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Chairman: Mr. Omar Abdel Hamid ADEEL
(Sudan).

AGENDA ITEM 26

Question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons: report of the Secretary-General (A/5174 and Add.1, A/C.1/L.319) (continued)

GENERAL DEBATE (continued)

1. Mr. GEBRE-EGZY (Ethiopia) said that on behalf of his own and seventeen other delegations he wished to introduce a draft resolution (A/C.1/L.319) under which the Assembly would request the Secretary-General to consult further the Governments of Member States to ascertain their views on the possibility of convening a special conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes. The resolution was necessary to permit an expression of opinion by the new Member States and by any other States which had not yet commented on the matter. It would also provide a further opportunity for States which had taken a dissenting position to express their views.

2. Mr. ZOUHIR (Tunisia) said that the present precarious balance of power was no more satisfactory to Tunisia than it was to most other States. Although a year had passed since the adoption of General Assembly resolution 1653 (XVI), world apprehension over the nuclear arms race, far from lessening, had become even greater as a result of the events that had occurred in Asia, Africa and Latin America. The recent crisis had further underscored the need for all States to co-ordinate their efforts to find means of protecting mankind and civilization against the threat of nuclear catastrophe.

3. Since a mere declaration of intention, even if embodied in an international convention, would remain ineffective unless the nuclear Powers were firmly resolved to halt the arms race and give serious consideration to general and complete disarmament, it was understandable that some Governments had reservations about the advisability of convening the conference envisaged in resolution 1653 (XVI). It would unquestion-

ably be unrealistic to suppose that such a conference would cause the great Powers to stop basing their defence policies on their nuclear potential. Some Governments felt that a conference would have no chance of succeeding unless there existed a combination of certain favourable conditions. It was true that the signing of a mere declaration, even if it was embodied in an international convention, would not be an effective method of preventing the use of nuclear weapons unless it was accompanied by measures leading to the achievement of a programme of general and complete disarmament in a peaceful world no longer haunted by the threat of nuclear war.

4. It could also be argued that the conclusion of a convention which merely expressed the desire of States to eliminate nuclear weapons would not be sufficient to create the atmosphere of trust that was a prerequisite to universal renunciation of the use of those weapons. It was contended by some that the result might even be a deceptive sense of security which might retard efforts to arrive at practical agreements on general and complete disarmament.

5. Despite those uncertainties, however, Tunisia had decided to support the principle of convening an international conference, since it felt that no means should be overlooked, however problematical its chances of success, that might encourage the nuclear Powers to continue their dialogue with a view to the elimination of nuclear weapons and, ultimately, the achievement of general and complete disarmament under favourable conditions of control and mutual security. Any step that might help even slightly to restore confidence and induce the great Powers to heed the desires of anguished mankind was worthy of support; his delegation therefore urged the members of the Committee to support draft resolution A/C.1/L.319, of which it was a sponsor.

6. Mr. KOIRALA (Nepal) observed that since September 1961 despair over the prospects for disarmament had gradually given way to a mood of watchful hopefulness. One of the positive new factors in the situation was the resumption of the Conference of the Eighteen-Nation Committee on Disarmament at Geneva, following the adoption by the General Assembly, on the recommendation of the First Committee, of resolution 1767 (XVII). The idea of creating denuclearized zones had been making headway during the past year, and the Committee had only recently adopted two draft resolutions on the suspension of nuclear tests (General Assembly resolutions 1762 A and B (XVII)). It was also encouraging to note that recent events in the Caribbean and in the Himalayas had ended in the triumph of wisdom and restraint over impulsiveness and violence.

7. However, the fact that some progress had apparently been made towards the goal of general and complete disarmament should not cause a slackening of efforts or foster a false sense of security. In parti-

cular, consideration of the question of prohibiting the use of nuclear and thermo-nuclear weapons for war purposes would unquestionably be facilitated if all Member States communicated their views to the Secretary-General. Since only slightly more than half of all Member States had indicated their views, he agreed with the Liberian representative that the General Assembly should ask the Secretary-General to continue his inquiry in accordance with resolution 1653 (XVI) and to report to the Assembly at its eighteenth session. It was in the light of those considerations that Nepal had decided to join in sponsoring draft resolution A/C.1/L.319.

8. Mr. PAZHAWAK (Afghanistan) congratulated the Ethiopian representative on his constructive statement at the previous meeting, emphasizing the importance of a problem which the Afghan Government had carefully studied and on which it had communicated its views to the Secretary-General. Summarizing Afghanistan's reply, he stressed that while his Government was in favour of convening the proposed conference, it was prepared to consider any other means by which, in the opinion of a majority of Member States, it would be possible to bring about the prohibition of the use of nuclear and thermo-nuclear weapons and the elimination of existing weapons of mass destruction. He was glad to note that a majority of Governments had indicated support for the proposed conference and that as the Secretary-General had observed in his report (A/5174), the replies reflected the concern of the Members of the United Nations to continue the search for acceptable means of eliminating the possible use of nuclear and thermo-nuclear weapons. However, since some Governments had questioned the advisability of convening a conference at the present time and had indicated that they would prefer to await the results of the Eighteen-Nation Committee's work before taking a definite stand, his delegation wished to point out that the signing of a convention would be an effective step not only towards the prohibition of weapons of mass destruction but also towards the conclusion of an agreement on general and complete disarmament. It would help to reduce international tension and would answer the expectations of people everywhere, who were living in constant fear of annihilation. It would also enable the United Nations to achieve one of the purposes of the Charter and to fulfil its obligations in that regard.

9. One Government had stated that the condemnation of nuclear weapons, which were only one of the existing instruments of war, would not eliminate war itself. However, it would surely not be possible to eliminate war if the means of waging war continued to exist. Moreover, the danger inherent in nuclear weapons lay not only in their possible use in a declared war but also in the possibility of their accidental use.

10. It had also been contended that any impairment of the right of self-defence would be contrary to the spirit of the Charter. That argument was irrelevant in discussing the conclusion of a convention prohibiting the use of nuclear and thermo-nuclear weapons which, it was to be hoped, would be signed by all countries possessing such weapons and which would be binding on all States. The condemnation or elimination of nuclear and thermo-nuclear weapons on that basis could in no way encourage aggression.

11. Another contention was that the nuclear Powers would continue to base their defence policies on their nuclear capacity. However, it was in fact the absence

of a convention that caused countries to pursue such policies. It had been asserted that the use of nuclear weapons for defensive purposes was not contrary to the spirit of the Charter or to international law in general, especially in the case of small countries which relied on a system of collective security. He wished to say first of all, in that regard, that the interest of one group of countries or another should not be the primary consideration, since nuclear weapons threatened the existence of all mankind and both sides in any nuclear war would face possible annihilation. Where nuclear weapons were concerned, therefore, the question of self-defence had to be subjected to very close examination. The small countries would be capable of neither attack nor defence in a nuclear war, and the system of collective security on which they relied might then prove to be, in reality, a system of collective insecurity. That was why his delegation had said, during the discussion of a nuclear test ban, that it should not be difficult for the small countries to quit the camp of annihilation and join that of humanity, both in the interest of their own people and in order to ensure the survival of the human race.

12. It had been argued that the signing of a convention as proposed would serve no useful purpose and might, in fact, be dangerous, in so far as it would tend to encourage a false sense of security and lead States to reduce their endeavours to prevent the further spread of nuclear weapons and establish an effective world security system, and would distract attention from more fruitful approaches to the elimination of nuclear war. If that were true, no international instrument would have any value. Moreover, it was difficult to understand the argument that when States agreed to destroy certain weapons or prohibit their use, they would be led to reduce their endeavours to prevent the further spread of those weapons. It was obvious that the proposed conference, which he hoped would be attended not only by Members of the United Nations but by all States, could only focus even more attention on effective solutions for eliminating nuclear war. Furthermore, the fears expressed by a number of countries should be eliminated by the provisions of the convention.

13. Up to the present time only about sixty Governments had replied to the Secretary-General's inquiry. It would therefore be desirable to request the other Governments to communicate their views, in the light of the discussions which had taken place in the Committee. Member States should also thoroughly examine all points of view concerning the convening of a conference for drafting a convention, adopting a declaration or finding other means which would fulfil the basic objectives sought by the sponsors of the idea. In that matter it was important to seek unanimity among States. His delegation would support the will of the majority on any practical measures that would result in the fulfilment of the objectives in view. It had joined in sponsoring draft resolution A/C.1/L.319, which fully reflected its view on the matter, and it hoped that if Member States acquainted themselves more fully with the views of the various countries, the United Nations would be able, at a more appropriate time, to fulfil its task, if not by completely stopping war, at least by stopping nuclear war.

14. Mr. DATCU (Romania) expressed satisfaction with the action taken by the Secretary-General to implement General Assembly resolution 1653 (XVI), and agreed with his conclusion that Member States should

endeavour to find means of prohibiting the use of nuclear and thermo-nuclear weapons. Most of the sixty or so nations which had replied did in fact support the convening of the proposed special conference. In that connexion, he recalled the terms of his Government's reply, contained in document A/5174.

15. Representatives who had spoken, particularly on the question of general and complete disarmament, had pointed out that the existence and continued stockpiling of weapons of mass destruction conflicted not only with the peoples' aspirations for peace but also with efforts to achieve economic and social progress. Moreover, nuclear weapons were so powerful that they did away with any distinction between combatants and civilians, and would, if used, destroy vast areas indiscriminately. Their use would therefore be a violation of the United Nations Charter and of the rules of international law. To be sure, the most reliable way to remove the danger of a nuclear war for all time was general and complete disarmament under strict international control. But so long as disarmament had not been achieved, it was the duty of every country to promote the adoption of measures which would create more favourable conditions. The conclusion of an agreement on the prohibition of nuclear and thermo-nuclear weapons would be a most important step towards that goal. While the use of weapons of mass destruction had already been prohibited in the past, the Charter had now made any use of force illegal, and the principle of general and complete disarmament had been recognized.

16. The opponents of the proposed measure had been unable to support their case by any valid arguments. On the other hand, the signing of the proposed convention would undoubtedly facilitate the negotiations for the prohibition and elimination of nuclear weapons and the destruction of existing stockpiles, and would contribute to the solution of the problem of general and complete disarmament. It would therefore be a practical and realistic step, making possible a relaxation of international tensions and the creation of an atmosphere of trust among States. Consequently his delegation considered it possible and necessary to convene a special conference for that purpose. Romania would do all in its power to ensure the success of such a conference.

17. Mr. BELAUNDE (Peru) said that he interpreted the draft resolution introduced by the representative of Ethiopia as a means of mobilizing the psychological factor of world opinion in favour of peace and the conclusion of an agreement prohibiting nuclear weapons and regulating conventional weapons. That psychological factor was highly important, at a time when the world was struggling against the five factors of inertia, distrust, the myth or illusion of the decisive weapon, the fear—a remnant of an earlier age—of any control limiting national sovereignty, and the desire for domination. In those discouraging circumstances there was still hope to be found in the psychological factor of world opinion, the growing feeling in all countries that the world must establish international law and order if it was to survive. In the past it had been believed that the rule of law could be achieved by degrees. But the rhythm of history, with its alternating long periods of war and peace, now seemed to have changed, so that humanity was confronted with two alternatives: either a universal war or the establishment internationally of a rule of law such as existed at the national level in the civilized countries.

18. The draft resolution corresponded in its goal, if not in its methods, with the universal desire to mobi-

lize world opinion to recognize that the rule of world law was the only way to eliminate weapons of mass destruction and regulate conventional weapons. However, a distinction had to be made between the end and the means. A simple declaration did not constitute an effective instrument. What was needed was a multi-lateral treaty concluded under the auspices of the United Nations. A General Assembly resolution would not suffice to give effect to the proposed convention, and the reactions of the various countries had to be considered. The Secretary-General had consulted the Governments of Member States, in accordance with resolution 1653 (XVI). Yet half of the States approached had not yet expressed their views, and under those conditions certain delegations would be reluctant to express their opinions in a vote.

19. If the consultations were continued, as provided in draft resolution A/C.1/L.319, the proposed procedure would acquire greater moral authority. Moreover, the proposed time limits would enable States to follow the work of the Conference of the Eighteen-Nation Committee on Disarmament at Geneva, which—it should be remembered—was not merely a technical body; it functioned under United Nations auspices and included representatives of the Warsaw Treaty countries, of the NATO countries and of uncommitted countries representing the United Nations. The proposed draft convention was a kind of admonition to the Eighteen-Nation Committee that if it failed to find a solution for the problems of disarmament, the United Nations could, as a substitute measure, convene a world conference to take action or adopt a declaration. His delegation would therefore support draft resolution A/C.1/L.319.

20. Mr. BLUSZTAJN (Poland) said that his delegation fully endorsed the step taken by the Ethiopian delegation and by the other delegations which had supported it. It was important to uphold the principle of international law that there were weapons whose use in war was a crime against humanity. Certain declarations, such as the Declaration of St. Petersburg of 1868, the Declaration of the Brussels Conference of 1874, the Conventions of The Hague Peace Conferences of 1899 and 1907 and the Geneva Protocol of 1925, had played an important role in the shaping of modern international law, and as the Peruvian representative had said, it was necessary to complete that system by an international convention prohibiting the use of nuclear weapons and other weapons of mass destruction. Moreover no means should be neglected of reducing the danger of nuclear warfare and counteracting certain tendencies to treat atomic weapons like any other explosives. Lastly, his delegation was convinced of the advisability of concluding an internationally binding agreement which would outlaw the use of atomic weapons as a crime against mankind and civilization.

21. Of course, such an agreement would be only a limited one, and the objective to be pursued was an agreement on general and complete disarmament providing for the elimination of nuclear weapons at the very first stages. Nevertheless, pending a solution of the problem of general and complete disarmament, some partial measures must be adopted. A number of measures of that kind had been considered at the sixteenth and seventeenth sessions of the General Assembly. Some would be discussed by the Eighteen-Nation Committee at Geneva. The international convention proposed by draft resolution A/C.1/L.319 represented a very important partial measure, since it would help to reduce distrust and improve the inter-

national atmosphere, thus facilitating the solution of the problem of general and complete disarmament.

22. Judging from the number of Governments which had replied to the Secretary-General's inquiry, it appeared necessary to continue consultations, as provided in draft resolution A/C.1/L.319. The important thing was to keep the matter on the Assembly's agenda in the hope that at the following session it would be

possible to find a final and positive solution to the problem of nuclear and thermo-nuclear weapons. While mankind looked forward to the day when the atom bomb would be destroyed, it could express its indignation without further delay at all suggestions that it should not only live with the bomb but also condone its use.

The meeting rose at 4.45 p.m.