moves on to consideration of those measures. It requests the Disarmament Commission to take the question of international arms transfer into account in its deliberations on the issue of conventional disarmament, and it then requests the Secretary-General to seek the views and proposals of Member States and to carry out, thereafter, a study to be submitted to the General Assembly at its forty-sixth session. It also requests the Secretary-General to make available, within the framework of the World Disarmament Campaign, information concerning the question of arms transfer and their consequences for international peace and security. As we know, when such matters are studied the customary procedure is the reverse of the one outlined in the draft resolution.

(Mr. Tavlhadrat, Venezuela)

In spite of those difficulties, however, in recognition of the sincere moral and human motives that have inspired the sponsors of draft resolution L. 22/Rev. 2, the delegation of Venezuela will vote in favour of its adoption.

The CHAIRMAN: The Committee will now take action on draft resolution A/C.1/43/L.22/Rev.2. The programme budget implications of the draft resolutions are contained in document A/C.1/43/L.80. The draft resolution was introduced by the representative of Colombia at the 29th meeting of the First Committee on 7 November and is sponsored by the following countries: Australia, Bolivia, Cameroon, Canada, Colombia, Costa Rica, El Salvador, the Federal Republic of Germany, Guatemala, Honduras, Italy, Luxembourg, the Netherlands, Norway, Paraguay, Peru, the Philippines, Samoa, Sweden and the United Kingdom. A recorded vote has been requested.

A recorded vote was taken.

In favour: Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Kenya, the People's Democratic Republic, Liberia, Luxembourg, Malawi, Malaysia, Mali, Malta, Mexico, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Samoa, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yugoslavia, Zaire

Against: None

Abstaining: Algeria, Angola, Bahrain, Brazil, China, Cuba, Cyprus, Democratic Yemen, Djibouti, Egypt, Ethiopia, Fiji, India, Iraq, Jordan, Kuwait, Libyan Arab Jamhriya, Madagascar, Maldives, Morocco, Oman, Pakistan, Papua New Guinea, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Yemen, Zambia, Zimbabwe

Draft resolution A/C.1/43/L. 22/Rev. 2 was adopted by 93 votes to none, with 36 abstentions.

The CHAIRMAN: I should like to inform the Committee that the sponsor of draft resolution A/C.1/43/L. 28 does not wish to premm that draft resolution to a vote. The Committee will not, therefore, take any action on it.

The Committee will now turn to draft decision A/C.1/43/L. 35/Rev.1. The draft decision was submitted by the representative of Trinidad and Tobago at the thirtieth meeting of the First Committee on 8 November and is sponsored by the following countries: Antigua and Barbuda, Bahamas, Barbados, Grenada, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago and Vanuatu.

The sponsor has expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft decision A/C.1/43/L. 35/Rev.1 was adopted.

The CHAIRMAN: I now call upon those representatives who wish to make statements in explanation of vote after the voting.

Mr. FRIEDERSDORF (United States of America) : Draft resolution A/C.1/43/L. 22/Rev.1 raises a number of very serious issues concerning laborator upon concern8 that our delegation shares with our allies and good neighbour8 that are the key sponsors of that draft resolution. The problems addressed in the draft resolution are very real, and no State is immune from the political damage of destabilizing, indiscriminate arm transfer 8.

(Mr. Friedersdorf, United States)

We would have preferred to vote in favour of the draft resolution, both because of its worthy aims and because we appreciate the efforts of the drafters and share many of their concerns. Regrettably, we could not do so without doing violence to several important United States positions. Our delegation felt that draft resolution A/C.1/43/L. 22/Rev. 2 blurred the distinction between legitimate and illicit arms transfers. Furthermore, we did not participate in the International Conference on the Relationship between Disarmament and Development and therefore do not agree with references to the Programme of Action in the Final Document to which the draft resolution refers in the sixth preambular paragraph.

At a time when the United States and other countries have been pressing the United Nations to keep its budget in line with its income, our delegation finds inappropriate the calls for costly efforts to collect and monitor information on arms transfers, to use the World Disarmament Campaign to disseminate information and to conduct an expert study. We feel that the assertion in operative paragraph 1 (b) that arms transfers have a negative effect on the process of peaceful social and economic development of all people ignores the fact that arms transfers result from political tensions.

Mr. NAVARRO (Nicaragua) (interpretation from Spanish): My delegation voted in favour of draft resolution A/C.1/43/L. 22/Rev. 2 as we consider that the problem of international arms transfers is of interest to the international community .

However, we consider that the draft resolution just adopted might have included fundamental elements that must be taken into account when studying the problem. We are concerned that the draft resolution contains no reference to priorities in negotiations on disarmament as set forth in paragraph 45 of the Final Document of the first special session of the General Assembly devoted to disarmament. It makes it appear that the question of conventional arms transfers

(Mr. Navar co, Nicaragua)

is a matter of high priority but does not state that the major Powers have a primary responsibility regarding arms transfers. Such transfers are promoted by regional conflicts which in turn benefit the trade and political interests of those Powers that encourage such conflicts and which carry out illegal arms transfers even when, in specific situations, the International Court of Justice has condemned such transfers and called for an end to them.

For this reason, we consider that an indispensable prerequisite for restraining arms transfers is to find negotiated peaceful solutions to regional conflicts based upon the sovereign equality of States.

We further consider that a study or any negotiations regarding international arms transfers must of necessity be carried out on the basis of the principle that the security of countries not be impaired and that in order to promote stability at a lower military level the needs of all States to protect their security must be kept in mind.

Similarly, they should be carried out keeping in mind the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligation of States to respect those rights in keeping with the Charter and the principles of international law regarding relations of friendship and co-operation among States as well as the need for all receiving States to protect their security, particularly those threatened and harmed by the hegemonic policies of a foreign Power.

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish) : My delegation voted in favour of the draft resolution contained in document A/C.1/43/L.22/Rev.2 as we are convinced that the problem described there, that is to say, international arms transfers, constitutes a topic of great interest to the international community.

(Mr. Garcia Robles, Mexico)

However, we would have liked to see explicit indications that none of the provisions in the draft resolution should be interpreted as affecting priorities on disarmament negotiations as set forth in paragraph 45 of the Final Document of the first special session of the General Assembly devoted to disarmament.

ME. CHIRU (Panama, (interpretation from Spanish) : My delegation would like briefly to explain its favourable vote on the draft resolution contained in document A/C. 1/43/L 22/Rev. 2 that has just been adopted .

I share with the sponsors of the draft the belief that international arms transfers in all their aspects are important in view of their impact on the economies of developing countries. Similarly, we agree with the importance and the timeliness of emphasizing multilateral approaches to this phenomenon within the context of other efforts leading to complete and comprehensive disarmament.

However, we would have liked draft resolution A/C. 1/43/L 22/Rev. 2 also to have reflected the concerns of many countries which, like my own, have frequently seen their sovereignty as well as their right to the exercise of self-determination threatened as a result of the persistence of policies of confrontation, aggression and spheres of influence that imperil international security and peace and threaten the political independence of many countries.

Hence, my delegation would have preferred to see explicit reference in the draft resolution to the principles stated in paragraph 22 of the Final Document of the first special session of the General Assembly devoted to disarmament, that is to say, that negotiations on the limitation of international arms transfers must necessarily take into account the principle that no State's security should be impaired as well as the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligation of States to respect that right in accordance with the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States.

(Mr. Chiru, Panama)

We also consider that effort in this connection should be guided by the principles enshrined in paragraph 16 of the Final Document.

The CHAIRMAN: We have now concluded our work on draft resolutions in cluster 10 and we shall turn to cluster 9, where we will take action on draft resolutions A/C.1/43/L.38/Rev.1, A/C.1/43/L.62/Rev.2, and A/C.1/43/L.72/Rev.1. I shall now call upon those delegations wishing to speak on cluster 9.

Mr. BAGBENI ADEITO NZENGEYA (Zaire) (interpretation from French): Allow me first to extend to you, Sir, on behalf of the African States our deepest gratitude for the efforts which you have made to put into practice General Assembly resolution 42/42 N on the rationalization of the work of the Committee, the main objective of which was the merging of drafts dealing with the same item of the Committee's agenda. I am also very grateful to you for having conducted consultation on this item in cluster 9, which is of interest to us, and on the draft resolutions we are now considering.

In considering the excellent relations between you, Sir, and the Group of African States on the one hand and the good relations which have always existed between Nigeria and Zaire on the other hand, our delegation, nevertheless, wishes to make a few comments on draft resolution A/C.1/43/L.62/Rev. 2, which is before us. We believe that the Group of African States has made considerable efforts to try to merge these two draft resolutions. Despite those efforts, unfortunately, the group of countries which presented draft resolution A/C. 1/43/L. 62/Rev. 2 is insisting that that draft resolution be considered and approved by the Committee.

As Permanent Representative of Zaire I should like here to state the position of my delegation on points contained in draft resolution A/C.1/43/L. 62/Rev. 2. In the opinion of my delegation, this draft resolution presents several problems and is an ambiguous and incomplete answer to the concern of the African States, which is simply to ban the dumping of radioactive industrial and other wastes in Africa.

Let us begin with the title of draft resolution A/C. 1/43/L. 62/Rev. 2. It states "for hostile purposes", which would suggest that wastes could be dumped for other purposes, namely, commercial, economic, financial or other. Many African representatives have also raised that question.

(Mr. Bagbeni Molto Nsenguya, Zaire)

Our main concern relates to producing a code of conduct on the practice to be followed internationally when dealing with wastes. We are categorically opposed to having industrial and radioactive wastes dumped and there is no need for a code of conduct which would regulate such practices when we are dealing with industrial and radioactive wastes. I should also like to point out that the efforts made by our Group have been aimed first and foremost at merging these two draft resolutions.

Draft resolution A/C.1/43/L.72/Rev.1 contains in the first and third preambular paragraphs in fact the first and second preambular paragraphs of draft resolution A/C.1/43/L.62/Rev.2. Operative paragraph 2 of draft resolution A/C.1/43/L.62/Rev.2 raises a series of problems for many African delegations and that is why operative paragraph 2 of draft resolution A/C.1/43/L.62/Rev.2, as I have just pointed out, was not adopted. We oppose the working out of a code of conduct that would govern transactions we do not wish to see at all. Paragraph 3 of draft resolution A/C.1/43/L.62/Rev.2 presents the same problems as paragraph 4 of draft resolution A/C.1/43/L.72/Rev.1 as formulated at present. The same holds true for paragraph 4 of the operative part of draft resolution A/C.1/43/L.62/Rev.2, which is reproduced more or less in extenso in paragraph 5 of draft resolution A/C.1/43/L.72/Rev.1. Finally, operative paragraph 5 of draft resolution A/C.1/43/L.62/Rev.2 is nearly identical to operative paragraph 6 of draft resolution A/C.1/43/L.72/Rev.1.

In the light of all these elements my delegation will not be able to give its full support to draft resolution A/C.1/43/L.62/Rev.2.

Mr. ONONAIYE (Nigeria): I believe it is your intention, Sir, to conclude your work on cluster 9 quickly. I shall therefore be brief. It is evident to all members of the First Committee that the document now under consideration, draft resolution A/C.1/43/L.72/Rev.1, has undergone quite a transformation. Indeed there

(Mr. Ononaiye, Nigeria)

has been a considerable movement of paragraphs and ● xpreuiom from draft resolution A/C.1/43/L. 62/Rev.1 and Rev.2 to what used to be draft resolution A/C.1/43/L.72. Be that as it may, the tit188 speak for themselves. In draft resolution A/C.1/43/L. 62/Rev.2 the Committee is being asked to focus on the prohibition of the dumping of radioactive wastes for hostile purposes. We believe this comes within the purview of the First Committee. It zeroes in on an aspect of ● multidimensional problem of wastes, some of which can be dealt with within the First Committee while others will be dealt with in the Second Committee, as indeed that Committee has been attempting to do. We hope that representatives will look at these documents and, on the ● t,riCt merits of approach, consultations and the ● xplan8tion8 that have been offered, will take their decisions.

At this point we want to express immense gratitude to the delegations of Argentina, Brazil, Indonesia, Pakistan, Romania, Sri Lanka, the Syrian Arab Republic and Thailand, which have been the victims of an unfair barrage in an attempt to force those delegations to support what was still in the pipeline and not known to them. We feel that their constancy and solidarity will facilitate action on draft resolution A/C. 1/43/L.62/Rev. 2 - it is hoped by consensus.

The CHAIRMAN: I shall now call on those representatives who wish to explain their votes before the voting.

Mr. CHUNGONG (Cameroon): In explanation of vote before the voting on draft resolutions A/C. 1/43/L. 62/Rev. 2 and A/C. 1/43/L. 72/Rev.1 my delegation wishes to have the following position reflected in the records of our deliberations.

Mr. M. Chungong, Cameroon

You may recall, Sir, that the item under which there draft resolutions were submitted *was* included in the agenda of the forty-third session of the General Assembly at the request of the States members of the Organization of African Unity (OAU). Subsequently, at United Nations Headquarters in New York, the African Group, without exception, worked on the subject and produced draft resolution A/C.1/43/L. 72, which *was* introduced in the First Committee by the Permanent Representative of Zaire in his capacity as Chairman of that Group for the month.

At the same time, Nigeria introduced draft resolution A/C.1/43/L. 62 on the same subject. Thereafter, serious efforts were made by the African Group to have the concerns of all reflected in a single draft resolution rather than in the two we still have today.

Those efforts, aided by your patience, Sir, accommodated the concerns of Nigeria. I produced revised draft resolution A/C.1/43/L.72/Rev.1, which includes at least four paragraphs taken from draft resolution A/C.1/43/L. 62/Rev. 2. My delegation deeply regrets that those efforts failed to produce the hoped-for consensus. As a matter of principle, my delegation would have voted against draft resolution A/C.1/43/L.62/Rev. 2, but in a spirit of solidarity and because we consider that draft resolution A/C.1/43/L. 72/Rev.1 reflects the concerns of most delegations on the subject, we would not participate in the vote on draft resolution A/C. 1/43/L. 62/Rev. 2. It goes without saying that we would vote in favour of draft resolution A/C. 1/43/L. 72/Rev .1.

Mrs. MARICO (Mali) (interpretation from French): My delegation is grateful to you, Sir, for the efforts you have made over the past several weeks to come up with a consensus text, since the objective sought by all Member States is that of international peace and security through disarmament in all its aspects.

(Mrs. Marico, Mali)

It is in that spirit that my delegation endorses the important statements made yesterday afternoon and that made just now by Ambassador Bagbeni Adeito Nsengeys of Zaire, Chairman of the African Group for this month. My delegation pays a tribute to him for his numerous attempts to reconcile the two texts.

Therefore, my delegation too would have liked to have the Committee take a decision, not on two texts but on draft resolution A/C.1/43/L. 72/Rev.1, which incorporates the major concerns expressed in draft resolution A/C.1/43/L. 62/Rev. 2. The Committee is now ready to take a position on draft resolution A/C.1/43/L.62/Rev. 2, and my delegation would therefore like to express its views on certain of its provisions.

We have some difficulties with the title of the draft resolution, in particular with the notion of hostile purposes. That notion seems dangerous to us, since it is liable to sow confusion. We believe that the dumping of radioactive wastes cannot exist for non-hostile purposes. That dumping must be banned once and for all, since most Member States do not have the technical capabilities necessary to deal fully with those wastes and to understand their nature.

In operative paragraph 1, all States are called upon to ensure that no practices occur that would infringe their sovereignty. That implies, in our view, that States may engage in such dumping so long as it does not infringe their sovereignty. My delegation could not accept such a provision.

In regard to operative paragraph 2, my delegation rejects any concept of international transactions involving the dumping of nuclear wastes. Moreover, the membership and competence of the group of experts mentioned in the same paragraph is not clear to us.

Operative paragraph 3 would have the General Assembly request the Conference on Disarmament to take into account in the negotiation of a convention on the prohibition of radiological weapons the dumping of radioactive wastes.

(Mrs. Marico, Mali)

However, in accordance with the unanimous decision taken in Addis Ababa by the Council of Ministers of the Organization of African Unity (OAU) last May - a decision, moreover, that was endorsed by the 24th summit meeting of the OAU Heads of State and Government - my delegation's mandate is to reject any practices of dumping of nuclear and industrial wastes in foreign States.

Moreover, the summit meeting of Heads of State and Government of the Economic Community of West African States (ECOWAS), which includes 16 States, at its eleventh session held at Lomé in Togo from 23 to 25 June 1988, in its resolution A/S.1/6/88:

"unequivocally condemns any acts or attempts to dump industrial wastes and other harmful substances in the territories or territorial waters of any member State of ECOWAS";

Secondly,

"calls on member States within their respective countries, to promulgate laws declaring guilty of crimes any person, group of people or enterprise or organization which participates in any act facilitating the dumping of industrial wastes in any one of their States";

Thirdly,

"calls on each member State to take all necessary provisions to prevent its Government, officials or any individual or corporate entity from engaging in any act involving the dumping of industrial or toxic wastes or harmful substances in any part of Africa whatsoever";

Fourthly,

"urges Governments of industrialized countries to take necessary measures to ensure without danger the elimination of toxic industrial wastes and other harmful substances and to strengthen procedures for implementation of these measures to prevent the export of those products to other countries".

(Mrs. Marico, Mali)

For all of the reasons just enumerated and given the efforts made by the sponsors of draft resolution A/C.1/43/L. 72/Rev.1 to create a single text, my delegation is inclined to vote against draft resolution A/C.1/43/L.62/Rev. 2.

However, though we should like to do so, out of respect for other considerations my delegation will abstain on the vote on draft resolution A/C.1/43/L. 62/Rev.1 but would be opposed to the wording in operative paragraphs 1, 2 and 3 if they were put to a vote separately.

My delegation would like this statement to be included in the record of the present session.

Mr. MEERBURG (Netherlands): The Netherlands fully understand the concerns expressed by the sponsors of draft resolution A/C.1/43/L.62/Rev. 2 and A/C.1/43/L. 72/Rev.1, on the question of the dumping of wastes. We must, however, make a clear distinction between the dumping of industrial wastes - radioactive, toxic or otherwise - and the possible hostile use of radioactive materials.

The first issue does not belong in the First Committee. It must be discussed in other forums, such as the Second Committee, and the specialized agencies, such as the International Atomic Energy Agency and the United Nations Environment Programme.

The second issue does, indeed, belong in the First Committee and is more particularly a matter of concern to the Conference on Disarmament under the agenda item "Radiological weapons".

Although draft resolution A/C.1/43/L. 62/Rev. 2 covers both the issue of the dumping of radioactive wastes and that of its possible hostile use, it does so in a non-controversial way. Indeed, we are quite satisfied by the constructive approach taken by the delegation of Nigeria and the co-sponsors of the draft resolution on this matter. We will therefore vote in favour of the draft resolution if it is brought to a vote.

(Mr. Meerburg, Netherlands)

In doing so, we should like to point out that to the best of our knowledge there is no dumping of radioactive material in Africa. Neither is there at present proof of any hostile use of such wastes. On the procedural grounds that the issue of industrial waste, which is the main subject of draft resolution A/C.1/43/L.72/Rev.1, does not belong in the First Committee, we shall abstain in the vote on that draft resolution, while we pledge at the same time that the Netherlands will constructively consider that matter in the proper forums.

Mr. ANET (Côte d'Ivoire) (interpretation from French) I shall not engage in a detailed analysis of draft resolution A/C.1/43/L.62/Rev. 2; this has already been supplied by the current Chairman of the African Group and by the representative of Mali, whose president is the current Chairman of the Organization of African Unity (OAU).

Contrary to our usual practice, my delegation will have to vote against draft resolution A/C.1/43/L.62/Rev. 2. As the inter-African consultation were unsuccessful, the African delegations were unable to submit a consensus text to the Committee. Were we to vote in favour of draft resolution A/C.1/43/L.62/Rev. 2 we would be ignoring the relevant provisions, first of all, of resolution A/RES/1/6/88 concerning the dumping of industrial, nuclear and toxic wastes adopted at the eleventh conference of Heads of State or Government of the Economic Community of West African States, held at Lomé from 23 to 25 June 1988.

Secondly, we should be contravening Côte d'Ivoire Law 88/651 of 7 July 1988 on the protection of public health and the environment and the effects of industrial, toxic and nuclear wastes and pollution.

For those reasons, the delegation of Côte d'Ivoire reserves its right to continue the dialogue to achieve better understanding of the reasons underlying the introduction of various draft resolutions, rather than enabling the African continent to speak in a single voice, as is customary.

(Mr. Anet, Côte d'Ivoire)

Côte d'Ivoire will vote against draft resolution A/C.1/43/L. 62/Rev. 2.

However, in keeping with the decision adopted by the OAU Council of Ministers at its ~~forty-eighth~~ ordinary session, held at Addis Ababa from 19 to 23 May 1988, my delegation will vote in favour of 'draft resolution A/C.1/43/L. 72/Rev.1.

Mr. NIYUNGEKO (Burundi) (interpretation from French) : I too wish to explain my country's position on these two draft resolutions. The question of the dumping of nuclear and industrial wastes in Africa is of the greatest importance to my delegation. The reports on this subject that appear regularly in the international press are alarming. When the question was discussed at the Council of Ministers of the Organization of African Unity (OAU) last May at Addis Ababa, the Council took an unequivocal decision against all transactions in such wastes. The relevant paragraphs have already been cited here. Paragraph 1 declares that all dumping of nuclear and industrial wastes in Africa is a crime against Africa and its people; and paragraph 3 urges African countries that have signed agreements or otherwise authorized the dumping of nuclear and industrial wastes in their territories to repudiate them, and those that have not done so to refrain from doing so.

The representative of Mali has already read out the relevant portions of the document adopted by the group of West African States at their summit meeting? that group unequivocally condemned the dumping of wastes in Africa.

Those decisions by African leaders are the guidelines followed by a number of delegations, including my own. In that context, we note that certain provisions of draft resolution A/C.1/43/L.62/Rev. 2 run counter to the paragraphs cited here. For that reason, if certain parts of draft resolution A/C.1/43/L. 62/Rev. 2 - in particular operative paragraph 2 - are put to a separate vote, my delegation will oppose them. However, on the draft resolution as a whole, my delegation, out of courtesy to those who have made an effort to raise this question, will abstain.

(Mr. Niyungeko, Burundi)

delegation will vote in favour of draft resolution A/C.1/43/L.72/Rev.1.

The CHAIRMAN: We shall now take action on draft resolutions in cluster 9. I wish first to my appreciation to the representative of the Byelorussian SSR, who has been very patient with the Chair with respect to the voting.

We turn now to draft resolution A/C.1/43/L.38/Rev.1, as orally revised by the delegation of the Byelorussian SSR on 16 November. The draft resolution was introduced by the representative of the Byelorussian SSR at the 31st meeting of the First Committee, held on 9 November, and is sponsored by the delegations of Afghanistan, Angola, Benin, Bulgaria, Burkina Faso, the Byelorussian SSR, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, the German Democratic Republic, Hungary, the LAO People's Democratic Republic, Mongolia, Mozambique, Poland, Romania, the Syrian Arab Republic, the Ukrainian SSR, the Union of Soviet Socialist Republics and Viet Nam.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Israel, United States of America

Draft resolution A/C.1/43/L.38/Rev.1, as orally amended, was adopted by 134 votes to none, with 2 abstentions.

The CHAIRMAN: The Committee will now vote on draft resolution

A/C.1/43/L.62/Rev. 2. This draft was introduced by the representative of Nigeria at the 32nd meeting of the First Committee, on 9 November, and has the following sponsors: Argentina, Brazil, Indonesia, Nigeria, Pakistan, Romania, Sri Lanka, the Syrian Arab Republic and Thailand.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Ethiopia, Fiji, Finland, France, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Maldives, Malta, Mexico, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe

Against: Congo, Côte d'Ivoire, Togo

Abstaining: Angola, Bahamas, Burkina Faso, Burundi, Guyana, Malawi, Mali, Niger, United Republic of Tanzania, Zaire, Zambia

Draft resolution A/C.1/43/L.62/Rev.2 was adopted by 103 votes to 3, with 11 abstentions.

The CHAIRMAN: The Committee will now take a decision on draft resolution A/C.1/43/L.72/Rev.1. This draft resolution was introduced by the representative of Zaire on behalf of the Group of African States at the 28th meeting of the First Committee, on 7 November, and it has an additional co-sponsor - Romania.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against:

Abstaining: Belgium, Canada, France, Germany, Federal Republic of, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution A/C.1/43/L.72/Rev.1 was adopted by 125 votes to none, with 13 abstentions.

The CHAIRMAN: I shall now call upon those representatives who wish to explain their vote on the draft resolutions just adopted.

Mr. FRIEDERSDORF (United States of America): I should like to explain briefly the United States abstention in the voting on draft resolution A/C.1/43/L. 72/Rev.1, introduced by the representative of Zaire on behalf of the Group of African States, concerning the dumping of radioactive wastes.

Our delegation recognizes the considerable and helpful changes that have been made to the original version of this draft resolution. However, in a number of respects it continues to present difficulties, in particular in its fifth and seventh preambular paragraphs and in its operative paragraph 4, all of which appear to link all nuclear waste dumping practices with security questions, and operative paragraph 2, which in our view appears to be factually incorrect. Moreover, the draft resolution introduces commercial and environmental issues that do not fall within the competence of the First Committee.

However, our inability to support this draft resolution should not be construed as a lack of recognition of the importance of the issues it raises. In this regard our delegation supported draft resolution A/C.1/43/L. 62/Rev. 2, which is focused on that aspect of the nuclear dumping issue that is germane to our work, namely, the use of nuclear waste for hostile purposes.

Mr. HOULLEZ (Belgium) (interpretation from French): I should like to explain my delegation's vote on the draft resolution in cluster 9, specifically on A/C.1/43/L. 62/Rev. 2 and A/C.1/43/L. 72/Rev.1.

My delegation was pleased to be able to vote in favour of draft resolution A/C.1/43/L. 62/Rev. 2. We welcome the continuous efforts that have been made since the outset of this session by the sponsors of the draft resolution to produce a text which would meet the concerns of other delegations. That course of action is,

(Mr. Houlliez, Belgium)

I think, in keeping with the appeal that you, Mr. Chairman, made to reach consensus texts. My delegation would like to make it clear that it favours the continuation of consideration, within the Ad Hoc Committee on Radiological Weapons of the Conference on Disarmament, of all questions dealing with the banning of radiological weapons.

Regarding draft resolution A/C.1/43/L.72/Rev.1, my delegation was not able to vote in favour of it because, despite the addition of certain elements taken from draft resolution A/C.1/43/L.62/Rev.2, this draft deals with certain questions which, important as they may be, do not fall within the competence of the First Committee and are not specifically problems for Africa.

For the first reason I have given, and to save time, I shall refrain from bringing out here the paragraphs which would in any case be unacceptable to my delegation.

Mr. HERZBRUCH (Federal Republic of Germany): I should like to comment, on behalf of the delegation of the Federal Republic of Germany, on draft resolution A/C.1/43/L.62/Rev.2. Having voted in favour of the draft resolution, my delegation wishes to express its full understanding of the problems of the dumping of nuclear wastes and toxic industrial wastes, raised by the African countries. My Government is fully aware of the problems caused by illegal and improper dumping all over the world and is willing and ready to co-operate to help solve the problem. Nevertheless, my delegation is not completely happy with draft resolution A/C.1/43/L.62/Rev.2, and I should like to explain our position.

(Mr. Hersbruch, Federal
Republic of Germany)

We regret very much that the text mixes two completely different things, the use of radioactive material for radiological warfare and the illegal dumping of radioactive wastes. This creates inconsistencies in the matter itself as well as in the responsibilities involved. While the Conference on Disarmament is dealing with the problem of radiological warfare, the International Atomic Energy Agency is studying the question of nuclear wastes.

(Mr. Herzbrich, Federal Republic
of Germany)

By mixing both matters, instead of clearly separating them, we make the subject more difficult for the abovementioned panels.

In the light of what I have just said, we find it difficult to agree with the word "dumping" instead of "use" in connection with radioactive wastes.

Furthermore, we do not believe that radioactive wastes can be used for military purposes as some kind of weapon. Effective warfare needs weapons, not waste. We also have difficulties in drawing a clear line between hostile acts and violations of the sovereignty of States in regard to illegal dumping of waste by private enterprises. Nevertheless, my Government recognizes the intentions of the sponsors of the draft resolution and will take them into full account in the relevant forums: radiological weapons in the disarmament negotiations, radioactive waste in the International Atomic Energy Agency, and toxic industrial waste in the Second Committee of the General Assembly and the United Nations Environment Programme (UNEP).

My Government also supports strict regulation for transfer and storage of dangerous wastes. We join all those condemning illegal dumping of wastes in Africa and in all other countries all over the world, including the open seas. National, as well as international laws, rules and regulations are necessary to prevent illegal dumping. Such national laws, rules and regulations already exist in the Federal Republic of Germany.

In concluding my explanation of vote, let me express our thanks to those African delegations who highlighted this urgent problem. We join them in calling for an early solution and assure them of the full support of my country in that process.

Mr. RIDER (New Zealand) I In her statement to the First Committee on 17 October, my Permanent Representative expressed New Zealand's sympathy with African countries. Concerned at attempts to ship the poisonous and perhaps radioactive water of the developed world to their shores, they had promoted a new item on the First Committee's agenda through which they might attain some measure of protection against this practice. She noted that those concerns were shared by New Zealand, since our own region had itself been used as a dumping ground for toxic waste. Accordingly, the New Zealand delegation had hoped that the African States would present a single draft resolution for our consideration which would reflect their justified concerns in a balanced and pragmatic manner. Regrettably, we were presented with two draft resolutions under this agenda item. The first, sponsored by Niger is and contained in document A/C.1/43/L.62/Rev.2, seemed to the New Zealand delegation to adopt a sensible and practical approach, and we have been happy to lend our support to it.

New Zealand has some reservations about the second draft resolution, contained in document A/C.1/43/L.72/Rev.1. We should like to see a greater distinction between waste dumped in accordance with internationally approved standards and that dumped or disposed of without proper regard to safety and environmental concerns. We should also like to see greater emphasis placed on the important role that has been played by the International Atomic Energy Agency in establishing standards in this highly technical field.

Nevertheless, because we sympathize with the broad concerns of the sponsors of A/C.1/43/L.72/Rev.1, we have decided to support this draft. In doing so, however, we call upon those sponsors and the sponsors of the draft resolution A/C.1/43/L.62/Rev.2, to bring before us next year a single text, directly relevant to the work of this Committee and one which would attract the support of all delegations.

Mr. LETTS (Australia): Australia has voted in favour of both draft resolutions, A/C.1/43/L.62/Rev. 2 and L. 72/Rev.1, because of our strong concern that developing countries should not be the unwilling recipients of other countries' toxic or nuclear wastes. We would however like to voice our disappointment that the sponsors of those draft resolutions were unable to merge the two texts, which would, in our view, have given greater strength to their message and purpose. We also believe that operative paragraph 4 in draft resolution A/C.1/43/L. 72/Rev.1, which refers to action to be taken in the Conference on Disarmament, would have been better expressed if it had been put in the same terms as operative paragraph 3 of draft resolution A/C.1/43/L. 62/Rev. 2, which more accurately reflects the scope within which the dumping of radioactive wastes should be considered in that forum.

Mr. FISCHER (Uruguay) (interpretation from Spanish): With regard to our favourable vote on draft resolutions A/C. 1/43/L. 62/Rev. 2 and L. 72/Rev.1, while conceptually we understand that there can be some formal reservations with regard to the appropriateness of dealing with the subject in the First Committee, we think that we had to cast a favourable vote in this Committee. The urgency of the danger to the integrity, life and security of the individual and the possible damage to the sovereignty of States flowing from the improper management of radioactive waste, the fragility of means to prevent such dangers and the unforeseeability of its presence, lead us to think that it cannot fall outside the framework of the ethical and juridical concerns underlying the activities of this Committee and the draft put forward, or of the responsibilities that may be involved because of the mismanagement of radioactive substances.

Moreover, this has been a matter of particular concern to the countries which have sponsored the establishment of a zone of peace and co-operation in the South Atlantic.

The CHAIRMAN: That concludes our session on cluster 9. We still have clusters 11 and 12 to deal with, which I intend to ask the Committee to do this afternoon,

It is my duty to remind members of the Committee that, in accordance with the Committee's programme of work and timetable, on Monday, 21 November, the Committee will embark on the general debate, consideration of and action on agenda item 70, "The question of Antarctica".

Furthermore, I should also like to remind the Committee that, in accordance with the decision of the Committee and as reflected in its programme of work and timetable, the list of speakers for the general debate and consideration of and action on draft resolutions under that agenda item will be closed on Monday, 21 November, at 12 noon. In order to effectively and efficiently to use the time and facilities available to us, I urge delegations kindly to inscribe their names on the list of speakers as soon as possible. I should also like to urge those delegations wishing to submit draft resolutions under that item kindly to make all necessary efforts in order to meet the deadline for submission of draft resolutions under item 70, which is also Monday, 21 November, at 12 noon.

The meeting rose at 1.10 p.m.